

RULINGS OF LOWER COURT REVERSED

Justice Frick Hands Down Opinion in Manti and Mapleton Land Cases.

SUPREME JUDGES CONCUR.

Decision Declares Cases Had Equities In Causes in Question and Orders Further Investigation Made.

Two opinions written by Justice J. B. Frick, with Chief Justice McCarthy and Justice Straup concurring reverse rulings by lower courts in the Manti and Mapleton land cases. In the latter, Don C. Fuller and associates petitioned for the severance of a certain strip of land from the Mapleton township, and when the case went to the district court that body ruled against the city, saying there was no need for commissioners to investigate to find out if the city had any equity. The town argued the court had no legal right to cut off any land from a township and appealed when an unfavorable decision was rendered. Justice Frick in his opinion holds that the lower court was wrong in declaring there were no equities in the town's favor and as no district court can make any such ruling, orders the case back to the lower court with instructions to have county commissioners investigate and see if the city is entitled to anything for the land detached. The second case is practically identical except that different petitioners had a strip of land in Manti detached.

ASK FOR REVISION.

Street Railway Company Desires Correction Made in Franchise.

A letter was received today addressed by W. H. Bancroft of the Utah Light & Railway company to the mayor and city council, drawing attention to the fact that an omission occurred in the proposed draft of franchises for street railway extension. It is pointed out by Mr. Bancroft that a majority of the residents in the eastern part of the city desire that the Second South street line be extended to Thirtieth East, and thence south to the city limits.

In the manner in which the franchise was drafted, provision is made for the line to go as far east as Tenth East, thence south to Fifth South, thence east again to Eleventh East, thence southward. The difference, it is stated, was not considered to be of moment at the time the franchise was prepared, but now it is asked that the proposition be taken into consideration.

WERE SHOT TO DEATH.

(Special to the "News.")

Goldfield, Nev., Nov. 25.—Word from Blair in Silver Peak district is to the effect that James Connor and Barney Griffin were shot to death and not clubbed as first reported. There are indications that the double murder was perpetrated by Mute Indians.

WOULD NOT GO.

So P. Hackett Will Not Have Another Chance for Six Months.

On Nov. 20 one P. Hackett was arrested by the police on the charge of having burglar tools in his possession. Said tools consisted of a number of skeleton keys. On Nov. 21 he was arraigned in Judge Ditch's court, pleaded guilty to the charge but was given a "boater" on recommendation of the prosecution. Hackett was allowed to go on his own recognizance until Nov. 23, at which time sentence was to be pronounced. Of course, if Hackett did not appear he would not have to serve a term in jail. He was expected to place a \$500 cap between him and Salt Lake. On the date mentioned Judge Ditch pronounced sentence of six months in the county jail. Saturday night Hackett was seen on the street by Deputy Sheriff Emory and Sperry. The man was landed in the county jail and will now have to serve the six months because of his failure to leave the city.

ATHLETIC GIRL IS HURT.

Estelle Franklin Injured in Basket Ball Game at High School.

Estelle Franklin, a member of the high school and a class basketball player, was hurt in a game last week and while it is not thought her injuries are serious at all they were severe enough to keep her home since the game. Miss Franklin was in the middle of a hot

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Our collars are of the same character as our other goods—the very best.

Two for a quarter, collars in quarter sizes and quality.



172 MAIN

Autumn Chills

Cooled by the wet and changeable weather, are especially dangerous this year, because of the debilitating effects of an uncommonly trying summer. In their grip, the whole system suffers—

Catarrh is produced or aggravated, the stomach and liver are deranged, indigestion and constipation occur, there are the chills of malaria, twinges of neuralgia and rheumatism, and liability to blood diseases like the grip, diphtheria, typhoid, scarlet fever, etc.

It is important to take a reliable blood medicine now to nourish and enrich the blood, cure or prevent autumn diseases and protect general health. The best is

Hood's Sarsaparilla

which makes rich, red, warm blood, benefiting the whole system.

