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3094

No Work Will be Done Upon It During This Winter.

WILL BE PUSHED IN SPRING.

After that Road Will be Bailt as Speedily as Possible and Smelter Town thus Brought Closer.

There have been some recent inquiries and some apprehension over the delay in commencing work on the Rapid Transit extension from Murray to San. dy. This is particularly true with reference to the residents of the latter town, who are naturally much interest. ed in its speedy construction and completion.

It was definitely ascertained this afternoon that no work will be done this winter. A little "filling" has been done at the end of the line in Murray, but In the spring it is stated that is all. that work will begin promptly and pushed with vigor until finished. The orders for the material for the and the colling stock with which it is to be equipped, have, it is understood already been placed.

BOISE PEOPLE CONFIDENT.

Hon. A. L. Thomas Says They Are Determined to Get Through Line.

Arthur L. Thomas returned Hon. from Idaho this morning, after being absent from the city since last Sunday morning. Mr. Thomas has been on a visit to his ranch in the Boise valley and also paid a visit to Boise city. He says that the people of that town are of a very progressive class and at present they are making giant efforts to secure the building of a main line of railway through the capital of Idaho. "The people there are very confident that they will get the line," said Mr. Thomas. "They have already raised two hundred and ten thousand dollars out of the necessary two hundred and sev-enty thousand. The people are progressive and are working with a will to secure the line and have every faith that they will get it. There is also another little bit of railroad building on the tapis and that is a line from Nampa, the station where the Boise ranch now cuts off from the main line of the Oregon Short Line railway, to Emmett, which is the center of a big timber tract. It is expected that this branch of railway will greatly develop the lumber trade in those parts. The people up in Idaho seem to be enjoying more prosperity now than they have done for some years past.

MADE \$33,000,000.

But Failed to Share With the Company's Stockholders.

Charles J. Tanner and Max Judd on behalf of themselves and other stock-holders filed a petition yesterday in the circuit court, at St. Louis, asking that the unit-folder developed executed by that the quit-claim deed executed by the board of directors conveying the Lindell Railway company, with all its franchises, tracks and rolling stock to Brown Brothers & Company of New York, and the United Railways comin full between the 14th and 20th of fanuary, 1900, at which latter date the DYNAMITE CASE rivilege will cease. Receipts bearing and a new certificate will be issued and arry a dividend. Both the allotment and receipts for payment thereunder re negotiable

This will increase the capital stock i the company by about \$12,000,000, which sum will be used to meet the instruction and equipment expendi-ures during the year 1900. There has ten no allotment for nearly ten years, when the privilege was given the stockholders of subscribing for 8 per cent of their holdings. Since then two scrip dividends have been doclared, one of per cent in 1891 and another for 2 per ent in 1893.

New Line for U. P.

A Pullman (Wash.) special to the Spokane Spokesman-Review says: The Northern Pacific is working quietly but industriously locating the proposed new line from here to Portland, via hew line from here to Portland, via Penewawa creek, the Snake and the Columbia. Kopp's party of engineers are camped at the mouth of the Pene-wawa on the Snake, having completed the final survey and located the line to that point. The party crossed the Snake and began a preliminary survey down the south bank of that stream. It is wild the time will cross the Snake at State's Evidence in Rebuttal-Spats After a long and tedious trial extendsaid the line will cross the Snake at Ripara and follow the north bank thence to the Columbia. Thence, it is claimed here, it is intended to follow ng over a period of nine days, the Smith dynamite case, so far as testi-

" Diamond Co." Special.

the north bank of the Columbia.

sonably certain to expect that before The special train carrying to Utah the setting of tomorrow's sun the de-2.000.000 bars of soap, contained in 20,143 boxes, left Grand Junction about fendant will know his fate. 10 o'clock last night and was expected to arrive here some time this evening. The special is made up in three sec-tions, the cars of which are decorated who have heard the testimony is that Smith will be convicted. in lively colors. Part of the train will with intent to kill-is punishable by go on to Ogden. imprisonment in the State prison not

RAILROAD NOTES.

General Traffic Manager Eccles of the Dregon Short Line returned last night from the North. General Traffic Manager Babcock of the Rio Grande Western came in from

the East today. General Superintendent Calvin of th Short Line went up to St. Anthony last

cluded until tomorrow morning. Judge Norrel has allowed both sides three hours and a half between them. night. A semi-official dividend of 2 per cent has been declared on Oregon Railway and Navigation preferred stock.

