

NUMBER 20



### (Special to the "News.")

De

Washington, D. C., Dec. 13.-The fight er the United States marshalship for Utah is likely to be very lively. Glen Miller, the present marshal, is a candidate, and Ben. Heywood is another one. Heywood has been indorsed by Senator Kearns, and Miller by National Committeeman Salisbury. If the Pres-ident follows the precedent set by the late President McKinley, Miller will be recommitted but if not Kearns' man reappointed, but if not. Kearns' man will be named. There are several can-didates, but names cannot be had at

a halt in the exchange of communica-

HON. REED SMOOT ARRIVES. Mr. Reed Smoot of Provo arrived here

Mr. Reed Smoot of Provo arrived here last night from New York. Mr. Smoot is here on business con-nected with the beet sugar industry. He had a conference with Senator Kerns this morning and the latter as-sured him he would do everything in his power to protect the interests of Utah. This is constructed to mean that Senator Kearns will oppose taking the tariff on sugar off. Mrs. Ida B. Mansell has been ap-pointed postmaster at Lower Boise, Canyon county, Idaho, vice William

Matthews resigned.

Robinson, of Indiana, today introduced two measures designed to secure the extradition of ex-Gov. Taylor, of Kon-tucky, from Indiana, where he is said to be sojourning, to Kentucky from Indiana, where he is wanted in connec-tion with the Goehel tragedy. One of the measures is for an investigation whether the governor of any state is justified in refueing to recognize extradition papers from the governor of another state. The other measure provides that in case a governor refuses to recognize extradition papers they may be executed by a United States mar-

Lasker-Janowski Chess Game.

Manchester, Dec. 13 .- The second and final game in the chess match between Lasker and Janowski, the first of which was played Wednesday, was not concluded at the first sitting. The opening was a bishop's gambit. Lasker had all the best of the early moves but Janowski by fine play recovered the lost ground and at the close of the play held the advantage. be finished tonight. The game will

#### Boston Brokers Assign. Boston, Dec. 13 .- The assignment of

Wainwright Bros. & Co., brokers, was announced on the floor of the stock ex-change just before noon today. The firm includes W. P. and J. H. Wain-

wright. Laura Bullion Gets Five Years. St. Louis, Dec. 13.-Laura Eullion, the female companion of Ben Kilpatrick, the Montana train robber suspect, who was yesterday convicted of having in his possession forged national bank notes was today sentenced by United States District Judge Adams to five years' imprisonment in the federal prison at Leavenworth, Kansas. Klipatrick yesterday received a sentence of fifteen years' imprisonment at Jefferson City. F. D. Elliott, representing the Great Northern railroad, called at the Four Courts and announced that one-third of the \$5,000 offered by his company would

be awarded the six detectives who ar-rested Kilpatrick, one of the alleged Great Northern train robbers. Twenty per cent of this will go to the police re-lief association. This will leave a re-ward of \$222 each for Detectives A. L. Guiot, John McGrath, James Burke, George Williams, W. P. Brady and Lobe Shariffe

# House Adjourns Till Tuesday.

The Speaker announced the appoint-

Mr. Payne announced that he would

call up the bill for consideration next Tuesday. He asked that the bill be considered Tuesday and Wednesday

next until four o'clock on the latter day

when the previous question be consid-

Washington, Dec. 13.—After an ad-journment for three days the House met today at noon. Mr. Cannon asked unaninmous consent for the consideration of the Senate bill to continue the

After

was passed.

## Samuelson and King Pull Up a Lap And Are But One Behind-Must Take Drugs.

New York, Dec. 13 .- The fifth day of the six day bicycle race opened with the American teams fighting for first place. They were jaded and stiff, however, and apparently lacked advantage over their foreign rivals. The latter held on with grim determination and hour after hour the tired men in the leading division went pedaling around the great ring closely bunched. Every man in the race closely bunched. Every man in the race was in bad shape physically, and it was adminited that it would be necessary to administer drugs to many of them to carry them through to the end of the race. Fully 3,000 persons remained in Madison Square Garden all night. At 4 o'clock, after riding for 100 hours, the men were 78% miles behind the rec-ord. Two hours later this loss was in-creased to \$2 miles and nine laps.

creased to 82 miles and nine laps.

