

**NIGHT RIDERS**  
**TRIAL IN PROGRESS**  
Prisoners. Unkempt. Scowling.  
And Silent. Give Slight  
Heed to Proceedings.

**COURT CAUTIONS REPORTERS**

One Witness Testified All He Remembered of Oath Was That He Would Be Killed if Betrayed Band.

Union City, Tenn., Dec. 18.—The state made material progress in the first day's testimony in the night riders' trial. Testimony covering the details of the murder of Capt. Rankin and supporting the identification of two of the prisoners as members of the masked band was presented.

The prisoners, unkempt, scowling and silent, paid little attention to the proceedings. Only once did they betray any emotion. One witness, who had been sworn into the band against his will, testified that the only part of the oath he remembered was that providing they would kill him if he revealed anything. At this some of the prisoners grimaced.

Ed Powell was an important witness for the state. Powell was dragged from his bed the night of the Rankin murder and forced to accompany the band to the Walnut Log hotel from which Rankin and Taylor were taken.

Powell says he recognized Garrett Johnson and Roy Lanson as members of the band. When the riders took Rankin and Taylor from the hotel into the woods they took Powell along too, he said. He heard them questioning the two prisoners as to their title to the land in the Reelfoot district. Near the spot where Rankin was murdered they halted Powell and the crime was done.

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That a strict censorship of the press will be established during the night riders' trial was indicated when court opened today. In cautioning the jury to confine their reading to novels and good books Judge Jones said: "Before we commence the taking of testimony, I want to make a request of the men who are representatives of the newspapers here. As you know, there are over 100 indictments yet to be tried. A juror who has heard from either a witness or from one who has heard from a witness what purports to be an account of what happened is incompetent as a juror. The supreme court has held that a newspaper report of testimony comes within the forbidden field. Hence if the newspapers report the testimony at all, it is not believed it impossible to secure a jury in the cases to come, and thus justice will be defeated.

"This is a very serious phase of the trial. The court will make this request in a very polite and informal way, trusting that the good sense and patriotism of those who own the papers will lead them to comply with it. Of course, if it is disregarded the court will be compelled, very reluctantly, to take such steps as may be necessary and legal to protect the interests of the commonwealth.

"It has been suggested that the ruling apply only to papers which circulate in this county and that papers at a distance be excepted. It is not believed that this would be fair, and no exemption will be made."

A number of Tennessee daily papers have a staff of men here. Most of them are sending out the testimony in detail.

The witnesses were called, and 74 responded for the state and 36 for the defense.

J. L. Carpenter, owner of a sawmill near Reelfoot lake, was the first witness examined. He is a lawyer and wrote the letter which led Capt. Rankin and Col. Taylor to go to the Walnut Log hotel. Carpenter was arrested, but proved his innocence. He wished to buy from Taylor and Rankin some lumber on the Reelfoot lake property owned by the West Tennessee Lumber company, which he claimed owned more of the Reelfoot lake district.

The residents resented this claim to ownership and the trouble began.

**WILBUR WRIGHT MAKES NEW STAY-UP RECORD**

Le Mans, France, Dec. 18.—Wilbur Wright, the American aeronaut, set a new world's record for heavier-than-air machines today while trying for the Michelin cup, remaining in the air 1 hour, 51 minutes and 29 seconds. The best previous record is 1 hour, 29 minutes and 41 seconds, which Mr. Wright made Sept. 21.

**CARTER'S LITTLE LIVER PILLS**

Headache, eye strain, indigestion, constipation, biliousness, are cured by this little pill. It is a sure cure for all these troubles. It is a sure cure for all these troubles. It is a sure cure for all these troubles.

**CURE SICK HEADACHE**

Headache, eye strain, indigestion, constipation, biliousness, are cured by this little pill. It is a sure cure for all these troubles. It is a sure cure for all these troubles. It is a sure cure for all these troubles.

**ACHE**

Headache, eye strain, indigestion, constipation, biliousness, are cured by this little pill. It is a sure cure for all these troubles. It is a sure cure for all these troubles. It is a sure cure for all these troubles.