The contractors are making very satisfactory progress on the tunnel at Al-tus on the Park City branch of the day afterno Western.

On the Union Pacific between Ogden and Evanston the old wooden bridges nearly all been replaced by steel structures.

Dr. Pike stopped me and said some-thing, and I replied that he was a per-The directors of the Northern Pacific Railroad company. New York, have de-clared a dividend of one per cent and an jurer and a s- of a b-, and that I would like to give him a punch on the extra dividend of one per cent on nose," "You had no ill feeling against Judge mon stock, making a total of 3 per cent for the year.

Powers?" "No; I though he was a little severe, W. H. Bancroft, vice president of the Oregon Short Line, left here last night for St. Anthony, Idaho, He and but I had no ill feelings and harbored no resentment against him. I might have had some petty feelings against him, but they passed and I thought no more about it. It's human nature Mr. Calvin go up there for the purpose of inspecting the bit of new line just completed. not to love a man who is persecuting

General Freight Agent Henry of the Rio Grande Western has signified his intention to attend the meeting of the trans-Missouri freight bureau to be held at Kansas City on the ninth of January next.

What Governor of Utah and of Ida-About 200 Maccabees will go to Ogden tomorrow evening on an Oregon Short Line special. They go up to the Junction Gov. Thomas and Gov. Steunenberg, The latter said Judge Powers had sent to attend installation ceremonies The a strong protest against my being par-doned in Idaho." train will leave at 7 p. m. and returning will leave Ogden at 11 p. m.

"Was that all you had against Judge It is currently reported in rallway cir Powers' had no feeling more than one les, says the Denver News, that Dr. W Seward Webb is to be made president of would have against a hired prosethe Pullman Palace Car company on the "What did Gov. Thomas say to you?" first of January, and Robert Lincoln cities where there are two offices, one Wagner and one Pullman, one of the offices is to be closed, but places are to be provided for nearly all the Wagner officers under the combine. The head-quarters of the company will be mainpt there. ained in Chicago, although a good deal of the financial business will be transdogs' acted in New York. General Manager L. J. Polk of the Gulf, Colorado & Santa Fe Railway company, has been cited to appear be-Yes fore the state railroad commissioners on Dec. 19 and show cause why he Yes should not be held for contempt. He is charged with the offense of having written a caustic letter to the railroad commissioner on the subject of freight The commission requested him o withdraw the objectionale letter, and when he refused he was charged with contempt.

DESERET EVENING NEWS: THURSDAY, DECEMBER 14, 1899.

see the book. The defendant shook his head and demurred. Mr. Putnam in-sisted that he had a right to look at t. Mr. Truman objected, and then a lively tilt occurred between the prosecutor and counsel for defense. during which Mr. Truman wanted to know if Mr. Putnam wouldn't like Smith to turn his pockets inside out for the county attorney's benefit.

FINALLY ENDED.

Judge Norrell Will Charge Jury in

the Morning.

ARGUMENTS IN PROGRESS.

Betwen Attorneys-Concensus

of Opinion.

mony is concerned, was concluded this

afternoor. In the morning Judge Nor-

rell will charge the jury, and it is rea-

The concensus of opinion of those

Smith's alleged offense-viz.-assault

to exceed twenty years. Save for a few spats between the at-

amined, after which the State intro-duced evidence in rebuttal.

were in progress, but will not be con

HE DID NOT TAKE AN OATH.

'No, I did not swear," said Smith.

What did you say?

By

whom?

The defendant's arguments to the jury

TILT BETWEEN ATTORNEYS. "I'm conducting this prosecution," said Mr. Putnam. "Yes, and I'm defending him," said

Mr. Truman, "and it's just as much your duty, if you only understood it, to guard this man's rights and see that no undue advantage is taken of him, as it is to prosecute him." Mr. Putnam said he did not want a

lecture from counsel, and the atmos-phere of the court room was becoming a little warm, when Judge Norrell rapped his desk and insisted on order. Things then cooled off again.

Smith was told by the court to let Mr. Putnam see the check book, an order he did not comply with very cheerfully. The prosecutor, after a hasty examination of the contents, asked the defendant how long he had been session of the memorandum, he got it, and how he came by it. Smith said he had had the book for months. It was in the sack he carried when ar-rested by the Eureka city marshal. It Mr. Putnam did not believe him, he could ask Henriod. Smith collapsed when Mr. Putnam said: "Then you ad-mit Marshal Henriod can tell the truth, do you?

THE DEFENSE RESTS.

