

# SUMMING UP OF TITHING CASE.

Judge Zane and Attorney F. S. Richards Make Closing Arguments.

NOW UNDER CONSIDERATION.

Counsel for Defense Makes Clear And Convincing Answer to Plaintiff's Lawyer.

The so-called tithing case which has been argued before Judge Morse for the past two or three days of last week, came to a close on Saturday, when it was submitted to Judge Morse for consideration. Judge Zane for the plaintiffs and Hon. F. S. Richards for the defense, concluded as follows:

JUDGE ZANE.

In Mormon Church vs. United States, supra, Mr. James O. Broadhead and Mr. Franklin S. Richards, attorneys for the church, said in their brief: "One distinguishing feature of this corporation is, that being a corporation founded for religious and charitable purposes, it was not founded for the profit of the corporators but for the administration of charitable trusts." And to the same effect were the statements of Mr. Joseph E. McDonald and Mr. John M. Butler, also attorneys for the plaintiffs in their brief in the same case.

And in the same case the supreme court of the United States said, in its opinion: "It is impliedly admitted by the corporation itself in its answer to the bill in this case that the law of charities exists in Utah, for it expressly says that it was at the time of its creation and ever since has been and still is a corporation or association for religious and charitable uses." And the court then said: "That the said church of Jesus Christ of Latter-day Saints is, and for many years last past, has been a voluntary religious society or association, organized and existing in the Territory of Utah, and in the United States vs. Church, supra, Mr. William H. Dickson, attorney for the Mormon Church, said in his brief, 'That these donations were made upon the understanding that the same were to be applied to the religious and charitable uses and purposes of said church by or under the direction of the president or head of said church and his two counselors.' Since the dissolution of the corporation its members have existed as a voluntary religious association known as the Church of Jesus Christ of Latter-day Saints."

In the last named case the court found in its opinion, at page 344: "It appears from the evidence before us that the contributions to the fund in controversy were made with the understanding that they should be applied to church purposes, and that it was optional with the first president to which object, and to more than one amount to each." "That it should be vested in a trustee selected by the court." "To be devoted exclusively to the support and aid of the poor of the church and to the building and repairing of its houses of worship."

VII. "While it was neither a corporation or co-partnership in order to pass upon its powers as well as those of its members, both the law of corporations and the law of co-partnerships are to be resorted to in the absence of statutory regulations, the choice being determined by the nature of the feature under consideration."

Ostrom vs. Greene, 161 N. Y., pp. 357 and 361.

VIII. "Where property is held in trust for the benefit of a particular religious denomination, the dissolution of the legal corporation of the denomination has no effect so long as the religious denomination has an existence for it is to it and not to the corporators, that the use belongs."

Calhoun et al. vs. Cheney et al., 22 Illinois, p. 477.

IX. "When a corporation is not organized to purchase land as in the religious and educational corporation, etc., 'The purchase of land not necessary to its business for the mere purpose of holding and selling it again, in ultra vires. Nor can such a corporation purchase for any other purpose that is not for the purpose of carrying out its own legitimate objects.' American & Eng. Engr. of Law, p. 718.

"In the absence of express charter or statutory limitations a corporation is limited, by the rule that it cannot acquire property for the purpose of foreign to the object for which it was created." 14, p. 719.

X. "It is well settled that no majority, however large, can lawfully engage the firm against the will of even one dissenting partner in matters which it should never have undertaken, that the firm should concern itself with the majority cannot alter the principle, however large the majority, that the firm should not engage in a different business, nor generally make any change in matters provided for by the articles of partnership."


22 Am. & Eng. Engr. of Law, pp. 129 and 130.

Judge Zane added an extended speech on this brief which was rather in the nature of a platform address to the public than a legal argument before a court. Occasionally, however, he touched on the law in relation to matters that he claimed were germane to the question at issue. He said: "Corporations are always limited to certain objects and purposes and to that purpose the business of the corporation must yield. Take it for instance, in the case of partnership. Among the thousands of decisions that have been rendered enjoining members their powers and binding them to the purpose of the partnership, you apply either, by analogy the principles of corporation or partnership may be applied to this church and it is limited to church purposes and no other. Here is an association, under the guise of religion, engaging in all kinds of business, all kinds of speculation, all kinds of trade and traffic. Taking that principle that you may in determining the powers of the duties of this trustee, you may consider the rules that apply to corporations and the rules that apply to partnership as it may seem most appropriate, they are still limited."

