

of Detailson, the two O'Briens, Lary and Joho, and other participants of the game. He drew the table in size cor-responding in his judgment to the di-mensions of the room. He pointed out directions, dimensions and other minute details in a careful, thoughtful man-ner, creating a most favorable impres-sion among his auditors. The move-ments and remarks of each actor in the affair were gone over thoroughly. Mewhere were gone over thoroughly. Mc-Whirter, although subjected to an ex-emination more strict and labored than usual, was always calm, collected and certain. He did not contradict himself and made few corrections.

"FIVE CENTS A TIME."

"O'Brien," said he, "and the doctor were having a quiet game at five cents a time. If the doctor has no objection-get in!" said McWhirter. Attorney King wanted to know what "five cents a time" meaning a time" meant.

a time" meant. "I am telling you what O'Brien said— not what I know." answered the wit-ness. Later it developed McWhirter learned the "white chips were worth five cents a fime." Some time was spent by Attorney King in attempting to get a direct ans-wer relative to the remarks passed when Lary bought \$10 worth of chips. McWhirter did not seem certain as 10 whather the value of the chips was McWhirter did not seem certain as to whether the value of the chips was made known at that time. The attorney for the defense has a transcript of tes-timony heretofore volunteered by Mc-Whirter and refers to it occasionally. "I can't repeat every assertion I made months ago," said the witness. "I am only human." Not a step that may aid the defense

Not a step that may aid the defense Not a step that may aid the defination is being left untaken by Atty. King. Each statement made in the past is being brought out again to get such discrepancies as may occur. As a re-mult the testimony introduced is in the main a repetition of that already fa-miliar to the public.

ALEX DEALS THE CARDS.

McWhirter was asked to illustrate how he dealt the cards. This he did with a nack of cards on a little table placed right in front of the jury box. McWhirter handled the cards much as

a mason lays bricks. "I did it like so." said the witness as he dealt out five cards face down-ward to three places. This done he re-sumed the witness chair. A recess was taken at 12 o'clock untij 2 o'clock, when McWhirter will contin-ue his story.

ue his story.

TRIAL BEGINS.

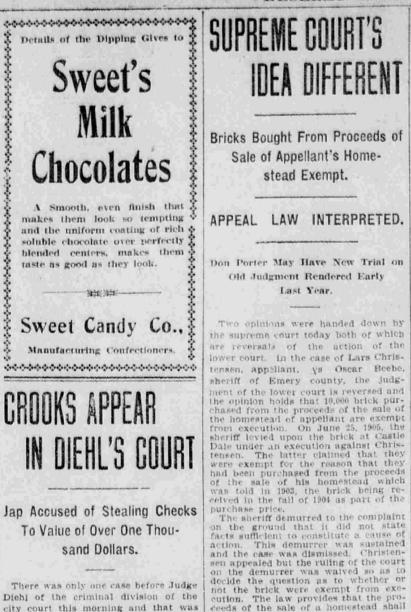
The actual taking of testimony in the Donaldson trial began yesterday after-hoon when two jurors were obtained-The pair making a total of eight. The men who will listen to all evidence and pender a verdict are: Wallace T. Fenton, carpenter: S. H.

Calder, music salesman; Walter S. At-wood, farmer; Karl A. Scheid, insur-ance man; Henry N. Bird, farmer; Jonah T. Croxall, mining man, John H. Howe, farmer; James Frame, brick-

layer. Alexander McWhirter retold the story Alexander McWhitler retold the story of how he and his brother were enticed into a room where "Doctor" Jim and others were playing poker. The story has been told a number of times with-out deviation. The point is that Mc-Whitter was relieved of \$10.873 during the poker game. Numerous events fol-lowed and various trials have been held and a number of Salt Lake's officials are under shadow. The Donaldson trial is but one of several to come. James are under shadow. The Donaldson trial is but one of several to come. James Donaldson, sport, man-about-town, cardster, and a number of other things, is being tried for the robbery. The hearing is taking place in Judge Arm-strong's court. The defendant is rep-resented by Atty, S. A. King, and the state by Dist. Atty. Fred. C. Loof-bourow. Maj. M. A. Breeden, attorney-general, is assisting the prosecution.

BREEDEN OPENS FOR STATE.