Then the county attorney proceeded to ask Smith how long it was since he commenced to keep a diary. Smith replied by stating it was an old habit to keep an account of the chief incidents of his the state of the chief incidents of his life; it was a sort of a "Kathleen Mavourneen" matter with him. "maybe for years and maybe forever." He gave a look at the county attorney that was more significant than words, torneys conducting the case today's trial has been without incident, when the latter inquired of him if it wasn't a fact that he wrote some of the On the reconvening of court this morning Smith was further cross-exmatters contained in the book since his confinement in the county jail. "Of course it ain't a fact," replied Smith, with evident disgust. There was some further questioning on the part of the prosecutor and Mr. Truman and after the latter had offered three pieces of string in evidence, counsel for defense said: "That's all; we rest."

EVIDENCE IN REBUTTTAL

The cross-examination of Smith was continued by Attorney Putnam yester-Then the State called the following Then the State called the following named witnesses in rebuttal: Arthur Pratt, Joseph Biddlecome, Judge Pow-ers, Attorney Gustin, Warden Dow, George E. Carpenter, Oliver Back-man, Charles Hayden, George Phillips, Deputy Sheriffs Dowse and Macduff. Mr. Pratt fild not remember the con-versation between the defendant and ex-Gov, Thomas, testified to by Smith. Biddlecome knew nothing of the suit transaction, but was acouginged with "Did you call Dr. Pike a vile name after you had been sentenced by Judge Powers in Ogden?" asked Mr. Putnam, 'As I was going out of the court room

transaction, but was acquainted with Lafe Utterly. Had never heard of an individual by the name of Butler, at Diamond.

POWERS AND TRUMAN.

Judge Powers, in answer to Mr. Putnam, denied that he had written Gov. ham, denied that he had written Gov. Steunenberg protesting against a pardon being granted Smith. Did not know Smith was in the Idaho peniten-tiary, co any other penitentiary; had "Has Judge Powers persecuted you?" "Yes, I have been told so." not written the governor of Idaho, nor the governor of any other State regarding Smith. Noticed the clothes the defendant had on when at the police "The Governor of Utah and the gov-ernor of Idaho." station. They did not come any where near fitting him: the pants were too long in the legs and the sleeves were too long in the arms.

"Are you an expert on fits?" enquired Attorney Truman. "I know you are an

expert on law, but-" "See here sir," said Judge Powers, in a sudden heat of passion, pointing the index finger of his left hand at Mr. Truman, "I want you to understand Truman, that I am not here to testify falsely, and I don't want an intimation from NOU! would do so, either; remem-

ments to the jury were immediately be-gun. Judge Norroll limited the time to an hour and three-quarters a side, which means that his honor will not charge the jury until tomorrow morn-Ing.

Assistant County Atlorney Ray Van Cott began his address to the jury at 2:15. He will be followed by Atlorney Westervett in behalf of the defense Attorney Trumai will close for the de-fense, and County Attorney Putnam will present the final argument for the State tomorrow morning.

TO CURE A COLD IN ONE DAY. Take Laxative Bromo Quinine Tablets, All druggists refund the money if it fails to cure. E. W. Grove's signature is on each box. 25c.

Kolitz will sell 20th century choco-lates Saturday at 35c per pound.

Saturday will be bargain day, 20th century chocolates at 35c per pound,

at Kolitz. RARE XMAS CIFT. THE ARTICLES OF FAITH.

Beautifully bound For holiday presentation. At the Descret News.

EDISON'S RELIGION.

This is what Thomas Edison said in reply to a question addressed him by an agnostie:

"Why, after years of watching the processes of nature, I can no more doubt the existence of an Intelligence that is running things than I do of the existence of myself. Take, for example the substance water that forms the the substance water that forms the crystal known as ice. Now, there are hundreds of combinations that form crystals, and every one of them save that of ice sinks in water. Ice, I say, doesn't. And it is rather lucky for us mortals, for if it had done so we would all be dead. Why? Simply because if ice sank to the bottom of rivers, lakes and oceans as fast as it from these and oceans as fast as it froze, those places would be frozen up, and there would be no water left. That is only one example out of thousands that to me prove beyond the possibility of a doubt that some vast Intelligence is governing this and other planets."

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gunuuuuuuuuuuu

Fifteen fine, brand new quilts were delivered to Jailor Sol Kimball today from the St. Mark's Guild. The balance of the five dozen will be finished in a few days. . . .

