ARRAIGNMENT OF MRS. J. M. BAKER.

Another of the Defendants in Abortion Case in Court.

SHE PLEADS NOT GUILTY.

Preliminary Hearing Before Justice Pardee Tomorrow—Lake Hearsed and be Tried Tomorrow.

John M. Baker, arrested at Provo yesterday charged with complicity in the murder of Emma Baker Christensen in this city February 20th, appeared before Justice Pardee today for arraignment. The defendant pleaded not guilty and was released on a $1,000 bond until 10 a. m. tomorrow at which time she will be given a preliminary hearing. The defendant's sureties are M. B. Brother and A. J. Yoder.

In a conversation with a "News" reporter Mrs. Baker said she knew absolutely nothing of the affair, and could not understand why she had been dragged into it. Mrs. Baker further said that she was housekeeper at the Albert Block for thirteen months, she resigned her position about five weeks ago, and since then had resided on Provo bench, where she was arrested yesterday. She knew the deceased, Mrs. Christensen, but was never intimate with her. She did not remember ever having met Dr. Hensel. Mrs. Baker believed she had seen Lake and Schaffer, but knew nothing of either of them. She was confident of being able to prove her innocence at the trial.

Mrs. Baker is a refined looking woman of about forty-five years. She is married and has raised a family. Her husband was present in court today. They came to Utah from Illinois about five years ago.

It was stated today that Schaffer is the inventor of the instrument performed by Dr. Hensel at the coroner's inquest and that he had tried to get Mrs. Baker and others to accept the marvel. The prosecution is of the opinion, however, that no unnatural action could not be produced by this instrument in a case advanced like that of Mrs. Christensen's.

LUKE RE-ARRESTED.

James A. Lake was re-arrested today upon another information accusing him of having procured an abortion on Mrs. Christensen. The other complaint was dismissed. Lake came into Justice Pardee's court this morning accompanied by Deputy Sheriff Cummings, after making himself be announced to whistle a tune and beat a lively tattoo on the judge's table.

"I understand they want me again," he said, addressing Justice Pardee. "Yes, they do," replied the justice, at the same time handing the defendant the new complaint. Lake looked the document over, whistled another tune and then went it with the officer to another bondsman. He based on the new charge was fixed at $1,500. He had been unable to furnish it up to a late hour this afternoon.

The preliminary hearing was set for 10 o'clock Friday morning.

Mrs. Baker has employed Attorney George Sutherland to defend her.

INTERNAL REVENUE STAMPS

Ruling by the Commissioners Relating to Estates.

Deputy Internal Revenue Collector T. D. Lewis has received information of a ruling by the commissioner of internal revenue, holding that the bonds of administrators, executors and guardians of estates do not require stamping under the war revenue law. This ruling is important to county clerks and those who have probate business.

THE PIT THIS AFTERNOON.

Activity in Dexter, Daly and Daisy at Fair Figures.

Dalton & Lark and Four Aces Also Sellers, While Bullion-Beck Changes Hands at $1.

In the pit of the old exchange this afternoon the brokers were rather slow in getting down the line, but they transacted a good amount of business just the same. Up to prove time there was lively trading in Dexter, Daisy and Daly, while Bullion-Beck took part, this stock selling at $1 per share.

TRANSFERS OF STOCKS.

Bullion Beck, 100 at $1.
Dexter, 100 at $2.50, 800 at $2.55, 100 at $2.55.
Daly, 200 at $1.35, 100 at $1.32½, 100 at $1.35.
Dalton & Lark, 2,000 at 4½c, 100 at 4.
Dexter, 1,500 at 4c.
Four Aces, 500 at 3c, 1,000 at 7c, 500 at 3½c.

CLEARING HOUSE REPORT.

March 7, 1899.

Today's clearings	$166,891.76
Same day last year	102,135.76

ORE AND BULLION REPORTS.

Following are today's ore and bullion receipts, as reported by the bullion-fund below indicated:

T. R. JONES & CO.

Bullion	$17,500
Ores	4,200
Total	$21,700

McCORNICK & CO.

Hanauer bullion	$ 2,510
Silver and lead ores	14,110
Total	$16,600

BAMBERGER & McMILLAN.

Ores	$1,730

WELLS, FARGO & CO.

Bullion	$5,400

THE GRIP CURE THAT DOES CURE.

Laxative Bromo Quinine Tablets remove the cause that produces La Grippe. The genuine have L. B. Q. on each tablet. 25c.

Use the Great Israel. It's healthful and nourishing. Ask your grocer for it.

NICE AND SWEET.

If you want to keep your refrigerator sweet and clean use U. S. Ice. Tel 37. Mountain Ice Co.

GEO. Q. CANNON NOMINATED.