In usual liquid form or chocolate tablets known as Sarsatabs. 100 doses \$1.

scrimmage and when she finally broke away she was in a fainting condition. She was revived and would have gone on playing through the game but a second fainting spell overcame her. She was made comfortable in a side room but when her condition became worse she was taken to her home. The accident put a black upon the game and some little talk was done afterwards about rough play. Several girls received bumps, they thought not at all necessary were a clean game played.

STATE CONVENTION NEXT YEAR

Christian Endeavor Executive Committee Acts on Various Matters.

There was a meeting Saturday evening at the residence of Hon. C. E. Marks, of the executive committee of the State Union of Christian Endeavor. It was decided best not to hold a state convention this year, now that it was so close to the new year, but to arrange for a convention in May, either before or after the Idaho state convention, and have President P. E. Clark and Secy. Shaw of the United society, stop over to speak at the Utah convention. The probabilities are that it will be held in Salt Lake, as Ogden has had a surplus this year of religious conventions of many kinds, while thirty has been left comparatively out in the cold. On account of there being no convention this year, the present officers of which Hon. C. E. Marks is the head, as president, will remain in office until the next state gathering. There are two vacancies on the executive board, one of which was filled by the election of Mrs. P. M. Stanger of the East Side Baptist church. The officers of junior superintendent and other members of the board were left unfilled for the present. One object of the western trip of President Clark and Secy. Shaw is to raise funds towards erecting the proposed \$750,000 society building in Boston, thus making a home for the organization.

SERVICES AT STATE PRISON.

Inmates Listed to Address by Commissioner Kilbey.

Yesterday afternoon's service at the state prison was a red letter event in the history of religious exercises held in the prison chapel. Nine prominent Salvation Army officials were there with a member of the Salt Lake prison endowment committee. The speakers were Commissioner George H. Kilbey, and Staff Capt. Agnew of Chicago, Maj. Harris and Capt. Case of Denver, Staff Capt. Campbell of Los Angeles, Staff Capt. Soderholm, Adj. J. Stanger of Plumstead, and Capt. Truby of the post in this city. There was singing by the inmates and wife, and the adjutant and Capt. Truby, the latter officiating as organist. Addresses were made by Capt. Campbell and Commissioner Kilbey, the latter being the principal speaker. The commissioner took as his theme the raising of Lazarus, who came forth bound with grave clothes, and likened these habits of the grave to undesirable conditions of mind and body which may be leaving prison. Mr. Kilbey urged the putting off of these and going forth unbound by harmful desires, aims or purposes, ready to make a strong fight for the right in life and become sober, righteous and industrious citizens. He is a powerful speaker who was listened to with close attention by the inmates. Responses to the usual invitation, 12 prisoners raised their hands at evidence of their intention to lead better lives.

AMUSEMENTS.

Theater—Tonight witnesses the opening of the return engagement of the immensely successful racing play "Checkers."

Orpheum—The new bill of attractions printed in the Saturday News opens at the Orpheum tonight.

Grand—Theodore Lorch in the new sensational drama entitled "The Unwritten Law," opens at the Grand this evening.

Lyric—The new stock company in the melodrama entitled "The Vagabond's Wife," will run out the week until Friday night.

WHY WALK-OVER?

BECAUSE

In Walk-Over Shoes there is everything Women of Good Taste demand—Style, Perfect Fit and more than the usual amount of Wearing Quality.

BECAUSE

There is a price difference too great to overlook. Walk-Over Shoes for Women are

\$3.50 and \$4.00

WALK-OVER

SHOE STORE.

JUDGE POWERS READS QUESTION

(Continued from page one.)