My friend won't dispute that the church is really an association; but he says that notwithstanding it is a religious association, it may go outside and engage in other purposes than religious. A corporation may be dissolved, a church survives, the membership survives and they still are co-operating to carry out the purpose of that church in worshiping according to its doctrine and disseminating its principles in all lands."

Counsel stated that Mr. Richards' "captious" in his objections. "He doesn't say this or does not say that, because it hasn't got it in it or that in it. It seems to be an effort to prevent an answer in this case." "He seems to be shielding himself behind a cloud of captious objections, many of them frivolous. I insist that the facts

Why drink stale coffee?  
You wouldn't eat decaying vegetables.



Is the only really FRESH Coffee  
that you ever sell.

4 Blends, 25c, 30c, 35c and 40c the pound.

stated are sufficient to require them to answer; that they should answer, and then the doors will be thrown open and the evidence will be taken, the doors of the facts as it were before when the church case came up and went to the Supreme court. They examined the leaders as to the purposes of the church. All of this will come in then on the hearing, but now we insist that this church or its trustee shall answer."

MR. RICHARDS CLOSES.

In his closing argument, Mr. Richards took up the different points made by Mr. Zane and answered them in a clear convincing manner. He repudiated the insinuation that the defendants were trying to avoid making an answer by shielding themselves behind a "cloud of captious objections." He insisted that the objections which had been made to the complaint were neither captious nor trivial, but were of a vital nature. The court had ruled that the plaintiffs must show in their complaint the terms of the trust before it could decide whether or not there had been a violation of the trust. This was a self-evident proposition, and it seemed strange to him that counsel for the plaintiffs did not seem to recognize it. The defendants were insisting, as they had the legal right to do, that the plaintiffs should have a complaint in court stating a cause of action against them before they should be required to answer, and it was clearly wrong for the court to require the complaint under consideration did not meet that requirement.

ULTIMATE FACTS.

Counsel referred to the authorities cited by the plaintiffs, to the effect that only ultimate facts need be pleaded, and admitted that such was the rule, but said there was a wide difference between ultimate facts and conclusions of law. He had not objected to any fact that had been pleaded, but maintained that the complaint was deficient in that it was not sufficient to allege that certain acts are unlawful, or that they cannot lawfully or legally be done, but the facts from which such deductions and conclusions may be reached must be set forth. He insisted that the facts showing the terms of the trust should be stated in the complaint, so that the court could know whether or not there had been a violation of it. This requirement had been sedulously avoided by counsel for the plaintiffs, and his pleading was still defective in that particular.

At this point, counsel stands it appears from the complaint, according to a doctrine and rule of the church, its members are required to pay one-tenth of their gains and income as tithing, and that this fund is in the hands of the defendants for church purposes. It does not appear what the doctrine of church purposes is, which requires the payment of these tithes, nor the purposes to which they are to be devoted. Why this important omission, after the court has said that a knowledge of the rule is necessary to enable it "to determine whether a breach of duty or failure to perform an obligation has occurred?" Is it because the law or rule of the church in relation to tithing, if pleaded, would show that there had been no "breach of duty or failure to perform any obligation" on the part of the defendants, and that they were vested with "the discretion and authority of determining the management and expenditure of the tithing?"

It is alleged that some of the church funds have been invested in the stocks of certain commercial and industrial enterprises, which are named in the complaint, and it is claimed by counsel for the plaintiffs that these investments are unlawful and in violation of public policy, although there is no law of the state prohibiting them. To sustain his contention, counsel refers to the statute providing for the creation of "corporations for the purpose of carrying out their own legitimate objects." American & Eng. Engr. of Law, p. 718.

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statute and must keep within the limits of the laws under which they are created. This rule has no application to unincorporated societies or associations, whether religious or otherwise. They can lawfully do things that corporations cannot do, because they are not restricted by articles of incorporation and the statutes governing them. NOT UNLAWFUL.

There is no law in this state that makes it unlawful for an unincorporated church or other voluntary association to invest in the stocks of legitimate secular business enterprises, and so long as the business is not contrary to good morals or subversive of good government, it is not contrary to public policy. There is no allegation in the complaint that any of the enterprises in which the defendants have invested church funds are not legitimate concerns. The question is one of law—the legal right of the church to invest its surplus funds in the stocks of commercial and industrial enterprises. In the opinion of counsel for the plaintiffs, it may be in bad taste and poor policy for the church to make such investments, but the court has no jurisdiction to consider whether it is good or bad taste. The church officials themselves are the sole judges of that, and their action cannot be reviewed by the court so long as it is within the scope of the law and their duties as trustees. Before they can be called to account, the terms of their trust must be shown, and it must appear that they have acted in violation of it. The complaint does not show anything of this kind, and therefore it does not state a cause of action.