[Continued from page one.]

the success or an success but my judgment might be warped and prejudiced in the matter of priority introduced before the committee and the report which I signed was the honest conviction which that judgment produced in my mind. And I wish to say that I will have the same confidence in that gentleman that my brief acquaintance with him has established.

I wish to say that I now do not believe him guilty of the charges preferred against him, and do not wish my vote so to be construed.

Mrs. Cannon and Representative O'Neil made speeches for Mr. Cannon, respectively seconding and nominating Mr. Welch for the Q. Cannon.

The assembly decided to meet the night at 8 o'clock.

JOHNSON FOR PRESIDENT.

Representative Johnson said: In a reply to the question of Representative Brewster, as to whether I will support Mr. Cannon, I will say that though I believe that the candidate to be nominated is a great man, yet he has a greater one in my judgment, and I am not an office to be seen, and will stay with the man of my choice and go to victory or to defeat with his opposition night.

FAIRY FOR SECOND.

Representative Fairy said: I wish to state again the reason why I will support Mr. Welch. I have had some conversations have been formed, or were never before made in our State for a Democrat to receive the support of Republicans. And I confess that I am surprised at the gentleman claiming his vote and accepting the report of the minority, and yet he has no hesitation in casting an honorable man to a prison cell.

Yesterday I received a letter from my constituents expressing their confidence in the stand I have taken and in the importance of my candidate. I again vote for the Hon. Q. M. Welch.

LAST EVENING'S SESSION.

A session of the joint assembly was held last evening and seven ballots were taken, without material change. Motions stood at 25, when the balloting closed. This was the first time for the first time since the Law charges were made.

On the 41st ballot Senator Abel John Evans received votes from Utah, Fullmer, Greenwood, Lapish, Maxfield and Reid.

Senator Dennison voted for King; Stewart and Harden Dennison, for Henderson.

SENATE.

The Senate convened at 10:20 a. m.

A communication from the House announced the passage of the substitute for House bill No. 18, by Pidcock, relating to the publishing of detailed statements annually by the county auditor. Referred to committee on State affairs.

Senate bill No. 84, by Hilbert, extending the time to answer summons served outside the State, was taken up on third reading, and passed, ayes, 17, noes, 8.

A communication from the House returned Senate bill No. 16, by Evans, for information in relation to a certain section thereof. The bill was given to Mr. Evans to furnish the information which was given and the bill returned to the House.

LOCAL OPTION.

A petition was presented by Evans, by request, in relation to the liquor tax, and asking for the regulation of Gunnison by the Legislature, and for giving the citizens the right to decide by local option in relation to the liquor traffic. This petition was referred to members of the W. C. T. U.

A similar petition by Hilbert, by request, was also presented.

Dennison moved that the Senate go into executive session for the purpose of confirming appointments made by the Governor. Carried.

On reconvening in open session, Senate bill No. 3, by Evans, to amend section 615 of the statutes, relating to the annual financial statement of counties, was read for the third time, and passed, ayes, 19, noes, 3.

Senate bill No. 79, by Dennison, was taken up on third reading. It is an act to prohibit the salary of employes upon railroads, by compelling purchasers, companies, and corporations operating railroads, to equip their cars and locomotives with drawing wheel-brakes, and with automatic brakes, their locomotives with drawing wheel-brakes, etc. During the discussion of this bill the Senate took a recess.

Most of yesterday afternoon in the Senate was spent in consideration of Senate bill No. 81 by Evans. This bill requires railroads to erect and maintain a fence that will turn livestock on each side of the track where it passes through lands owned, settled or occupied by private persons, with cattle guards at all crossings and in case of failure to maintain such fence and guards the road is made liable for the full value of all damages sustained by the owners of livestock killed or injured by the trains, with interest from the date of the killing. When the plaintiff has shown the killing, it shall be considered prima facie evidence of carelessness or negligence by the railroad, and the burden of proof shall be on the company to establish that it was not in any manner negligent. The railroad company is also made liable for damages resulting from the resulting fire in operating the road.

The committee on railroads reported adversely on this measure. Evans also moved the report of the committee. W. H. Newhouse seconded the report. He maintained that railroads have been given extensive powers in this State that have been taken from them in other States, such as the right of eminent domain over lands through which they desire to lay a track, that every mile of ownership must yield to their direct control, that in Utah "there have been rendered meals so valuable that the presence of a rail way in the State has contributed to the protection of the lives of people and accident. Notwithstanding all this, the speaker said, he had voted to give the railways the right and power to exercise eminent domain and go wherever they desired, since Utah for the last 50 years has been a foreign power carried with it a Republic (Hill). The railroads should be entitled to force the lands they pass through, and should be compelled to pay damages for animals killed by trains without throwing the burden of proof upon the owners whose animals are thus killed. As the law stands now, the cause of the animals must prove negligence on the part of the railway officials before damages can be collected. This bill throws the burden of proof on the railway company, which is the proper place for it, since it is easier for the railway company than for the owner of the animals to prove the killing of the animal, or damages can be collected.