Strange to relate, but there were no applications for lodging at the city jail last night. Jailor Kimball says it is one of the evil effects of smallpox.

Chas. Schewed, the human machine of destruction, will in the near future be tried for insanity. Last midnight the unfortunate man went to the Globe rooming house to engage a room. The landlady wanted 75 cents, but Schewed would only give 25 cents. Just as he was about to smash things up. Officer Hempel arrived on the scene and took Hempel arrived on the scene and took him in charge.

"The patrol wagon is wanted on Third South between East Temple and Sec-ond East streets as soon as possible." The above message came to police headquarters via the telephone route about ten o'clock this morning, and was immediately responded to by Patrol Driver Armstrong. It proved to be "a case of drunk," but is was more than the ordinary kind. The individual who had partaken too freely was L. S. Randall, who weighs not less than 285 pounds. He was so intoxicated that it required the combined strength of five strong men, including Officer Lincoln, to drag him into the wagon. He was charged with drunkenness.



There is no reason why you should not use Hewlett Bros. Co. Three Crown Baking Powder, Etxracts and Spices. All these goods are sold at lower prices than imported brands and guaranteed to give perfect satisfaction, or money refunded. Your grocer sells these goods and will be pleased to fill all orders.

Hewlett Bros. Co.

Rumors regarding the proposed reduction of the league are numerous and persistent. It is said that all hope of lopping off four clubs has been given. up, but that the season will open with ten clubs in harness. Cleveland and Louisville being the two clubs which it is proposed to drop. The election of Harry Pulliam as sec-

retary of the newly organized Pitts-burg club today gives color to the report that Louisville, at least, has seen its last year in the big league.

A deal was completed today by which Clingman and Dexter, two of the Louis-ville players, were sold to the Chicago club.

SWIMMING RECORD BROKEN.

five Yards in 12 2-5 Seconds.

At the swimming tournament of the Olympic club, San Francisco, Cal., last night, H. A. Widemann made a new world's record, making the 25-yard dash in 12 2-5 seconds.

WRESTLING MATCH AT BUTTE. The Sultan's Lion " Defeated D. A. Me-

Millan in Short Order.

A dispatch from Butte, Mont., says: Hali Adali, "The Sultan's Lion," wrestled with D. A. McMillan tonight, the conditions being that the Turk should throw the latter three times in plasty minutes. He were in eichtean ninety, minutes. He won in eighteen thirteen and sixteen minutes, and could have done it in as many seconds but for a disposition to give the spectators "a run for their money.

Oxford-Cambridge Football,

A London dispatch says that the Oxford-Cambridge football game today re-sulted as follows: Cambridge, two goals and four tries, Oxford, nothing.

SPORTING NOTES

had no practice of late.

Located at Salt Lake City, in the County of Sait Lake, State of Utah, at the close of business on the 2nd day of Dec., 1899.

RESOURCES.

Real estate Due from National banks Due from State banks and bankers. Cash on band

Current expenses and taxes paid...... I. R. Stamps

LIABILITIES.

Total

Certified checks ...

Cashler's checks ..

Total.

lapital stock paid in

Capital stock paid in..... Undivided profits...... Due to Nation banks.... Due to Stata Janks and bankers. Diriderds unpaid....... Individual deposits.......... Sarings dep. int. @ 4 per cent

The ten round match between Dummy Rowan and Tom Daley at Mercur to-morrow promises to be a good one. The former has bee niraining very hard and is in excellent shape. He will have to knock Rowan out in ten rounds, and if he does it, \$250 will be his. The prin-OR VO. cipals are both confident of winning F. C. SCHRAMM, The University and Agricultural College teams have agreed to call the game off that was scheduled for Sat-urday, because there is so little interest Prescription Druggist, manifested in football these days. Much to the surprise of a number of his friends Prof. Young Dutchey has Where the Cars Stop, McCornick Bik, gone to California without much as saying farewell to *********************** 80 them. "Kid" Brown, the professor's stand by, is still in the city.

The Great American Classic WASHINGTON. the Drama of the Estolution

Ethan Allen. by the Atrack by the Atrack bis of the Atrack bis oper of the American barraded from the Boston Massacre to Wanning the Atrack of the Atrack of

SAND VOLUMES Memorial Association, SAND VOLIMES of THE REVOLUTION at the regular price of crue to the objects so do and so appropriate da year of Washington's de Ats . memorial ommemorate G to a university of the United s which he left twenty-five thousand his will.

