

to most personal expenses and that it was later approved by Mr. Whitaker. As in other cases he took no receipt for the money.

#### HOW ABOUT IT.

The witness was questioned concerning the money he received to liquidate his own personal expenses and he stated that he had been paid the sum of \$100-\$25 at one time and \$75 at another. The payment of \$25 was given by one of two different vouchers, although Mr. Shurtliff had no means of knowing why this had been done.

"Did you keep any record of vouchers that you approved in the absence of Governor Wells?" was asked the witness.

"No, not that I know of," he answered.

"I call your attention to voucher No. 115. I notice that on Feb. 29 to 24 you were at a St. Louis hotel at which you paid \$5 per day, a total of \$25. Is that correct?"

"Yes, sir; I was five days at the hotel."

"On the 23, Mr. Shurtliff, one of the days you were at this hotel, you made a charge of \$50 for a sleeper from Chicago to Ogden. How do you account for this?"

The witness replied that the date must be incorrect. However, the charge was all right, as he had a sleeper about the time named.

State Senator Willis Johnson was the next witness. He was shown voucher No. 1 for \$39.50 and asked whether or not it was correct.

"Yes, sir," replied the witness.

"Did you take any receipt for this amount?"

"No, sir."

The witness was shown a charge of similar date—April 23—of \$10.50 for stage to Marysville, and asked whether or not he was on the stage towards Marysville on that date.

He explained this seeming conflict by stating that the voucher was not made out at the proper time.

"This method of accounts seems to have been a system of vouchers from one member to another, was it not?"

"Yes, sir."

"Why did you do that," was asked.

"You are a business man are you not?"

"Yes, sir."

"How long have you been in business?"

"About six or seven years."

"You recognize that this is not a good business system, do you not?"

"Yes, sir, I do not although it didn't occur to me at the time."

"You remember when you got free transportation on the Rio Grande Western?"

"I have such transportation now, but didn't have then."

"Did you ever pay out any money going as far east as the Missouri river?"

"Yes, sir, the first trip."

At this point in the proceedings Mr. Joseph showed the witness a clipping from the Deseret News and asked him to read it. This he positively refused to do, stating to the committee that he was perfectly willing to answer any questions pertaining to the affairs of the commission, but he did not propose to discuss newspaper interviews.

#### JOSEPH AFTER CRITIC.

Mr. Joseph queried Mr. Johnson as to the veracity of a newspaper interview published in the Deseret News in which he was quoted as saying that Joseph or the investigators were not entitled to the credit of "digging up" the money recovered from John Q. Cannon.

Mr. Joseph asked Mr. Johnson whether he went into exact dates, even trying to make the witness swear as to the date the Legislature convened. He protested, saying he was being asked questions irrelevant to the investigation. Upon being ordered to answer, he gave the date as best he could remember it. The interview, he said, was correct except as to one phrase, which was not in his words. He explained, however, that prior to the opening of the investigation, and he thought prior to the opening of the Legislature, John Q. Cannon's attorney had made a tender of the money.

Did you take it on that date, asked Joseph?

"No; the attorney wanted me to return certain cash and this I refused to do. Later I consulted an attorney and he advised me to take the money, but not to release the vouchers. He said to put the money in the bank the day you received it."

"No, I did not for several days afterwards."

"Why did you not?"

"Well, was treasurer of the commission. I didn't happen to find a chairman to call at the bank during banking hours."

#### HE HAD A PASS.

The witness was shown three vouchers for railroad fares between Salt Lake and Marysville, each for \$10.50. The witness affirmed that the vouchers were correct; that he received the money, but did not expend it for fare, as he had a pass. His total expenses for necessary incidentals were much greater, however, than the fare allowed, and he therefore felt that the \$50 was not a robbery of state funds.

Queried as to stage fare from Marysville to Circleville, his home, Senator Johnson said that while the charge to the state was \$25.00, he paid \$5 for each trip, as the charge represented the stage fare, and he always rode in a private baggage, on account of the fact that the stage was not very comfortable and was a hard vehicle to travel in.

The only other traveling item upon which he was questioned was a fare to the Missouri river, which he explained he had not taken, and which he explained was a charge for a round trip to St. Louis and return. It amounted to about \$30.

E. W. Wilson of the Commercial National bank, which were submitted.

HORACE CUMMINGS CALLED.

The last witness called was Horace Cummings, director of an educational exhibit. He was asked numerous questions about the minute details of his business, and each of them he satisfactorily answered.

"What money from the sale of goods did you receive?" was asked.