The latter made the opening argument for the state yesterday, and dur-ing the course of his remarks he re-ferred to the dividing of the loot by the ferred to the dividing of the loot by the , bbers and bunco men after the fam-ous gam... "And a map whose name I need not mention got his share," he said. Atty. King was on his feet in a second, objecting strenuously to this insinuation, "And the man I have in mind is George A. Sheets," continued Major Breeden. While talking Major Breeden was intervined by Atty King Breeden was interrupted by Atty. King a number of times and finally the for-mer became angry. Considerable gin-ger was thrown into the dialogue which



To Value of Over One Thou-

There was only one case before Judge Dichl of the criminal division of the city court this morning and that was the matter of Ed G. Sullivan, charged with grand larceny. It was alleged that Sullivan stole a watch from William Logan, but the time piece was not properly identified, and the motion on the part of the defense for a dis-missal was granted and Sullivan discharged.

ceeds of the sale of a homestead shall be exempt for one year after the sale. In this case it is held that the sale was not completed until the fall of 1904, when it was agreed at the time of the sale the brick should be delivered, hence when the brick were levied upon in June, 1906, they were exempt. The lower court is therefore ordered to overrule the demurrer and permit the sheriff to answer if he chooses to do so and to proceed with the trial of the issues. This morning a warrant was issued for the arrest of a Jap named Kusuichi Yamashita on the charge of grand larceny. The complaint was sworn to by E. D. Hashimoto, who alleges that the accused stole 44 checks of the value of \$1,229.41, the property of 44 Japs whose names are mentioned in the complaint. The warrant was placed in the hands of an officer, who is now looking for Yamashita. issues. the State ex rel Don Porter against Judge M. L. Ritchie of the Third dis-trict court. In this case a writ of mandamus is granted by the supreme

mandamus is granted by the supreme court directing the lower court to va-cate his order dismissing the appeal from the justice's court and to rein-state the case and proceed to trial. A judgment was rendered in the jus-tice court against Mr. Porter in favor of Mae Houghton for \$41.66 and costs on Jan, \$, 1906, and on Jan. 17 a motion for a new trial was filed by Porter. No action was taken on the motion un-til Oct. 1, when it was denied by the justice. On Oct. 10 a notice of appeal was filed by Porter and was followed Press Jackson, the negro who was shot yesterday morning by Love Har-ris, is still at St. Mark's hospital un-der the care of Dr. Paul. The phy-sician stated today that Jackson's con-dition was satisfactory and that he would recover if no complications set in. One bullet was taken from the man's body during the operation per-formed vesterday afternoon. formed yesterday afternoon.

was filed by Porter and was followed in legal time by the filing of an under taking on appeal. When the case was called before Judge Ritchie in the dis A sneak thief was at work in the A sheak thirl was at work in the Eagle block last night and stole from G. A. Steele a quantity of clothing. The owner has offered a reward of \$25 for the return of the property. The police were also informed that four dresses were stolen from a roominghouse on plaintiff on the ground that the justic did not rule on the motion for a new trial within 10 days as provided by lay trial within 10 days as provided by law and hence the appeal was not taken within the statutory time. The appeal was dismissed and Porter then moved to reinstate the case but his motion was denied, whereupon he applied to the supreme court for writ of mandate. Under the law an appeal may be tak-er from a justice court within 30 days Third South street.

MARRIED IN TEMPLE.

'Ike" Russel of the Deserct News Staff Joins the Benedicts.

The last single man on the staff of the Deseret News left the state (of single loneliness) at noon today when Isaac Russell Married Miss Eleanor Althea Farr of Ogden. They were married in the Salt Lake temple and then left for Ogden where, at the home of the bride's parents, Mr. and Mrs. Sherman S. Smith, they sat down to an elaborate wedding breakfast. A reception is being held this afternoon. The couple leaves this evening for California where two weeks will be spent visiting various places of interest in that state. Miss Farr is a talented young lady of Ogden and prominent in Church and social circles in both that city and Salt Lake. She is an accomplished instru-mentalist and vocalist and very popu-lar among the young folks of this city and Ogden. Mr. Russell is one of Salt Lake's brightest young newspap-er men and his work marks him as such. He is a contributor to maga-zines and wherever it appears Mr. Russell's "copy" is welcomed by ap-preciative readers. After Sept. 1 Mr. and Mrs. Russell terest in that state. After Sept. 1 Mr. and Mrs. Russell will be at home at 1480 South West Temple street in this city.