1906, the following is asserted to have been Mrs. Bradley's condition:

"She had learned that she was about to become a mother again, along about the middle of October, and was in a delicate condition during the month of November, and on the night of Dec. 1 she became ill, her illness resulting in a miscarriage, from which she suffered during the succeeding days much loss of blood. During the month of November she had not been able to sleep well at night, except at times, when thoroughly exhausted by worry, she would sleep soundly for many hours."

Mr. Powers then told of the interview with Brown's stenographer when the stenographer gave her money to go to Los Angeles and told her she could expect nothing more from Brown, and proceeded:

"The patient had always felt that if Senator Brown was away from influence of the many people who were anxious to persuade him not to marry her that he would marry her, and says that the impulse seized her that if she went on to Washington perhaps he would marry her. The senator had asked her to meet him in Denver on his return trip and she had refused to do it, and he had been angry about it and so she thought she would go on to Washington, but she says that she did not have this thought at Salt Lake City when she accepted the ticket on the morning of Dec. 4, 1906. She had been much from loss of blood. She had risen from her sickbed in a physical condition that required absolute quiet, and she took the ticket with \$50 in money and started upon the train, fully intending to go to Los Angeles. She says that she had at that time one feeling one minute and another feeling another minute, and that she felt as though she was being pulled from Salt Lake City, and that the impulse to go to Washington seized her when she reached the city of Ogden, that was about 36 miles north from Salt Lake City, which was the point where the railway between the railroad to the east and the west."

TRIP TO WASHINGTON.

The particulars of the trip from Ogden to Washington and of the arrival in this city given, the narrative proceeded to detail Mrs. Bradley's movements before the shooting which occurred in Senator Brown's room at the Raleigh hotel about 3 o'clock in the afternoon. The finding of Mrs. Adams' letter, the full text of which is given, is the subject of minute presentation, and Mrs. Bradley's mental condition after reading it is described.

"She went into her room and went out upon the street and walked around the streets. She doesn't know what her purposes was in going out. She was attracted and did not know what to do. She cannot recall that she had any purpose in her mind. She felt weak and she does not know how long she was out of the hotel. She went back but she does not know at what time of day. She ate nothing at noon time and all that she can recall of having seen when out upon the streets was people and houses."

MRS. BRADLEY'S VERSION.

Mrs. Bradley's version of the subsequent happenings is then given as follows:

"She knows that she went to her room and went out again; she knew that the senator's room was only a short distance away and that while lying in her room she felt weak and she went to his door and rapped, and entering the senator looked upon her and turned pale and said: 'What are you doing here?' At the same time she replied: 'I have come here to ask if you won't carry out your promises to me.' She says she does not know what he then said, that he just rushed upon her, that she does not know what she then did; that she does not remember that he said anything when he rushed upon her, that she does not know anything about it until she heard a shot which seemed to rouse her. That she then did nothing; that she did not do anything; that the senator called for help; that after the senator called for help she did not do anything. He could not do anything. When asked if she shot the senator, she says she does not know whether she did it or not, that she did not go there for the purpose of shooting him, that she did not take the gun out of her bag. That when she went into the room, she had no purpose of doing him any physical injury. She did not go there because she was animated by any feeling of vengeance or revenge or jealousy. When he called for help she did not do anything, she did not know that he was hurt until the doctor came. When she heard the shot the senator had hold of her, but she does not know upon what part of the body he had hold of her, nor how long he held her. She says she does not know of anything she did before the people came into the room. She was powerless after she heard the sound of the gun. The senator walked the floor in a rage and called for help and swore. She does not know what her feelings were at that time. She does not know that she rendered him assistance. She does not know what she did with the

gun; that she took no aim; that she never remembered the gun, and has no recollection of having pulled the trigger; that she never had fired a gun before that day in her life. She is unable to give any reason why she shot Senator Brown."

MRS. BRADLEY'S CONDITION.

The testimony concerning Mrs. Bradley's condition, mental and physical, after the tragedy, is followed by long citations from Dr. Whitney's statements regarding Mrs. Bradley's miscarriage in Salt Lake City and the consequent blood poisoning and mental anguish, and from Washington physicians concerning her condition since the killing.