"Well, I have turned over all my papers connected with the fair, to your experts, and you don't seem to care exactly. If I could look up the items, I could tell you."

One by one he was shown many checks on the St. Louis bank where he kept his funds.

He explained what each was for and why. Often there was a discrepancy between the check and the bill, but the check was always smaller than the bill. When queried the professor explained that he had protested against the bill and secured a rebate, or a reduction, which the check represented, and which the books would show.

Check No. 1 was shown for \$32.75, and he explained that owing to the non-arrival of his cabinets for the exhibit he was forced to buy some from the Missouri commission, and afterwards disposed of three to the Argentine republic commissioners. The Argentine man made a check out for too much, and the return check was given when it was found that the payment had been made, the transaction going through at cost.

Mr. Cummings kept but one account in St. Louis, and many of the checks

in his stub book were for private matters, which did not figure in the commission vouchers.

"Did you not consider it wrong of you to keep state money with your private money?"

"No; if there had been no bank I would have kept the money in a sack, I suppose. I kept a strict account of all state expenditures."

The committee adjourned at 1 o'clock until 7:30 tonight. At that time Mr. Cummings will resume his testimony.

Headaches and Neuralgia from Colds. Laxative Bromo Quinine, the world-wide Cold and Grip remedy, removes the cause. Call for it in name and look for signature of E. W. Grove, 25c.

#### IT WAS CARELESS NIGHT.

Fine Program of Veteran Musician Given in the Twentieth Ward.

It was a careless evening in the Twentieth ward last night, made so by the ward clerk, which for the past week or two had been engaged in rehearsing and singing the musical compositions of Prof. Careless. At one time a member of the ward, and one of the best known musicians of the state.

In all, seven of the professor's compositions were rendered, and during the rendition of one of his anthems he conducted the choir. For this number Prof. Joseph J. Daynes, former Tabernacle organist, played the accompaniment. Prof. Careless also gave two violin solos and delivered a brief address, in which he thanked the people of the ward for the recognition and honor they had given him and also referred to some of the difficulties with which the musicians of early day Utah had to contend. He admonished the choir to be thorough in all its work, and to give its leader loyal support in all that he did for its advancement.

The ward chapel was crowded to its capacity, and a most interesting and pleasant evening resulted from the rendition of a program of splendid melodies.

A Guaranteed Cure For Piles. Hebling, Blind, Bleeding or Protruding Piles. Your druggist will refund money if CLEVER'S OINTMENT fails to cure you in six to fourteen days. 60c.

AMUSEMENTS.

The only theatrical performance in the largest amusement house this evening was "His Absent Boy," which will be given at the Grand by the Harry Corson Clarke Stock company. The production will close on Wednesday night and make room for "Rags to Riches," which will run for the remainder of the week, the last half of which Mr. Clarke and company will put in at Ogden, returning, however, to continue their work at the Grand next week.

At 8 o'clock tonight the gigantic "Mother Goose" production will reach Salt Lake. From that time on the stage of the Salt Lake Theater will be one of the busiest places imaginable. The spectacle, as is well known, being its run on Broadway, and Salt Lake, which have been phenomenal, continue heavy, many demands coming in from the outside. The indications point to standing room only throughout the entire engagement of seven performances.

Singers are wanted for the Musical Art Singing Society. To give Cantata, Oratorio and Opera. Special inducements offered to members. See Chas. F. Carlson, 601 Templeton bldg.

MOUNT PLEASANT AND RETURN \$2.50 Via D. & R. G., Wednesday, Mar. 8th

Woodmen of the World Exchange. Everybody invited. Leave Salt Lake at 8:00 a. m.

SERIES OF RUNAWAYS.

Street Sweeper Starts Up Very Lively And Alarming Complications.

There was a much tangled and complicated runaway on South Main street this morning at 10 o'clock, resulting in one smashed wagon, and an automobile damaged to the extent of about \$75. It was in his wild career, a blundering of a street sweeper, who was evidently asleep at his work. According to all accounts, this man came up the street sweeping without giving any heed as to what he was doing, and splashed a lot of muddy water into the face of a horse attached to a light wagon, and fastened by strap to the curb.

The water frightened the animal so that he reared up, broke his strap and started up street. He had not gone over 50 feet before he crashed into "Tuttle's" automobile, standing in front of the Progress building. The collision knocked out the steering gear, smashed the acetylene lamp, and demolished the trumpet. The runaway then continued northward, and ran into a Singer Sewing machine wagon which it overturned, horse and all. The latter animal was speedily captured, but the runaway managed to travel a little farther in his wild career, and collided with a Wells-Fargo delivery wagon. The horse attached to the delivery wagon promptly ran away, but was headed off at the corner of First and Second streets.