W. H. Dickson defended the report of the committee. While the committee was in session, the Brotherhood of Locomotive Firemen had lobbied through a committee that the bill be killed, as it would endanger their lives. Dickson said he was agreed with them, that it was impossible to make a fence that would turn cattle, and that once they were on the track and unable to get off, they would jump and be over from that cause. This was a menace to the life of every passenger on the train. He also thought the bill unconstitutional and a useless burden on the railroads.

Senators Alder, Thomas and Robinson all spoke in favor of the bill and the report of the committee was rejected. Those in favor of the committee's report were: Messrs. Allen, Chase, Dennison, Howell, Kincaid, Newhouse and Robinson—8, and those opposed, Senators Alder, Evans, Hoblitzell, Shurtliff, Tanner, Thomas and Wright—7.

FROM COMMITTEES.

The committee on livestock recommended the passage of Senate bill No. 91, providing for a bounty on wild animals.

The committee on public health recommended the passage on Senate bill No. 48, prohibiting the second use of paper boxes and trays in dairy products.

The committee on livestock, recommended the passage of Senate bill No. 32, prohibiting docking horses tails.

These reports were adopted.

BILLS INTRODUCED.

Two bills and one resolution were presented for consideration:

Senate bill No. 92, by Tanner, amending sections 1139 and 1139, Revised Statutes. The bill raises the first registration fee for pharmacists from $1 to $10, and for assistant pharmacists from $1 to $5.

Senate bill No. 93, by Hilbert, providing for holding primary elections, and providing punishment for those who break the regulation.

Senate resolution by Wright, directing the transfer of $125 from the general fund to the school lands land fund.

GOVERNOR'S APPOINTMENTS.

The following nominations were received from the Governor:

To be trustee of the State school for the deaf, dumb and blind:

John Watson of Weber county for a term of four years.

Maud May Babcock of Salt Lake county, for a term of four years.

Dennis C. Gribble of Salt Lake county, vice A. W. Carlson, resigned.

To be members of the State board of medical examiners for terms of two years:

Dr. O. C. Crosby of Cache county.
Dr. S. L. Brick of Weber county.
Dr. J. M. Dart of Salt Lake county.
Dr. Brinat Stringham of Davis county.

Dr. Eliza Wright of Salt Lake county.

Dr. J. T. White of Salt Lake county.

Dr. C. P. Hough of Salt Lake county.

OTHER BUSINESS.

The substitute for House bill No. 97, locating a branch agricultural station in southern Utah, was then taken up and put on its passage. The bill was lost, but Senator Tanner gave notice of a motion to reconsider.

A communication was received from the Salt Lake City board of education protesting against the passage of the bill providing that the superintendent of city schools be elected by the popular vote and that the members of the board of education be elected at the time of the general election.

House bill No. 102, providing for the appointment by the Supreme court of a board of three to each judicial district to examine applicants for admission to the bar, was then taken up and passed unanimously.

Notice was received that the House had passed Senate bill No. 29, making eight hours a day's work on public works.

HOUSE PROCEEDINGS.

Bill Relating to Negotiable Instruments Killed—Other Business.

The House convened promptly at 10 o'clock this morning and worked industriously without interruption until noon 12 o'clock, when a recess was taken until 2 p.m., voting for United States Senator occupying the joint assembly during the interim.

House bill No. 54, relating to negotiable instruments, was taken up. The reading of the bill was discontinued when Representative Shepard talked at some length on the measure, and said a similar provision had been passed in a number of States and was now pending in fifteen States, with a view to securing a uniform law covering the subject.

Representative Smith moved as an amendment to strike out part referring to gold payments; amendment lost.

Many of the members objected strongly to voting on the bill without a further reading, in fact, as the bill was debated by a vote of 15 to 22.

A communication from the Governor was read, recommending the passage of a bill providing for the payment of the indebtedness to the amount of $600 for expenses as game commissioner under the territorial law. No action was taken today.

Senate bill No. 38 was taken up. This is a bill by Alder, instructing voters on constitutional amendments. A substitute therefor was read. H. B. No. 49, covering all the essential points of the Senate bill, also was passed.

Senate joint resolution No. 7, relating to taxation to enable counties to refute taxes, etc., was put on third reading. After some discussion and two minor amendments, the bill was passed.

