

## SUDEN END TO JOHNSON CASE.

In Pursuance With Instructions From Court Jury Brings in Verdict.

## GEMMILL ALSO GOES FREE.

Case Against Defendant in Criminal Operation Trial Was Accordingly Dismissed This Afternoon.

The trial of the case of the State against Dr. A. W. Johnson was brought to an abrupt close this afternoon in Judge Lewis' court when a motion of Atty. A. J. Weber for the defense asking that the court instruct the jury to return a verdict of not guilty was granted. Upon the granting of this motion the jury retired from the box and immediately returned with the verdict as instructed.

This action was taken upon the refusal of the principal witness for the state, Mary Baer Gemmill to testify in the case on the grounds that her testimony would incriminate herself. The court held that she could not be compelled to testify under these conditions. As without her testimony it would be a very hard matter to secure a conviction, the district attorney asked that the case be dismissed. The attorney for the defense objected to this and asked the court that a verdict be returned of not guilty. This request was granted.

The case against Arthur J. Gemmill, charged with the same crime, was then dismissed upon motion of Dist. Atty. Smith. The entire matter is now at an end as far as criminal prosecution is concerned.

The jury in the case of Utah against Dr. C. W. Johnson, charged with committing a criminal operation upon Mary Baer Gemmill, was discharged this morning in Judge Lewis' court and the opening statement was made to the jury by District Attorney Smith. Mrs. Gemmill, the girl in the case, was called to the witness stand but refused to answer any of the questions put to her by the district attorney on the ground that it would incriminate herself. The question of the right of the witness to refuse to testify on such ground and the right of the court to compel her to testify was argued at length by the attorneys in the case and the arguments were not concluded when the court took its noon recess.

The jurors chosen to try the case are Samuel L. Ensign, Jr., C. W. Gold, O. C. Brown, L. J. Turpin, W. G. Margrett, C. J. Trump, E. M. Ashton and C. S. Schmidt.

**Bankruptcy Court.**  
Paul J. Oulette, who has been doing business at 60 west Second South street as an engraver, today sought relief from his creditors in the federal court. His petition to be adjudged a bankrupt states that he owns only \$100 worth of property and that this is all of the kind that is exempted from execution by law. Ninety-five dollars of it is represented by household furniture and by pictures that hang on the wall. His schedule of debts totals \$352.85, most of which is owing to well known local firms for credit extended on merchandise. Three hundred and forty dollars of the debt is secured by mortgages, and \$619.85 is without security. The largest item is for rent, owing to the land at 60 west Second South, and totals \$312.

**PEAS AND PLENTY.**  
Verdict in Favor of Plaintiff in Seed Case.

In the case of J. H. Bailey & Sons against Yowell & Frank, which has been on trial in Judge Stewart's court for several days past, the jury this morning returned a verdict in favor of plaintiffs for \$165.50. The action was brought to recover \$171 damages for some peas purchased by plaintiffs from defendant which were guaranteed to be of good quality, but which developed to be of poor quality and hence of no market value at all.

## LAST CALL FOR TAXES.

It is a Case of Pay Up Tonight or be Adversely.

Again today the rush at the county treasurer's office on the part of taxpayers who are anxious to pay their taxes before becoming delinquent was so great that two deputies were kept busy all day receiving money and receipting for the same. Two columns of taxpayers, one at each window, extending out the side of the corridor of the building were in evidence all day. Many persons were compelled to stand in line for several hours before their turn came and they were relieved of their tiresome task. People of all stations in life, rich and poor, men, women and children, crowded the corridors of the building in evidence at the treasurer's office.

It is not believed, however, that the receipts of the office up to today are any heavier than that of the same period last year. County Treasurer Caldwell, however, has a mass of checks and tax notices which had been sent in through the mail, was too busy to give any figures on the receipts, but he stated that these would not, in his judgment, exceed those of the same time last year. This evening the tax rolls close and the work of advertising the delinquents will be commenced.

## TO CURE A COLD IN ONE DAY.

Take Laxative Broom Quinine Tablets. All druggists refund the money if it fails to cure. E. W. Greve's signature is on each box, 25c.

