

CONDEMNED MAN MAY BE SET FREE.

Robert L. King, Sentenced for Murder of Col. Prowse, Has Chance For Liberty.

LYNCH NOT SO FORTUNATE.

His Alleged Partner Will Probably be Re-Sentenced to Death Some Time Next Week.

James Lynch will probably be re-sentenced to death some time next week. Dist. Atty. Eichnor will take the matter up as soon as Judge Booth, who heard the case, returns from Nebraska. Mr. Eichnor states that, unless some additional evidence can be secured in the near future against Robert L. King, who was convicted with Lynch of the murder of Col. Godfrey Prowse, the case against him will be dismissed.

BLIND MAN SUES.

John Corkish Seeks Again to Recover \$80,000 From April Pool.

John Corkish has filed another complaint in the district court against the April Pool Mining company to recover \$80,000 damages for the loss of his right hand and both eyes in an explosion in the company's mine on June 15, 1900. Plaintiff's former complaint was dismissed by Judge Stewart without prejudice, so as to allow some amendments to be made. The trial of the action had commenced, a jury sworn in and plaintiff was on the witness stand when his attorneys asked leave to amend the complaint. Judge Stewart denied the motion to amend at that time and dismissed the action without prejudice.

JUDGMENT REVERSED.

Supreme Court Finds in Favor of Harriet Brounby et al.

The supreme court has reversed the judgment of the lower court in the case of F. A. Sherman vs. Harriet Brounby et al., appellants. The action was brought in this county to recover \$250 alleged to be due on two promissory notes and to foreclose a trust deed on real estate situated in Tooele county given to secure the payment of notes. Defendants demurred to the complaint on the ground that the court had no jurisdiction for the reason that the action should have been brought in Tooele county, where the real estate is situated.

The demurrer was overruled by the lower court and judgment entered in favor of plaintiff. From this judgment an appeal was taken. The opinion of the supreme court, written by District Judge Rolapp, by which the lower court's judgment was reversed, is as follows: Justice Barch, holds that the demurrer should have been sustained and that the action should have been brought in Tooele county. The judgment of the lower court was accordingly reversed.

HILTON CASE AGAIN.

W. S. McCormick Denies that Plaintiff Was Dr. Park's Wife.

Another chapter is being added to the famous Hilton-Park case in Judge Hall's court today, in the trial of the issues in an action brought by Mrs. Anne P. A. Hilton, whom the supreme court decided is the legal widow of Dr. John R. Park, deceased, against W. S. McCormick, who claims to be a one-third interest in part of lots 6, 7 and 8, plat E, which belonged to Dr. Park in his lifetime and which was sold by him without the signature of Mrs. Hilton to the deed. Plaintiff claims that, according to the opinion of the supreme court, she is entitled to a one-third interest in all the real estate belonging to Dr. Park after her marriage to him. She asks that, in case a partition of the property involved in this action cannot be had, the same be sold by order of the court and the proceeds divided between herself and the defendant according to their respective interests. Defendant in his answer claims that plaintiff has no proof of laches in bringing the action and is hence estopped from asserting any claim to the property. He also denies that plaintiff was ever married to Dr. Park at all.

Suit on Promissory Note.

Suit has been filed in the district court by William S. Bailey against Isaac and Katherine A. Brockbank to recover \$250.42 due on a promissory note executed on Nov. 1, 1897.

Shaughnessy Bankrupt Case.

The time at the federal court was taken up today in hearing of arguments in the Shaughnessy bankruptcy case. The case is an old one and has been hanging in the court for some time. The action grew out of an injunction entered by E. W. Wilson, trustee of the estate of Michael Shaughnessy and E. C. Andrews of the Union Trust company of Detroit, Mich. J. L. Lavanney, attorney for the plaintiff, brought an injunction against defendants to restrain them and asking for an accounting.

COURT NOTES.

Thomas Chaney, a defaulting federal grand juror, was today fined \$10 by Judge Marshall and dismissed for the term.

The federal grand jury has settled down to business. Several cases are under hearing but no report is expected before the latter portion of the present week.

MISSIONARY MEETING.

A meeting of the ward missionaries laboring in connection with the Mutual Improvement association, will be held tomorrow evening at 7:30 in Room 33 of the H. Y. Memorial building. All missionaries are expected to be present and a cordial invitation is extended to the bishops and counselors of the respective wards.