DESERET EVENING NEWS WEDNESDAY JUNE 26 1907

ADJUST PROPERTY RIGHTS.

Meeting Today.

last legislature to adjust the property

rights as between school districts of the state which have been or are to be consolidated will hold its first

the commission is composed of state Supt. of Schools Nelson, City Supt.

THREE NEW COMPANIES.

with a capitalization of \$200,600, di-vided into shares of the par vulue of \$50 each. J. B. Pitcher is president; J. M. Pitcher, secretary; M. R. Taylor, of Salt Lake, resident agent.

The Utah Land Development com

Robertson is president: Grant Robin-son, vice president: L. F. Grant, secre-tary; A. M. Allen, treasurer; E. A Wedgwood of Salt Lake, residen

agent. The company will engage in the real estate business.

(Continued from page one.)

hours without the approval of Hay-

THE EXECUTIVE BOARD.

Marian Moore and the others?

sir.

"And in the executive board," com-nented the interrogator, "we get back o Moyer, Haywood, Jack Simpkins and

O'Neill said he did not know of any

conflict of opinion in the executive board as to the Magazine and had nev-er been told the Magazine was unsat-

At this point Senator Borah began

STEUNENBERG'S DEATH DE-

SCRIBED.

"A chap by the name of Steunenberg

was blown up the other day at Cald-well. He came into fame as the inven-

tor of that revered institution known as the bull-pen. It seems a bomb was carelessly left at his gate, presumably

DOWN ORCHARD.

TRYING TO BREAK

duties were.

sfactory

The commission appointed by the

44 checks from his place of business on June 22. The total amount of the checks is \$1,229.41. The sheriff and his deputies are looking for the miscreant Jap. New Commission Will Hold First

John W. and Albert V. Jenkins have filed a petition in the probate division of the district court asking for letters of administration of the estate of Stewfiled art J. Jenkins, who was killed by a street car on Sixth East and Thir South streets on June 18. The estate consists of real property valued at \$10. 000, cash amounting to \$1,000, and per-sonal property of the value of \$4,000. There are seven brothers and sisters of deceased who are heirs to the estate.

FAMILY OF DOCTORS.

J. D. Harding Graduates From Eastern Institution.

Dr. Jacob D. Harding, formerly of Willard, is on his way home from Chicago, where for four years he has been studying medicine, at the Northwestern University Medical school, and at the Illinois School of Electro-thera-peutics, From each institution he has received diplomas of the highest order, and was assistant professor of histology three years. After graduating he was offered a professorship in that study, but preferred to come to his home state of Salt Lake, resident agent. The Utah Arid Land & Machine com-pany of American Fork, capitalized at \$25,000, divided into shares of the par value of \$100 each. Isaac Wagstaff is president; G. E. Howe, vice presi-dent; J. W. Storrs, secretary; William Chipman, treasurer. The company will engage in the farming and machinery business.

to hang out a shingle. Dr. Harding has worked hard, spend-ing each summer of his absence in do-hing special work. He is well deserving of the distinction that has come to him. His wife, formerly Miss Ada. White, daughter of Rarmard White of Ogden. has been with him during the entire period of his study. Dr. Harding is the third of the family to study medicine, the others being Dr. Lewis Harding of Rexburg and Dr. George F. Harding ot Brigham City. Brigham City.

LATE LOCALS.

Y. M. C. A. Camp for Boys-There are 29 boys enjoying an outing in the Y. M. C. A. camp at American Fork.

Today's Clearings-Today's local bank clearings amounted to \$1.015,-854.82 as against \$1,020,587.91 for the same day last year.

No Recital Friday-There will be No Recital Friday—There will be no organ recit il Friday afternoon, in the tabernacle because of that day being choir day at Saltair, so Organist McClellan announces.

Session of Federal Court-Judge Riner of Cheyenne will hold a ses-sion of the federal court in this city July 6 and 8. Cases will be taken up in which Judge John A. Marshall is barred from sitting.

Zion's Bank Dividend-The Zion' Savings Bank and Trust company will pay on June 29, the \$12,000 in divi-dends recently declared by the bank. They were 2 per cont regular, and 4 per cent special dividends.