Senate bill No. 5, relating to State lands, was received from the Senate and on its reading for the third time. On 14 of the bill was amended to provide for the sale of arid lands in amounts of not to exceed 640 acres to any one person or corporation. There was an amendment offered to the amendment, by Mansfield, cutting down the number of acres to 320, which was carried. An amendment to section 17 was offered, cutting down price to be paid to the State for land from $1.25 to $1 per acre. After reading section 23, recess was taken until 2 p. m.

Senate bill 56, by Evans, defining the powers and duties of the State board of land commissioners, relative to the appraisement and sale of public lands, etc., was read for revision and amendment, and referred to the Senate for interpretation.

The following bills have passed both Houses and have been signed by the Governor:

(1) An act authorizing any corporation doing any business in this State to sell and convey property.

(2) An act providing for the formation of railroad companies.

(3) A memorial praying Congress to create for Colorado, Utah, Wyoming, Idaho and Montana, another judicial district.

(4) A memorial praying Congress for protection from the depredations of Ute and Navajo Indians in San Juan county.

(5) An act appropriating $1,000 to J. W. Allen.

(6) An act amending statutes section 1238, relating to inclosures.

(7) An act amending statutes section 223, relating to annual financial statement of counties.

(8) An act amending section 2789 of the statutes, relating to the probate of wills.

(9) An act amending section 874 of the statutes, relating to the loss and conversion of county sheriffs.

(10) An act amending section 266 of the statutes, relating to time when ordinances take effect, and to their publication.

(11) An act, a memorial, asking that certain citizens of Utah be commended for services rendered to the Indian depredations in the Territory of Utah, during the years from 1864 to and including the year 1868.

(12) An act repealing section 1459 of the statutes, relating to mines.

(13) An act providing for the manner of locating and recording quartz and placer mining claims, etc.

(14) An act amending section six of the statutes, defining civil jurisdiction of justices' courts.

(15) An act authorizing the erection of a hospital building for the Utah state school for the deaf and dumb and making an appropriation therefor.

(16) An act amending section 1149 of the statutes, relating to driving sheep, goats or hogs on highways, providing for the collection of damages therefor and disposition of the same.

(17) An act to provide for the payment of regular and contingent expenses of the third session of the Legislature of the State of Utah.

(18) A resolution authorizing the State board of examiners to procure copies of the hospital report of the State board of horticulture.

(19) An act providing for the use of money heretofore appropriated for the French normal school, etc.

(20) An act providing for the removal of the University of Utah to and its establishment upon the site granted by Congress, etc.

(21) An act amending section 3272 of the statutes, relating to executions.

(22) An act repealing, legalizing and adopting the Revised Statutes of Utah, 1898.

(23) An act authorizing the State board of land commissioners to make temporary loans for the State.

(24) An act amending section 3959 of the statutes, relating to sales, mortgages and leases.

(25) A resolution authorizing the Governor to invite companies from other States to exhibit in the Salt Palace.

SUGAR MAKING IN HAWAII.

Extensive Plantations for Raising the Saccharine Product.

Prest. Joseph F. Smith Tells of the Latter-day Saints' Plantation—Conditions in Hawaii.

In answer to queries as to the staple industry in the island addition to Uncle Sam's family, the sugar, President Joseph F. Smith today gave to a "News" man some interesting information.

In the course of conversation it was stated that the sugar industry is forging ahead in the islands at a swift pace on all sides, in likely sites, new ground is being broken for the planting of sugar cane and coffee shrubs, and outside capital is being invested in plantations everywhere. In fact, Honolulu and the islands generally are experiencing a boom, most commendation in the chief city is practically all and on all sides can be heard the busy tap of the carpenter's hammer.

"When a sugar plantation can be operated with sugar at 2½ cents per pound, and it now brings 4½ cents," said President Smith, "it is a foregone conclusion that sugar raising in the islands is a paying investment."

President Smith cited the example of the Aiea sugar plantation in the Pearl Harbor valley some twelve miles from Honolulu, on Oahu island. The plantation covers about 1,500 acres, of which 800 is furnished with seven pumping plants for irrigation purposes, five of which are in operation and raise 12,000,000 gallons of water from the surface to twenty-four hours. This plantation furnishes during the season 10 tons of raw sugar per acre, and last year it paid a dividend of 85 per cent.

At Laie, the Latter-day Saints' plantation there consists of over 300 acres of land now planted with cane that promises a good crop. The native Kanakas will breaking up more land, and for next year expect to have some 500 acres under cultivation. The sugar cane, when ripe, is cut and taken to a adjoining plant, where it is crushed and made ready for export.

President Smith spoke in highly commendatory terms of the president, Samuel E. Woolley, who is in charge of the plantation, stating that he was doing a splendid work. Brother Woolley is well and spiritually. Under his supervision a pump has been erected and canal work on the canal is organized at a cost of $7,000, although the superintendent Woolley is working with an eye to the future rather than for immediate results.

