DESERET EVENING NEWS. Half a dozen lines of tpye may be the hak between you and something you

10 PAGES-LAST EDITION

want.

THE ARGUMENTS

CLOSED AT NOON

The Idea is Horrible" Says

Atty. Christensen.

"SHAME ON SUCH SUSPICION."

Judge Armstrong Ruled in Favor

Of the Accused and Ordered

The Case Dismissed.

petendant Was Then Discharged and

surrounded by Friends Who ON

fered Their Congratulations.

WEDNESDAY OCTOBER 24 1906 SALT LAKE CITY UTAH

CASE AGAINST CHIEF SHEETS DISMISSED.

nesses, and would not force a case to be brought. CERTAINLY NOT, SOREN.

Where in this testimony is there any evidence of an affirmative act?" Ah. Senator Brown says Sheets was present when the money was paid to McWhir-tre to get away, and this fact was withheid from a magistrate. How long should an officer be allowed to wait? Shall he run to a magistrate every time a story is told to him about a crime? Was a reasonable length of time al-lowed Chief Sheets to act? It was just one week from Thursday as I re-member it that the facts were in his

"chief of Police Sheets Guilty?----

possession." Turning to the matter of others who knew about the robbery, Mr. Christen-sen failed to mention the fact that the chief knew nothing of the people whom McWhirter had told of it while "on the way to the station." and of the fact that he asked Hempel who knew of it before continuit the botches to be before cautioning the brothers to keep it mum. He did, however, make a great parade of all those whom Mc-Whirter has stated he teld about the Whirter has stated he teld about the robbery while running about the streets trying to find what sort of a city he had fallen into. Attorney Christensen enumerated, the desk ser-geant, Sergeant Hempel, Capt. Bur-bidge, the drug store keeper of the Sun drug store, the Chesapeake cafe cigar seller, the clerk at the Cullen, the MoCor stable men the hey who was McCoy stable man, the boy who was sent from McCoy's after the rig, the two postal clerks, and others whom the McWhirters have mentioned in evi-dence, including the policemen whom

the case against Chief of Police George Sheets came to an abrupt end at two o'clock this afternoon when Judge Armstrong ascended his judicial

dats and said : "The court feels that, after days of listening to the testimony and the arguments, and after carefully reviewing the authorities cited, and after a thorough consideration of these things, that the court is not able to find that the crime as charged in the complaint has been committed. The motion to dismiss the case is therefore granted and the defendant is ordered dis-

barged." Chief Sheets was immediately surounded by a number of friends and his attorneys, and was warmly congranulated on the outcome of the senational case.

Arguments in the Sheets case closed at 11:40 today, when Atty. Soren X. Christensen closed his rebuttal for the defense, after occupying the entire morning in an attempt to prove there was nothing but green-eyed suspicion n the case against Chief Sheets.

The decision was not rendered at tha oming session, Judge Armstrong took he matter under advisement until 2 dock, and ordered a recess' at once. The rowd fied out of the courtroom they began to get suspicious. Braffatt teasing the probability of a decision them suspicious. When he sees the a favor of binding Sheets over to

anitation by the district court. Judge Amstrong left a moment later, after through a few law books from manded to know where Sheets got his rakeoff. He pointed out that the agreement between Sheets and Bell and McWhirter was for the return of \$1,000, and McWhirter got all of this. Sheets never got in touch with the gang from the time of the robbery until the McWhirters were escorted to the train at 12 octock in a way to the train at 12 o'clock, in a way he could have arranged for a split up of the money, or established terms on which he would have let the robbers go.

BEAUTIFUL STORY.