The runaway then proceeded against a street pole, reducing its wagon to kindling, but was caught before proceeding further. The driver of the Progress building, who was near by, rushed to the front of the runaway near the Grand theater.

100 Doses For One Dollar

Economy in medicine must be measured by two things—cost and effect. It cannot be measured by either alone. It is greatest in that medicine that does the most for the money—that radically and permanently cures at the least expense. That medicine is

Hood's Sarsaparilla

It purifies and enriches the blood, cures pimples, eczema and all eruptions, tired, languid feelings, loss of appetite and general debility.

"I have taken Hood's Sarsaparilla and found it reliable and giving perfect satisfaction. It takes away that tired feeling, gives energy and puts the blood in good condition." Mrs. E. C. Jones, 1535 10th Street, N. W., Washington, D. C.

Hood's Sarsaparilla promises to cure and does the promise.

American, \$2.50 to \$4.00. The Kenyon Hotel

European, \$1.00 to \$3.00.

## SPECIAL HEARING ON BOUNTY FRAUDS

Interesting Session of Joint Legislative Committee Was Held This Morning.

BANKERS TELL THEIR STORY.

Men Who Bought Fraudulent Warrants Relate How They Purchased Them From Alleged Grifters.

How the fraudulent bounty claims passed from the hands of grifters into the hands of innocent purchasers of state negotiable papers, and the amounts held by each purchaser, was the subject of a special hearing before the legislative joint committee on bounties this morning.

The matter of the responsibility of the state for the \$30,000 outstanding on fraudulent claims, and the \$20,000 outstanding under the old law on genuine kills, figured largely in the hearing, at which representatives from many Salt Lake and Ogden banks, as well as brokers and buyers of scrip were present.

The conclusion of the committee appeared to be that it would probably recommend an appropriation to cover the amount actually paid for these claims by the various holders, which according to their testimony ranged from a discount of 15 to 25 per cent.

The questions for the committee were asked by Representative Wm. McCrea, of Salt Lake, while Senator Lawrence presided at the conference.

Suspensions were there in plenty in the minds of all buyers as to how the certain "His Absent Boy," which will be given at the Grand by the Harry Corson Clarke Stock company. The production will close on Wednesday night and make room for "Rags to Riches," which will run for the remainder of the week, the last half of which Mr. Clarke and company will put in at Ogden, returning, however, to continue their work at the Grand next week.

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## THE BREACH IN THE LEGISLATURE

Trouble Between the Senate and House Assumed New Form Today.

WANTS SPEAKER TO EXPLAIN.

Claimed that it is Necessary to Have An Understanding at Once in Interest of the Public.

The breach between the house and the senate ceased to be a matter of informal discussion when Senator Lawrence this afternoon, formally called the attention of the senate to the situation. He was supported by Hollingsworth, Callister and Walton. He spoke with feeling against the attitude recently assumed by the house and said he was in favor of addressing a communication to Speaker Hull requesting an explanation. The debate was provoked by the receipt of a communication from Speaker Hull persisting in his refusal to sign S. B. 57 which had passed the senate after being amended by the house when a chaser came from the house stating that it had been killed.

Lawrence said that there were now 43 senate bills before the house, and it was so manipulating the consideration of measures that the Legislature faced a deadlock. He said that the house was holding up the senate bills during this session, the house considering only house measures.

Lawrence read from the house minutes a motion of Rogers that all house measures go first on the docket, and that senate bills 60 and 68 go to the foot of the calendar where all subsequent senate bills were to follow. The senator held that this action was very disrespectful to the senate and detrimental to the public welfare. He finished his talk with the declaration that if the house desired to consider only house bills it had enough on hand to keep it busy for 60 or 90 days beyond the end of the session. He therefore wondered whether the senate measures would get any consideration unless a change of policy was instituted at once.

BUSY IN THE SENATE.

A busy senate session was that which opened the last week of the Legislature this afternoon. Three big bills up for final action gave zest to the debating, while 10 other measures received their final passage. Only two measures of the day before the rush at the end.

The special order measures on which debate was centered, were S. B. 119, by Lawrence, on discrimination against newspapers; S. B. 37 by Lawrence, on bucket shopping; and S. B. 92 by Johnson, on the practice of osteopathy.

Other important measures were up for final action. S. B. 119, by Lawrence, on discrimination against newspapers; S. B. 37 by Lawrence, on bucket shopping; and S. B. 92 by Johnson, on the practice of osteopathy.