## REPUBLICANS TO RATIFY.

Elaborate Program Prepared for Salt Lake Theater Tonight.

Tonight at the Salt Lake Theater the ratification meeting of the Republicans will be held. An elaborate program had been prepared in which short speeches from the leading Republicans of the state form the principal feature. It is expected that a large number of Republicans from outside towns will be secured, as low rates have been arranged from all Utah towns for the occasion. The session will be called to order at 8 o'clock, by State Chairman Spry. Music by the band will follow, after which E. H. Callister, Senator Reed Smoot, Representative Joseph Howells, Governor-elect Collier, George Sutherland, candidate for Senator, Secretary of State James T. Hammond, State Secretary Louis Cohn, County Commissioner James Anderson, and others will be made. The speeches will be interspersed with music.

## THE ANNIVERSARY WAS REMEMBERED

Students of L. D. S. University Held an Enthusiastic Celebration.

## FIVE HOURS OF SOLID SPORT.

Patriotic Spirit Manifested in a Rousing Meeting With Class Yells, Lunch Festival, Games and Contests.

The students held high carnival at the Latter-day Saints' university yesterday afternoon. All members of the faculty were taken completely by surprise. They were also taken into Hart hall and asked to explain why founder's day had not been remembered. They did so to the accompaniment of class yells and college cheers. The hall was filled with the mirth-incited students, whom every sally of wit set off into a roar of enthusiasm. The teachers submitted gracefully to the ordeal and with the utmost good humor made felicitous speeches when called upon. Very soon they joined in the hilarious spirit of the assembly, and the celebration seemed equally divided between teachers and students, while the noise of the demonstration consisted alternately of peaks of laughter, thunders of applause, and roto-raising cheers by the several class organizations.

## A LIVELY PROGRAM.

The occasion of the outbreak was the 18th anniversary of the founding of the school—the third year, however, of the university as recently renamed by the trustees. Nothing had been said in the morning devotional assembly concerning the day, and many of the students took silent notice of this omission. Word was quietly passed by the president of the student body, that the school would hold a mass meeting at 12 m. About 100 students responded, and the hall was filled by a series of rushes from the various departments, each throng vying with the others in the vigor and vim of their cheers. Then committees were sent out to solicit the presence of the faculty, who were cheered repeatedly as one after another appeared, politely escorted by a strong but deferential body guard. The roof fairly shook with applause and cheers when the president arrived and took a place upon the stand. Mr. Cleetham, however, upon the speaker's desk for silence, and Student Noel Pratt led in singing "The Gold and Blue." The chairman then called upon President Paul, who announced amid vociferous applause that while he did not know what the program was to consist of, yet nothing that he would endeavor to say or do should be intended to dampen the enthusiastic spirit so manifest in the proceedings.

## SPEECHES BY TEACHERS.

President Paul made a happy speech of the utmost freedom, and gave a lucid summary of the life and growth of the institution. After thanking the students for reminding the faculty in this whole school manner, of the fact that it was founder's day, he proceeded to give a sketch of the history of the school, an exposition that was listened to with close attention, for the interesting facts that were related. The speaker told of the founding of the school in November, 1886, of its first home in the Social Hall, of the successful labors of Presidents Dore and Talmage, of the crisis and the vote of the people to keep the school, of the business men of the city in erecting the first building, of the generosity of Mrs. Barratt in giving the second, and of the praiseworthy action of the heirs of President Brigham Young in providing means for the school.

Prof. Mills and Hinckley were called upon and responded with numerous sallies that elicited great applause and laughter.

Prof. Stephens gave a piano solo—a parody on Paderewski. Prof. Horne, Allen, Kowlin and Thomas, responded in brief speeches. Instructor McGee brought down the house with a negro sermon, Instructor Ramsey with a whetting solo, Instructor Homer with a step-dance, and so on until all had been given a chance. Instructors Caldwell, Funk, Mortensen, Welton, Hicks, Evans, Mieser, the Misses Hittner, Mrs. Kelly, Miss Edwards and the rest.