"This is a beautiful story," conclud-ed the attorney, "only it has not one bit of foundation. McWhirter, if he had honestly desired the arrest of the criminals, would have gone directly to the chief on his return, and asked for assistance. Instead he went to him with attorneys and stenographers to make a case against him. To bind the defendant over it is necessary first to prove that a crime has been committed. defendant over it is necessary first to prove that a crime has been committed, and then to prove that there is probable cause that the defendant committed it. Sheets was expected to make arrests before he knew who the gang were. Chief Sheets could not have sworn to a complaint against the criminals. If he had only information and belief, which is not commetent before a court which is not competent before a to convict a man, then what to convict a man, then what did he conceal? Even Braffati after knowing conceal? Even Brankti after knowing all the facts did not put it stronger than a belief that the chief was im-plicated. The fact is, no crime has been committed, and therefore no off-cer can be held responsible for it. If If the court will follow the law, and con-strue all the evidence in the light of William spoke to after seeing Bell drive west on Second South. holding the defendant innocent until he bidding the defendant innocent until he is proven guilty, there is only one con-clusion possible, and that will be to dis-charge this defendant. When Mr. Christensen finished, the

CALLS IT DISHONEST.

the Rio Grande depot? These were about all the "whys" left after the ev-idence had answered so many of the bulk that were asked before the trial began, and Atty. Brown interfered long

began, and Airy, Brown interfered long enough to say he had tried to learn the name of the officer at the depot and failed, and had had an officer out for a day trying to locate the boy who went after the rig. Atty, Christensen furnished the name of the Rio Grando policeman as Officer Ben Seigfus (allas McGinty) and Atty, Brown made a note

McGinty) and Atty. Brown made a note

ABOUT KEEPING QUIET.

Following this the honesty of the prosecution was assalled. "If they had wanted to make an honest case," said Atty. Christensen, "why did not they put on other witnesses. Why did they not bring this stable boy? Why did they not call Sergeant Hempel? Why did they not call Detective Raleigh? Why did they not call this policeman at the Rio Grande depot? These were court room clock pointed to 11:40 o'clock, and Judge Armstrong at onco

ordered a recess until 2 o'clock, when was expected to render a decision.

PITTSBURG CATHOLIC CATHEDRAL DEDICATED.

Pittsburg, Oct. 24 .- The new St. Paul Roman Catholic cathedral, said to be the most beautiful edifice in the state. the most beautiful earlies in the state, representing a cost of \$3,500,000, and over three years work of artisans, skilled craftsmen and laborers, was dedicated today by Mgr. Diomede Falconio, pa-pal delegate to America, assisted by Cardinal James Gibbons of Baltimore, Archbishop Farley of New York, Archbishop Ryan of Philadelphia, and a score of other bigh dignitarios of the a score of other high dignitaries of the church. Ideal weather conditions brought a crowd to the services, a crowd which even the big cathedral world set held

"A point is made of the fact that the chief told the men to keep quiet. Of course he told them that, and in doing it he did only his duty. They say a would not hold. newspaper man suppressed the story, and I want to say for newspaper men Following the solemn ceremonles of last night of the ritualistic vigil, today's rites were begun shortly after daybreak. Promptly at 6 o'clock Mgr. Falconio, with a number of assistants, took up the march about the building, consecrating the outer walls, following that they generally suppress stories when they are told not to print them because it will hurt the general community's interests. In this case Chief Sheets had not yet made arrests. Of course he suppressed the story, and in doing it he only did his duty and what every other good officer would do un-

consecrating the outer walls, following which the entry into the building was made. Here the various altars were consecrated by the various bishops and their assistants, the consecration cere-mony of the main altar being conducted by the apostolic delegate. These cere-monies concluded, the clergy assembled in a neighboring building for the march to the cathedral, where his eminence, Carlinal Gibbons, celebrated mass at 10:36. This procession was spectacular "What did Sheets do to pull back the story, after others knew it? Taking now the evidence, we find that it was after the McWhirters came back that 10:30. This procession was spectacular with the imposing train of church pre-lates and dignitaries arrayed in all the two fake policemen at the Sanitarium he tells McWhirter it would be useless rich vestments and impressive pomp of the Catholic church,



Acquires Immense Coal Deposits As Well as Depot Site in Heart Of the City. MEANS MUCH FOR SALT LAKE.

Possibility of Cheaper Fuel for Central Utah and Electrification of Saltair Road.

Terminal Facility Privileges and Right Of Way to Main Track Secured-Work to Begin at Once.

Without turning a shovelful of dirt in the direction of construction the promoters of the Salt Lake & Garfield interurban line have already expended \$200,000 in options and the acquisttion of property, this outside of the magic. \$475,000 that is to be paid for Saltair beach and the-Salt Lake & Los An-

geles railroad. The announcement is made that the option on this property is to be taken up according to the papers signed when the check for \$2,500 was paid over to bind the option a couple of weeks ago.