Apparently the Hawaiian Islands is not a desirable place for a poor man to immigrate to, as all the heavy work is performed by the native, Japanese, Chinaman, and Japanese men and women. Wages range from 15c to 25c per month, without board, and the women 8c.

Referring to his own experience, President Smith stated that he had a most enjoyable trip, having sailed from San Francisco on January 11th, on the steamship Australia, and on the same boat to the Golden Gate, last week. President Smith stated that, contrary to the expectation of his friends, he did not get seasick, and that the entire ocean passage was most delightful. While at Hilo he had the pleasure of meeting Prince Kalanianaole, who accompanied the local Salute on that island, and on Lake as previously stated, and although the prince's mother was hot and dry, with a general drouth prevailing, President Smith reports having enjoyed a splendid time coupled with excellent health.

AMUSEMENTS.

The phenomenal run of the Grand Opera company keeps up at the Grand. Of all engagements the most electrifying the Bohemian girl has been supposed to hold the stage in Salt Lake, but even with that opera announced for last night the attendance kept up to the overflow point, even the top boxes on the balcony being filled. The Bohemian was not exactly even, some parts of it being good, and others indifferent, but the work was rendered by Miss Farrington and Mr. Davis as Thaddeus. The chorus did creditably. Tonight the company renders Fra Diavolo.

Absorption of the Short Line.

The following night dispatch from Omaha gives the standing of the Union Pacific, the Short Line, and the Oregon Railway and Navigation companies in relation to each other as understood by the Omaha World-Herald: "Mr. W. D. Cornish of New York, president of the Oregon Short Line, who is now in the West attending the land sales of the Union Pacific road, and inspecting the condition of his own road, says that all that will be done for the present has been done in the steps looking to the absorption of the Oregon Short Line by the Union Pacific company. Three-quarters of the stock of the former company has been exchanged for the stock of the Union Pacific, and this completes the transfer of the property as fully as it can be consummated. The Union Pacific, said Mr. Cornish, "owns a majority of the stock of the Oregon Short Line, and the latter road owns a majority of the stock in the Oregon Railway & Navigation company, and under these conditions the three lines can work together nicely without any closer agreement."

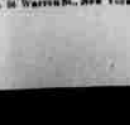
Ask Your Druggist for a generous 10c CENT TRIAL SIZE.

Ely's Cream Balm

is placed into the nostrils to cleanse the nasal passages, and to allay inflammation. It is quickly absorbed. Full size, 50c. at druggists or by mail.

ELY BROTHERS, 56 Warren St., New York.

CATARRH



COLD IN HEAD

SOLD HER SOME OMAHA PROPERTY.

J. H. Griffin's Deal With Miss Cora E. Berkman.

ZANE'S CROSS-EXAMINATION.

Hearing Develops the Fact That the Sprinkling Contractor Did Business With a Co-Respondent.

J. H. Griffin appeared before Judge Norrell today on a citation order, requiring him to show cause why an injunction should not be issued against him; also why he should not be punished for contempt in failing to pay his former wife, Minnie F. Griffin, the sum of $2,500, as alimony, awarded her by the supreme court.

Mrs. Griffin appeared in court and was represented by John M. Zane and Oscar W. Moyle. F. S. Richards and Lowhorow & Lowhorow appeared in behalf of Mr. Griffin.

Mr. Richards said the answer of Griffin's was not as fully set out as it would have been had he known beforehand the other side wanted a change of venue. He had supposed the matter would be heard by Judge Hilton, who was familiar with the case from its inception to the present time. Mr. Richards then read the affidavit of Mrs. Griffin, setting forth, that Mr. Griffin was about to move his sprinkling plant into Nevada and out of the jurisdiction of the court, to defeat enforcement of the court's order. Mr. Griffin's answer.

Mr. Zane said Griffin in his answer to his wife's complaint and at the trial admitted that he was possessed of property in this city, Omaha, Great Falls and elsewhere. The decree of Judge Hilton provided that Griffin should give his wife the homestead on Eleventh East, without any provision when he should turn it over to her. An appeal was taken and the supreme court held that Griffin had been guilty of misconduct with the co-respondent, Miss Cora E. Berkman, awarding Mrs. Griffin the custody of the boy Harvey, $2,500 alimony and $1,400 towards the maintenance of the child. Mrs. Griffin had not received any money and the defendant was about to move into Nevada, hence the proceedings.

Mr. Richards said Griffin had made every effort to pay Mrs. Griffin the money. He found he had to do something. Fifty horses were on his hands and he could "break even." The court could not make the defendant do an impossibility. To keep Griffin here, when he had work in Nevada, would be sacrifice of everything to him. He thought his client was entitled to a discussion upon the answer.