Two volumes in one. Fife post pall. Key

Two volumes in one. size post pail, Sod. P. O. order to MISS HELEN LA DITE POTTER G. W. 40th street, New York DIRECTOR OF YOUNG PEOPLES' ACTUAL George Washington Memorial Association

STOCKS, INVESTMENTS

AND BONDS.

Utah Bank and Commercial Stocks and other high grade investment security bought and sold. Leans on stocks, invited paying stocks bought and sold. Investment orders from institutions, trustees of states and capitalists will receive the best of states





H. A. Wideman Makes a Dash of Twenty-JOHN DAYNES & SONS,

26 Main Street, Opposite Z. C. H. 1

********************* Almost a Storeful

Of handsome tollet articles with Sterling silver mountings, suit able for Christmas remem-brances. The mountings are all good, heavy, and serviceable, made for use as well as beauty. In the brushes you'll find the bristles the same quality as in our brushes of other styles. There are probably half a hun-dred different articles to choose from. You needn't be extrava-gant, either, for we can suit all purses. A good part of the store is given over to the selling of perfume in bulk and fancy pack ages. Pocket books for lade and gentlemen, atomizers, tells cases. In a few days we'll have a fresh lot of Maillard's confe tions in fancy packages-spec ly for holiday presents. W would suggest you come an

pany, of St. Louis, be set aside, and that the properties affected be restored to the original owner. The court is also asked to declare vold

lease of the Lindell line to the St. Louis Transit company, by the United Railways company, and that the mort-gage given by the latter to the St. Louis Trust company, to secure an is-sue of bonds for \$45,000,000 be set aside so far as it effects the Lindell properties.

The basis of the suit is an allegation that the conveyance of the Lindell sys-tem of street railways to the United Railways company by the board of di-rectors was unauthorized by the charter of the company, and that in at-tempting to make it the directors exceeded their powers and really conveyed nothing.

It is also charged that the directors in making the conveyance, did not con-suit the wishes of other stockholders, and in fact acted in violation of their desires. It is alleged in the petition that the directors made \$33,000,000 by the transaction and failed to divide with the stockholders.

Preparing for Storms.

Profiting by the costly experience of the disastrous blizzards and storms last winter, the management of the Union Pacific is now taking every precaution to successfully battle with the elements, which are already beginning their op erations on the mountain divisions. Ro tary snow-plows, wedge plows and flangers have been gotten in the best possible condition and every effort will be made to keep the road open this winter though the severest storms

The plan of blowing the big whistles at the shops at division points along the Union Paeläc when there is a wreck for the purpose of calling the wrecking crew together, has been aban-doned. It was found that when the whistles were blown, the wives, daughters and sweethearts, whose husbands, fathers or best fellows were out on the road, would rush to the offices to learn the particulars of the accident and whether their dear ones were Rfiled. As a matter of policy the company abolished the plan.

Word comes from Laramie today that Engineer Ernest Davies, injured in the Borie wreck, will undoubtedly recov-

Thos. Griffith, a section hand at Otto. twelve miles west of Cheyenne, was taken to Denver today, suffering with a mashed foat, which he received by getting caush between the cars while unloading rails. Engineer Davis lost a finger at Lara-

mle Monday by getting it caught in the machinery of his engine.

Railway Commissioner Reports.

The annual report of the commissioner of raliways states that the increase of surplus assets over liabilities for 1829. over 1828 for the twenty-six land grant and bond-nided roads is \$45,230,089. The report renews last year's recommendat tions for a transcontinental air line railway from Kansas City to San Diego, Similar routes, the commissioner adds. should be opened between the cities of Chicago and San Francisco, Chicago and Seattle, and Galveston and San Diego, He says; "All of these lines would probably

not cost more than three or four hun-dred millions that will be needed for the construction and equipment of the Isthn ian canal. They would give healthful latitudes that are not to be found on the isthmus, keep our money at home, furnish rapid transit for all kinds of trade, and command a large portion of the vast commerce of the

Pennsylvania Dividend.

The board of directors of the Pennsylvania railroad, at a meeting in Pennsyl-vania yesterday authorized the allot ment of stock at par for 10 per cent of the holdings of the stockholders as they stand registered on Tuesday, De-cember 26th. Payment is to be made

CLEARING HOUSE REPORT.

Dec. 14, 1899

ORE AND BULLION REPORTS.

T. R. JONES & CO. Or6 Bullion 6.800 Total\$15,600

M'CORNICK & CO.