INTO THE COAL FIELDS.

The operations of this company are far reaching and will mean much for Salt Lake and the entire State of Utah. As previously set forth in the "News" the promoters have an option on the Sanpete Valley road and have paid the first installment to bind the sale. Behind this is a scheme to tap the large virgin coal fields that lie over the range ebyond Sterling, Utah. Options have been taken on these lands and if present plans are carried out it will mean a battle royal between the independents and the coal farriman systems in this city. The development of these coal fields will mean cheaper coal for Salt Lake.

TO CONNECT WITH S. P. V.

The scheme is to develip these fields, extend the Sanpete Valley road to tap them and build south to con-nect with the Sanpete Valley road. The projected line will pass through the busy settements and cities south of Salt Lake and one and all will be benefited by the improvement.

The reason for the determination of the promoters of the Salt Lake & Garfield interurban road to build to the coal fields is the question of power

The largest type electric car capable of carrying 100 passengers is to be used, and a 60-mile an hour gait will be hit up between the city limits and the re-sort, BEST IN UNITED STATES. Mr. Bowen and his associates who have behind them The Electric Operat-ing Construction company of New York

ing Construction company of New York state that the proposition from a rapid transit standpoint appealed to them as the best remaining in the United States today. They have abiding faith in the future of Salt Lake and can see with a prophetic eye that it is destined to grow greatly during the next three years. Its geographical position as the center of the smelting and mining in-flustry of the inter-mountain region; its natural advantages as a tourist its natural advantages as a tourist resort: its facilities as a city of homes and a center of education one and all contribute to the forecast that Salt Lake is destined to grow and extend on all sides.

WILL GROW SURE.

The man who gets in on the ground floor in Salt Lake is going to see his investments bulge and expand. The in-terurban people are getting in on the ground floor. Some of the men worked ground floor. for the Huntington roads and they saw what the rapid transit interurban lines did and are doing for Los Angeles. The phenomenal growth of the metropolis of Southern California during the past five years can be directly traced to the presence of the best interurban electric car service in the world today. The promoters promise that Salt Lake will have as good service and suburban homes will spring up in its wake like

IN CITY'S CENTER.

With entrances from Second South and Third South streets for the public the Salt Lake and Garfield road will embark and land its passengers in the business heart of Salt Lake City with every street car passing within a few feet of the big station. Coupled with this, either by accident

or design, the new road has a franchise that will permit it to run spors to the rear of big shipping houses and haul freight away to distant points.

MEANS BIG BUSINESS.

Take for instance the mining supply companies on Second South who send so much powder, machinery and material by the carload lots to Bingham and other points. If these institutions care to put in tracks in the alleyways at the rear of their places of business, what is to prevent them loading up at their very doors and dispatching con-signments to distributing centers along the line of the interurban? It stands to reasan that these firms will be willing o do zo when it is taken into considtration that they spend thousands in dray haulage to and from the freight dapots.

The interurban figures it will cut into the mining camp business heavily. This business is a great source of rev-enue to the steam roads operating from Salt Lake. The steam roads have their eye on the movements of the new road and every obstacle that can be placed

in its way will be forthcoming. The determination of the promoters to erect a big station in the center of the block between Second and Third South will have the effect of building up that portion of the business district

FINE, MODERN STATION.

loaded with steel. About 4 o'clock when off Stamford the Hastings collidtion to run a five-minute service dur-ing the busy hours to and from the ed with an unknown schooner. An overturned lantern set fire to the steamer and when it became evident that the steamer could not be saved, the crew took to their boat. The extent of the damage suffered by the unknown schooner in the colli-sion with the Hastings is not known.

THE POPE IS BETTER.

Less Pain in the Knees and His Temperature Has Diminished,

Rome, Oct. 24.-Dr. Lapponi, notwith-standing the unsatisfactory condition of his own health, insisted on visiting the pope this morning. He found that the pontiff had inproved, the pains of his knees decreased and his temperature, which yesterday, was above normal, had diminished. In view of his improvement the pope decided to receive the English pilgrimage tomorrow.