All the speeches had been liberally interspersed with class yells and cheers. The chairman then announced that there would be a contest between the senior and the junior team, and a dancing matinee. It was impossible for half of the students to get into the gymnasium, however, and lawn games were improvised to accommodate the overflow. The students' orchestra furnished the bell music and the brass band supplied the music for the hall meeting. Promptly at 5 p. m. the entertainment ceased, and everything became as quiet and orderly as if nothing had happened. The celebration was regarded by the participants and observers as an unqualified success, not marred by a single unpleasant incident.

## LUNCH AND FESTIVAL.

President Cleetham then announced that the faculty would be entertained by the third and fourth year students, while all others were given 30 minutes in which to prepare for "the fun in the gym." This consisted mostly of a spirited horse-ball game between the senior and the junior team, and a dancing matinee. It was impossible for half of the students to get into the gymnasium, however, and lawn games were improvised to accommodate the overflow. The students' orchestra furnished the bell music and the brass band supplied the music for the hall meeting. Promptly at 5 p. m. the entertainment ceased, and everything became as quiet and orderly as if nothing had happened. The celebration was regarded by the participants and observers as an unqualified success, not marred by a single unpleasant incident.

## CHEAPER 'PHONE RATE.

Business Men Seek to Get Existing Charges Reduced by Bell Company.

At a meeting last night, in the Elks lodge rooms, a Business Men's association was held.

## Headache

Is often a warning that the liver is torpid or inactive. More serious troubles may follow. For a prompt, efficient cure of Headache and all liver troubles, take

## Hood's Pills

While they rouse the liver, restore full, regular action of the bowels, they do not gripe or pain, do not irritate or inflame the internal organs, but have a positive tonic effect. 25c. at all druggists or by mail of C. I. Hood & Co., Lowell, Mass.

## TEA

Schilling's Best is the answer of twenty or thirty house-keeping questions. Moneyback too.

## HE TOOK STRYCHNINE

Because of Despondency and Domestic Troubles—Had Narrow Escape.

Arthur Chapman, an ex-soldier 28 years of age, who has been working in local restaurants as a waiter, attempted suicide by the strychnine route shortly after 7 o'clock last evening in his room at the Lincoln house on First South street.

While in narcotics from the effects of the deadly stuff, Chapman's room mate, Frank Taylor, found him and hurriedly summoned Dr. C. M. Benedict, who worked over the man for nearly three hours before Chapman was out of danger.

The young man had been deserted by his wife, so he says, and discouraged with life. He had little to say about his wife and nothing could be learned about her.

"It was all on account of a woman," is all he would say when restored to consciousness.

Chapman had relatives in San Francisco, from which city he enlisted as a private and went to the Philippines.

After coming to Salt Lake he married a girl named Ethel Platt, who left him some time ago. For several days he has been ill, and it is believed this had something to do with his rash act. At last accounts he was out of any danger from the effects of the poison.

## BUSINESS NOTES.

Today's local bank clearings amounted to \$221,795.65 as against \$77,472.68 for the same day last year.

The directors of the Deseret National bank met this morning, and declared a special dividend of 1 per cent on the capital stock, which will amount to \$25,000, payable immediately.

The Butchers and Grocers held a regular meeting last evening, when it was expected that some action would be taken on telephone rates, but nothing was done.

Yesterday the Greenwald Furniture company entertained their friends at their autumn opening. All day long the store was crowded by admirers of their very fine display. The store is filled with a well selected stock and some very choice pieces of furniture were shown.

## LOW RATES EAST.

St. Louis and return.....\$42.50  
Chicago and return.....\$47.50  
Final limit Dec. 15th.

## HARCOURT DISCHARGED.

Joseph Harcourt, who was arrested several days ago on the charge of embezzlement, was given a hearing before Judge Diehl this morning. It was alleged that Harcourt embezzled \$15 from his employer, but it was clearly shown that he was one of the owners of the business and, on the motion of his attorney, Soren X. Christensen, the court dismissed the case and Harcourt was discharged.

## JOEL PARRISH DEAD.

Well Known Aged Resident of Davis County Passes Away.