S. B. 88, by Lawrence, Practice of dentistry; S. B. 108, by Walton, state laboratory; S. B. 12, by Lawrence, serology; S. B. 13, by Lawrence, committee on horticulture; H. B. 34, by Marks, accounts and settlement of estates; H. B. 149, by Marks, property on deceased persons; H. B. 145, by Marks, on the death of a person; H. B. 168, by Edwards, county commissioners.

COMPARATIVE RECORDS.

The comparative records of the two bodies makes an interesting item in view of the charges made that each house is treating the other unfairly, in handling its measures.

The senate has introduced 132 bills. Forty-eight bills are still in the house.

The senate has 24 house bills in committee. It has reflected 16 house bills and passed 49 of them. Only two senate bills have passed the house. The senate has rejected nine of its own bills.

HOUSE WILL BE FAIR.

Takes an Action That Should Mollify Feelings of Senate.

At this afternoon's session of the house, Wilson moved that the part of a calendar remaining from one day to another be taken up as unfinished business, so that senate bills would not be discriminated against in coming up for regular consideration. The motion carried.

By consent, Hawley introduced a bill relating to the killing of horses, cattle, etc., on the range, explaining as he did that there was no law at present on this subject.

COMMITTEE REPORTS.

The committee on Judiciary recommended the passage of S. B. 89, by Hollingsworth, relating to the ownership of maps; also the non-passage of S. B. 70, by Hollingsworth, exempting wages payable out of the state, from attachment or garnishment.

The committee on claims and public accounts recommended the payment of \$1,000 to the Logan & Richmond irrigation district for damages on account of seepage and slides from the Agricultural college farm at Logan. The company put in a claim for \$4,210, but the appropriation mentioned perpetually releases the state from all future liability.

The same committee recommended the payment of the following: M. Deane, for defending title to land bought of the state, and claiming aggregating between \$5,000 and \$7,000, refund of money paid for school lands settled upon prior to March 1, 1860.

The committee on education and art recommended the non-passage of S. B. 96 by Walton, providing for the establishment of a course of instruction at public schools, on sanitation and prevention of disease.

FOR THIRD READING.

Bills scheduled for third reading this afternoon.

William H. Pitt, of the drug firm of Godbe, Pitt & Company, died of pneumonia.

TEN YEARS AGO TODAY.

Hon. John Henry Smith was elected president of the Constitutional convention. Parley P. Christensen was made secretary.

President A. O. Smoot of the Utah stake died at his home in Provo.

FIVE YEARS AGO TODAY.

John H. Bentrock was on the witness stand most of the day in his own behalf on the charge of murdering Burton C. Morris.

President E. L. Horne of the University of Maine committed suicide by shooting.

Always Remember the Full Name Laxative Bromo Quinine Cures a Cold in One Day, Grip in 2 Days

on every box 25c



The J. G. McDonald Candy Co. are the sole manufacturers of WHIPPED CREAM CHOCOLATES and propose to protect the public against imitations.

We are also the originators of Opera Bar, Za Za Bar, Sapho Bar, Chocolate Foam Bar, Nuttlets, and Druggist Stick. On some of these articles we have been copied and the public deceived, but as yet there is no imitation on our WHIPPED CREAM CHOCOLATES. We take this opportunity of advising you that McDonald's is the original, and we will protect our interests against infringers.

J. G. McDonald Candy Co.

afternoon were as follows: House bills Nos. 172, 202, 208, 198, 181, 175, 177, and Senate bills Nos. 91, 120 and S. J. M. No. 3. Of these H. B. 177, comes up for reconsideration, this being the measure creating a state capitol building. It was brought up for reconsideration several days ago.

The friends of S. B. 42, appropriating the sum of \$30,000 for an exhibit at the Lewis and Clark exposition, were hopeful of the success of this measure when, called up for reconsideration this afternoon.

BIG WATER SUIT.

Irrigation Company Wants \$60,000 in Damages for Alleged Loss.

The waters of Emigration canyon creek are the basis of a \$60,000 damages suit filed in the district court today by the Emigration Dam & Ditch company against Salt Lake City, Land & Water Commissioner Ben D. Luce and Sup. of Waterworks Frank L. Hines. The complaint alleges that plaintiff is the owner of one-seventh of the original flow of the creek and of all the surplus waters of the same and that in 1890 the city unlawfully took possession of the waters and drove tunnels in the banks of the creek to divert the water and in 1901 built a dam above the point where plaintiff takes its water out of the creek and thereby prevents the water from flowing into plaintiff's canal.