FARMERS' CONGRESS.

Discusses Plans for Opposing Packing Cantes and Fruit Dealers.

Topeka, Kan., Oct. 24 .-- Plans for opposing the packing companies and the fruit commission dealers were discussed at the meetings of the Farmers' national co-operative congress last night. Two schemes to be used to break the force of the packing trust, so-called, were decided upon and probably will be put into execution. One is that the members of the congress will try to cure the majority of the meat which they use themselves and they also will cure meats for the markets. The other plan will be to have an agent in each county who will handle all the stock of the Ly who will handle all the stock of the members and ship to another agent at the market, who will sell direct to the packing houses. There is no intention to build a co-operative packing house. Another grievance which the farmers have is against the fruit commission dealers, and an effort will be made to organize the union in fruit growing sec. organize the union in fruit growing sec-

Today's session was devoted to a general discussion of co-operative plans and much sentiment was manifested in favor of the government ownership of railroads, A resolution urging Con-gress to take steps to have states, as well as the nation, adopt more stringent pure food laws was passed. A committo deal with this subject was named.

A committee was appointed this afternoon for the purpose of formulating a uniform system of organization of cooperative bodies. No merging of co-operative societies is contemplated, but it is proposed to have all co-operative societies work under the guidance of a strong central organization.

MEXICAN MAIL TRUST.

El Paso, Tex., Oct. 24 .- The Jalisco El Paso, Tex., Oct. 24.-The Jansco Times says that a nall trust has been formed in Mexico, the National Nail company having taken in the San Louis Potosi, Guadalajara and Mexico City plants and closed all down but the San Luis Potosi factory. Machinery of the other plants is being taken to San Luis Potosi. Ernest Paulsen, who formerly operated the Gaudalajara factory, is president of the National company.

THOMAS-FITZPATRICK FIGHT.

San Francisco, Oct. 24 .-- Joe Thomas, ho claims the wel

Given Role of Disturbers of the Peace Instead of That Of Martyrs.

DISAPPOINTED

The next issue of this paper should

tell about it-if you have a house to rent or a job to find or a job to offer.

FIFTY-SIXTH YEAR

SUFFRAGISTS

WERE NOT COMMITTED TO JAIL

When Simply Bound Over to Keep The Peace Was Great Uproar in Courtroom.

Women Shrieked and Continued to Made a Demonstration Outside The Police Court.

London, Oct. 24 .- Ten woman suffragists who were arrested yesterday for rioting within the precincts of the house of commons were arraigned in police court today and bound over to keep the peace for six months. Such a commonplace outcome of the affair did not meet the views of the suffragists. who apparently desired to assume the roles of martyrs by being committed to jail, and when the magistrate announced his decision a great uproar broke out in the courtroom, and ultimately the women had to be removed by force. Some of them were literally thrown out among the crowds walting outside the building.

The shricking women continued to make a demonstration outside the po-lice court until Miss Parkhurst, who took a prominent part in the disturb-ances in the galleries of the house of commons in April, was again arrested. Some of the women who had been temporarily locked in an anteroom by the police had a momentary revenge. They managed to secure a key and re-leased themselves, but were again lock-ed in by their jailor, who walked off with the key.

with the key. When the disturbances had somewhat subsided the police reassembled the de-fendants who were then informed by the magistrate that they must immediately find survives for their good be-havior or be imprisoned for two months. The whole 10 women refused to enter into recognizances and were removed in custody.

MRS. NEAMA JAMES DEAD.

Widow of Morgan E. James and un Old Resident of Pocatello.

(Special to the "News.") Pocatello, Ida., Oct. 24 .- Mrs. Neama

hief Sheets watched his attorney inmy during the argument, and seems have picked up much of the spirit at drooped away while the McWhirts were bringing out the glaring facts the highway robbery to which they ad been subjected.

Soren X. Christensen based his final ise for Chief Sheets on two proposiuons. One was that the case for the McWhirters was based on suspicion, against the chief, and the other was that a man should be considered inno. est until proved guilty, and in this cas there was no evidence to prove flat the crime alleged had been commit-

HEMPEL AS A PROP.