7,300

"Better Be Wise Than Rich." Wise people are also rich when they know a perfect remedy for all annoying dis. eases of the blood, kidneys, liver and bowels. It is Hood's Sarsaparilla, which is perfect in its action. It so regulates the entire system as to bring vigorous health. It never disappoints. Rheumatism-"My mother, eighty

years old, has received much benefit from taking Hood's Sarsaparilla for theumatism, and recommends Hood's to others." Agnes D. Derby, Jamestown, N. Y.

Catarrh in Head - "My daughter had catarrh in the head and Hood's Sarsaparilla cured it. We take it as blood medicine and tonic and it keeps us well all summer." Mrs. Ed. Peterson, Kibbey, Mont. New Life - "As a spring tonic and blood purifier Hood's Sarsaparilla overcomes that tired feeling and gives our whole family new life." Wm. Ringel, 813 5th Ace., Peoria, Ill.

Grip Cold - "My boy had a terrible grip cold and was very much run down. Hood's Sarsaparalia made him well; is growing strong and fleshy." Mrs. Thos.



Hood's Pills cure liver ills; the non-irritating and only cathattle to take with Hood's Sarsaparilla.

when they were take away my 'copper.' I talked with Gov. Thomas. He said he was corry he had kept me in prison for the last three years, and that it was through the work of dirty dogs I had been kent there?"

Whom did he refer to as dirty I dan't know "

"Did you go out to the penitentiary in July last ?"

'Did you see Warden Dow?"

"Is your right name John Smith?" "No: that's just a name I gave when I was arrested. My name is McDon-

'How many other names have you?' "I don't know. NOT A JAMES.

"Did you ever tell anybody your name was James, and that you be-longed to the Jesse James gang?" "When Biddlecome talked to you about waylaying Judge Powers, did you tell him not to do anything of that

kind while you were around? "Yes; I was afraid I would be ac-cused of it." You didn't care so much about

Judge Powers being murdered as you did about being accused of it?" "I didn't give it a thought." "Who did you mean by "they' when

you said 'they' were dogging you?" "I didn't know. It was a mystery to me who they were. Who did you suspect?"

"I knew that Dr. Pike, ex-Marshal Parsons and others were corrupt, but as to Powers I knew he was only a paid attorney for the others. Continuing Smith said that when he learned through the papers that he was harged with the infernal machines, he ntended to wait around where he was for a month or two and when court session in Salt Lake come and give ilmself up so that he could be cleared of the charge.

FURTHER CROSS-EXAMINATION

Smith was further cross-examined by Attorney Putnam this morning, De-nied having any conversation with Peck. Loaned Lafe Utterly \$10 on a suit of clothes. They fitted him as welt now as they did when he first got them. The tails of the coat had not been cut The bottom of his pants were not turned up, at the preliminary hearing. Here Smith was required to pull off his coat, which he did reluctantly, while Mr. Putnam and Mr. Van Cott examined the talls for the purpose of ascertain, ing whether or not they had been cut or if there was evidence of any recent SCWITLE.

Mr. Putnam offered the coat in evidence. Counsel for the defense ob-jected. Mr. Westervelt inquired of Mr.

Putnam if he wouldn't like to Smith's vest, pants and underclothes in evidence, too. (Laughter.) Smith sat in the witness chair minus his coat. while Stenographer Pike marked the garment as one of the numerous ex-hibits in the case. Mr. Truman became sighly indignant at seeing his ch-ent in his shirt sleeves, and with much warmth suid that during the whole course of his experience at the bar never had he witnessed such proceedings. He insisted that the defendant should be allowed to put his coat on, and said the county attorney had no more right

take it from the prisoner than he ild the rest of his wearing apparel. Judge Norrell ruled the coat might he offered in evidence, and after the jury had taken a look at it, in order to see if there were any recent stiches, his honor ordered its return to the defendant, who immediately put it on again.

In an inside pocket Smith carried a check book to which he frequently re-ferred during the course of his crossexamination, for the purpose of refreshing his memory on dates, names of Individuals, etc.

Mr. Putnam asked Smith to let him

that.

ber that. Judge Norrell rapped for order, Judge Powers settled back in the witness chair, all the while looking daggers at Attorney Truman, and the cross-exam-ination afterwards proceeded peacefully.