WORSTED MILLS.

Proposition May Take Tangible Shape At the Provo Plant.

There has been talk for some time of establishing a worsted mill at Provo in connection with the great woolen mills there. Worsteds are a very desirable class of goods and large quantities of them are brought annually into this market. To put up suitable works would require an outlay of \$30,000 or \$40,000, but it is believed that such an investment would pay. Special classes of wools, wools of longer staple than ordinary staple are required, and special machinery is necessary to spin

In usual trade, neither buyer nor seller knows the goods, and both take risks.

Not so Schilling's Best; both know, and there are no risks.

At your grocer's moneyback.

the yarns. Then no one will make all of the patterns required, and each mill has its own specialties which other mills do not have, so that clothing manufacturers sometimes order from 50 or 60 different mills. But there is a general standard line which could be manufactured just as well as not in this state, and which would be profitable. One of the directors of the Provo mills remarked today his belief that the proposition would take tangible shape in the course of a year.

FUNERAL OF AARON FARR.

Will be Held in the Ogden Tabernacle On Thursday Next.

(Special to the "News.") Ogden, Utah, Nov. 10.—Funeral services over the remains of Aaron F. Farr will be held in the Ogden tabernacle on Thursday at 1 p. m. The remains may be viewed at the family residence, 1872 Washington avenue, between the hours of 9 and 11 a. m. the day of funeral.

A complaint has been sworn to by Detective J. S. Pender against Fred Stone, charging him with the murder of Roy Mills, the young man whose dead body was found on the banks of the Ogden river a few weeks ago. Stone is the man who was last seen with Mills and Indians, and it is his having committed the foul deed. His whereabouts are unknown as he has not been seen since the day of the tragedy.

A man giving the name of Armstrong reported to the police last night that as he was returning to his home from the Ogden Knitting Works, he was stopped by a highwayman at a point on Twenty-sixth street, between Myrtle and Locust streets. He was taken to a place where he was held for ransom. The man, however, he captivated the man before approaching him and pulled out his revolver. He demanded \$500, and if the man did not pay the money, he would kill him. The man, however, he captivated the man before approaching him and pulled out his revolver. He demanded \$500, and if the man did not pay the money, he would kill him. The man, however, he captivated the man before approaching him and pulled out his revolver. He demanded \$500, and if the man did not pay the money, he would kill him.

GETS CARTHAGE JAIL.

Church Bays Historic Prison House Where Prophet Was Slain.

President Joseph F. Smith received word today from Elder Zashel Woodruff, president of the Northern States mission, stating that he had purchased for the Church, the jail at Carthage, Ill., where the Prophet Joseph Smith and Brother Hyrum were slain. The consideration was \$4,000, and the deed has been delivered and recorded in the name of Joseph F. Smith, trustee in trust for the Church.

NEW LOAN COMPANY.

The Crescent Loan company, of this city, filed its articles of incorporation in the county clerk's office today. Its capital stock is \$10,000, divided into shares of the par value of \$1 each. C. W. Bucklow is president; Arthur Brown, vice president; Hyrum Bergstrom, secretary and manager; D. W. Mayo, treasurer.

JUDGES ARE DISSATISFIED.

A number of the judges of the recent city election are expressing considerable dissatisfaction over the action of the city recorder in depriving them of their fee of one dollar simply because they failed to return the ballot box with the returns. As they read the law there is no provision for the return of the ballot box as the law specifically states that it may be left with the registrar or returned to the office of the county clerk, in the opinion of the judges concerned. They claim, therefore that as long as the returns are delivered to the proper place within the specified time, they have complied with the law and are justly entitled to it. But the city recorder seems to think otherwise.

TO CURE A COLD IN ONE DAY. Take Laxative Broom Quinine Tablets. Brings relief money if it fails to cure. E. W. Grove's signature on box. 25c.

THE RAMSEY CONCERTS.

Three in Utah County This Week and One Here on Thanksgiving.

Miss Ramsey will leave for Provo this evening where she goes to participate with the Tabernacle choir of that place in practice work for Thursday night's concert. Tomorrow her accompanist, Miss Jennie Sands, goes down to the Ogden church and on the day following will play at the home of Mrs. Willard Wells, the well known violinist and Spencer Clawson Jr., will leave for the same place, the former as soloist and the latter as accompanist. Their appearance with the choir and Miss Ramsey will make the affair one of the strongest musical events heard in Provo for some time. Miss Ramsey will fill the remainder of the week in Utah county points as heretofore announced.