Sergeant Hempel was dragged in to and force under the load of testi-my as a prop to take part of it off shoulders of the chief. It was arad that the chief could not be held and that Sheets was not to blame Hempel was slow but the city, and made an indifferent which to the men.

The for the men. It, Christensen said Sheets had not it given time enough to take infor-tion to a magistrate. The sheriff be-the interested just one week after it spenel, and Sheets might have been starting to give the information to the same information of the comstatate at a later date. If he com-tains at a later date. If he com-tains at a later date. If he in-tains just one week, what hap-lat in the case of Braffett and Whitare who learned of it four days be-

Muorney. The fact that the general public is wheed Sheets has proven himself worthy of the office he holds, was an notice of when it was said that a chief had been convicted beforend by general suspicions.

PREPARING TO ACT.

utside of the courtroom develop-

renerally conceded that the "Ameri-" party leaders have decided to turn on him the minute they learn he has to bound over, should such a thing an Arrangements are said to have perfected to oust him, with ex-lations that no basketful of apples und without at least one and that the glorious "Ameriparty principles are still intact.

THE CLOSING ARGUMENT.

was 19:20 o'clock when Mr.

nsen began his closing argu-He came fortified with aua to the effect that to make a man prove accessory, it must be proven that did some affirmative thing, atag a criminal onto a horse to away, and that no amount of ative action was sufficient to inthis argument was to save Sheets on the effects of failing to make ar-sts, failing to ask for descriptions, alling to go after Bell, after he had eets. to go after Bell, after he had ed that he had impersonated an st failing to ask the McWhirters ay here and help locate the ban-failing to give the story out to the s, and failing to tell the truth to McWhirters about the supposed sective" who was supposed to have ompanied Bell in his search for any

stainst it was the declaration of s. Brown that the chief had made agressive and affirmative action furnishing the McWhitrees money in which is here down to be them which to leave town, to get them so they would not act as wit-

to call the police for they would take them in one door and out of the other at the station. I am not arguing to meys for the defense and the prosemade against him.

THE UNRIPE TIME.

"Later, Atty. Braffatt, after he has gathered all the testimony, knows all the facts, and is aware of all the con-ditions, tells Chief Sheets the time was not ripe to arrest Bell. If the conditions were not ripe then, how could you expect them to be ripe when Chief could Sheets knew hardly any of the facts and circumstances?

'As for compounding a felony by withholding information. Chief Sheets kept the information only from Thursday to Thursday. Atty. Braffatt kept it from Monday to Thursday before filing it with the county attorney

"Why did the McWhirters and Pen-degrass go to Sheets on their return to Salt Lake? For any honest purpose? But just to entrap him. They were wanted no more assistance. suspicious, and they wanted data to confirm their suspicions, so as to make

a case against Chief Sheets. 'What has Chief Sheets done? What did he ever do?"

"Nothing," replied Atty. William Hanson in an undertone, "Absolutely nothing," echoed Atty. Christensen in dramatic tones, and then while the courtroom laughed he added, "Chief Sheets did all he could and maybe in this case that was nothing.

ABOUT "BOLTING."

Taking up the use of the word "bolt" by McWhirter to explain his rushing around town and down to the depot. Atty. Christensen asked again in dramatic tones, at the top of his voice "What does this word 'bolt' mean? understand it means on the race track to run away from the bunch or to leave the other horses. That was what McWhirter did. He ran away from the officer sent out to search with him. If not then I ask what meaning can be

sof from the word 'bolt." Atty. Brown furnished the answer. "To bolt," said he, "is, for instance-when a man gets away from the Re-publican party." There was general laughter in which Atty. Christensen

Turning to the trip of Sergt, Hempel with McWhirter over the town, Mr Christensen said that he was the most negligent of any officer. The chief should not be bound by Hempel's acts He had sent Hempel out to look for the robbers, and there was no law to say whether Hempel should go fast or slow. or look well or only poorly." "Or take an automobile," put in Atty.

Brown for the state.

NIGGER IN THE WOODPILE.