"I did not mean to convey the idea. that you would testify faisely in this or any other case, Judge Powers, said Mr. Truman. I have too much respect

for you for that." "Well, I'm no tailor, if that's what you want to know," remarked Judge Powers, amld a burst of laughter, in which the witness himself joined. "I know you're not," said Mr. Tru-an. "You didn't make a critical ex-

man. amination of the defendant's clothes, did you? enquired counsel. "I did. I looked him over very care-

fully." "Why?" "Because I had learned that in his sack he carried a black suit, said by the officers to belong to another party. was told by the officers that he wanted to change the clothes he had on whe arrested, for this suit, and his conduct in this matter was regarded as peculiar

Judge Powers then told the good Judge Powers then told the good view he had of Smith at the police court, and the excellent opportunity af-forded him of studying minutely the prisoner's dress. There was no doubt in his mind about the clothes being too big for Smith, but the lost hit big for Smith; not the least bit. F. J. Gustin said he was present at

the preliminary hearing and noticed Smith's clothes. The trousers were too ong, as also were the coat tails, which witness said, touched the knees. The coat fitted Smith like a sack; not a sack coat, but a gunny sack.

Warden Dow and Reporter Carpenter corroborated the last two witnesses, and indirectly criticized Smith's tailor severely.

Mr. Carpenter said he did not know whether Smith wore suspenders when he saw him at the depot and later at the police station. It would, perhaps, have made a difference if he had. Witness knew it would make it difference with him, but he was unable to say how it would affect others. Some men word belts. "That's all," said Mr. Truman, and the "expert" left the stand with a look on his face suggestive of Sam Weller, who is reported to have said at the Bardell trial, "Anyone else that would like to axe me a question or two? Oliver Boehmer was called by the

State and examined the coat worn by the defendant. He said the talls and sleeves were hand sewn and the rest machine sewn,

Charles Hayden, George Phillips and Deputy Sheriff Dowse gave testimony in rebuttal, after which a recess was taken

JAILOR THOMAS TESTIFIES. T. F. Thomas, Jr., county jailor, tes-

tified that Smith had been under his care since August 30. The clothes now worn by Smith had been in Smith's possession part of the time, and locked up in a wardrobe part of the time. Smith used thread in his cell. He had also been given a scissors to cut the other prisoners' hair with. Never saw him cut clothes with the scissors. He could have done so without witness' knewledge.

GOV. THOMAS CALLED.

Ex-Gov. Arthur L. Thomas was called by the State. Witness said he was Governor of Utah from the spring of 1888 to the spring of 1888. Did not know Smith, but the defendant had called on itness while Governor. Had a clear recollection that one day

Smith called on him at his office and thanked witness for having his copper restored. Was certain that he did not restored. Was certain that he did not tell Smith that owing to the misrepre-sentation of certain people he had been kept in prison three years longer than he ought to have been.

ARGUMENTS BEGUN. This finished the testimony and argu-

Desk Sergeant Arthur Pratt Jr. ac-cepted the advice of Dr. Beatly, and last night submitted to vacchation. He has a ticket on his left arm which bears the following: "Hands off; this means you."

A most amusing incident occurred at the station this morning. Dr. Beatty gave Jailor Sol. Kimbali a small botcorrosive sublimate tablets and told him to use three or four in a pail of water and have the wood work in Chief Hilton's office washed. Mrs. Kimball assigned the task to Mrs. Martell, a prisoner. At the conclusion of the job she approached the jallor and said: "Mr. Kimball you have done me a great injustice. All of my rings, my wedding ring, are ruined. They were gold, but that stuff you gave me to do the cleaning with has turned them silver

Mr. Kimball took the rings and by a little vigorous rubbing restored them to their natural color, much to the joy of The Ulah Commercial & Savings Bank Mrs. Martell.



Beautifully bound For holiday presentation. At the Descret News,

20th century chocolates, Saturday, from 2 to 6 p. m. 35c per pound, at Kolitz.

SIX-HOUR SESSION.

But it was Announced that Nothing Had Been Done.

A New York dispatch says: The meeting of the National Lengue of Profes-sional Baseball clubs was continued tonight, and the league representatives will probably be in session until Saturday. After the close of a siv-hour ses-sion today it was officially announced that nothing had been done.

Pain in the Back

A Sure Sign of Kidney Trouble

A Trial Bottle Sent Free of a Medicine That Will Stop It.

