

acted he would not press the matter, whereupon Admiral Dewey remarked: "You had better not ask that question."

The incident was closed by the withdrawal of the question. At this stage of the proceedings, Capt. Lemly introduced as part of the record two letters from Commodore Schley to Admiral Sampson, both dated May 23, 1898, the first saying that he was by no means satisfied that the Spanish squadron was not at Cienfuegos and the second telling of the information he had received through the British steamer Adula.

AN EXCITING INCIDENT.

A somewhat exciting incident arose between Judge-Advocate Lemly and Mr. Raynor. When Lieut. Commander Staunton was excused, Mr. Raynor asked him to present as evidence a supplementary chart prepared by Lieut. Dyson, of the bureau of steam engineering, showing the speed of the vessels of the Spanish squadron. Capt. Lemly objected on the ground that this evidence was not pertinent at this stage of the proceedings.

Mr. Raynor replied that it had been agreed between counsel that it should be put in and he wanted to introduce it before the testimony got too far away from the evidence bearing upon the coal supply.

Capt. Lemly said he had witnesses present and wished to proceed with the taking of verbal testimony. Admiral Dewey—What objection is there?

Capt. Lemly—I do not think it is the time to do it, sir.

Admiral Dewey—The witnesses can come down Monday. Unless there is some reason why it should not go in now it is a courtesy to the counsel. What objection is there? We want to know the objection.

Mr. Raynor here undertook to read a statement accompanying the chart, when Capt. Lemly, rising and with reference to Mr. Raynor, "He is not accurate in his statements, if the court please. On the contrary, he is very inaccurate. He holds a paper before him and reads what is not on that paper. He has repeatedly done it."

There was a ripple of laughter through the room when this statement was made and some persons inside the railing joined in but it was evident that Mr. Raynor did not accept the remark as intended to be good-natured. His face flushed when he replied, which he did without rising, saying: "If he repeats it outside the court I will say it is false."

Capt. Lemly—If he states that outside the court it is another matter, but if he states it in the court, it is highly improper.

LT. TWINING SWORN.

While counsel were still talking back and forth at each other, Admiral Dewey arose and addressed the oath to the next witness, Lieut. Nathan C. Twining, formerly of the battleship Iowa. Lieut. Twining's testimony covered the events already brought up as to the sinking of Cienfuegos and the bombardment of the "Cristobal Colon" in the harbor at Santiago on May 31.

When Lieut. Twining had concluded and the court adjourned to adjudge Mr. Raynor arose and addressing the court, said: "I would like to call the attention of the court to what I consider a very disagreeable attack of the Judge-advocate, I have just made."

Mr. Raynor arose and addressing the court, said: "I would like to call the attention of the court to what I consider a very disagreeable attack of the Judge-advocate, I have just made."

The utmost degree of courtesy and politeness. It has not occurred once, but at least little objection that comes in brings the most terrible humor possible on his part. I have said as this: He made a statement this morning which reflected on me; that we read things to the court that did not exist and did not read things that did exist. Any man with any degree of sensibility would object to that and I do not think my brother wants that statement to go to the court. They have tried the case impartially and fairly. There has been no statement about their trial of the case at all, but when I have read a report not thinking the last part would bear on the case the point which I did not read the whole of it. These things are very objectionable to Admiral Schley and myself and I think the gentlemen owe a statement in regard to that."

Capt. Lemly—If the court please, I have to stand upon the record in this matter. It was not my intention to be offensive, and when the counsel speaks of my temper, I must say that I am not a temperamental man. I have been very patient and fair. There has been no statement about their trial of the case at all, but when I have read a report not thinking the last part would bear on the case the point which I did not read the whole of it. These things are very objectionable to Admiral Schley and myself and I think the gentlemen owe a statement in regard to that."

Admiral Dewey—I think that ought to be enough. The statement of the Judge-advocate should be enough. The court understands that the Judge-advocate had no intention of wounding the feelings of either of you and the court now adjourns.

Accordingly, at 1 o'clock, the court adjourned until Monday.

Wife Suspected of Poisoning Husband

St. Paul, Minn., Oct. 12.—A Bozeman, Mont., special agent, Eugene J. O'Connell, John Black, a wealthy rancher, resident of Gallatin valley, died last night from morphine poisoning. His wife and hired man are under arrest charged with the crime. Black is said to be over 50 years of age.