The "nigger in the woodpile" was next trated to a digging up. "Where is this nigger in the wood-pile?" asked Christensen. Proceed-ing to answer his own question, he next said that the man of color was Atty. Braffatt, into whose mind the crea-ture of suspicion crawled after he had failed to get any of the money back, and he had transferred this creature of suspicion to the minds of the McWhirters. Then after that the whole fabric was built on suspicion from beginning to end. He explained the "nerve" of the fake policeman the "nerve" of the fake policeman who would dare to go into the pri-vate office of Chief Sheets, by saying a robber with the "nerve" to call up the chief for a bluff over the tele-phone would also have the nerve to risk his case in the private office of the chief. "Everything," said the at-torney, "its suspicion, and suspicion only all the way along." The final argument was made on the circumstances of the conference of Chief Sheets with Bell and Me-Whirter in his private office. He said that Sheets did nothing these for which he could be blamed. He de-

A feature of the music was a boy choir of 60 voices, which sang the pro-cessional, recessionals and the response while the choir of local priests chanted the movable parts of the mass. The

feature of note at the consecrational services was the Mounsignor Mackens in honor of St. Nicholas, never before presented in this country. Following the mass a banquet was served in the Duquesne garden opposite the cathe-Tonight another impressive sion will be held, when Archbishop Moeller will officiate at vespers, which will close the consecration services.

HERMANN OELRICHS' WILL.

His Widow Files an Objection to the Probating of It.

New York, Oct. 24.-Mrs. Hermann Oel-richs of this city today filed an objec-tion in court to the probating of the will of her late husband. Hermann Oelrichs. Heg objection is based on the ground that Mr. Oelrichs was not a resident of New York, but of California. Mr. Oeirichs left the bulk of his estate to his brother and elaters.

PITTSBURG SPECIAL ON THE PENNSYLVANIA JUMPS TRACK

Pittsburg, Oct. 24.-The Pittsburg spe-cial on the Cleveland & Pittsburg division of the Pennsylvania lines, west, jumped the tracks near Bellevue station. The enthe went over the bank and slipped down o the Ohio river. Physicians from Allegheny left for Bel-

A man watching the wreck through a pair of glasses from his residence on the river telephoned that a number of pas-sengers were helped out of two cars that left the track. All were limping and had

left the track. All were limping and had to be supported. The fireman and engineer were rescued from the river. It is known that at least four persons, members of the crew, were seriously hurt. These, with several others injured, were taken to the Allegheny general hospital. The wreck was caused by the engine of the Cleveland special being sideswiped by the caboose on a freight train west-bound. md.

KIDNAPPED.

Miss Fannie Fennell Mysteriously Disappears in the Night.

appears in the Night. Birmingham, Ala., Oct. 24.-Mrs. J. H. Sidebottom reported to the police today the mysterious disappearance of her IX-year-old daughter, Miss Fannie Fennell, from the family home on North Twenty-first street. Mrs. Sidebottom believes her daughter was chloroformed and kid-napped between midnight and 5 o'clock this morning. An examination of Miss Fennell's room today showed that she had slept in her bed and left her clothing un-disturbed on a chair. The mother says an odor of chloroform pervaded the room. Mrs. Sidebottom and daughter visited Denver, Colo., last August, and after their return Miss Fennell, it is said, began re-ceiving letter from an unknown man, who said he had seen her first out west and had followed her to Birmingham. The ceiving letter from an unknown mail, who said he had seen her first out west and had followed her to Birmingham. The would kill her if he did not get her. The letters have been turned over to the po-lice, who are working on the case. It is said a mysterious man in a hack visited the place during the night. the place during the night.

HUGHES MAKING SPEECHES.

New York. Oct. 14 .-- Charles E. Hughes, Republican candidate for governor, made several speeches up the state today and tonight he will speak at Cortiand, where he is to spend the night

Mr. Hearst remained in New York today. This evening he will make a rapid tour through Greater New York, speaking twice in Manhattan, four times in Brooklyn, once in Long Island City, and once in Staten Island.

to operate their electric lines.

ENGINEERS RUNNING LINES.