WHEN DISINCORPORATED.

Counsel for the plaintiffs insist that the property of a church when dissolved, becomes the property of the members of the church, and refers at length to the case of the United States vs. the Late Corporation of the Church of Jesus Christ of Latter-day Saints. But he seems to overlook the fact that, in that very case, although certain members of the church intervened for themselves and other members of the church, claiming that they were entitled to the property in case of dissolution, it was dissolved, it was held by the supreme court of this state that they had no legal claim or title in and to the property, and their application was denied. Subsequently, Congress passed a resolution giving the property back to the church and directing it to be used for the benefit of the church, and it was this act of Congress that limited the use of the property to the purposes therein stated, and not the terms of the original trust. Congress claimed, and exercised the right, as the donor of the fund, to impose these limitations and restrictions upon it.

WHAT CHURCH WAS FOR.

The briefs of counsel for the church in that case are referred to and cited for the purpose of showing that they claimed that the church was an association for religious and charitable uses. There has never been any dispute on that point so far as the defendants are concerned. It is and always has been asserted that the church is a religious and charitable institution, but it is also contended that it has the legal right to invest its surplus funds in any lawful, legitimate manner, including the stocks of commercial or industrial enterprises, and that by so doing it does not violate any law or principle of public policy. As the plaintiffs' case now stands it rests solely upon the contention of counsel that the trust has been violated by reason of the investments which the church has made in such enterprises, and it being apparent that there is no justification in law for this contention, his whole theory falls to the ground, and the case stands as it did on the former hearing, and the court is relieved upon all the points and authorities presented therein.

In conclusion counsel asked the court to consider the brief which he had filed on the former hearing, and that the court should consider all the points and authorities presented therein.

Judge Morse took the case under advisement.

## AMUSEMENTS.

Theater—At the Theater tonight Herschel Mayall and his company begin their final week with a production of the sterling drama "Men and Women."

Casino Park—This house is the only place of amusement now running outside of the theater, and increased patronage is looked for on this account. The new attraction, the Keton company commencing tonight is "The Tramp Detective."

## AT THE RESORTS.

Calder's Park announces the following bookings for this week: Tuesday—Granite Stake Sunday schools. Wednesday—Pioneer State Sunday schools. Thursday—Nineteenth and Twenty-first wards. Saturday—Jordan Stake Sunday schools.

The voting contest at Calder's is already attracting considerable attention and not a few are bending every effort to land the prize of \$100. While there are many who are no good reason why the name should be changed, they feel that if it is to be changed, they are just as able as others to suggest something appropriate. The contest continues till July 24, and each admission ticket entitles the holder to one vote. The result will be announced Wednesday evening, Aug. 1, at 9 o'clock.

## WEATHER REPORT.

Record at the local office of the weather bureau for the 24 hours ending at 8 a. m. today:

Temperature at 8 a. m., 62; maximum, 81; minimum, 51; mean, 62; 2 degrees below normal.

Precipitation for the 24 hours ending at 8 a. m. today:

Precipitation since the first of the month, trace.

Excess in precipitation since Jan. 1, 8.9 inches.

Relative humidity 60 per cent.

FORECAST TILL 4 P. M. TUESDAY.

Local forecast for Salt Lake City and vicinity:

Partly cloudy and unsettled with rising temperature toward Tuesday.

R. J. HYATT, Section Director.

# THE CHURCH AND KINGDOM OF GOD

Elder C. W. Penrose Discoursed On This Subject in the Tabernacle, Sunday.

LIBERTY OF THE SAINTS.

Reign of Righteousness and Peace in The Future—The Church to Prepare the Way.

A large congregation assembled in the tabernacle on Sunday afternoon. President John R. Winder presided. The choir and congregation sang the hymn: "How firm a foundation, ye saints of the Lord, is laid for your faith in His excellent word."

Prayer was offered by Elder William McLachlan.

The choir sang the anthem "Song of the Redeemed."

ELDER CHAS. W. PENROSE.