Annual Baseball Meeting.

Chicago, Oct. 12.—Owing to the unsettled condition in baseball, it has been decided to hold the annual meeting of the American League in this city December 2, instead of at Westborough, the date set in the league constitution. By December it is thought the personnel of the teams will have been perfected.

The Thirteenth Infantry Arrives.

San Francisco, Oct. 12.—The United States transport Kilpatrick with the Thirteenth Infantry on board arrived here today, thirty days from Manila.

Celebrating Vichow's Birthday.

Berlin, Oct. 12.—Prominent men of science from all parts of the world assembled here today to join in the celebration of the eightieth birthday of Prof. Vichow. The newspapers today devote columns to eulogy of the professor, reviews of his life, instances of his remarkable vitality and incessant work, referring to the fact that he only allows himself four or five hours sleep daily.

HONOR FOR UTAH BOY.

E. R. Morgan, Appointed Assistant to Elwood Mead at Cheyenne.

Prof. R. L. Lyman of the University of Utah received today a telegram from Clarence T. Johnston, assistant to Prof. Elwood Mead in the government experiment station at Cheyenne, department of irrigation investigations, stating that E. R. Morgan has been appointed as assistant at the station and directing him to report at once at the Cheyenne station.

NO RACES TOMORROW.

The Salt Palace management announced this afternoon that, owing to the funeral of President Snow, there will be no race at the Salt Palace tomorrow. Julius will probably go after the 100-mile record one week from tomorrow. There will be races next Saturday afternoon.

WILL DECIDE ON THE BEST SURVEY

Chief Engineer Henry Hawgood of San Pedro is in the City.

IS GOING OVER LINES RUN.

He Will Personally Inspect Three Proposed Entries of Clark Road Into This State and City.

Chief Engineer Henry Hawgood of the San Pedro, Los Angeles & Salt Lake road arrived in this city from Los Angeles at 5 o'clock yesterday afternoon in order to look into the situation at this end of the projected line with the object in view of deciding upon one of the three surveys that have been made by Assistant Chief Engineer H. M. McCartney into Salt Lake City.

When seen this morning at the offices of the company in the McCormick block Mr. Hawgood was busily engaged in the engineer's office investigating the work which had been accomplished here. "We are making good progress," he said in answer to a question, "and just as soon as the pending suits at Carson City have been settled the contracts for grading at this end of the line will be let and the work pushed. If you can tell me when this decision will be forthcoming, then I will be in a position to say just when the contracts will be let," he added.

Mr. Hawgood then went on to state that he expected to be in Salt Lake for a few days and before he returned a decision would be reached as to one of the preliminary surveys that had been made with Assistant Chief Engineer McCartney, after which he would be in a position to come into Salt Lake, and make his report to the directors for their approval.

Mr. Hawgood was enthusiastic over the work that had been already done in California and expressed the opinion that as soon as the pending litigation with the Short Line had arrived at a definite conclusion that dirt would begin to fly.

AFTER TWENTY YEARS.

Fifteen Suits Filed in Denver by Col. Cook Against Railroads.

Denver, Colo., Oct. 12.—The News today says:

Fifteen suits, aggregating nearly \$1,500,000, have been filed in the federal court in this city. These suits are against all the principal railroads having representatives in Denver. A larger batch will be filed in Chicago and New York, and the total sum asked for will be greatly increased. The suits have been brought by Col. Geo. W. Cook, formerly connected with the Denver & Rio Grande railway. They are aimed at all the railroads and car companies of the United States and Canada. They involve adjudication of a patent car brake, which was originated in Denver nearly twenty years ago.

The suits are for infringements of the brake the principles of which are alleged now to be in actual application on every railroad in the continent. The patent was issued March 27, 1883, to Simon P. Weller, Sylvanus Wane and George Roesech, all of Denver. Weller is now master mechanic of the Missouri Pacific road at Sedalia, Mo.

Judge Stuart D. Walling, of this city, has been engaged to look after the Denver end of the case for the plaintiffs, and U. S. Senator J. R. Burton, of Kansas, Dyerforth, Drydenforth & Lee, Chicago, and L. C. Boyle of New York will also assist in the case.