The death of Joel Parrish of Centerville occurred at his residence shortly after eight o'clock last night. The deceased has been an invalid for more than two and a half years, suffering from dropsical troubles at first, but later other complications set in and which finally wore his strong physique out.

Mr. Parrish was among the first settlers of Centerville ward, having come here with his father in the spring of 1848, and has held many public positions in the community. He has been president of the High Priests' quorum, Davis stake, for a number of years, and was such at his death.

He leaves a wife and 15 grown children, 10 sons and five daughters; also two sisters. He was 77 years of age. The funeral will probably occur on Friday next, Nov. 18, at Centerville.

## LIBERTY STAKE S. S. UNION.

Interesting Meeting Held at Second Ward Chapel Last Night.

The Sunday School Union of Liberty stake was held last night in the Second ward meetinghouse, at which a goodly number was present. Elsie E. Barrow Best sang a solo, entitled, "O Love Divine." The meeting was also favored with the presence of Elder William A. Moreton, of the general board, who visited the primary and kindergarten departments, and spoke a short time to them.

After the meeting a talk of a few minutes to the school in general, especially urging the teachers to visit the parents of the pupils. He also congratulated them on their prosperous condition, which he said, showed to him that they were "workers" and deserved that title.

## "Best of the Good Ones."

SAY HEWLETT'S COFFEE

## COFFEE

to the grocer.

## Carefully selected from the

## CHOICEST

## COFFEE BEANS,

and roasted pure and fresh every day at our own large roaster.

## WEATHER RECORD.

Fine Spell Now to be Superseded by Rain and Snow.

The spell of fine sunshiny weather which has lasted from October 17 until this afternoon, Nov. 15, has come to an end, and a low barometric area is now spread over all of the country west of the 100th meridian. It is quite warm this morning, the mercury mounting up to nearly 60 degrees, but for tonight and tomorrow, colder weather with rain or snow or both are predicted by the weather office. Inquiry at the weather bureau develops that the recent stress of weather is a record breaker. There were two weeks of steady fine weather last fall, and for three weeks during September and October of 1899, the sun shone continuously, but nothing like the weather for the last 30 days is recorded in the weather office.

The rain will be welcomed in that it will clear a vitiated dusty atmosphere, and snow will begin to pile up in the mountain ranges, and the clothing and soap and shoe men and hat dealers will welcome the change of weather in that it will start up trade along their special lines.

## WEATHER REPORT.

Record at the local office of the weather bureau for the 24 hours ending at 6 a. m. today:

Barometer reading at 6 a. m., 25.66 inches; temperature at 6 a. m., 50 degrees; maximum, 53; minimum, 29; mean, 41, which is 1 degree above normal.

Excess of daily mean temperature since the first of the month, 46 degrees. Excess of daily mean temperature since Jan. 1, 12 degrees.

## FORECASTS TILL 4 P. M. WEDNESDAY.

Local forecasts for Salt Lake City and vicinity:

Rain tonight; Wednesday, rain or snow and colder.

For Utah—Forecast taken at Denver, Colo.:  
Rain tonight; Wednesday, rain or snow and colder.

Western Wyoming:  
Probably snow and warmer tonight; Wednesday, rain or snow.

**WEATHER CONDITIONS.**  
The storm area overlying the north Pacific coast yesterday morning has developed rapidly both in area and extent during the last 24 hours causing general rains throughout the entire northwest with rain still falling this morning at Portland, Roseburg and Boise. The storm area off the New England coast noted on yesterday's chart has moved beyond the sphere of observation. The territory under its influence has been occupied by the high area, which has drifted slowly eastward during the morning. Cloudy weather prevails over the Pacific coast, and is scattered localities over the lake region; elsewhere clear skies are reported over the entire country. Temperatures are decidedly higher over the Pacific northwest, and lower over the greater portion of the country east of the Mississippi.

L. LODOLZ,  
Observer, Temporarily in Charge.

## TODAY'S TEMPERATURE.

6 a. m. .... 50  
9 a. m. .... 50  
12 m. .... 50  
3 p. m. .... 50  
6 p. m. .... 50  
9 p. m. .... 50  
11 p. m. .... 50  
12 m. .... 50  
1 p. m. .... 50

## YESTERDAY'S RECORD.

Highest ..... 62  
Lowest ..... 23

## DIED.

PEARSON—At West Jordan, Sunday, Nov. 13, Drusella Gardner Pearson. The funeral services will be held at the West Jordan assembly rooms, Wednesday, Nov. 16, at 12 noon. Friends invited.