Mr. Zane said he had witnesses and intended to put in their testimony.

BORROWED FROM FRIENDS.

Griffin was then called to the witness stand and in answer to Mr. Richards said his contract with the city for sprinkling expired December 31st, 1898. Had received no money from any source since then, except what he had been able to borrow from friends who were sympathetic with him. Tried to get work for his teams in Utah but had failed. Went to Humboldt, Nevada, last month, and made a contract with a company there to haul ores, etc. Had submitted a bid to supply the city with sprinkling carts. His president with McCormick at the present time amounted to $2,500. It was his purpose to pay alimony as soon as possible. If the city accepted his bid he would be able to pay off most of his obligations.

A number of witnesses in his behalf were here introduced as evidence tending to show the negotiations that had been going on between Griffin and the Humboldt company in Humboldt, Nevada, and the negotiations with respect to the completing of Griffin's home and carts.

Under cross-examination, by Mr. Zane, Griffin said he had received $1,400 in December from the city on account of his sprinkling contract. Had received no other money which greatly exceeded a month for two years. City was not indebted to him at the present time, so far as he knew. Had received $1,400 and expected the $1,400 to McCormick & Co. to apply on a mortgage. The sum was due him from the city amounted to about $5,000 or $7,000, which had been assigned to anyone; neither had he made an effort to assign it. It was still his. Had disposed of some of the property and the mortgages had taken possession of remainder. Did not remember amount and had forgotten name of the property. Deeded portion of Omaha property to John Stahl, his former foreman. It was true he had entered of misconduct with Mrs. Griffin. The deed was in Mrs. Stahl's name. Stahl had gone to Nevada to work for him with his teams. Since the trial of the divorce case had lived in Salt Lake city. In one or three different places. Had rooms in the Eagle block. Did not remember where. Witness was here asked if Miss Cora E. Berkman resided in the same building. This was objected to by Mr. Richards as irrelevant and incompetent. Mr. Zane said he wanted to find out if Griffin had been living with Mrs. Berkman and whether or not he had spent any money on her. The court sustained the objection. Continuing, Mr. Zane said he had dined with the stahl's on Second South street. Had forgotten the amount of indebtedness to John Stahl. Possibly $300. Owed Stahl cash. Last Term company had taken the other piece of Omaha property. No proceedings in foreclosure had been taken.

SOLD IT TO MISS BERKMAN.

Witness further stated that he sold the other piece of Omaha property to Miss Berkman for $1,000 and had given her a deed to the same. Did not know where Miss Berkman had received the $1,000. He did not give it to her. It was a variant lot he sold to New Brighton. Had commenced to build and was a note four or five years old. The note of G. T. Morris for $1,200 he had transferred to an Omaha attorney named Fitzgerald. Was not indebted to anyone on collectables. His property in Great Falls he had sold to J. F. Franklin for $1,000. His cash property he mortgaged to Judge Lowhorow. Counsel remember the date when the mortgage transfers and sales occurred. It was since the divorce action commenced, but before the decision of the supreme court. Witness further admitted mortgaging some cattle on his farm for $750 to Mr. Lee, a blacksmith on State street. The cattle belonged to him and was not the property of his wife. He was owing Lee for work performed. The mortgage to McCormick did not include his rolling house. That animal he sold recently to the Salt Lake Saddlery company for about $70. Since the trial of his divorce suit he had not given money to Miss Berkman. He had probably paid her a bills. What if he had? Possibly he paid a few of her bills at different times. If he had she always said him back. Never paid her room rent. Dined having bought Miss Berkman a snake dancing outfit. Mr. Zane presented Griffin with a photograph in snaky attire and asked him if he recognized her. Witness said he did, but denied he had bought her any costume. His cases had started for Nevada before overruling order was issued. Would have stopped, then had he known where to locate them. Denied having sons from Marshall to California. Here court took a recess.

J. O'Connor Counsel Appeared.

When court reconvened Mr. Griffin was further cross-examined by Mr. Moyle. Had not had stock in several horses' ranches. Did not know how much. Thought they had lapsed.

MRS. GRIFFIN TESTIFIES.

Mrs. Griffin was called to the stand and said that all the money she had received from Griffin was $25 per month for the support of little Harvey. She further stated that Griffin had not paid her anything, that she depended on her parents for support. Mrs. Griffin further testified that the property of her former husband was worth a great deal more than he had said it was.

Arguments were then made and the matter submitted to the court, who took the same under advisement.

In Favor of Plaintiff.

The jury in the case of the American Rink-Lead Smelting company vs M. J. Lawrence, returned a verdict in favor of the plaintiff this afternoon for $294.