Let us give you a piece of advice: Pain in the back is an almost infallible sign of Kidney disease; a surer sign is the condition of your urine; if you have a pain in the back then look to the condition of your urine. It is easily done. Take a glass tumbler and fill it with urine; after it has stood 24 hours if it has a sediment, if it is milky or cloudy if it is pale or discolored, stringy or ropy, your Kidneys and Bladder are in dangerous condition and need immediate attention, or the consequences may prove fatal. Dr. David Kennedy's Favorite Rem.

edy is the one medicine that really cures all diseases of the Kidneys, Liver, Bladder and Blood, Rheumatism, Dyspepsia and Chronic Constipation and corrects the bad effects of whiskey and beer on the system. It is wonderful how it makes that pain in the back disappear, how it relieves the desire to

urinate often, especially at night, and drives away that scalding pain in passing water and in a remarkably short time makes you well and strong. Dr. David Kennedy's Favorite Remedy is sold at all drug stores for \$1.00 a bottle, or six bottles for \$5.00.

If you would like to try this wonderful medicine you can do so, absolutely free. Send your full name and address free. Send your full name and address to the Dr. David Kennedy Corporation, Rondout, N. Y., when a free bottle, to-gether with a pamphlet of valuable medical advice, will be sent you by mail postpaid, providing you mention this paper when you write. The pub-lishers of this paper guarantee the genuiness of this paper guarantee the genuineness of this offer.



Every package of Maravilla. Ceylon Tea, Red Seal Japan Tea, Spices, Extract, Etc. sold with the SEAL on is an absolute guarantee of purity. The advertising solicitors are Salt Lake City and a trial order given them will convince you



mmmmmmm



Cala Cactus Liniment

Acts with lightning speed in

reducing all Inflammation.

grossesses and

TABLER'S PILE

DINTMENT

CURES NOTHING BUT PILES.

A SURE and CERTAIN CURE

BEST REMEDY for PILES.

known for 15 years as the

SOLD BY ALL DEUGGISTS.

Property of the Station and Dates Man, por, station

WHILE BUILDING THE OLD MISSIONS STATE OF UTAIL. County of Salt Lake. Joseph E. Caine being first duly sworn ac-cording to haw deposes and says that he is cashier of the above named bank; that the above and foregoing report contains a full, true and correct statement of the condition of the said bank, at the close of business on the 2nd day of Dec., 189. JOSEPH E. CAINE. W of California the good padres were assisted by Nature's uncivilized res-the Indians - then sturdy of form and strong of limb, due to their knowledge and use of extracts from roots and here the prevented and cured Uric Acid Poisoning Their formulas are used in SAN CURO as SAN CURO CATHARTIC TABLETS-Sur Cure for Rheumatism, Kidney, Blader and all Uric Acid Trouble Subscribed and sworn to before me this 12th

Subscriber and E Q. KNOWLTON. [SEAL] E.Q. KNOWLTON. [SEAL] Notary Public. all Uric Acid Troubles. Ask the Druggist for-

1 1368,812 18

18,828 12

\$8,000 00.

34,240 74

23,038 9 504 1 102,108 4

5,838

_\$612,068 33

\$300,000 00

. \$612,056 12

13,367 40

32,000 11

103,201 32

. 150,457 69

945 50

11,078 70

694 14

STATE OF UTAH, office of the SECRETARY OF STATE.

California's Mission Remedies SECRETARY OF STATE. I. James T. Hammond, Secretary of State of the State of Utah. do hereby certify that the foregoing is a full, true and correct copy of the statement of the above named company, now on file in my office this 12th day of Dec. 1899. J. T. HAMMOND, Secretary of State. Beautifully illustrated book mailed bee on application to SAN CURO MEDICAL On. Los Angeles, Cal.

ASSESSMENT NO. 6.

The Lower Manmoth Mining Company, a Corporation. Location of Mines, Tintle Mining District. Junb Co., Ut.h.

Principal Place of Business, Salt Lake City, Utah.

Chry, Utan. NoTICE is hereby given that at a meeting of the Roard of Directors of the Lower Mam-moth Mining Company, heid on Toesday, the bid day of December, 1869, an assessment of stock of the company, payable to the secre-tary at his office, 209 Progress building. Sain Lake City, Utah, at once, and before the 27th day of Jannary, 1990 Tannary, 1990, and all sessented may make the company in the this assessment may make the best of the solution of the the secre-strain angeld on the 17th day of January, 1900, will be delinquent, and advertised for match before, will be sold on the 15th day of herbruary, 1990, to pay the delinquent assess-ment, together with costs of advertising and expenses of sale. MUEE 1, PAUL. 209 Progress Building, Salt Lake City, Utah, Dated Sait Lake City, Utah, Dec, 13, 1828. First publication, Dec. 14, 1898.