The score at noon was: McEachern and Walthour, Butler and McLean, Newkirk and Munro, Maya and Wilson, Babcock and Turville, 1,992 miles 6 laps; King and Samuelson, 1,992 miles 5 laps; Hall and McLaren, 1,992 miles; Fredericks and Jaak, 1,991 miles 9 laps; Lawson and Julius, 1,991 miles 5 laps.

#### Price of Copper Reduced.

New York, Dec. 15.—The U. S. Metal Selling company, which disposes of the product of the copper mines controlled by the Amalgamated Copper company, announced today a reduction of 1/4c. in the price of copper.

# PITCHED ON HIS HEAD.

#### Frank Foy Receives Painful Injuries On Second South.

Frank Foy, a peddier who has been imbibing a little too freely of late, met with a painful accident in front of the Grand Theater this afternono. He was driving eastward in a wagon when the horse suddenly made a jump and Foy was thrown heavily to the ground. The back of his head struck a rock, inflict-ing an ugly gash, from which the blood flowed in great quantity. He was taken to the police station by Officer Furster and Dr. C. M. Benedict was summoned.

the time of his resignation from the presidency of the company, the sale of his stock was absolute. The Supreme court finds no evidence of fraud or of a secret trust as charged. REVERSAL IN LILLY-RALPH CASE

In an opinion written by Chief Justice Miner a rehearing is ordered in the case of the Lilly Mining company vs M. Kellog, appellant. This case was tried in the fourth district court before Judge McCarty, who found the issues for the Lilly company and Kellog appealed.

On May 1, 1900fi the Lilly company, claiming to be the owner of the Lilly of the West lode mining claim, with which the boundary line of the Ralph claim conflicted, brought suit against Ralph M. Kellog. The trial court gave the Lilly a portion of the land claimed by the Ralph, which was not claimed by the Lilly company in its complaint. The the Liny company in its company. The appellate court holds that this was a reversible error. The mistake, says the court, was not so much in the direction of the easterly line of the Lily as in taking for the initial point of the line not the corner conceded by the parties to the suit to be the northeast corner, but another point which neither party claimed to be the corner, and this mis-take can be easily corrected on a rehearing of the case, to which end the lower court's decree is set aside and the case remanded.

BABCOCKS MAY KEEP HOME.

The decision of Judge Hart of the First district court is affirmed in an opinion written by Justice Bartch in the Toltec Ranch company vs William Babcock, intervener, case. At the trial the jury decided the case in favor of the defendants and plain-

post is appalling, and while on the street tiff company appealed. the boys talk hotly of grievances, sup-Louisa Babcock was formerly a plu-ral wife of Chester Loveland, who came posed or otherwise, when summoned ral wife of Chester Loveland, who came into possession of the sixty-four acres of land in dispute in 1875 or '76 and af-terwards gave it to her, where she has lived, farming the land for the benefit of herself and her children for more than twenty-five years. In 1889 she married Babcock, and he went to live with his wife on the farm. From the evidence it appeared that the land in controversy was embraced within the grant of Congress to the Central Paci-fis Rallroad company; that on Septem-ber 5, 1896, the rallroad company re-ceived a patent for it, and on May 4, 1897, conveyed it to the paintiff. The intervener in her cross-complaint before the military court they have not one word to say derogatory to the ac cused. The reason for this is no doubt understood by those who have a knowledge of a private soldier's position in the array. It is a significant fact that the only disparaging testimony this morning came from the lips of an offi-Major Young does not go near the

courtroom and seems to be taking but little interest in the case. It is rumored at the post that he preferred the charges against Major Egan against his own will, and because pressed to do so by a number of company commanders intervener in her cross-complaint claimed that the land in controversy was excepted from the grant to the who are said to be entertaining personal feelings against the post physician. Whatever the motive may have been Central Pacific Railroad company and set up the statute of limitations in ba-of the action. The supreme court holds it is certain that the testimony that is being elicited at the trial against the accused is mild and meager compared to the ugly words that are heard on the that she is entitled by adverse posses-sion to hold the farm and the crops raised thereon against the plaintiff, and that she has absolute title to it. streets. The defendant's counsel feel that nothing has been brought against their