The following are a few of the principal claims:

Pennsylvania, \$310,942; Southern Pacific, \$211,590; New York Central, \$295,267; Pullman, \$283,125; Santa Fe, \$187,678; Union Pacific, \$115,927; Erie, \$254,947; Baltimore & Ohio, \$235,394.

The agreement is based upon a charge of \$750 for each car upon which the patented brake is used.

SPIKE AND RAIL.

General Manager Bancroft of the Oregon Short Line has returned from his Idaho trip.

Erasmus Young, the auditor of the Union Pacific, is in the city on one of his frequent trips.

The Rio Grande Western has a gang of men at work tearing up the old track on Eighth street.

Hoyt Sherman, general agent for the Colorado & Southern, has returned from an extended trip of the Northwest.

General Superintendent E. E. Calvin of the Oregon Short Line will return from Wyoming tomorrow morning.

Assistant Traffic Manager Babcock of the Rio Grande Western is expected to return from the East on Monday.

No passes will be honored on the funeral special which leaves for Klamath Falls, Oregon, for Brigham City at 1:30 p. m. tomorrow.

Joshua T. Brooke, second vice president of the Pennsylvania, died at his home at Salem, Ohio, on Thursday of Bright's disease.

The plan to abolish railroad passes December 31 next and wipe them out of existence was defeated at a meeting in Chicago yesterday.

The Oregon Short Line has a force of surveyors in the vicinity of Price who are resurveying the line in order to replace the blue prints which were destroyed in the big fire.

The Colorado Springs and Cripple Creek District railroad announces that the passenger traffic on the Victoria branch will be opened up by November 1. The rails are practically all down.

The hearing of the map cases in the matter of the right of way between the Short Line and the San Pedro has been postponed by adjournment until Nov. 7. The case was to have been heard at Carson City on Tuesday.

Cockey Eagle: E. H. Dewey, vice president and general manager of the B. N. & O., states that steel has been laid on the new road to Emmett as far as Boise river, and a large force of carpenters are at work constructing the bridge across the channel. The bridge will be in the neighborhood of 500 feet in length when completed. About fifty-five Japs are now at work on the line. The distance from the river to Emmett is nineteen miles, and the foot of the iron horse will be heard in Emmett some time in November.

CONCERT POSTPONED.

On account of the funeral of the late President Snow the concert which was to have been given in the Grand theater by E. R. Morgan has been postponed for one week. The band will go to Brigham City with the funeral train in the afternoon, returning in the evening.

CHAPTER OF SUICIDES.

Three People Die by Their Own Hand at Park City.

(Special to the "News.")

Park City, Utah, Oct. 12.—A suicide mania seems to have struck this city for three of the residents have ended their lives, each one choosing a different method by which to cut short his earthly career. The first one of the rash trio was William Luebeck, who hanged himself in a barn on Thursday night.

Little can be learned about him as his family are unwilling to say anything about the affair. It is thought that domestic unhappiness was the chief cause of his desperate deed.

The next one to raise his hand against himself was August Barton, who cut his throat with a jack knife last night. He died this morning at 3 o'clock. Two other members of the same family have attempted to kill themselves but failed.

A dissolute woman, living in one of the notorious houses here, administered a large quantity of poison to herself last night in a fit of despondency. She is not dead yet, but the doctors say she cannot live.

How ABOUT FALLEN MEN? Mrs. Hutchinson's Interesting Address on "One Standard of Morals."

Mrs. W. R. Hutchinson read a very original and impressive paper on "One Standard of Morals," before the Ladies' Literary club yesterday afternoon. The club applauded the views entertained by the author of the paper. The leading idea was that the same standard of morals should be exacted of both sexes and that the sinful man should be as much condemned as the sinful woman.

After eulogizing the work of the women in equalizing both sexes before the law, and alluding to the ancient female celebrities and pointing out the fact that evil women are intellectual were honored in those days. Such women today, said she, are shunned and excluded from society, but in those days they were flattered and honored.

The command "Thou shalt not commit adultery" was given to the whole race, not to women alone, and to effect that a woman should be as good as the man. The public must be educated up to the idea of "A pure life for two."