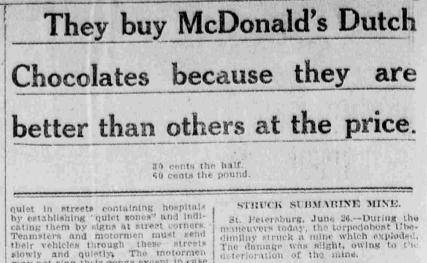
Gone to San Francisco-Charles El more, the electrical workers' official, has gone to San Francisco, and Presi-dent Lynn of the district council is expected tomorrow in this city, to take charge of the affairs of the stellars strikers.

Nearly Time-It begins to look as though settled pleasant weather had come for all of the country west of the ninetieth meridian is under a high berometric pressure, with no threat-nings of anything unpleasant from the Pacific coast.

Plat the Property-Cannon & Can-

Utah Stock for Montana-M. K. Parsons of this city and J. M. Reard-man of Montana leave this evening, for Lund where they will superiatend the shipment of train leads of live stock from that country into Montana. The cattle are part of the large pur-chase made by Mr. Boardman, and recently noted in the "News."

Giving Good Service—Fraceing men in from Pocatello this noon, re-port a force of half a dozen Salt Lake operators at Pocatello telephone switchboard yesierday; and that they are giving such excellent service that local subscribers are hoping that the strike of the regular local operators will be prolonged indefinitely.



Supt. of Schools Nelson, Chy Supt. Christensea and County Supt. Smith. They will adjust the property rights as between Salt Lake City and the Waterloo districts and also several other matters in districts which have been consolidated recently. The Waterloo district has been annexed to the city betwee its school property by establishing "quict zones" and indi-cating them by signs at street corners. to the city hence its school property had to be adjusted. cating them by signs at street conters. Teamsters and motormen must send their vehicles through these streets slowly and quietly. The motormen may not ring their gongs except in case of danger and children must not play in the streets. The ordinance was Three new companies have been launched in this state by the filing in the secretary of state's office today of coples of their articles of incor-poration. The companies are: The United States Health & Accident Inin the streets. The ordinance was framed in compliance with the wishes of the Society for the Supression of Unnecessary Noise. The mayor is ex-pected to sign it readily and it will then become a law. Atchison fid 23, 2007 Atchison pfd 23 Baltimore & Ohio 23 Canadian Pacific 25, 2007 Chicago & Northwestern 104 Chicago & Northwestern pfd 241 Colorado Southern 241 Denver & Rio Grande pfd, ex-div. Bid 70 Denver & Rio Grande pfd, ex-div. Bid 70

CARRIE NATION ARRESTED.

Placed in Washington, D. C., House of

Detention for the Night.

Washington, June 26.—For entering a saloon and raising a disturbance. Carrie Nation was last night arrested and placed in the house of detention for the slight for the night.

A MAN MURDERED.

pany of St. Paul, Minn., with a capital stock of \$25,000, divided into shares of the par value of \$100 each. O. A. Body of an Unknown Found in Sage-

brush Near Frenchtown, Mont.

Wisconsin Central

Butte, Mont. June 28.-A Missoula spe-cial to the Miner says: The body of an unknown murdered main was found in the underbrush usar Frenchtown vesterday. There is no clue as to the perpetrator of the deed or to the identity of the corpse. MISCELLANEOUS.

CONVICT TO BE ACCOUNTANT.

New York, June 26.-Gustave A. Gir-ard, former cashier for G. M. Minzes-heimer & Co., bankers and brokers, will from a cell in the Tombs act as ac-countant for the firm until next No-vember. Girard in June, 1906, disap-peared with bonds valued at \$5,000. He has now pleaded guilty to a charge of grand larceny. Girard while acting as cashier purposely bungled the books of hours without the approval of Hay-wood, could it?" asked Senator Borah. "The Magazine has been adopted by the organization and the organization is more powerful than any one officer. If Mr. Haywood should decline to pay out the necessary money, the executive board would probably tell him what his duties were." ashier purposely bungled the books of cashier purposely bungled the books of the company so that they are practical-ly meaningless, and he was remanded to the Tombs by Judge Foster until November to assist in straightening out the books and recovering a large atmount of assets which were lost through his work.

MRS. MARIE UHRNHOLDT DEAD.