### IN FAVOR OF BREWING CO.

Judge Bartch writes an opinion re-

versing the trial court in the case of Salt Lake City Brewing company, ap-pellant vs. William Hawke and William Andrews, co-partners under the firm name of Hawke & Andrews, which was tried before Judge Marioneaux.

to examine. Major Moseley, of depart-menial heardquarters at Denver, then his case will rest. The defense will The action was brought to recover 500, which was borrowel ty Hawke from the brewing company on August 18, 1900. Hawke and Andrews went in-to the saloon business at Frisco on June 13, 1900. The lower court held that both the defendants were liable for certain goods ordered but that An-drews was not liable for the money

# SOLDIERS HOLDING BACK EVIDENCE.

In Egan Court Martial at Fort Douglas **Only Damaging Testimony is Furnished** By Commissioned Officer.

tional nature. While there was noth-

ing adduced that bore down on the ac

cused map particularly hard, there

was sufficient to indicate that there is

much that is being held back. The

witness whose evidence is most apt to

impair the reputation of Major Egan

is that of Lieut. Charles Abel, a dash

ing young officer who has a marked

soldierly bearing. Another thing that

the trial has revealed is that the phys-

ical condition of the soldiers at the

The court-martial of Major Egan that [ any complaint to make of the treatment you received at the hospital?" is in progress at Fort Douglas brought out evidence today of a rather sense

Witness replied, "No, sfr." On being re-examined by the judge dvocate the witness reiterated his last intement. The judge advocate then asked: "Do

ou mean that you have no complaint t being marked, 'duty,' the first time ou went to the do

Witness replied that he had none as had not fully explained his case to doctor. In answer to a question the court the witness said he was reated kindly in the hospital and that his eyes were examined by a special-ia, in the early part of December.

#### PRIVATE HOLLAND.

Glover was sent back to the hospital and the next witness called was Private Crawford R. Holland, of company K. He said he was placed on the sick list on Nov. 2nd, and was suffering from he effects of an operation that was practically performed on him while on practically performed on him while on board the transport on Sept. 13th, while returning from the Philippines. On ap-plying at the hospital he received treat-ment from Major Egan, which relieved him for a day or two when he was just as had as ever. He went back to the hospital and received the same treat-ment hut it did not he same area. ment but it did not, he says, relieve his pain or seem to do him any good. He was marked "duty" at the time by the doctor, but found it impossible to go through the setting-up exercises in drill and was therefor relieved from drill by Lieut. Abel, who was then com-

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manding the company. On being cross-examined witness gave particulars in regard to his afflic-tion and acknowledged that the operation on the transport relieved his suf fering and that when he arrived at Fort Douglas the wound from the operation was healed. He further testified that since the 1st of the month he had been under Major Egan's care and was getting well, just as the latter had predicted.

a being re-examined Holland stated that his case was aggravated when he arrived at the post because he had to to fatigue duty.

The judge advocate, then asked, "you nean that you stuck it out like a man, and did not report at the hospital until on had reached the limit of your endurance?

Capt. Cronkheit objected and the question was withdrawn.

tions between Germany and Venezuela, of her claims for \$2,000,000 arising from losses sustained by German citizens during the last revolution here and disowing to the publication in the newspapers of Caracas of cable dispatches from the United States setting forth allowed by Venezuela, who answered last year that Germany should present that the government at Washington her claims before the special Venezuela courts appointed to pass upon such will not oppose any steps which Germatters. But Germany, the United States, Great Britain and France remany may take to enforce her rights in Venezuela, with the exception of fused to appeal to these courts. Italy preventing the annexation of Venezuealone, being bound by a former treaty, was obliged to present her claims to lan territory. As a result the newspaper attacks on Germany have ceased,

but the semi-official papers are now attacking the United States, saying that Washington, in authorizing Ger-many to take action in her dispute with Venezuela looks upon the latter coun-

tion of tonnage taxes on vessels ply-ing between the ports of the United States and the Philippine archipelago. It further provides that "vessels not of the United States may ply between these ports, notwithstanding our coastvise navigation laws, until the first day of January, 1905, when it is believed these islands may safely come under the operation of our present statutes and vessels only of the United States be employed in our commerce with