"As women," continued Mrs. Hutchinson, "we are too nervous on our own sex and not severe enough on the opposite one. Who among us is brave enough to invite a fallen woman to partake of our hospitality? But how many fallen men are invited to our homes and no question asked? Every time immemorial we have read of fallen and outcast women. I believe the time has come when the same term should be applied to sinning men, and they should be branded with the same infamy with which similar sins mark women. Mark him as an outcast and call him so. Send him outcast from our homes as we have sent outcast women."

The paper went on to say that all women should be pleased with the measure passed in England recently, providing, in connection with the prosecution of lewdness of women of ill repute, for the punishment of any man found there. The speaker hoped it would have a telling effect on legislation in other countries.

"Why not begin missions for fallen men?" the speaker asked. "What is the church doing for fallen men? Why not rescue the man first. Save him and there will be no such thing in all the land as fallen women. Let every woman give man to understand that for purity in herself she exacts purity in them."

LOGAN NOMINEES.

Democratic Primaries Held in Various Precincts of City.

(Special to the "News.")

Logan, Oct. 12.—The Democratic primaries were held in the various districts of the city last evening and the following were nominated as councilmen:

First District—N. T. Johnson, N. N. Hansen. Second District—H. B. Smith, C. D. W. Fullmer. Third District—N. A. Ballard, Wm. Andrews. Fourth District—W. B. Preston, Jr., John Dable. Fifth District—Charles Batt, T. O. Hansen.

The Democratic city convention met this morning at 11 o'clock and elected Lyman R. Martineau chairman, and L. S. Cardon, secretary. The convention then adjourned until 2 p. m., when the reports of the various committees will be heard.

WILL BE A "DRY" SABBATH.

Formal Announcement That Saloons Will Be Closed Tomorrow.

"The saloons will be closed tomorrow and closed tight. There will be no favoritism shown at all. The order will go forth and if any of the saloon men violate it they will be brought in just."

Dyspepsia

What's the use of a good cook if there's a bad stomach, —a stomach too weak properly to digest what is taken into it?

The owner of such a stomach experiences distress after eating, nausea between meals, and is troubled with belching and fits of nervous headache —he's dyspeptic and miserable.

"I have been troubled with dyspepsia and have suffered almost everything. I have tried many different remedies, but could get no relief until I began taking Hood's Sarsaparilla. After the use of this medicine I could eat without distress, and today I am as well as ever, but I always keep Hood's Sarsaparilla on hand."

Mrs. J. A. Crowell, Canajoharie, N. Y. "My stomach was weak. Reading how much Hood's Sarsaparilla had done other people, I was encouraged to try it. My stomach soon grew stronger and now I can eat almost anything. My husband and I take Hood's for our blood in spring with good results." Mrs. A. J. Greeley, East North Yarmouth, Me.

Hood's Sarsaparilla and Pills

Cure dyspepsia, strengthen and tone all the digestive organs, and build up the whole system.

State Fair 1901.



GOLD MEDAL (HIGHEST PRIZE) AWARDED.

Three Crown Baking Powder, Gold Medal; Three Crown Spices, Gold Medal; Three Crown Flavoring Extracts, Gold Medal. Merit will tell; buy the best, and you will never be deceived.

HEWLETT BROS. CO.

as fast as we can bring them in." The above statement was made this morning by Chief of Police Hilton to a "News" man, and he said it in a manner that clearly indicated he meant just what he said. The chief was asked what he was going to do with reference to closing the saloons tomorrow and he said that he would have all the saloons notified this afternoon and tonight that they must not sell liquor on Sunday hereafter. He also said the order would be in force just as long as he had the power to enforce it.

"Will you use any extra men to see that the order is carried out to the letter?" asked the reporter.

"I will use all the available men, myself included," said Chief Hilton. "I do not anticipate any trouble on the part of the saloonkeepers. Because the saloonkeepers will be given to understand that we are not fooling; that we mean just what we say. There are about 78 saloons and we will have at the most 40 men. With that force I will do the best I can."

This means that tomorrow will be a "dry Sunday." The news will be hailed with gladness by the majority of saloonkeepers. Most of them are nearly in favor of Sunday closing. One saloon man said the other day in speaking of the matter: "If every liquor dealer in the city was as apologetic as the subject, I may say the majority of them would be in favor of the proposition. If all the places are closed up tight it will be just as good for us, and there will be no kick. Of course, if any one of our places sell the quiet, some of the others are bound to fall into line because they do not like to get the worst of it."