Of the council of twelve apostles was called upon to address the congregation. He referred to the order and decorum which should be observed in a place for religious worship, and the disturbance occasioned by visitors who did not remain until the close of the services. Quoting from the Lord's prayer which he gave as a sample to his immediate disciples, the speaker dwelt on the words, "Thy kingdom come, thy will be done on earth as it is done in heaven," and went on to show that all the holy prophets since the world began looked forward to a time when that kingdom should be established on the earth, and the kingdom of this world would pass away. He referred to the vision of the Apostle John and read from Rev. vi, verses 15-17. He explained that the event therein proclaimed was to occur when "the seventh angel sounded his trumpet," and that this was yet in the future, and referring to the Millennium, he cited also Isaiah xl, and xxxiii as the words of prophecy, and said that he and Daniel it concerning the great latter-day kingdom that should be established in the last days, as the "Stone cut out of the mountain without hands," which should smite upon the face of the image representing the kingdoms of the world, and while they should become like chaff before the wind, the kingdom of God should "fill the whole earth."

Elder Penrose argued that this finale also was in the future, and referring to the Doctrine and Covenants, section 88, he showed that there were seven periods in the sounding of the trumpet of the seven angels seen by John, and the triumph of the literal kingdom of God on earth was to be in the seventh. Taking up the prophecies concerning the Millennium, he explained that it was to be one of "the days of the Lord," a thousand years of our time. The phrase so often used by the Hebrew prophets, "in that day," when predicting important events, did not signify one of our days—24 hours or one diurnal revolution of the earth, but one of God's days according to celestial time, one revolution of Kolob on its own axis, that is 1,000 of our years—as revealed to Abraham and translated by the Prophet Joseph Smith and recorded in the Book of Great Things.

Taking up the Mormon expression of Elders in this church when preaching the gospel as revealed in these latter days—"the church and kingdom of God," the speaker explained that the words "church" and "kingdom" were synonymous. It was a spiritual kingdom, God ruling in the souls of His Saints. The revelations and commandments and laws given to it were the laws of the church, as declared in Doctrine and Covenants, page 218, and in the words of the Lord, "hold them forth." As to the kingdom, the commandments on earth they were commanded to be obedient, "to be subject to the powers that be until He reigns whose right it is to reign and subdues all enemies under His feet." The speaker declared that this church made no claim to regulating the affairs of civil government, nor the dictate to its members in political matters, nor how or for whom to vote at elections. He read from Doctrine and Covenants, section 124, on governments and laws and quoted the words of the Lord, "between the church and the state and the respective powers of each without infringing the one upon the other. He proclaimed the absolute freedom of church members in political concerns, and quoted the words of the Lord, "upon this subject, which that 'Honorable men and wise men should be sought for diligently, and good men and wise men ye should observe to uphold.' Doe. & Cov. v, 342."

According to the literal kingdom of God spoken of in the Old Testament and in the New, he portrayed its effects in the banishment of strife and war, superstition and error, enmity among men, savagery among beasts, sorrow, mourning, disease and death. He then declared that the Kingdom of Kings in power and glory, however, there were to be great tribulations, calamities, conflicts, convulsions of nature and all the woes foretold concerning the latter days, were impending, and one of the signs of the coming of the Kingdom of God, who is the Father of our spirits, and claims our allegiance. Elder Penrose bore testimony to the personality of the Eternal Father, the Christship of Jesus of Nazareth, and the prophetic mission of Joseph Smith, and exhorted all present to prepare for the coming of Him whose right it is to reign, and the great day of the Lord when righteousness shall prevail and all kingdoms and peoples shall serve and obey Him.

The choir sang the anthem, "God of Israel."

Benediction was pronounced by Elder Sylvester Q. Cannon.

## TEMPLE NOTICES.

The Salt Lake temple will close Friday evening, July 12 and reopen, Tuesday, Aug. 7, 1906.

JOSEPH F. SMITH, President.

Logan, Utah, July 6.—The Logan temple will close on Friday, July 20, 1906, and reopen on Monday, September 3, 1906.

WM. BUDGE, President.

The St. George temple will close its doors on Friday, June 29, and will not reopen again till Tuesday, Aug. 23, 1906.

DAVID H. CANNON, President.

The Mantle temple will be closed July 20, and open for ordinance work, Sep. 4, 1906.

JOHN D. T. McALLISTER, President.

# WESTERN PACIFIC GETS RIGHT-OF-WAY

Last Obstruction Between Salt Lake and Point of Mountain Is Removed.

GARFIELD PEOPLE DEED IT.

Papers Turned Over by Smelter People to Waldemar Van Cott for His Acceptance.