# **VENEZUELAN SITUATION CRITICAL.**

# Wilhemstadt, Island of Curacoa, Dec. | try as being part of the territory of the United States. It is believed here that Germany, at 13 (via Haytien cable) .- There has been

the end of the present month, will take steps to obtain a due acknowledgment the Venezuelan courts. The claim of the disconto bank of Berlin will prob-

John Shevlin.

Is to Set Up Status Quo Ante Diamond Rings Case Decision.

TARIFF POLICY.

PHILIPPINE

BILL FAVORABLY REPORTED

Imperative to Raise Revenue Which Shall be Both Ample and Certain.

Washington, Dec. 13 .-- Chairman Fayne, of the committee on ways and means, today presented the majority report on the Philippine tariff bill. It.

This bill is designed to raise revenue for the government and for the benefit of the Philippine archipelago. It is intended to restore the status which existed prior to the late decision of the Supreme Court in "the diamond rings case." Prior to that decision the government had been collecting duties in goods coming into the United States from the Philippine archipelago at the same rates as those provided in our tariff laws for like articles imported from foreign countries. The holds that the Philippine archipelago s not a foreign country, and therefore, general tariff law does not apply. This bill extends the rate now existing upon imports from foreign countries articles brought in from the Philippine islands.

In the Philippine archipelago the United States Philippine commission prepared a tariff act after much care and study. Their object has been and is to raise sufficient revenue to support a government in the Philippines, to provide amply for the education of the coople, to open up the highways of commerce, both foreign and domestic commerce, both foreign and domestic and to provide ample police force for the preservation of order. These dif-ferent forms of tariff in force there have produced a surplus of revenue after paying the expenses of the gov-crument. This bill proposes in the first section to make this Philippine tariff a part of the statutes of the United States.

United States. The necessity for a continuance of revenue which shall be both ample and certain, is imperative. If we continue the police and constabulary system which has been inaugurated, and which is doing so much to restore and conrve order in the islands, it will call for a large increase in appropriations. We have enrolled 150,000 school chil-dren in the public schools. Of this numter more than one half are without any school house accommodations. It is necessary that we build suitable houses at once. Ten thousand adults were at last accounts enrolled for night schools, and we are told that this number has since increased probably to at least 35,language and better their condition, must be amply provided for. Four thousand teachers have been employ nearly all of them recently, and their salaries must be paid. This work of education must not be crippled even for a short time, for lack of funds.

government has gone to work systematically through the commission for the improvement of the harbor at Manila. They have let the contract, after a public advertisement and compe tive bids to the lowest bidder. This contract calls for the expenditure of three millions of dollars in the near fu-Roads are being constructed and the building of moads in this tropical untry is expensive. These are but a few of the many items of expenditures which are imperative. All these ex-penditures are preparing the way for a reduction of the army and in the end will prove of direct benefit to the tax-payers of the United States. The bill also provides for the collec-

15, 1902. At present our own people who ship goods to these islands are handicapped by the internal revenue tax and duties paid upon foreign goods imported here and used in the manufacture of articles sent to the Philippines. The sixth clause of the proposed bill is designed to remedy this.

ment of the following regents of the Smithsonian institute: Messrs. Hitt, Illinois: Adams, Pennsylvania, and The fourth section provides that all Dinsmore, Arkansas. Mr. Payne, New York, chairman of the duties and taxes collected under the the ways and means committee, report-ed back a substitute for his bill to temact shall not be covered into the gen-eral fund of the treasury of the United porarily provide revenues for the Phil-States, but paid into the treasury of the Philippine islands to be used and ex-Mr. Richardson offered the minority pended for the use and benefit of these report and both reports were ordered islands printed.