## Your Suit Or Overcoat

One man in 20 purchasing a Suit or Overcoat from us this week will receive HIS MONEY BACK

Every cash purchase of either, from \$10.00 up will receive a ticket.

These Tickets are divided into series of 20 Tickets. Saturday night at 9:30 p. m. one ticket will be drawn from each series and the lucky holder will have his purchase money refunded.

NO MATTER IF IT BE \$10.00 or \$40.00.

All are invited to attend drawing.

This week only.

## NEW YORK CLOSING STOCKS

November 13, 1904.

Atchafson ..... 100  
Baltimore & Ohio ..... 75  
Canadian Pacific ..... 123 1/2  
Chicago & Alton preferred ..... 80  
Chicago & Northwestern ..... 20 1/2  
Chicago & Northwestern preferred ..... 20 1/2  
Colorado Southern ..... 21

## SITE CHOSEN FOR INFIRMARY.

The county commissioners of Salt Lake county have closed a deal for the purchase of a new site for the county infirmary, and it rests with the new board of commissioners, which comes into existence on the first of the year, to construct on that site a modern and up-to-date building for the inmates of the institution. The ground purchased is located in East Mill Creek, about six and a half miles southeast of the city and is certainly an ideal place for the institution. The consideration paid was \$14,500.

The site contains 50 acres of land, together with good water rights in Mill Creek stream and was purchased from John Acomb, Jr. In addition to the 50 acres, the commissioners have purchased 15 acres half a mile east of the main plot, which contains the Soderland springs and a site for reservoir. The springs are about 100 feet higher than the other ground, and hence there is plenty of pressure to convey the water to the buildings.

At present the street cars do not run near the location, but it is probable that before the end of the year a line will be run within a few hundred yards of the site. As for a healthful location the ground purchased could not be better, as it is far removed from the smelter and will not be bothered with the smoke, and the elevation is sufficient for good drainage for sewage and for general health.

## LATE LOCALS.

Six miles of track between Tacker station and Thistle Junction are being heavily ballasted.

One case of smallpox was reported to the board of health today, that of the 8-year-old son of J. R. Hansen, residing at 218 east First South street.

A prominent local grain and flour dealer expects that at tomorrow afternoon's meeting of the Produce Exchange, the price of flour will be advanced 10 cents per 100, on account of the continued stiff price of wheat.

The Memorial day committee of the Elks met last evening, and drafted a program for that occasion. The best musical talent in the city will be secured, and the day made a memorable one in the annals of the local lodge.

Clerk Judd of the city board of education has notified the registrars in the various election districts of the city to furnish him with copies of their registration lists for use in the coming school election to be held on Dec. 7.

Supt. Christensen reports that the attendance at the Lowell school picked up wonderfully this week with the result that it was yesterday fully 90 per cent of the regular enrollment. The building has been thoroughly fumigated and those attending school vaccinated since the outbreak of smallpox which necessitated the recent closing of the building.

Funeral services in honor of the late Morris Sommer will be held at the family residence, 189 S. street, tomorrow at 1:30 o'clock. The funeral services will be in charge of the fraternal orders to which Mr. Sommer belonged. Mount Morris Lodge No. 2 of the Scottish Rite Masons will meet at Masonic hall at 1 o'clock and attend the funeral in a body. Interment will take place in the Hebrew cemetery.

John Kilpatrick of Murray was thrown away on Main street yesterday afternoon, and colliding with a pole. Fortunately Kilpatrick was unhurt, and his horse kicking loose from the harness, continued on his wild career, until he was about to plunge down the area in front of the Utah Commercial and Savings bank, where he was caught and secured. The rig is very much in the past tense.