Eureka Case Decided.

The Supreme court handed down an opinion today in the case of Patrick J. Holland, appellant, vs Elizabeth Buchanan, affirming the judgment of the trial court.

The question involved was which of the parties was entitled to a deed for a certain piece of land on the Eureka townsite.

The decision holds that the title is vested in Elizabeth Buchanan in accordance with the contention of the lower court.

Given Another Chance.

Ernest Palmer and Willie Robinson, the two youngsters recently held up the district court by Justice Timoney on the charge of burglarizing the cellar of the California Wine company, appeared before Judge Norrell today and pleaded guilty to a log of wine, appeared before Judge Norrell today, to show cause why they should not be committed to the State industrial school.

Mrs. Carrie Thorn, living in Weber county, and aunt of Palmer's, promised to take the boy out of the city and be responsible for his good behavior. Robinson faced similarly and will be sent to Mr. Murdoch in Heber City.

Estate of Levira A. Smith.

Judge Hiles has been occupied today hearing a suit of a three-cornered fight in the matter of the estate of Levira A. Smith, deceased.

This is the case which, a few years ago, went to the United States Supreme Court on the question of the validity of divorces granted under the old probate court system, and in which the entire estate of Mrs. Smith's was opened up to the heirs of the Judge Zane, who died in Idaho, and Mr. Smith's was decreed to belonging to Jessie Asay, widow of Oscar Asay.

Since the entering of the United States Supreme Court decree in the district court, J. F. Smith claims some half of the estate, as surviving husband of Levira A. Smith, sister of Oscar Asay. Mr. Smith bases his claim upon a contention that a decree of divorce granted by Judge Zane to Levira A. Smith in California in 1888 is void and that therefore he succeeds to one-half as the lawful heir of Levira A. Smith.

One of the principal points urged against Mr. Smith's claim is that he is estopped for the reason that he married again, during the lifetime of Levira A. Smith.

The property is situated on Richard street and consists of a property known as the Consolidated Implement company's place of business. It is said to be worth $25,000 or $30,000.

COMING HOME THIS EVENING.

W. D. Ritter, the young ex-battery B artilleryman, who is homeward bound from the Philippines, reached New York, is expected to arrive tonight in the city over the Union Pacific on the desired train that has been stocked up in Wyoming.

MINING MEN AS FIGHTERS.

Joe Jenkins and Judge Cory Came Together This Afternoon.

Latter Gets a Black Eye For His Abusive Language—Oberndorfer and Bamberger Clash.

Joe Jenkins, mining reporter for the Tribune, had an encounter with Judge J. W. Cory this afternoon which resulted in the latter being laid up for repairs. As near as can be learned the bone took exceptions to something which appeared in the Tribune mining column, and, addressing Mr. Jenkins, delivered himself of a very uncomplimentary remarks, whereupon the newspaper man struck straight from the shoulder, his "mauley" catching Cory between the eyes and landing him prostrate on the sidewalk. The scrimmage occurred in front of the Cory saloon, on Second South street and attracted quite a crowd. It is said Mr. Cory was intoxicated, hence his abusive remarks.

ANOTHER ONE.

Joe Oberndorfer and Joe Bamberger, two well known sports, broke a mutual friend today in what is termed by friends of the combatants a "friendly little mix-up." A dispute over mining stocks was the cause of it, and there was no effort at face-slapping. No damage, consequently no arrests.

DIED

OLSEN.—In this city, March 7, 1899, of tuberculosis, Emma Lucile, daughter of John A. and Lucile Olsen, aged 3 years, 7 months and 12 days.

Interment took place in the city cemetery March 8, 1899.

SCHANK.—In Salt Lake City, March 7, 1899, of Bright's disease, Louisa, daughter of John F. and Mary Schank, aged 24 years and 11 days.

Funeral from Fifth ward meeting house, Thursday, 9th inst., at 10 a.m. Friends are respectfully invited.

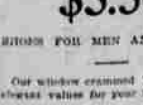
Don't Fail

to see the grandest display of

$3.50

SHOES FOR MEN AND WOMEN.

Our window crammed full of these shoes at values for your inspection.



TO BE COMPLETED BY MAY 15.

Utah and Pacific Construction to the State Line.

AWAIT TEST OF CEDAR COAL

Building Shop Corrals—Big Homeseekers' Excursion West—General Items.

Chief Engineer West of the Utah and Pacific came in this morning from Ogden, where he spent yesterday. Mr. West combines the office of Gen. traffic manager of the line with that of chief engineer, and in the former capacity he was in consultation with the traffic department of the Short Line this morning.

When seen by a "News" reporter this morning he was in a communicative mood and talked freely about the prospect of the road. He places May 15th as the probable time for the completion of the new railway to the State line.