The object of the bill is to meet pressing emergency, practically and ef-ficiently. We present the tariff act of the commission as best that can be devised in the the limited time left for us to act.

High School of Commerce Started.

Secy. Hay's Daughter to Marry.

Heavy Fogs in the East.

and street cars were impeded and as the day wore on its effects were even

more serious. The entire ferry system

of both rivers was upset. The ferry toat Mauch Chunk, coming from Com-

munipaw with a large crowd of pas-sengers, stumbled on a tow of brick

scows and had her steering gear dis-

erranged. She was adrift for twenty

five minutes until her rudder was put

in shape. In some instances boats were

usually requires eight or ten minutes. A rumber of vessels which arrived last

impossible to make the passage up the

Thiladelphia, Pa., Dec. 13.—The Plant chamship liner Hudson from Savannah th Philadelphia with passengers and

he Delaware bay near Fort Delaware

turing a heavy fog. The weather is so

thick that tugs cannot go to assistance of the stranded ship but it is hoped

Hepburn Canal Bill.

will be pulled off as soon as

harbor in safety.

the fog lifts.

ommittee on

afternoon.

be issued.

The House agreed to the special or-der for considering the Philippine tariff New York, Dec. 13.—From the cham-ber of commerce J. Edward Simmons, Cornelius C. Cuyler, Francis A. Applebill and adjourned until Tuesday. Federation of Labor Convention. ton, James H. Hyde and Samuel P Avery have been appointed to act with Scranton, Pa., Dec. 13 .- Contrary to the committee from the board of educa-tion of which John G. O'Keefe is chair-

expectations the special committee having charge of the question & autonomy man taking charge of the ceremonies connected with the laying of the cor-nerstone of the new high school of commerce building, this city, Saturday lid not make its report at the opening of the morning session of the American Federation of Labor. The committee on aw presented a large number of resolutions. Andrew Carnegie has accepted an in-

ered as ordered.

A resolution to increase the vice vitation to speak, and Abram Hewitt will speak if he is able to leave his home, to which he is now confined by presidents from six to eight, the two additional members to sit in executive council with the other vice presidents, rheumatism. The idea of the high school of commerce is to fit boys gradprovoked a warm debate. C. O. Sher-man of Chicago, started the discussion uated from it for positions above mere by attacking the executive council, sayclerkships and give them practical ining that the council was a regular Tammany and that the attempt to information in regard to commercial affairs. The study of modern languages. Spanish especially, will have an im-portant place in the curriculum. crease the membership was done for the purpose of further intreaching itself. Charles Dold also of Chicago, said t was common gossip all over the country that the council was absolutely in contrtol of the federation. He thought the council membership should be de-creased. John P. Reese, of Iowa, repre-Washington, Dec., 13 .- The marriage of Miss Helen Hay, daughter of the secretary of state and Mr. Payne Whitnew, of New York, will occur Thurs-cay, February 6, at the Church of the senting the miners, caused a stir by

saying that the executive council was made up of men of brains who could "lead the common herd of delegates on Covenant in this city. Rev. Junius S. Hamlin, the pastor of the church, will will cfficiate, assisted by two visiting clergymen. About 600 invitations will the floor." J. H. Bowman, who represents 150,000 members of the Chicago Federation of Labor, vigorously protested against Reese's relearks as did several other delegates. Speeches were made by a New York, Dec. 15 .- A heavy fog that dozen delegates for and against the indescended on the city in the early n.orning caused a delay of traffic all crease, after which a vote was taken and the proposition defeated.

over the city. Ferries, elevated trains These resolutions were adopted: Instructing the executive council to induce the Butchers' union, in Kansas City, to join the Central Labor body, and increasing the per capita tax of the National and International unions from one-third to one-half cent per member per month to take effect next February. The proposition to increase the salary

of the president and secretary was de feated an hour in making the passage that The resolution increasing the capita tax of the federation and local trades unions from 5 to 10 cents per member per month was under right remained at quarantine as it was con sideration when a recess was taken.