**MOVE WITH THE ORIGINAL**

Headache, eye strain, indigestion, constipation, biliousness, are cured by this little pill. It is a sure cure for all these troubles. It is a sure cure for all these troubles. It is a sure cure for all these troubles.

Never varying—  
Not made by guess work—  
Nearest to perfection—

**Husler's Flour**

**PANAMA CANAL PURCHASE.**

Department of Justice Planning Prosecution of Those Guilty of Libel.

Washington, Dec. 18.—After today's libel meeting and a subsequent conference with the president, Attorney General Nathan said that the department of justice had under consideration the question of prosecution of those persons whom the president considered guilty of criminal libel in connection with publications regarding the Panama canal purchase.

**MONEY NEEDED FOR CANAL.**

Washington, Dec. 18.—A request for an urgent deficiency appropriation of \$5,000,000 for the canal work at the present rate during the remainder of the fiscal year was received by war house today from the secretary of war.

The principal share of the desired appropriation is for the Atlantic division where are located the Gatun locks and dam.

**A PERSONAL APPEAL**

If we could talk to you personally about the great benefit of Foley's Honey and Tar, for coughs, colds and lung trouble, you never could be induced to experiment with unknown preparations that may cause serious harm to your system. Foley's Honey and Tar costs you no more and has a record of forty years of cures. F. J. Hill Drug Co., "The Never Substituted."

**AN AWFUL MOMENT.**

On Christmas Eve at the Crescent Theater. All this week. The greatest picture ever turned out by the Biograph.—A. Judge MAYBE.

**RARE BOOK SWINDLE.**

Chicago, Dec. 18.—Mrs. James A. Patterson, president of the National Association of Trade Mark and Victim of an alleged rare book swindle, betrayed no loss of composure when she was called to the stand today to testify in the case of John M. Farland, who had been charged with the sale of a rare book to her.

**BANK ROBBERS ESCAPED IN AUTOMOBILE**

Gibson, Neb., Dec. 18.—Six robbers, after dynamiting the gates of the Farmers State bank of Keene at Keene, Neb., escaped in an automobile. The Commercial bank of Gibson, engaged in a pious duty here with a number of citizens, and the bank was looted.

The Keene bank was looted by a party of six men, who were armed with revolvers and shotguns. The robbers entered the bank at about 10 o'clock and looted the safe.

The robbers were seen by a number of citizens, but no one was able to identify them. The bank was closed for several days.

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**SPEAKER TAKES FLING AT ENEMIES**

If He Had Not Fought Against Usurpation Would Have Been Like Cat Without Claws.

**RIGHT OF MAJORITY TO RULE.**

After Reciting Several Facts Said That He Was Still Speaker of the House.

Philadelphia, Dec. 18.—Speaker Cannon, in an address at the annual banquet of the New Jersey Society of Pennsylvania here tonight, took an unexpected fling at his critics and defended his policies and the manner in which the house was ruled at the last session.

"Folks," said Mr. Cannon, "comes to the timid man temporarily invested with power who wants to retain that power and listen to the improper proposals from about, and does not make a protest founded on high resolves, crossed with splendid courage and a desire to do right.

"Away with that old story of one-man power and control. Franklin made a protest against the veto power of the executive being made absolute, and he was right.

"In the chapter of accidents I became speaker of the house. When the minority undertook to check the majority they were met with a refusal from the majority, and the speaker of the house. The speaker would have been like a cat in hell without claws if he had not fought against such usurpation.

"Rules were formulated for the government of the house. Those rules were right and proper. Under them the house wrote wise and proper legislative measures on the statute books.

"There were wild howls from partially selfish newspapers and magazines because the speaker removed the increase in the rate of postage on newspapers and wood pulp. They said they wanted it removed because the cost of print paper and wood pulp had increased 50 per cent, but they could not show that the increase was due to the duty, and the speaker refused to allow the duty to be removed.

"They were ashamed," Mr. Cannon said, turning to Vice President Sherman, who was seated next to him, "to explain that this was the real reason for the pounding during your campaign and mine. They forgot that the speaker could be removed any day or hour. They forgot that nothing could be done without the will of the majority. They enlisted the great head of the American Federation of Labor and the Anti-Saloon league, and the great Republican party was victorious and the government will go on."