Chicago, June 26.-Without the comforting cheer of her only child, said to be the wife of a wealthy said to be the wife of a wealthy Evanston lumber merchant, Mrs. Marle Uhrnholdt, 72 years old, died last night in her little flat. The end came after three days of unconscious-ness, the result of an attack of par-alysis. Mrs. Uhrnholdt was stricken last Saturday and lay unattended on the floor of her bedroom for 52 hours before discussed.

Although the refrained from tells although the refrained from tells ing her daughtar's present name, the aged woman frequently muttered her given name as if wishing to see her

When relatives were asked last night for the name of this daughter they refused to divulge it.

LEO'S BODY NOT REMOVED.

Rome, June 26.—Recent rumors that the body of the late Pope Leo XIII had been removed secretly from its temporary tomb at St. Peter's, are unfounded. No definite arrangements have been made as to the transfer o fithe body to the basilica of St. John Lateran Cardinal Sachi set John Lateran. Cardinal Satolli said yesterday that the exact date for the removal was unfecided.

SHOT IN A DUEL.

Havana, June 26 .--- Gabriel Lopez

as the bull-pen. It seems a bomb was carelessly left at his gate, presumably by some Russian revolutionist. Such carelessness should be frowned down. The gate was completely wrecked." O'Neill said he selected the clip-ping and had it published. "Did you write this editorial?" Senator Borah here read an editor-ial appearing in the Miners' Magn-zine of January, 1996, beginning with the statement that Steunenberg had been "ushered into eternity and thus Havana, June 25.—Gabriel Lopez Garcia, a partisan of Gen. Gomez, re-ceived a bullet wound in the arm Monday in a duel with Miguel Her-nandez, an adherent of Senator Zayas, The duel was fought in the town of The duel was fought in the town of Calbasas and was caused by political discussion over the respective merits of Zayas and Gomez for the presi-dency of the Cuban republic.

All members of the Children's Singing Classes are requested to meet at the Assembly Hall tomorrow, Thurs-day, afternoon, 3 o'clock, to rehearse the program to be rendered at Saltair Friday

SINGING CLASSES TO SALTAIR

NEW YORK CLOSING STOCKS.

hville

linois Central

Louisville & Nashvi Mexican Central Missouri Pacific New York Central Pennsylvania

Reading Rock Island Rock Island pfd

eR Isau Paul -uthern Pacific outhern Rallway nion Pacific pfd

nion Pacific pfd .

Lead

essee Coal & Iron

Mail

People's Gas Pressed Steel Car.. Pullman Palace Car Standard Oil

Great Norther Int. Met. Int Met. pfd Mackay Mackay pfd

National

Sugar

Wednesday, June 26, 1907

.140

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112 12034 10234

Bid

EVAN STEPHENS, Director Per H. S. ENSI

Old books, Music and Magazines. Put them in strong new covers for preser-vation. Many records of value can be saved by having them bound. The "News" bindery can do the work in any form at any price.

DIED.

FAGERGREN.-At 424 west Third North street, this city, June 25, 1907, of asthma, Mary Larson Fagergren, wife of Carl J. Fagergren: born Dec. 1, 1846, in Sweden, Funeral services Friday at 3 p. m. from the Second ward meetinghouse. Friends are invited to attend and can view the remains on day of funeral at the meet-inghouse from 2;40 to 3 p. m. Interment in city cemetery.

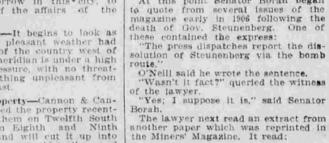
HOCKWELL.-At 83 Green street, this city. June 25, 1907, of diphtheria, Ernest M. son of the late Albert J. Hockwell and Martha Bishop Hockwell; born

Sept. 27, 1905. The funeral cortege will leave the fam-by residence today (Wednesday) at 5 n. n. Interment in city cemetery.

Scotland. Funeral services will be held in the Thirty-third ward chapel. Time will be announced later.

EGGREN.-In this city. June 24, 1907. Albert, infant son of Silas and Alberta Eggren, aged 10 months. Funeral from the residence, 772 west South Temple street, at 10 a. m. Wed-nesday, June 26, 1907.

LAMONT.-At 415 south Tenth East street, this city, June 24, 1507, of cancer of atomach, Juncan Lamont, in his with year. Decreased was a native of Scotland. Funeral scotlage



Fait the Property-Cannol & Can-non have platted the property recent-ly bought by them on Twelfth South street, between Eighth and Ninth East streets, and will cut it up into 56 lots, lay cement sidewalks and introduce eity water. About \$5,000 will be expended in improvements,

Utah Stock for Montana-M.