By reason of being deprived of the use of the water plaintiff alleges that it has been damaged in the total sum of \$60,000. It is asked that plaintiff's title to the water be quieted and that an injunction be issued to prevent defendants from further interfering with the flow of the creek into plaintiff's canal.

BUSINESS NOTES.

Today's local bank clearings amounted to \$517,438.75, as against \$524,441.23 for the same day last year.

Three new companies filed copies of their articles of incorporation in the secretary of state's office today. The Utah-Nevada Copper company, of which Mr. W. M. Ingalls is secretary; E. T. Wolverton of Elgin, Utah, resident agent for this state, The Wave Publishing company of Heber City, Utah, and a corporation of \$10,000, divided into shares of the par value of \$10 each.

W. H. Smart is president; William Buys, vice president; J. W. Musser, secretary and treasurer. The company's capital stock is \$3,000, divided into shares of the par value of \$1 each. J. W. Rosevear, Jr. is president; Bertha Rosevear, Jr., secretary and treasurer.

The transfer of the W. A. Nolden Drug company's real estate on South Main street to Herman H. Nolden, Jr., of the same name, is merely the turning over to cash the company's holdings in the local realty, and the property was bought by Mr. Nolden, Jr., one of the company's directors, merely as an investment. It does not mean any change in the firm's personnel or in its business.

The Salt Lake Mattress & Manufacturing company of this city filed its articles of incorporation in the county clerk's office today. Its capital stock is \$20,000, divided into shares of the par value of \$1 each. Frederick Eberhardt is president; W. W. Reesink, vice president; A. E. Eberhardt, secretary and treasurer.

Chief of Police Assassinated.

Bialystock, Russian Poland, March 6. The chief of police of Bialystock has been assassinated.

JUDGE J. H. REAGAN DEAD.

Was Sole Surviving Member of The Confederate Cabinet.

Houston, Tex., March 6—Judge John H. Reagan, sole surviving member of the confederate cabinet, died today at Palestine, Tex., of pneumonia.

Judge Reagan, who was 58 years of age, has been in failing health for a year or more.

DIED.

THORNBURG—At 25 East Fifth South street this city, March 5, of general debility, Anna Thornburg, wife of B. E. Thornburg; born March 5, 1843, in Sweden.

Funeral services will be held Wednesday at 2 p. m. from the family residence, 25 East Fifth South street.

Witness the clerk of said court with the seal thereof affixed this 4th day of March 1905.

(Seal) J. U. ELDERIDGE JR., Clerk. By W. H. Farnsworth, Deputy Clerk. Thos. Adams, Attorney for petitioner.

IN THE DISTRICT COURT, Probate Division, in and for Salt Lake County, State of Utah. In the matter of the estate of Mary John, deceased. Notice.—The petition of David John, Executor of the estate of Mary John, deceased, praying for the approval and settlement of said account, and for an order of sale of real property of said decedent, and that all persons interested appearing and allowing account and to sell so much as shall be necessary, of the following described real estate of said decedent, to-wit:

The south one-fourth (1/4) of lot five (5), Block forty-three (43), plat "B," Salt Lake City Survey, in Salt Lake County, State of Utah, beginning at the southeast corner of said Lot five (5) and running thence north five (5) rods, west ten (10) rods to the place of beginning. Has been set for hearing on Saturday the 18th day of March, A. D. 1905, at 10 o'clock in the forenoon, in the Court Room of said County, in Salt Lake City, Salt Lake County, Utah.

Witness the Clerk of said court, with the seal thereof affixed this 4th day of March 1905.

(Seal) J. U. ELDERIDGE JR., Clerk. By W. H. Farnsworth, Deputy Clerk. Thos. Adams, Attorney for petitioner.

IN THE DISTRICT COURT, Probate Division, in and for Salt Lake County, State of Utah. In the matter of the estate of James Whitehead, deceased.—Notice.—The petition of James Whitehead, administrator of the estate of James Whitehead, deceased, praying for the distribution of the residue of said estate to the persons entitled, has been set for hearing on Saturday the 18th day of March, A. D. 1905, at 10 o'clock in the forenoon, in the Court Room of said County, in Salt Lake City, Salt Lake County, Utah.

Witness the clerk of said court with the seal thereof affixed this 4th day of March 1905.

(Seal) J. U. ELDERIDGE JR., Clerk. By W. H. Farnsworth, Deputy Clerk. Thos. Adams, Attorney for petitioner.