On the night of Thanksgiving Day Miss Ramsey will give a concert in the Congregational church of this city. Mr. Willard Wells will also be heard at the same time and place.

TWIN FALLS DAM.

Col. S. B. Milner, in speaking today of the progress of the work at the Twin Falls plant, said that the work at the dam was one that greatly impressed him. Three cubic feet of stone were going into the dam every minute, so that the dam was steadily rising. An electric railway hauls great blocks of stone weighing sometimes eight and ten tons at a time. The stone is picked up by a big aerial tramway and swung right over to where it is wanted in the dam.

Constipation, Headache, Biliousness, Heartburn, Indigestion, Dizziness, Indicate that your liver is out of order. The best medicine to rouse the liver and cure all these ills, is found in

Hood's Pills
25 cents. Sold by all medicine dealers.

HE WILL DECIDE TOM HORN'S CASE.

Gov. Chatterton Will Make Known His Decision in This Celebrated Case Thursday Night.

STRONG GUARD AROUND JAIL.

Sheriff Smalley Receives a Paper on Which Are Marked the Cabalistic Figures 11-11-11.

Cheyenne, Wyo., Nov. 10.—Gov. Chatterton will decide Tom Horn's fate on Thursday night. Deputies with a Gatling and a Hotchkiss gun are constantly on guard at the jail in anticipation of an attempt of cattlemen to release Horn. The threat is common that the condemned murderer will be saved from the hangman's rope.

A bit of startling information has fallen into the hands of Sheriff Smalley in the form of a piece of paper on which the figures 11-11-11 are marked and which were thrown into the courthouse yard where Horn could see them from his window. The same figures have been marked on buildings across the street from the jail in plain view of Horn's cell.

This is taken to mean that Horn's friends will attempt to liberate him on the eleventh month, eleventh day and eleventh hour, which would be tomorrow at either 11 a. m. or 11 p. m.

IN KAIGHN'S BEHALF.

Many Citizens Sign Petition for the Pardon of Young Convict.

Col. Kaighn is meeting with success in circulating his petition for the pardon of his son Roy, who is in the state prison for shooting Haines, the traveling man in the Knutsford hotel. Col. Kaighn says the young man, having served two years of his sentence, has been thoroughly cured of the drug habit; that he has been brought to a realizing sense of what he has done and the claims society has upon him as a citizen. The colonel holds that the boy will turn his back upon his previous methods of life, and conduct himself like an upright citizen in the future. Members of the family of the deceased have signed the petition, as well as prominent citizens in this city.

LATE LOCALS.

Live Stock Agent Emery of the D. & R. G. is home from a trip to central Utah.

Hoyt Sherman has a boy preparing for Yale. He will enter the coming fall in the class of 1908.

The R. M. Bell Telephone company put in 56 new phones last week in this city; a record they consider pretty good for one week's work.

Contractor J. P. Moran says that he will begin laying asphalt tomorrow on North State street, so that thoroughfare will shortly be open for business.

The Idaho sugar factory at Idaho Falls has received its last consignment of machinery, and will be ready to start up this week in active operations.

Two cases of typhoid fever were reported to the board of health today. They are: Elmer Gustafson, aged 10, 328 South Eighth; South; Blanche Ward, aged 11, 652 South Second.

There will be a meeting of those immediately interested in the organization of the proposed Society for the Friends, next Monday evening, at 8 o'clock at the Commercial club.

There will be a union social of the Christian Endeavor societies of the local evangelist churches next Friday evening, in the First Congregational church, and for which an interesting program has been prepared.

E. J. Seymour, assistant general passenger agent of the Chicago North-western, in company with Immigration Agent Hoops of Denver, will be in Salt Lake Thursday to remain the rest of the week.

Secy. Harris of the Commercial club has been honored with an invitation from the Grignon club of Washington to attend the annual dinner of the club Dec. 5 next. He regrets that he can not respond in the affirmative.

L. H. Harding, the newly appointed general agent of the Colorado Midland, has notified the local office that he has arranged matters so as to be able to assume the duties of managing the Salt Lake office on Dec. 10 next.