Giving Good Service-Traveling

Two opinions were handed down by the supreme court today both of which are reversals of the action of the lower court. In the case of Lars Christensen, appellant, ys Oscar Beebe, sheriff of Emery county, the judgment of the lower court is reversed and the opinion holds that 10,000 brick pur-chased from the proceeds of the sale of the homestead of appellant are exempt

the homestead of appellant are exempt from execution. On June 25, 1995, the sheriff levied upon the brick at Castle Date under an execution against Chris-tensen. The latter claimed that they were exempt for the reason that they had been purchased from the proceeds of the sale of his homestead which was told in 1903, the brick being re-cetted in the fail of 1904 as part of the purchase price.

eds of the sale of a homestead sha

ORDERED TO REINSTATE.

The other opinion is in the case of

t court a motion to dismiss the ap

ensued between the lawyers. At the conclusion of the state's open-ing address the defense asked that it be furnished with a list of the state's wit-

furnished with a list of the state's wit-resses. Judge Armstrong overruled this motion and Atty. King noted an ception. Donaldson is charged with robbery and grand larceny. Atty. King wanted the state to elect upon which count it would ask for conviction. This motion was overruled and another exception noted. When the taking of testimony commenced all witnesses but the one on the stand were excluded from the courtroom.

MCALLISTER FIRST WITNESS.

In accordance with a wish expressed by the defense and agreeable to the state, J. D. H. McAllister was the first witness for the state. With the aid of a chart Mr. McAllister showed the di-mensions and arrangement of the room in the Antlers where the poker game oc-curred

ALEX TELLS STORY AGAIN.

McWhirter followed. A laugh fol-sowed his description of a steam radia-tor as a "refrigerator." The Scotch-man resumed his story this morning.

THE TENT TRUST.

Five Members of it Are Arrested in Denver.

Denver, Colo., June 26 .- Five other members of the so-called "tent" trust. William H. Brooks, B. H. Brooks, Robert S. Gutshall, Alfred A. Proctor and Charles C. Ross, all of Denver, were arrested yesterday on federal grand jury indictments, charged with combining to raise the price of tents to the gov-ernment. Each gave bond for \$2,500.



Thinking of coming down town today?

If so, come in and let us show you some nice new things we have in neckwear. We've the washable kind as well as the most substantial.

> Priced all the way from 25c to \$3.50

Richard Tour Vadances 6.

172 SOUTH MAIN STREET.

OFFICIALS INVESTIGATING.

Short Line Endeavoring to Ascertain Particulars of Layton Accident.

The Short Line operating department is investigating the Layton hor-ror of last evening. The officials say there was no flagman stationed there, because it is a country road crossing, and railroad companies do not station flagmen at every such location. There was, however, the usual sign. "Look out for the engine," and the unfor-tunate parties should have exercised some care in approaching the track. But they had just come from the Old Folks gathering and apparently were so engrossed in talking over the events of the day that they were entirely ob-livious to the dangerous nature of their surroundings. livious to the dan their surroundings.

Under the law an appeal may be tak-en from a justice court within 30 days from the entry of final judgment, but thy time does not run when a motion for a new trial has been made in due time and is still pending as in this case. The principal point raised in the appeal is as to the time a justice court may have in which to rule on a motion for a new trial. Under the laws of 1888 it appeared by the punctuation in the section under dispute that the court may end the section which it on days may grant a new trial within ten days upon motion being filed. When the laws pon motion being filed, which the rere revised in 1898 the punctuation ras changed so as to leave no doubt as o the intent of the legislature, namely, hat the motion for a new trial must be made within 10 days from the rendl-ion of the judgment and not that the

on of the judgment and not that the ourt must rule on the motion within hat time.

court must rule on the motion within that time. The law's construed in the opinion to mean that the motion may be filed within that time and the court may de-cide it at his pleasure. That being the case the justice was not compelled to rule on the motion within 10 days and as the appeal was taken within 30 days after the motion for a new trial was denied it was taken in time and should not have been dismissed. Judge Ritchie is, therefore, instructed to re-instate the case and vacate his order dismissing the appeal and proceed with the trial. Justice Frick wrote both opinions, which are concurred in by Chief Justice McCarty and Justice Straup.