Mr. West, in speaking of the branch from Lund to Silver City, says that a great deal depends upon the test which will be made of the Cedar City coal as a steam producer. Just before Mr. West left Lund, Mr. Jones, one of the owners of coal fields at Cedar, secured him that enough of the coal would be on hand upon his return to make the long expected test. Mr. West says that if the coal proves to be what is expected, the branch will be pushed through at once. He will go from Lund to Cedar City upon his return.

The railway company is about to resume work on the shops-shearing corrals at Lund, but in view of the early construction of the branch the sheepmen with the corrals will be established at Iron Springs, where there is plenty of water for the stock. Iron Springs is about twenty miles south of Lund on the line of the proposed Cedar branch, and is in the center of the great iron deposits.

Application has been made for the establishment of a postoffice at Lund, and the new postmaster has already given bonds. The postoffice department is in possession of all the information necessary to the establishment of the office of the Utah and Pacific trains for carrying the mails, and Mr. West expects a favorable action in a few days.

Mr. Wood and Mr. Hindmarsh leave for the south this evening.

Western Homeseekers' Traffic.

A Chicago dispatch today says: Western lines report a considerable increase in traffic Tuesday on account of the cheap rates in effect for homeseekers' excursions to the territory west of the Missouri river. The total number taking passage for the proposed land sealed up about 2d full tickets and about 1,500 half-fare tickets for children in the families. Nearly fifty families, with all their belonging, were numbered with the party. The home seekers and speculators did not all go over one road, but selected their routes without favoritism, as the rates were the same over all lines.

Many of the parties were from points east of Chicago, but the majority were from this city. In addition to the business from here, all of the roads sold hundreds of coast tickets from points on their lines in northern Illinois, Iowa, and Minnesota. One road, the Rock Island, had a full carload out of Chicago bound for San Francisco, Portland and other water front cities.

The following figures show the way the business was distributed among the principal competing lines: Chicago, Rock Island & Pacific, sixty; Chicago & Northwestern, 35; Northern Pacific, 25; Chicago, Burlington & Quincy, 25; Burlington & Quincy, 25; Union Pacific, 25; Chicago, Milwaukee & St. Paul, 25; Wisconsin Central, 25; Great Western, 25; Total, 240.

In addition to the above a number boarded the through trains from points west of the Missouri river.

It was the first homeseekers' excursion ever run from this territory to Pacific coast points. Another one will be run on March 21, and if the first day's record will probably be beaten, as the railroads did not have time to effectively advertise the first excursion.

The rate which partly inspired the rush was extremely low one. Round city tickets from Chicago to the coast were sold at $25.25, against a regular fare of about $110, and the one way transport rate was sold at $22.50, against the ordinary fare of $44.50.

RAILROAD NOTES.

The first Pinto excursion of the season will be run Sunday next.

Gen. Supt. Welby of the Western has gone south on the line on a trip of inspection.

H. H. Little of the Burlington went north this morning on business for the road.

Mrs. Geo. F. Downey and maid left this morning for San Francisco to join Mr. Downey.

Mr. Babcock of the Western has gone to San Francisco on business connected with his department. He will be absent for a week.

Traveling Freight and Passenger Agent E. J. Flynn of the Missouri Pacific left this morning on his northern trip.

General Agent Clay of the passenger department of the Union Pacific left this morning for Eureka on a business trip.

A number of Salt Lake railroad men will attend the next meeting of the Western classification bureau, which will be held at Milwaukee in May.

The first train of cattle since the blockade of the D. & R. G. left this morning for the East via that route. The cattle belonged to Mr. Bradshaw, and were loaded at Ephraim and Lehi.

The Denver, World's Fair train will come in from the West in the morning. It is with the Pennsylvania Golden Gate excursion. The train will be at the D. & R. G. depot nearly all day tomorrow.

Assistant Traffic Manager Chamberlain, of the Erie, and party, were the guests of Col. Clayton of the Salt Lake & Los Angeles road in an excursion to Saltair this afternoon. A number of local railroad men were in the company.

Wm. Dodd, the irrepressible travelling passenger agent of the Western returned to the city this morning after overseeing an excursion to Provo last night, and up on the occasion of the Mad Mullah concert held in the Provo opera house.

The Union Pacific is again open. Word has been received that No. 4, which left Ogden at 6:40 p. m. yesterday, and No. 2, which left at 7:00 a. m. today, both east bound, were running on schedule time. The belated trains were held up in Ogden this evening, the first one being tolled to arrive in Salt Lake at 7:40 p. m. A telegram from Cheyenne to the local office states that unless something unforeseen takes place all trains will be run closely to schedule time tomorrow.