After the following summing up, the questions were put:

"The patient was not naturally of a vicious nature; she was not angry when she fired the fatal shot; she was not animated by any feeling of revenge; she had not formed previous to the shooting any purpose to kill or injure Senator Brown."

During the morning Representative Scott of Kansas sat on the right of Judge Stafford.

Dr. Barton said on cross-examination that confused condition of mind caused by septic infections, was not necessarily insanity. Regarding Mrs. Bradley's making threats against Senator Brown, witness said:

"Women in that condition will make all kinds of threats."

He named many authorities to support his conclusion that insanity could be caused by frequent abortions.

Dr. Barton declared that Mrs. Bradley belonged to the abnormal type of women, occupying herself with all duties except those usually expected of women. He said that the sum total of the operations performed on her had unseated her reason. He denied that his opinion was mere speculation. Court adjourned at 2:10 until tomorrow.

NEW PHASE DEVELOPS IN THE BRADLEY CASE

Washington, Nov. 25.—The Bradley case has assumed a new aspect. The criminal code of the District of Columbia provides that persons acquitted of insanity at the time the offense was committed shall be tried for insanity by a special inquest of jurors, the inquiry to be conducted in the presence and under the direction of the court. Those familiar with the records of district courts, say no person acquitted through a plea of insanity since the present code became effective in 1902 has ever been immediately released from custody. Now, should Mrs. Bradley be acquitted, as general sentiment indicates, she will be, she will still be far from liberty, should the verdict be not guilty on the account of insanity. On the other hand, it is contended that, regardless of the code, the jury may, as sole judge of the evidence, simply return a verdict of "not guilty," without setting forth any reason for such a verdict. In the latter event the court would be allowed no discretion in the matter of a lunacy trial, even were such thing contemplated, and the defendant would be immediately released.

QUESTIONS CONCLUDED.

The reading of the hypothetical question was concluded at 2 o'clock. Dr. Barton declared that after hearing it he concluded that Mrs. Bradley was insane at the time she committed the act. Her particular ailment, he said, was puerperal insanity.

KILLING OF MRS. SMITH SHROUDED IN MYSTERY.

New York, Nov. 25.—The mystery which surrounds Mrs. Nicholas M. Smith, who on Saturday killed her

husband, set fire to her home in New Rochelle, and then committed suicide, is no nearer solution as time passes. In fact, it steadily increases. For 29 year the woman claimed that she was Grace Bulkeley, a daughter of the late Lieut.-Gov. William H. Bulkeley of Connecticut, and all her friends believed her story. She even went so far as to tell them that she had been married to David Van Shuak, who afterwards died. The real Grace Bulkeley is alive, as is her husband, David Van Shuak.

Walter C. Medhurst, Mrs. Smith's first husband, says he married her in 1891, and then she told him she was Grace Bulkeley.

"She was the most beautiful girl I ever saw," he said. "I don't think that she was more than 17 years of age, and had been in the city for some time. After we were married and went to live in Eighty-fourth street, New York, she told me the story of her life. She said that she was the daughter of Lieut.-Gov. W. H. Bulkeley, of Hartford, and that she had fallen in love with a New York traveling man, who induced her to runaway with him. They came to New York and lived in a small room in a tenement house. The Bulkeleys promptly disowned her, adopted a cousin from a large Bulkeley family in Connecticut and proceeded to forget that she ever lived. The cousin had the same name as herself."

In 1902 Medhurst divorced his young wife and he promptly lost trace of her.

DIED.

OLSON—Oley Olson, aged 81, resident of Hooper, Weber Co., died at his residence at Logan, Saturday, Nov. 23, 1907, of tuberculosis of the bowels, from which he has suffered since March 18, 1896. Deceased was born in Sweden, Nov. 11, 1826, emigrated to Utah with his family in 1860, resided a few years in Round Bay, then moved to Hooper in 1880.