ASKS PERMANENT INJUNCTION.

Dr. Beatty Protests Against Roosters And Boys With Bugles.

And Boys With Bugles. The troubles between Dr. T. B. Beat-ty and Mrs. Alice S. Little, who are neighbors on east First South street, have found their way into the district court. Dr. Beatty has filed suit against Mrs. Little asking for an injunction to prevent the latter from disturbing his slumbers at all hours of the night. He declares that she has three roosters next to his window that are trained to crow every morning about 2 o'clock' and keep him and his family from sleeping. He also alleges that she has equipped her two sons with bugles and they continually disturb the peace of they neighborhood. He asked that she ba restrained from such practises. Reneighborhood. He asked that she bo restrained from such practises. Re-cently he had Mrs. Little arrested for disturbing the peace and she was fined **310** by Justice of the Peace Dana T. Smith. That did not seem to stop the trouble, however, so he now wants her permanently enjoined.

MORRISON WANTS \$1,500.

Claims Property Was Damaged by City Grade to That Extent.

Grade to That Extent. Suit has been filed in the district court by Thomas H. Morrison against Salt Lake City to recover damages in the sum of \$1,500 for injuries to his property on north Second West street, caused by the change in the grade of the street. Since the change was made plaintiff's property is four feet below the level of the street and he claims that it has been depreciated in market value and has been placed in such a condition that it is almost impossible to drive in or out with a team and wagen.

COURT NOTES.

Suit has been filed in the district court by the executors of the estate of William Howard deceased, against Sarah A. Shires to quiet title to part of lot 6, block 34, plat A, Salt Lake City anrees survey.

Judge Armstrong has granted David S. Stone a divorce from Margaret Stone on the ground of desertion. They were married in Ogden on July 31, 1993, and detendant deserted plaintiff on May 15, 1996. The custody of the two children was granted to Mrs. Stone.

A complaint has been issued by the county attorney against K. Yamasitka, charging him with grand larceny. The complaint was sworn to by E. D. Hash-

Motorman Exonerated-Motorman T. Porter of the street railway ose car ran over Mr. Jenkins on vhos whose car ran over Mr. Jenkins on east Third South street is considered by the company as not responsible They say he had just rounded the corner on S-wath East street, and was starting down the grade without any current, when the accident oc-curred.

Free Public Lectures-Prof. H. R. Driggs of the normal department, U, of U., will lecture in the assembly room of the Museum building tomorrow, commencing at 2:30 o'clock, on the subject "The Bible as Literature." Regular lectures are delivered at the ulaversity Tuesdays and Thursdays, to which the public is invited, during the sessions of university summer scheel school

Off for Idaho Falls—Phil Margetts, he veteran actor, accompanied by his haughter Minnie, leaves today for a month's visit at Idaho Falls with an-other daughter, Mrs. Mulholiand. The principal object of their trip, however, is to attend the marriage of Mr. Mar-getts' grandson, C. W. Mulholiand, to Miss F. Londer, both of Idaho Falls getts' grandson, C. W. Mulholland, to Miss E. Louder, both of Idaho Falls, which is to take place in the near future. Uncle Phil's many friends future. Uncle Phil's many menus will wish him a pleasant sojourn in

Salt Lake Stake at Wandamere-One thousand five hundred members of the Sali Lake stake spent where day at Wandamere. There was no special program arranged for the day's outing, but the many attractions afforded pleasure seekers at the re-sort kept all busy and good natured. Many of the visitors last evening free-ly commented on the magnificent ple-ture, that Wandamere presents by moonlight, with its myrinds of elec-tric lights, facades, rustic bridges, waterfalls, etc. Salt Lake Stake at Wandamerewaterfalls, etc.

Considerable Snow in Brighton-John N. Clawson and Frank M. Whit-ney left for Brighton by way of Alta on Monday, traveling on bleyzles to Wasatch, leaving their machines there and going to Alta and over the divide to Brighton by foot. Theye telephoned from Brighton last night that there was deep snow on the divide and in many places around Brighton. Evi-dences of the tramendous winter were shown by the fact that the hotel roof was damaged, several porches were crushed in, and the new cottage built by Mrs. Augusta Grant last fall was silmost demolished. Workmen are now onsaged in repairing the hotel. onsaged in repairing the hotel.