The postoffice department has allowed two additional clerks to the Salt Lake postoffice, and they will begin their duties Dec. 1 next. The department has also allowed one temporary clerk to help during the holidays to be employed in the registry department.

The funeral of Mrs. E. C. Madison of Park City, will be held at 10:30 a. m. from the lodge room of the Macabees on Market street, with interment at Mt. Olivet. An autopsy showed that the cause of death was a complication of natural ailments, which culminated at once, with fatal effect.

The Signal Corps and D company of the infantry will indulge in a game of indoor baseball Thursday night. The corps is also going into the court martial business, and T. D. Lewis and Ne-phi J. Thomas will appear "on the carpet" Thursday night, at the army. The troop will have six court martial cases to consider tomorrow night.

A delay of nearly two months has been caused in building the M. H. Walker residence by reason of the failure of the St. Louis manufacturers to ship their hardwood finish on time. Similar experience with other residences in this city and with a hardwood finish factory might be started in this city.

PERSONALS.

J. D. Wood and J. E. Bamberger returned last evening from Galena, Nev., where they have some mining interests.

J. P. Smith Jr. of Logan, is in the city today after leaving on a mission to the southwestern states tomorrow afternoon.

Judge W. C. Hall returned home last night from the coast accompanied by his wife who has been in California for her health. Mrs. Hall is much improved.

E. E. Bird of this city has been appointed clerk of the Wilson board in the place of Owen J. J. Wood, who is made day clerk to help Fred Wood.

HIGHEST AWARD Utah State Fair 1903.

Three Crown

It's pure. It's made right. It's sold at an honest price. Ask your grocer for it.



Baking Powder

25c per pound. Every can guaranteed.

Prepared by
Hewlett Bros. Co.

EXPRESSMAN'S SUDDEN DEATH.

Jens P. Mortensen Succumbs to Heart Failure While Attending To His Day's Work.

HE OVER-EXERTED HIMSELF.

Asked for Assistance but Was Refused by the Man Who Hired Him—Was 65 Years of Age.

Jens P. Mortensen, an expressman living at 839 Lake street, dropped dead this afternoon while delivering a trunk and machine to the home of a Mr. Price, at 76 R street. Mortensen, who is about 65 years of age, had taken the trunk into the house, and had just succeeded in getting the machine in when he reeled, fell to the floor and expired suddenly. Before lifting the machine the old man asked Mr. Price to assist him, but Price, it is said, refused, stating that he should be able to attend to his own business. Had assistance been given him the chances are he would have got along all right. Heart failure, due to over exertion, is assigned as the cause of his death.

Mortensen leaves a wife and several children, one of his daughters being the wife of James Burgess. As soon as he expired the police station was notified and Officers Gausehouse and Armstrong responded with the patrol wagon. Coroner Clark was also notified but after viewing the body he decided that an inquest was not necessary. The remains were removed to the undertaking parlor of William Taylor on West Temple street.

SAM GRICE AGAIN.

This Time He is Accused of Burglary And Stealing Hides.

A complaint was issued today by Assistant County Atty. Whitaker against Sam Grice charging him with burglary. N. Rosenblatt, of the Utah Junk company, is the complainant. It is charged that Grice broke into the junk house of the above company on the night of Nov. 5, 1903, and stole 10 beef hides of the value of \$51. The complaint was filed in Judge Diehl's court this afternoon and a warrant was issued for the arrest of Grice.

BUSINESS NOTES.

Today's local bank clearings amounted to \$236,451.69, as against \$173,533.20 for the same day last year. While last week's clearings were considerably in excess of the corresponding week of last year, this week the tables seem to be turned.

Tools Calls an Extra Session.

Butte, Mont., Nov. 10.—Gov. Tools has just called an extra session of the Montana legislature to consider the Montana industrial situation.

Bloodhounds on the Trail.

Harveyville, Kansas, Nov. 10.—Bloodhounds are on the trail of the murderer of William Smule, a farmer near Harveyville, who was shot by an unknown assassin through the window and instantly killed last evening.

DEATH COMPACT FULFILLED.

A remarkable compact on the part of five young Germans to die within a year has been fulfilled in the village of Lichtenfels, near Augsburg.