The last obstruction placed in the way of the Western Pacific's entry into and exit from Salt Lake has been removed and it is now anticipated that the delay in construction will cease, and from this time on matters will be pushed with vim. Deeds to the right of way through the property of the Garfield Smelting company have been delivered to Waldemar Van Cott, attorney for the Gould lines, and they will be filed just as soon as the Western Pacific has secured another little stretch of right of way, which has been held in abeyance until the route was definitely settled.

This action follows the recent visit here of General Superintendent A. E. Welby and other officials of the Gould interests in Utah, and the delay in pushing the marine hospital and barracks, which was the first time their majesties had been outside the grounds of the palace at Peterhof since they went to St. Petersburg to open parliament, May 10.

Oranienbaum, Russia, July 9.—Emperor Nicholas and the empress, on board the imperial yacht, Polarstar, made a short visit here yesterday inspecting the marine hospital and barracks. This was the first time their majesties had been outside the grounds of the palace at Peterhof since they went to St. Petersburg to open parliament, May 10.

Oranienbaum is a seaside resort opposite Cronstadt on the gulf of Finland, 19 miles west of St. Petersburg.

MUTINEERS GET OFF EASY.

Tiflis, Caucasus, July 9.—The military tribunal, realizing the tremendous fomentation in the garrison here, has let off with light punishments the 27 mutineers who had been sentenced to be shot because they refused to fire on the populace during the disturbances of last March, sentencing 13 of them to imprisonment for from six weeks to a year and acquitting the remainder.

JAP TIES FOR HARRIMAN.

He Goes Across to the Orient for Railroad Material.

San Francisco, July 8.—E. H. Harriman has become a larger buyer of railroad ties in Japan and is having them delivered at Guaymas, Mex. for 56 cents gold each. A contract for 1,500,000 ties has been let and one ship load of \$1,000 ties has already been delivered.

Through concessions obtained last year from President Diaz of Mexico, E. H. Harriman and his New York associates are building 700 miles of road in the states of Sonora and Sinaloa to connect with the Southern Pacific on the southern border of Arizona.

The Japanese ties are for use in building this new road. The ties are made from a very hard wood and are said to be peculiarly adapted for railroad building in that section of Mexico.

## STRIKE IN OGDEN.

Truckmen and Others at the Union Depot Walk Out Today.

Some inconvenience was occasioned at the Union depot at Ogden this morning by the truckmen and other hands around the station and loading work and going on strike. The men claim to have a grievance and are taking this method of showing that they are dissatisfied.

## R. G. W. GETS TROOPS.

Men From Ft. Douglas Leave Here 3 P. M. on Friday.

The troops from Ft. Douglas bound for mobilization at Ft. Russell will leave Salt Lake over the Rio Grande Western on special trains at 3 p. m. Friday next. At Mack, Colo. the companies from Ft. Duchesne will be picked up and upon arrival at Pueblo the remaining companies of the Twenty-ninth Infantry from Ft. Whipple will join them and the march be made to Ft. Russell.

## EXTENSION GRANTED.

Thirty Days Additional Allowed to Begin Work on Sandy Line.

At the meeting of the county commissioners on Saturday afternoon an extension of 30 days was granted Capt. P. P. Palmer within which to begin actual work upon his proposed electric road from this city to Garfield, Murray and Sandy.

Capt. Palmer was granted a franchise by the commissioners on Jan. 8, and has about completed his surveys. Owing to the fact that it is almost impossible to secure ties and rails at present it became necessary for him to secure the extension of time referred to. The new route will pass by the Boston Consolidated, Utah Copper company and American Smelting & Refining company's new smelters. It will also extend to Murray and Sandy on the south, and will give the people of these sections a direct line to this city. The road must be in operation within 18 months, and grading will be commenced at once.

## DINERS ON COLO. MIDLAND.

General Agent Harding of the Colorado Midland was this morning notified that regular dining-car service will be installed on the Colorado Midland west-bound daylight train No. 5 tomorrow, and on east-bound daylight train No. 4 on Wednesday.

The dining-car service will be a buffet car and will be kept up to the highest standard. For the present there will be no diners operated on night trains Nos. 2 and 6, but passengers will take supper at Basalt and No. 5 passengers will breakfast at that point. The eating house at Leadville will be closed.