J. E. Cosgriff Honte Again--Presi-dent J. E. Cosgriff of the Commercial National bank found business condi-tions in the large castorn citics very below the seaboard. But out in the country districts, business was light, and there was little doing. Mr. Cos-griff noted in New England that the old stock, the descendants of the Paritan element, had large britted vestward or died off, while their places on the farms and in the fac-tries were filled very noticeably by Canadians, who, Mr. Cosgriff believes, will eventually make New England practically Canadian in character. He found labor conditions much less tur-bulent than in the west as he thinks, eastern contractors and builders un-derstand better how to handle the labor unions than they do in the west J. E. Cosgriff Home Again-Presiwest.

been "ushered into eternity and thus had closed the career of a man who showed no marcy." Continuing the editorial in most inflammatory terms detailed outrages in the bull pen in 1899 attributing to Steunenberg the responsibility for the calling in of "black brutes of soldiers who out-"black brutss of soldiers who out-raged the wives and sisters of miners and refused the request of a miner who with the dew of death upon his brow, asked for a minister and was told that he could make his confes-sion in hell." The editorial went on to say that the death of Steunen-berg was a step forward, but that the murder of one man did not de-stroy the system adopted by the capitalistic class. In conclusion the editorial said that the sudden ex-termination of Steunenberg was not of great moment "because Steunen-berg would continue to rise." "Did you write that editorial?" re-peated Scuator Borah. "Yes, sir." "And you expressed the views of

"Yes, sir." "And you expressed the views of the organization?" "I think I did." "You are sure of it, aren't you?" "Yes, sir, I am." O'Nelll declared that Orchard had never come to headquarters in Den-ver to set him and ask for money. W. F. Davis, a leading member of the W. F. M., was called to the stand and the luncheon adjournment was taken. was taken.

STERLING WONT TALK. Denver, June 26.-K. C. Sterling, for-merly chief of detectives for the Crlp-ple Creek Mine Owners' association, who was charged by Atty, Clarence Darrow in court at Bolse yesterday with being responsible for the Inde-pendence depot explosion, in which 14 men were killed and a number of oth-ers injured, is in this city at present. He declined today to make any state-ment regarding Mr. Darrow's charge or to say whether he would go to Bolse as a witness in the Haywood trial or not.

STANDARD OIL CASE.

Judge Landis Denied Motion for a

New Trial.

Chicago, June 26.—Judge Landis, In the United States district court today efused a new trial to the Standard Oil company, recently convicted of making company, recently convicted of making shipments at illegal rates between Whiting, Ind., and East St. Louis. After the denial of the motion asking a new trial, Atty. John S. Miller, for the oil company, entered a motion in arrest of judgment. This was prompt-iy overruled. Mr. Miller then asked the court to elect a particular count in the indict-

Mr. Miller then asked the court to elect a particular count in the Indict-ment on which to base the final judg-ment of the court. This was also de-nied by Judge Landis. The court then announced that he was desirous of obtaining information regarding the financial resources of the Standard Oil company and ordered J.H. Howard, former auditor of the Chicago & Alton railroad, to the the witness Alton railroad, to take the witness

& Alton railroad, to take the witness stand. The attorneys for the oil company objected, but the court insisted and Mr. Howard took the stand.



Streets Containing Hospitals,

New York, June 26.-The aldermen have passed an ordinance to insure Lowest......

MISSOURI TWO CENT LAW.

ORBY WINS AGAIN.

GOLF DELAYS ROCKEFELLER.

0 a.m.

1 p.m.

FORMAN.-Olive Louise, daughter of Mr. and Mrs. A. W. Forman, of Bingham, at 8 s. m. this morning. Funeral service at Odd Fellows Hall, at 2:30 cclock Thursday, Interment at Mt. Olivet at 6 p. m. Thursday. Kansas City, June 26 .- The attorneys for the 1s principal Missouri railways, and Atty.-Gen. Hadley for the state, last night, practically agreed to take the mat-ter of the jurisdiction in the enforcement of the Missouri 2-cent law to the supreme court

R. E. Evans, Forist, 36 S. Main St. Floral Designs a Specialty, 'Phone 961.

Dublin, June 26.-Richard Croker's Orby winner of the English Derby, won the Irish Derby today. Mr. Croker's George, town was second. Seven horses started. UNION DENTAL CO

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STERLING WON'T TALK.