Chief Hilton says every place will be carefully watched, and the man who violates the ordinance will be hauled up and it will go hard with him.

WARD ENTERTAINMENTS.

The following program will be given in the Eighteenth ward school house on Monday evening, Oct. 14, at 8 p. m., in honor of Xavier Sager, who leaves Oct. 15 for a mission to Germany.

Solo Clara Whimer Recitation Geo. D. Pyper Duet Genevieve and Ethel Bell Solo Charley Pike Recitation Belle Richards Solo Essie Edmunds-Newman Mock Ballad Wm. Willis Solo Prof. Anthony Lund Quartet Messrs. Pyper, Whitney, Patrick and Spencer Solo H. C. Sharp Recitation Stanley D. Johnson Solo Mrs. Lily Pye-Bradford Guitar solo Prof. C. D. Schettler Solo Thos. Ashworth Remarks Elmer O. P. Whitney

ASKS POLICE PROTECTION.

S. Meledonian Registers an Objection To Practical Jokes.

When S. Meledonian of 208 West First North street heard a tap at his door last night, he answered it expecting to see a caller. But he had hardly turned the knob when the door flew open and two heavy beams of wood fell on him, and came very nearly crushing him to the floor. "This is a joke," he said, "involving in his mind is: 'Was it a joke or an attempt to kill me?'"

He thought the matter over quite easily but could arrive at no satisfactory conclusion. This morning he awoke with the idea firmly impressed upon his mind that it was a deliberate attempt to crush the life out of him, and he reported the incident to the police.

BUILDING PERMITS.

The following building permits were issued during the week:

W. W. Beckstead, cor. Seventh South and State, frame addition, \$1,000. J. J. Vincent, 641 east Third South, frame addition, \$50. Joseph Buckley, 338 east Sixth South, brick cottage, \$600. Spencer Clawson, 331-133 Main, alterations, \$2,000. E. Harris, 1038 south Tenth East, brick cottage, \$700. Third South, iron stable, \$100. H. J. Smith, 723 south West Temple, brick addition, \$200. M. Bailey, Fifth South between Roberts & Blumquist, 158 east Third South, iron stable, \$3,000. Mine & Smelter Supply Co., Broadway, Storage room, \$1,400. Mrs. A. C. Teasdale, cor. First and C, double brick residence, \$8,900. Boyd Park, 170 Main street, alterations, \$400. Total, \$15,420.

Kentucky Postoffice Robbed.

Danville, Ky., Oct. 12.—At Harrodsburg, ten miles from here, five men early today robbed the postoffice, securing a small sum of money and afterwards attempted to effect an entrance to the Meyer National Bank. Before they succeeded they were discovered by Policemen Britton and Brown, who opened fire upon them. A miniature battle during which forty shots were exchanged, and one of the robbers was wounded. The robbers then retreated, taking their disabled comrade with them, and effected their escape. Officers in surrounding towns were notified and a posse with bloodhounds is in pursuit.

DELVECCHIO CASE REACHES THE JURY

Arguments on the Part of the State And Defense.

STRONG PLEA FOR AN ALIBI

Attorney Truman Picks Several Flaws In the Evidence of the Witnesses For the Prosecution.

The Delvecchio rape case went to the jury at ten minutes to twelve o'clock this morning. The verdict depends entirely on the evidence given to the jury, which commenced at 9 o'clock, court having been convened an hour earlier than usual to insure completion of the arguments by noon.

Prosecutor Elchorn opened the arguments at a few minutes after 9 o'clock and talked for three-quarters of an hour. The district attorney drew particular attention to the struggle and the indelible picture which must have been drawn of her assailant in the mind of the victim.

Mr. Truman for the defense attempted to show that this very circumstance would make it very improbable that Bertha Westlund should be able to recognize the man who committed the assault. He argued that the night was dark and they were far from an electric light, and the prosecutrix had herself testified that the first look she had had at the defendant was when she was struggling with him and his face was almost fourteen inches from hers. Moreover, the girls had asserted that the assault took place on Tenth South between Fourth and Fifth West, while Officer Pack had said that where he had discovered the broken fan, the hairpins, etc., had been between Third and Fourth West. Then again when the lad had been arrested he had his guitar and mandolin with him and was standing on the bridge stumping on the guitar, while the girls were positive that they saw no musical instruments with him. Bertha Westlund had testified that she had scratched her ravisher's face. There was not a mark on this defendant's face when he was arrested a few hours after the assault and brought before his accusers. Again the prosecutrix, who is a very tall girl had said that the man was about the same height as herself, but the defendant is only five feet Delvecchio is fully three inches shorter.