# Jack O'Brien Gets the Money.

Liverpool, Dec. 13 .-- "Jack" O'Brien, the Philadelphia pugilist, was awarde the purse of £450 in a fight with "Yank" Kenney of New York here last night. O'Brien had all the best of the reight went aground late last night in fighting, although much the smaller and lighter man, and in the second and third rounds he hit Kenney as he liked. The latter frequently clinched and re fused to break away when warned hy the referee and struck at that official who awarded the fight to the Philadel

Washington, Dec. 13 .- The House phian. interstate and foreign May Place Russian Loan in America. ommerce at its first meeting today

London, Dec. 13 .- A special corres-pondent in Berlin says he hears that oted to favorably report the Hepbury ill providing for the construction of pondent in Berlin says be hears that owing to objection being made to France's furnishing the whole of the projected Russian Joan of £49,000,000, financiers in the United States will shortly be sounded as to the possibiline Nicaragua canal. Representativa Fletcher, of Minnesota, was the only the only against reporting the only the till. Before the vote was taken several amendments were proposed. One, by Mr. Adamson, of Georgia, was by Mr. Adamson, of Georgia, was tv of placing £20,000,000 of the loan in agreed to, providing that the expendi-

ndustrial commission until February He found it necessary to shave a por-tion of the injured man's cranium and some discussion by Messrs. take a few stitches in his scalp to close Cannon, Livingston and Maddox the bill up the wound.

BUSY DAY FOR

He was operated upon in the officer's quarters and the place boked like a slaughter house on a small scale until cleaned up by the trust, Foy was taken to his home and at last accounts was resting easily.

# SUPREME COURT

The supreme court handed down four opinions today, two affirmations and two reversals. Perhaps the most important of these is the Wilson vs Cunningham case, phich involves 51,000 shares of Builion-Beck and 50,000 shares of Indian Creek Mining stock. This case, which is entitled E. W. Wilson, trustee in bankruptcy of the estate of John Beck, a bankrupt vs J. A. Cunningham, was tried before Judge Hiles, who found all the equities in favor of the defendants, and decreed a dismiss al of the complaint. Wilson appealed, but the appellate court finds no reversible error in the record. The opinion is written by Chief Justice Miner.

Wilson, as trustee brought this action to obtain a decree declaring that the transfer of 51,000 shares of the stock of the Bullion-Beck and Champion Mining company and 50,000 shares of the capital stock of the Indian Creek Gold Mining and Milling company to Cun ningham was fraudulent and void as to Beck's creditors, and for an account-ing as to the amount due upon the aleged pledge of the stock to Josiah Bar nett, as trustee for certain of the de fendants. It is alleged that all of the stock was deposited with Barnett, as trustee, to secure certain claims according to a contract executed by Beck ad these creditors; that thereafter the equity of John Beck was levied an execution issued upon two judg ments in fava of Sarah Everard, and advertised for sale on May 11, 1899. Wil-son Beck agreed with Cunningham that the latter should advance the money to pay the judgment and execution and protect the equity of Beck, who was to repay the amount advanced together with a \$15,000 bonus. When this should paid the stock was to belong to Beck, subject to the trustee's lien, but for the purpose of keeping it beyond the reach of certain other of Beck's creditors, a bill of sale, absolute in orm, was made, and the stock was delivered to Cunningham with Beck's

right to redeem. The defendants contended that the bill of sale was not absolute in form, but was intended by the parties to car-ry all the equities of Beck in the stock in consideration of \$24,500, then ad-vanced by Cunningham to pay off the attachment liens in favor of Mrs. Ev-erard. They denied that the stock was to be held for Beck's benefit, or that Beck reserved any right or benefit therein.

The issue at the trial was as to the absoluteness of the bill of sale, or whether there was a secret agreem hy which Beck reserved an interest of ter all the liens were paid. Joslah Barnett held the 51,000 shares of Bullion-Beck in security for claims amounting to \$284,000. The bill of sale was offered in evidence at the trial, and showed an absolute sale of stock.