Eleven months ago the young men, who were all particularly jovial, energetic and of powerful build, were drinking in a local tavern with the village constable. They agreed to place themselves in your hands for burial within a year, was their half-joking pledge to the gravestones of their friends.

THE NOISE IN PAT'S EAR.

Clarence H. Mackay, the millionaire, recently swore off at Roslyn, L. I., a tax assessment of \$150,000, claiming that he had debts in excess of that amount. Mr. Mackay is noted in Paris as a raconteur, and while he waited in Roslyn to take the oath he told a story to the tax officers.

"I have an Irish groom in my stables," he said. "The other day this groom and I were looking at some bull terriers in one of the harness rooms, when I heard the Irishman say to me: 'Pat, what is that noise?' said I: 'Sure, sir, says Pat, it's the single in me ears. I've been a-hearin' of it now for six months or more.'"

All along life's pathway we see people sidle up to opportunities and go by. By until the tide has receded, until the nick of time was beyond their reach. There is nothing else which will enlarge and brace up all the faculties as a habit of quick energetic decision, and prompt action.—Success.

MORE SECTIONS ARE WITHDRAWN.

For the Purpose of Enlarging The Fish Lake Forest Reserve.

THE FORT HALL RESERVATION.

No Action Taken Regarding Disposal Of Lands Therein—Valuable Patents for Westerners.

(Special to the "News.")

Washington, D. C., Nov. 10.—The secretary of the interior has withdrawn for settlement sections 14, 23, 26, 25, township 23 south, range 3 east, for extension of Fish lake forest reserve Utah.

J. H. Brady and wife of Pocatello are in the city, Mr. Brady called on the assistant commissioner of the land office about the disposal of the remaining land of the Fort Hall reservation. He also called upon Commissioner Jones of Indian affairs pertaining to collection of \$4,000 for rental of water use from Idaho canal. No action was taken in any of these matters.

Mrs. Myrtle M. Grosenrer, Pierre, S. D., has been appointed assistant matron, Lemhi Indian school, Idaho.

RESERVE AGENT APPROVED.

The American National bank of San Francisco has been approved a reserve agent for the First National bank of Ogden, Utah.

PATENT FOR C. J. JONES.

A patent was also today issued to Charles J. Jones of Yellowstone park, Wyoming, for a draft equalizer.

POSTOFFICE DISCONTINUED.

The postoffice at Conner, Cassia county, Idaho, is discontinued, mail to Conant.

MAIL CONTRACTS AWARDED.

Contract to carry mail, Utah, awarded to Charles J. Gunnison station, Albert J. Cristenson, Gunnison, \$233.85; Mayfield to Gunnison station, Peter C. Christenson, Mayfield, \$220.

PATENT FOR FILTER.

A patent for a rotary filter, has been issued to George Moore of Salt Lake.

IDAH0 FREE DELIVERY ROUTES.

Rural free delivery routes ordered established in Idaho Dec. 15. Meridian, Ada county, additional service, length of route, 25 miles, area covered, 25 square miles; population, 526. Rathdum, Kootenai county, one route, length of route, 24.78 miles; area covered, 57 square miles; population served, 320.

RURAL CARRIERS.

Claude A. Hurd has been appointed regular carrier at Payette, Idaho, rural carrier at Payette, Idaho.

RECESS APPOINTMENTS.

The president today sent to the senate, the following recess appointments: Willis Sweet, Idaho to be attorney-general of Porto Rico. Postmaster, Samuel J. Pratt, St. George, Utah. Frank S. Kittle Douglas, Wm. P. Wilson, Cody, Wyoming.

Albert W. Kelly, Ogden, has been granted an increase of pension from \$4 to \$9 per month.

CRESCUS' LAST APPEARANCE.

After Today's Attempt to Lower Record He Will Be Retired.

Kansas City, Mo., Nov. 10.—Crescens will make an attempt this afternoon at the Kansas City Driving club's track to lower the world's record of 2-63 for a half mile track. Today's effort will, according to Owner Ketchum, mark the last appearance on the turf of the famous trotter. The track and weather conditions are good.

Shenango Tin Plate Works.

Newcastle, Pa., Nov. 10.—The large Shenango tin plate plant has resumed operations after a shutdown of six or eight weeks, and is now turning out tin plates. Work at today. Both the Lawrence and Shenango glass factories here of the American Window-glass company will be started before the close of the present month.

Funeral of W. L. Elkins.