Counsel then went on to impress on the jury the difficulty of absolute identification. He cited the case of the celebrated Tichborne trial in England when the claimant to the immense Tichborne estate in Australia had been identified by the forty witnesses including Tichborne's mother, and yet he had turned out to be an impostor. He cited a Massachusetts case where the assailant of two little girls had been positively identified, but the defense had brought witnesses to prove beyond a doubt that the defendant on the occasion of the assault had been in New Hampshire and the jury acquitted him.

Mr. Elchorn again took the jury in hand, and made a strong statement for the defense. He laid stress on the "trumped evidence for an alibi." Judge Stewart then instructed the jury. His instructions were as usual fair and very complete. The court then took a recess till 1:30 o'clock.

BRIDGE BILL

Convicted Man Too Sick to Appear for Sentence.

J. Bridge, the attempted ravisher of little Ellen Lund, who was indicted in the county jail, and was unable to appear before Judge Stewart for sentence this morning. His time of sentence was continued till October 28.

MOTION FOR NEW TRIAL

Att'y Wantless Asks for a Re-Opening in King and Lynch Trial.

Attorney W. F. Wantless made a motion this afternoon for a new trial for King and Lynch, the murderers of Col. Provost. He cited the case of the testimony given by William Meyers, who said that he sold King and Lynch the handkerchiefs and satchel, was false. Meyers also says that he has partially identified James Delaney from his photograph as the man who was along with Lynch at the time of the shooting. The pair served six years together in the Idaho penitentiary.

COURT NOTES.

George W. Lindsay's sentence for housebreaking was pronounced by Judge Stewart this morning to be six months in the state prison.

John Wilson pleaded not guilty to attempted burglary.

Honorable Claypool was on the testimony of herself and her son that her husband had deserted her six years ago, granted a decree of divorce by Judge Stewart this afternoon.

Celia Harris has brought a suit for damages against Charles Gilmore for the unlawful detention of a Jersey bull on Aug. 2.

Walter M. and Eva Heath are suing Della H. Thatcher et al. to establish their right in certain premises in lot 2, block 14, plat E.

P. C. Stradford is suing George E. Garrett for \$155 damages for running into his horse and buggy on Aug. 2.

In the three bankruptcy cases of Eugene M. Cannon, trustee for Crane Brothers against Riter Brothers Drug company, Heber Crain and the Co-op Wagon and Machine company, which were tried some time ago, Judge Morse today in each case found the issues for the defendant.

In the case of Lizzie M. Margot vs. P. E. McCurran & Co., in which plaintiff claimed that she had not had the property delivered to her which she bought, the court allowed plaintiff \$25 damages and costs.

In the case of W. Horace, who had a chattel mortgage on William Harrell's drug store, the court allowed the plaintiff three glass counter registers, one heating stove and one cash register, valued at \$65.

In E. E. Rich vs. P. A. Drobny the court found for the plaintiff for \$33.33 and costs.

J. Hauge was assessed \$10 in the case of Theresa Hesselberg vs. J. Hauge.

In the case of Addison Cain vs. Martha Luddington et al. the court allowed plaintiff \$1.62 and \$146 attorney's fees.

The case of the Zang Brewing company vs. F. Christensen was dismissed as a settlement having been effected out of court.

Judgment was entered in favor of S. B. Miller for \$1,755.19 against Salt Lake City Water and Electric Power company et al.

STOVES, RANGES, HEATERS.

OUR STOCK IS NOW COMPLETE. WE CARRY NOTHING BUT FIRST CLASS, RELIABLE GOODS.

HOT BLAST HEATERS

FROM \$13.50 AND UP.

UNIVERSAL RADIATORS.

CELEBRATED FOR THEIR DURABILITY AND ATTRACTIVE APPEARANCE.

STEEL RANGES.

WE CARRY A VERY FINE LINE. IT DOESN'T PAY TO BUY A CHEAP LOW GRADE RANGE. WE CAN SELL YOU A SPLENDID ONE FOR \$20.