He added that he was still speaker of the house.

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**Stop it! Why cough? Stop it!**  
Stop coughing! Coughing rasps and tears. Stop it! Coughing prepares the throat and lungs for more trouble. Stop it! There is nothing so bad for a cough as coughing. Stop it! Ayer's Cherry Pectoral is a medicine for coughs and colds, a regular doctor's medicine. Use it! Ask your doctor if this is not good advice.

sel a terrific storm broke and huge seas swept over the island carrying away most of the supplies and effects of the marooned men. On what was left they subsisted as long as it lasted. One of the men died from exposure and improper food and the other three men could not have survived long.

The three men are being cared for at the cable station and in a few days will be taken to Honolulu by the schooner.

**BOARD MEETS MONDAY.**

The state board of education will hold a meeting in the offices of State Superintendent A. C. Nelson on Monday commencing at 10 a. m. Applications for state certificates and diplomas will be passed upon and such other business transacted as may come before the meeting. The state board consists of the state superintendent, president of the state university, superintendent of the Agricultural college, superintendent of the Ogden City schools and the superintendent of the Salt Lake City schools.

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**PROBATE AND GUARDIANSHIP NOTICES.**

Consult County Clerk respective signers for further information.

IN THE DISTRICT COURT, PROBATE DIVISION, in and for Salt Lake County, State of Utah, in the matter of the estate of David Fulmer, deceased. Notice is hereby given that David Fulmer, administrator with the will annexed, of the estate of David Fulmer, deceased, praying for the settlement of final account of said administrator, with the will annexed, and for the distribution of the estate of David Fulmer, deceased, to the persons entitled, has been set for hearing on Saturday, the 28th day of December, A. D. 1908, at 10 o'clock a. m. at the County Court House, in the Court Room of said Court, in Salt Lake City, Utah.

Witness the Clerk of said Court with the seal thereof affixed this 15th day of December, A. D. 1908.

J. U. ELDRIDGE, JR., Clerk.  
By W. H. Farnsworth, Deputy Clerk.  
Thurston Woodworth & Irvine, Attorneys for Petitioner.

IN THE DISTRICT COURT, PROBATE DIVISION, in and for Salt Lake County, State of Utah, in the matter of the estate of John D. H. McAllister, deceased. Notice is hereby given that John D. H. McAllister, executor of the estate of John D. H. McAllister, deceased, praying for the settlement of final account of said executor, with the will annexed, and for the distribution of the estate of John D. H. McAllister, deceased, to the persons entitled, has been set for hearing on Saturday, the 28th day of December, A. D. 1908, at 10 o'clock a. m. at the County Court House, in the Court Room of said Court, in Salt Lake City, Utah.

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ning these north 100 rods to the northeast corner of the southeast quarter of the said section 3, thence north to the river, thence westerly down said river to its intersection with the west boundary line of said section 3, thence south to the southwest corner of said section 3, thence east 120 rods to the place of beginning and containing 26.45 acres.

All of the northeast quarter of section 10, in township 12 north of range 1 east of the west of Salt Lake Meridian, containing 160 acres.

Beginning at the northeast corner of the southeast quarter of section 10, in township 12 north of range 1 east of the west of Salt Lake Meridian, and running thence north 15.45 chains, thence east 3.18 chains, thence south 15.45 chains, thence west 3.18 chains to the place of beginning and containing 5.22 acres and further described as situated in the southwest quarter of section 11, township 12 north of range 1 east of the west of Salt Lake Meridian, and containing 160 acres.

Beginning at the southwest corner of the northwest quarter of section 10, in the Salt Lake Meridian, and running thence north 15.45 chains, thence east 3.18 chains, thence south 15.45 chains, thence west 3.18 chains to the place of beginning and containing 5.22 acres and further described as situated in the southwest quarter of section 11, township 12 north of range 1 east of the west of Salt Lake Meridian, and containing 160 acres.

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