Philadelphia, Nov. 10.—The funeral of William L. Elkins today was attended by many of the wealthiest and most influential men in the eastern section of the country. The services were conducted by Rev. J. T. Cole, pastor of St. Paul's Protestant Episcopal church, in a black draped room of the Elkins mansion at Ashbourne and the body was laid away in the family mausoleum at Laurel Hill cemetery without ceremony. Among the honorary pall-bearers were P. A. H. Widener, A. J. Cassatt, United States senator, Elkins, Clement A. Glavin, John D. Rockefeller, Jay Cooke and Col. A. Louden Snowden. At the moment when the funeral services began the trolley system suspended operations and every car in the city remained stationary for one minute as a tribute to the memory of the traction magnate.

THE KAISER'S CONDITION.

Some Better Today, He Resuming His Walks in His Park.

Berlin, Nov. 10.—A bulletin on the condition of Emperor William issued this morning at the new palace, Potsdam, says there is no improvement in the appearance of the left foot and hand, and that the emperor today resumed his usual morning walks in the park.

The bulletin is signed by Drs. Leathold, Moritz, Schmidt and Ilberg.

House Soon Adjourns.

Washington, Nov. 10.—Speaker Cannon called the house to order promptly at 12 o'clock today. Mr. Tawney (Minn.) for the committee appointed by the speaker to wait on the president, reported that the president had advised the committee that he would at once transmit a message in writing.

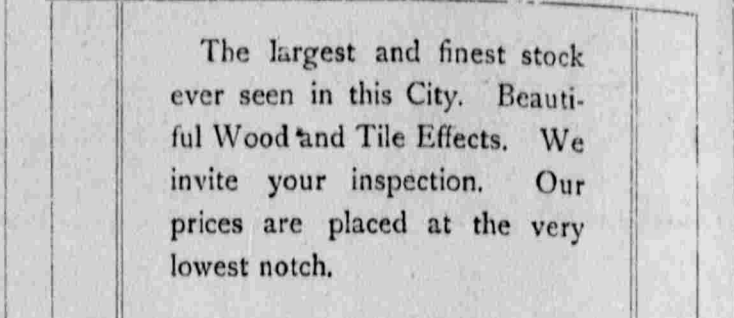
A joint resolution offered by Mr. Hemenway (Ind.), making available appropriations for mileage of senators and members of the house of representatives was passed.

Mr. Barnes, assistant secretary to the president, bearing a message from the president, was then announced. The president's message was then read and was received with applause from the Republican side.

Following its reading the speaker announced the following committee on rules: The speaker, Dabell (Rep., Pa.),

Linoleum

The largest and finest stock ever seen in this City. Beautiful Wood and Tile Effects. We invite your inspection. Our prices are placed at the very lowest notch.



H. Dinwoodey Furniture Co.

Are You Wise About buying your Clothes? If not, let us help you by showing you a few facts. To begin with, we have the largest line of clothing to select from in town, and have them to fit ANY SIZE MAN, and also his POCKETBOOK. They are "Union-Made" goods, which is a guarantee for sanitary conditions, and if you want something that few tailors can duplicate, the ones that have the style, snap and hand-finish, you have simply to say "Atterbury." It is synonymous for the highest grade.

61-63-65 Main Street.

Governor (Rep., O.), Williams (Dem., Miss.), Dearmond (Dem., Mo.), Mileage-Reeder (Kan.), Jackson (Md.), Plack (N. Y.), Republicans, and Lewis (Ga.) and Butler (Mo.), Democrats.

Resolutions of respect to the memory of Mr. Pender of Pennsylvania, and Mr. Boring of Kentucky, were adopted, and as a further mark of respect the house adjourned.

AFTERNOON ON 'CHANGE.

Little Doing Among the Brokers of Second South Street.

Dullness prevailed in the pit of the Mining Exchange again this afternoon. Con. Mercor transferred at 83, again at 94 and then back to 92½. Daily-West went at 27.15. The sales posted were: Con. Mercor, 100 at 93 ½; 200 at 94; 200 at 92½; 100 at 92½ s 60. Daily-West, 5 at 37.15. Lower Mammoth, 500 at 44 ½; 100 at 44; 100 at 50. Sacramento, 500 at 25. New York Bonanza, 500 at 154. Tetro, 500 at 31.

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