Mr. Cunningham, Judge Howat, Judge Hall and Mr. Bradley testified that Cunningham refused to advance the money on any other consideration than that Beck should make an absolute bill of sale of all his equity in the stock. without any right of redemption or any understanding of a secret agreement to give him the right to redeem. Mr. C. anon, Mr. Smith, Mr. Clawson and Mr. McCornick testified that Beck stated at a directors' meeting that at

drews was not liable for the money loaned to Hawke.

The supreme court, in reversing this decision, holds that Hawke obtained the money for the use of the firm; having authority to do so, and to bind the firm within the scope of legitimate bu-

The case is, therefore, remanded with directions to the court below to grant a new trial as to the portion of the judgment referring to he loan. Costs are to be taxed to the respondents.

# COLD SNAP.

Mercury This Morning Read Eleven Degrees Above Zero.

The storm continues today with a steady though light fall of snow. The mercury early this morning went down to 11 above zero, and the highest during the previous twenty-four hours was only 26 degrees. The storm is extending all over the Rocky Mountain region and as far east as the Missis-The low temperatures reported sippl. are 20 below zero at Miles City, 32 below at Winnipeg, and a generally low ranging thermometer throughout the rorth and northwest. Even at Phoenix the mercury ranged down to 28, and at Yuma it was 31. The precipitation was the heaviest at Kansas City.

### FIRE NEAR BRIGHAM CITY.

Local insurance offices learned this morning of the destruction by fire of a farm house several miles out of Brigham City, with a loss of \$750. But the name of the owner of the property was not known. The house was insured in the Hartford Fire.

# MINER'S LIFE

# WAS CRUSHED OUT

### (Special to the "News.")

Eureka, Dec. 13 .- Chas. Curtis, a miner employed at the Godiva mine. was found dead on the 200 foot level this morning. When the body was discovered it was wedged between a car full of ore and the side of the drift, and it is supposed that accidentally he must have kicked the block holding the car back, thus permitting it to run loose and cause his death by catching him between the drift and the car of ore.

Curtis was 33 years of age and leaves a wife and five children to mourn his loss. At a late hour this afternoon an in-quest was still in session.

#### IN A DYING CONDITION.

This afternoon, Joe Arthurs, a well known character about town, was found in a saloon on Commercial and First South street in an almost dying condi-He did not seem to know what tion. ailed him, but several men in the sa'oon said he had been on a protracted spree for some time and that was probably the cause of his illness. Late this af-ternoon some of his friends took him to a physician and an effort will be made to send him to a hospital.

# GEO.WHIPPEY, STAND UP.

George F. Whippey, who was last heard of in this state is in luck, according to a communication received by the "News" this morning from M. L. Fuffer, of 125 Duncan street, San Francisco. Mr. Puffer states that if Mr. Whippey or his relatives will communicate with him they will hear of thing which will materially benefit

manifest an anxiety to uncover all the facts. Lieut, Abel's testimony gives a glimpse behind the seenes which would

client yet that the best of army post physicians could avoid because the sol-dier always thinks he is abused and if

he is sick, then he is outraged. The judge advocate has one more witness

never have been exposed by the testl mony of the soldiers on whose used Lieut. Abel testified. It does not reflect so much, however, upon the be-havior of of the physician as I does upon the condition of the men.

SICK WITNESS HEARD

The first witness called this morning was James Glover, late cook of Com pany M. He was brought out of the hospital to testify. His valid face and glazed eyes together with a week's growth of whiskers made him lock almost ghastly. He was also suffering from a sore throat which made it dif-Glover said ficult for him to speak. that on Nov. 1 he was taken with severe pains in the back and about the. body. He reported to Major Egan and At that time he received treatment. explained to the major that he was suffering from a loathsome disease that he had contracted in the Philippines. After being examined and treated by the doctor, the latter marked him "dus At a subsequent visit, however, the doctor sent him to his quarters and on November 30, he was admitted to the ing. The next morning, said the hospital. On being cross-examined by the defense, witness stated he was admitted

to hospital on November 30 because of an affection of the throat, ears and eyes. The further evidence was obtained from him that a civilian specialist was called up to see him and later he was taken down town to receive the specialist's attention.