During the past three months a corps of engineers has been going over the situation. They report as a unit that a steam plant for the gen-erating of electricity for the motive power of their lines is the best. It preferable to water power which It is liable to become frozen up in winter The object lesson given this week of the effects of a big storm on long distance transmission wires have clinched the argument tigher. One and all decide that a big steam power house is the only economical solution to the situation, The coal can be mined and trans-

ported to Salt Lake at a low cost as was demonstrated during the recent investigation of the inter-state com-merce commission. With their own coal to burn and a balance to sell to the public at a good profit the power solution is at hand.

POWER HOUSE SITE.

The next real estate deal to be announced will be the purchase on the part of the promoters of this big project of a site in the southwestern part of the city for one of the biggest power houses in the west. It is on the cards that there will be auxiliary plants established at different points as the big nterurban system is extended. At first t was thought that the coal mined at Sterling, the southern terminus of the Sanpete Valley road, could be used. Experts passed upon this fuel and found it wanting. Then the coal land proposi-tion some 25 miles west was investigated and samples of coal were tested with

entirely satisfactory results. The quel was the taking up of these lands on options. Money is being spent like water in

binding the sale and purchase of prop-erties throughout the state for the per-fection of the plans of the promoters of the big scheme. They have spent too much already to retreat and the project is assured already

DEPOT SITE.

Yesterday's big deal in real estate is an argument that the new road means business. Murdoch and Thompson, owners of the McCoy Livery stable property and other ground in the block bounded by Second South, West Temple, Main and Third South streets, yesterday sold 38,000 square feet in the center of the block to the promoters of the new interurban line, who propose to erect on the site handsome uptown terminals which will be along the lines of those which will be along the inter-which are such a feature of the inter-urban system of Los Angeles built by Huntington and his associates. It is proposed to erect a station for the Garfield, Saltair and interurban

lines on this property, The cars will leave this depot through the alley to the west and cross West Temple to Pierpont street, just south of the Com-mercial club building. This is a private road and the consent of the majority of the property owners has been se cured to lay tracks down this street. The tracks continuing west will cut through the block between First and Second West, traversing property that is to be purchased by the company. Thence the line will turn south for a block and a half and run along Fourth South to Eighth West. Then the road will turn north to South Temple street, where connection will be made with the rails of the Salt Lake & Los Angeles which runs out to Saltair beach and the salt works.

DOUBLE TRACKING

The promoters of the big scheme an-neunce that work on the double track-ing of the read out to Saltair will be started just as soon as the necessary material arrives. Heavy steel will be used all the way and a big loop and ex-tensive changes will be made at the beach end of the line for the quick |

in every way commensurate with the demands. It will be more than this, it will be ahead of the present demands of Salt Lake City. It is to be an im-posing saructure wherein will be locat-ed comfortable waiting rooms, ticket offices baggage room with stores suroffices, baggage room with stores sur rounding it. On the second floor will be located the general offices of the comparty. Just how high the building is yet to be determined. In Los Angeles the Huntington system is Los Angeles the Huntington system is the most imposing in Southern Califor-nia. There the ground floor is devoted entirely to the needs of the streetcar company, retiring rooms, a drug store, large news and curio stand, while outside facing the street are located stores. This building is 10 stories in height and contains the general offices of the Salt Lake Route in addition to numerous other offices. The two top floors are devoted to the palatial Jonathan club which from point of appointments and furnishings is without a peer west of New York.

SANTA FE REBATES.

Federal Grand Jury Still Investigating Charges Against Road.

Los Angeles, Cal., Oct. 24.-United States Dist, Alty, Lawler and the federal grand jury today resumed investi-gation of the charges that the Santa

Fe Railroad company is guilty of re-bating in freight charges to certai furniture and implement dealers in this city. Judge Olin Weilborn of the Unit-ed States district court decided late yesterday afternoon that the railroad company must produce their freight books in court on subpoenas. Attorneys for the corporation resisted this action and consumed nearly the whole day yesterday in argument before the court in an endeavor to show that a corpora-tion, like an individual, was entitled to immunity, and could not be compelle to furnish evidence against itself. Th The court, however, ruled to the contrary The decision stated that a corporation could not avail itself of provisions of law enacted solely for the protection of individuals. The books will accordingly be produced in court when want-

ed. Indictments will be somewhat un-der the Elkins law, not only against the railroad company, but also the firm the relation of the second structure and individuals alleged to have received the rebates. It is asserted that the Southern Pacific and probably the Salt Lake railroad will be drawn into the investigation investigation.