There was a well attended musical lecture last evening, in Unity hall, where Arthur Shepherd gave a very entertaining and instructive series of talks on Greg, the Norwegian composer, illustrating the same by playing notable selections from the composer's works. He was assisted by Willard Welthe on the violin, and the evening was very profitably spent. Mr. Shepherd is an interesting speaker, and his lecture brought out more than ever, his musical scholarship.

## KUROKI IS NOT DEAD.

Japanese Army Staff Pronounces Story of Death Absurd.

Tokio, Nov. 15.—The Japanese army staff pronounces the report of Gen. Kuroki's death to be absurd.

## PATENTS AND POSTOFFICES.

(Special to the "News.")  
Washington, D. C., Nov. 15.—Patents issued: Utah—George S. Nickerson, Salt Lake City, register for telephones.

Wyoming—Frederick L. Robinson, Cheyenne, relief valve for locomotive cylinders.

Channing W. Crapster has been appointed regular, and Alice M. Chapstet substitute rural carrier, route 2, Boise, Ida.

## POSTAL VICE PRESIDENT HERE.

Vice President E. C. Bradley of the Postal Telegraph company is in Ogden today, and with him is Supt. Hawkes of this district. They are expected in town this afternoon.

## TODAY'S REALTY TRANSFERS.

Rashid D. K. Fryer—Thomas Homer—one-half interest in 2508 feet southeast corner of northwest 1/4 of lot 5, block 10, plat 1.

Carl Soderlund—Florence M. Horner—Part of section 35, 1 south, range 1 north, of the 2nd township.

Florence M. Horner—S. L. County—Part of section 35, 1 south, range 1 north, of the 2nd township.

Thomas Kearns—Margaret M. Hunt—Lots 5 and 6, block 1, South Salt Lake Sub.

George R. Buttrick of the 2nd Sub—Lots 30 and 32, block 2, Lyndale Sub.

South three-quarters of section 9 and north one-half of section 8, block 1, Walker's Sub.

H. B. Scott—Scott L. Schmitz—Lots 31 and 32, block 2, Hunter's Sub.

William B. Bennett—Mellissa Barlow—Thirteen acres of the southwest quarter of section 5, township 2 south, range 1 east.

Rebecca F. Perkins—Graves Fowles—Lots 4 and 6, block 6, Perkins Grand View Sub.

Zion's S. B. & T. Co.—Walter E. Ware—24 rods, southwest corner of northeast lot 4, block 2, plat 6.

Andrew Hanson—Pioneer Ore Smelting Co.—Part southwest section 21, 3 south, range 1 east.

John H. Bailey—Edwin P. Bullock—Section 11, range 18, plat C.

S. Gentry et al.—Zion's S. B. & T. Co.—Lot 4, block 2, plat G.



**Comforts, Down Quilts and Pillows**

Most people want bed covers that look well, that keep their colors and that will not grow shabby at the least provocation. Here are the kind you are looking for.

## H. DINWOODEY FURNITURE CO.

ASK FOR McDONALD'S CHOCOLATES WITH WHIPPED CREAM CENTERS

SOLD IN 1/2 LB. & 1 LB. PKGS.

## AT BARTON'S STORE.

**THE BEST!**

If you are after the best Suits and Overcoats, COME AND SEE Barton's great lines. Suits and Overcoats at \$10, \$12, \$15, \$18 up to \$30. Every garment well tailored, stylish, a correct fit and made from fabrics that please. We give big value for the money.

OUR SPECIALS—\$3, \$3.50, \$4 and some \$1.85

\$4.50 Boys' suits, all sizes in the lot at . . . \$1.85

Men's shirts, Garland and Grifon makes, broken lots, all sizes, worth \$1.25 and \$1.50 at . . . 69c

## BARTON & CO.,

One Price Store 45-47 MAIN.

## SHERIFF'S SALE.

In the District Court, in and for Salt Lake County, State of Utah, Walker Brothers Bankers, a corporation, Plaintiff, against John Willard Clawson, Mary A. Clawson, Spence Clawson, Salt Lake County, and Salt Lake City, municipal corporation, to be sold at Sheriff's Sale, at the west front door of the County Court House, in Salt Lake City, and County of Salt Lake, State of Utah, on the 10th day