The defense then asked: "Have you point.

gineer to prepare and submit plans cui-

sulated to effect the results desired in

the matter of converting Utah Lake

into a government reservoir. It was

also resolved that the committee as a

whole, accompanied by Hon. F. S.

Richards, the attorney for the compa-

ny, visit Utah county at an early date with the idea in view of meeting with

hose interested in the project and ex-

plaining to them the object and scope

of the undertaking proposed, with a view of dispelling any fears and also for the purpose of accuring the assist-

ince and co-operation of the residents

There was a full attendance of the committee at the meetings. Those who were present being: Hon. Angus M.

HELD FOR BURGLARY.

Sam Grice and Jack Richardson Taken

To County \_ail.

In Judge Diehl's court late this attor-

toon, Sam Grice and Jack Richardson,

known as "Razor Jack," were arraigned

on the charge of burglary and their

ball was fixed at \$500 each, in default of

which they were handouffed and taken

They did not enter a plea but will do

tomorrow afternoon at 2 o'clock,

when they will also have their prelim-

f Utah county.

the county jail.

inary examination.

# After Details of Big Utah Lake Reservoir Project Have Been Perfected, Plans and Specifications Will be Forwarded To Congress-Action at Meeting Today.

The committee appointed by the Cannon, County Commissioner James board of canal presidents met in the H. Anderson, Hon. John Henry Smith, Mayor Ezra Thompson and H. F. Doreoffice of Hon. Angus M. Cannon this In addition City Engineer Kelmusi morning and before they adjourned sey and Attorney F. S. Richards were they authorized the attorney and outpresent

After the project had been thoroughly canvassed, action was taken, as al-ready stated. In the meantime At-torney Richards will look up the existing laws that bear upon irrigation matters and the proposed scheme, Engineer Kelsey will also prepare plans which will be submitted for debate at When some conthe next meeting. clusion has been arrived at, after that meeting an estimate of the undertaking together with a petition to Con-gress asking for the enactment of legslation to cover the case will be warded to the two senators and the one representative of Utah for them to place before Congress at an early

After a contral discussion the meting adjourned subject to call by president.

# GETS HIS COMMISSION.

Henry L. Cooper, son of Lieutenant-Colonel Cooper, of the Fourteenth cavalry, has successfully passed his examinations for a commission in the regular army and has been assigned to the Twenty-third Infantry. Lieut. Cooper was a first ligutenant of volunteers in the Porto Rico regiment, where he served with honor and distinction. He is a bright young man destined to make his mark. Colonel Cooper is a guest at the Knutsford, as he is here on court martial detail from Fort Logan.

LIEUT ABEL TESTIFIES.

The last witness this forenoon was Lieut. Charles Abel, who gave his evilence in a direct energetic manner. which coupled with his striking appearance rendered him a very interesting witness. He is a native of Italy and there is enough of his mother tongue adhering to his speech to render it pleasing

He testified that he was commander of company K on Nov. 8th and on that day excused Private Holland from drill. Witness said he was placed in com-mand of the company Nov. 6, and on that day found Holland lying down as if in pain. He asked Holland why he did not go on the sick report. replied that he had done so, but the doctor said there was nothing the matter with him and "chased him out of Witness said that he the dispensary. then examined Holland and found him in a bad condition. He had Holland reduce his complaint to writing and then forwarded it to the post commander with a request that Major Egan be required to use his professional skill for Holland's relief. The next day Holland reported for duty and witness told him to go on sick report the following mornness, Holland fell out of the ranks said he had been marked "duty" but requested to be excused from drill. Wit-ness excused him and after drill a hoard of officers to be convened to give its opinion as to the physical condition of Private Holland, and reported the post commander that Holland had

been excused from drill. The court adjourned until 1:30 at this