DESS—At Granger, on the 24 inst., William Henry Dess, aged 61 years, passed from J. E. Taylor's undertaking parlors, 271 First South street, at 10 a. m. Interment at Taylorville cemetery. Friends invited.

BROWN—On Sunday, November 24, A. D. 1907, at Latter-day Saints' hospital, of appendicitis, Irvin W. Brown, son of Brown and Rose P. Morris Brown, died at 1 o'clock p. m. on Wednesday, Nov. 27, 1907, from the Eastern ward meeting-house. Friends and family will view the remains Tuesday, Nov. 28, at 10 a. m. The funeral will be held from the mortuary chapel of S. D. Evans, a South East street, Tuesday, November 28, at 2 o'clock. Interment in city cemetery.

TAYLOR—In this city, November 23, 1907, Riley Taylor, 16, his twentieth year. Funeral will be held from the mortuary chapel of S. D. Evans, a South East street, Tuesday, November 28, at 2 o'clock. Interment in city cemetery.

R. E. Evans, Florist, 35 S. 8th St. Floral Designs a Specialty. Phone 31.

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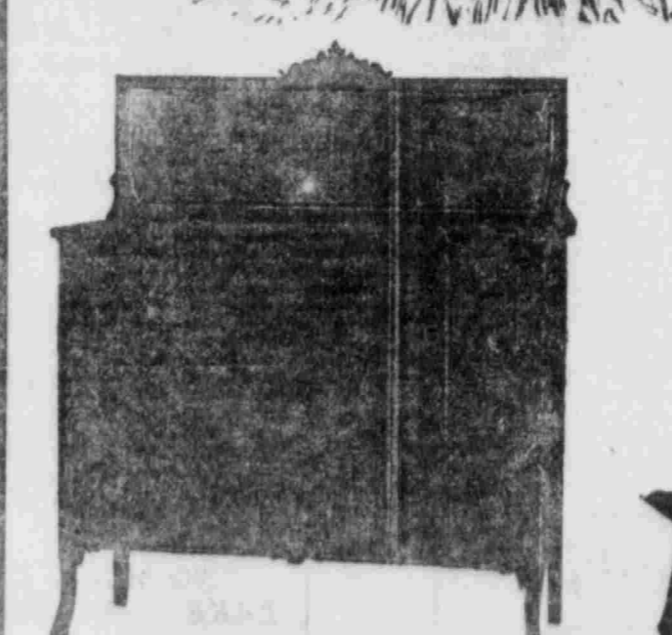
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While seeking Dining Room Furnishings this week, you will be enabled to view the wealth of beautiful and dependable pieces and sets for every room of the house. "The Store Beautiful" is stocked to the ceilings with all the creations of the year, and offers every attraction to any one contemplating household improvements. Visitors are always welcome.

THE STORE Beautiful

Next Thursday is the day of feast—the day on which the dining room will be the home's attraction, especially so if it is furnished as we would furnish it, to your entire satisfaction. We have secured everything that the occasion demands, and arranged many important specials at prices anything but burdensome. Visit "THE STORE BEAUTIFUL" Monday, Tuesday and Wednesday, and you will learn the way to a "Dining Room Beautiful" and substantial for Thanksgiving Day

Dining Tables, Chairs, China Closets, Sideboards, Buffets, Plate Racks and Dinner Sets, selected for the event and priced within reach of all.

Splendid Plate Rack THANKSGIVING SPECIAL \$1.15

Style as shown in cut. Top shelf, two rows for plates and bottom row of cup hooks.

Choice of two finishes, Golden and Weathered Oak.

THANKSGIVING SPECIALS Roman and Indian Stools, Choice 95c

Roman Stool with velvet cushion and Indian Stool with self-finished slat seat. Both in Golden and Weathered Oak and Mahogany.

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