Thy addition to the already good service on trains Nos. 4 and 5, which carry Pullman observation sleepers and reclining chair cars, should be an incentive to competitors to sit up and take notice. It is claimed, and not without reason, that the Midland route has some of the best scenery of any road crossing the Rockies, and the only drawback heretofore has been the fact that there was no dining-car service. This difficulty is now eliminated and the road will undoubtedly receive its full share of competitive travel.

## LAS VEGAS TIME CARD.

Copies of the new time table on the Las Vegas & Tonopah Railroad which supersedes the one issued on May 25 have been received at Salt Lake Route headquarters. The stations shown are: Las Vegas, Corn Creek, Owens, Indian Springs, Charleston, Johnnie and Rose's Well, the distance between the first and last named being an even 100 miles. A mixed train leaves daily at 8 a. m. and arrives at Rose's Well at 12:10 p. m. Returning it leaves at 1:30 p. m. arriving at Las Vegas at 4:10 p. m.

## ROUTE OF D. Y. & P.

(Special to the "News.")

Pinedale, Wyo., July 9.—It is learned that the route of the Denver, Yellowstone & Pacific railroad, which will run from Denver to Seattle, and which is now being constructed between Sara-

toga, Grand Encampment and Waleott, will pass through Pinedale.

## FAST TRAFFIC ON U. P.

Col. H. L. Anderson, superintendent of the Wyoming division of the Union Pacific, has been notified that the division has received from the Oregon Short Line 1,500 carloads of freight at Green River for transportation over the Union Pacific and that it will have to be removed within the next 10 days. The amount of traffic handled by the Union Pacific is one of the marvels of western railroading. All of the available Southern Pacific engines were loaned to the Oregon Short Line to handle this freight to Green River and now it is up to the Wyoming division to rush the shipments on east. Available engines will be out in commission, as the shipment means a total of about 30 long trains. It is needless to say that no unnecessary delay will occur in handling the traffic over the Wyoming division which has a record of doing things when the emergency arrives.

## SPIKE AND RAIL.

Heyburn, Ida., on the Oregon Short Line, is to have a fine new brick depot.

T. C. Davidson, general baggage agent for the Salt Lake Route with headquarters at Los Angeles, is in Salt Lake today.

The Rio Grande carried a big crowd up Provo canyon yesterday. On account of the number of trippers at noon General Agent Benton of the passenger department telephoned to have a special train run from Upper Falls to Salt Lake so that the excursionists could return late in the evening. Several good cattle days was spent, made and an enjoyable day was spent.

## CAIR LEAVES PETERHOF.

Oranienbaum, Russia, July 9.—Emperor Nicholas and the empress, on board the imperial yacht, Polarstar, made a short visit here yesterday inspecting the marine hospital and barracks. This was the first time their majesties had been outside the grounds of the palace at Peterhof since they went to St. Petersburg to open parliament, May 10.

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## J. J. TWEEDE DEAD.

Chicago, July 9.—J. J. Tweedie, one of the best known golfers in the west, died here today. Mr. Tweedie was one of the original founders of the Belmont Golf club, the first organization of its kind in the west. He was a keen and lively interest in the welfare of the game, and at the time of his death was president of the Belmont Golf club.

## NEW YORK CLOSING STOCKS.

Monday, July 9, 1906.

Atchafalpa pfd.....	87 1/2
Atchafalpa pfd.....	89 1/2
Baltimore & Ohio.....	116 1/2
Canadian Pacific.....	112 1/2
Chicago & North Western.....	118 1/2
Chicago & North Western pfd.....	120 1/2
Colorado Southern.....	25 1/2
Copper & Rio Grande.....	25 1/2
Elgin.....	41 1/2
Illinois Central.....	119 1/2
Kentucky Coal & Iron.....	11 1/2
Mexican Central.....	20 1/2
Missouri Pacific.....	81 1/2
New York Central.....	115 1/2
Pennsylvania.....	115 1/2
Reading.....	112 1/2
Rock Island.....	75 1/2
Rock Island pfd.....	41 1/2
St. Paul.....	61 1/2
Southern Railway.....	65 1/2
Southern Railway pfd.....	61 1/2
Union Pacific.....	80 1/2
Union Pacific pfd.....	80 1/2
Wabash.....	20 1/2
Wisconsin Central.....	25 1/2

## MISCELLANEOUS.

Amalgamated Copper.....	85 1/2
American Car & Foundry.....	25 1/2
American Car & Foundry pfd.....	25 1/2
American Smelting & Refining.....	113 1/2
American Smelting & Refining pfd.....	