Von Dorn of Council Bluffs testified that the elevator company of which he is the head, besides operating an elevator at Council Bluffs, does busi ness at Underwood at Neola, Ia. both places the elevators are rented from the Rock Island Railroad com-pany. At Underwood they pay \$125 a year and at Neola \$200.

SAVINGS BANK CLOSED.

Washington, Oct. 24.—The People's Savings bank of this elty was closed today, by order of the comptroller of the currency the currency An examination by a national bank examiner showed the institution to be in an insolvent condition. John W. Schofield has been appointed receiver. The bank is the second district in-stitution to be closed within a week. A statement of conditions on Sept. 4 shows leans and discounts of \$163,463 due from bankers \$25,005 due from banks and bankers, \$28,006: capital, \$100,000; surplus, \$8,064, and de-posits, \$97,326. The total assets and lubilities are given as \$210.369.

crew of 11 men get away in a life boat and were picked up and brought to New York on board the steamer Mid-

a state of the second second

The Hastings is reported to have been

ship of the world, will meet Dick Fitzpatrick in a boxing contest scheduled for 30 rounds before the Colma club tonight. "Billy" Roche will referee, Bet ling is light with Thomas favorite at

MOODY FOR SUPREME COURT.

President Will Appoint Him as Associate Justice Brown's Successor.

Washington. Oct. 24.—While no official statement is obtainable, unofficial advices confirm the report that the president will appoint Atty.-Gen. William H. Moody of Massachusetts, to the vacancy in the supreme bench, caused by the re-tirement of Ass. Justice Henry B. Brown. The aunounced intention of the president to appoint Mr. Moody to the supreme bench came as a surprise as it was generally understood that he eliminated the attorney-general from consideration in that connection because of the fact mainly that Massachusetts alrendy had a representative on the bench in the person of Ass. Justice Holmes. Mr. Moody's nomination will be sent to the senate when Congress convenes, but the general expectation is that he will not take his seat on the bench until about Jan. 1, when, as previously ennounced, he expects to retire from the attorney-generalship. Washington, Oct. 24 .-- While no official

expects eralship.

ANNUAL REPORT OF GEN. ELLIOTT, MARINE CORPS

Washington, Oct. 24 .- In his annual report Brig.-Gen. G. F. Elliott, commandant of the marine corps, calls attention to the necessity for an increase in the commissioned and enlisted personnel of the forces and says the demands for both officers and men are daily on the increase. He states that unless prompt action is taken in this matter by Congress during its coming session he will be un-able to carry out the directions of the secretary of the navy with regard to de-tails, both ashore and afloat and the efciency of the corps will suffer material

ly. Gen. Elliott says that the provisions of the general order of the department by which enlisted men of the army are en-titled to campaign badges for service ashere in Cuba. Porto Rico and the Phil-ippine Islands during certain periods and for service ashere with the Pekin re-serves during the Boxer rebellion, be made applicable to the men of the marine corps, who were at that time serving with the army. He said the barracks at Mare Island. California, are unsafe, inadequate made applicable to the men of the marine corps, who were at that time serving with the army. He said the barracks at Mare Island. California, are unsafe, inadequate and obsolete in design and construction. The sanitary condition is bad and he rec-ommends \$30,000 for new barracks and \$90,000 for officers' quarters. The re-port also states that the accommodations for the marines at the naval station, Ca-vite, P. 1., are not only unsanitary and in-adequate, but conduce to discontent and dissatisfaction, as the ordinary comforts are not granted to the men. He submits an estimate of \$75,000 for the improvement of the grounds and the building of bar-racks. An estimate of \$100,000 is sub-mitted for the construction of barracks, and officers' quarters at the navy-yard at Charleston S. C. Gen, Elliott urges the necessity for the immediate construction of proper marine barracks on the isthmus of Panama to facilitate contentment and especially necessity for sanitary reasons. Gen. Elliott says that all the public buildings of the marine corps, including those recently constructed, can be replac-ed by new buildings at a cost of not more than \$3,00,000.

than \$1,50,000 Gen. Elliptic says he appreciates the justice of the recommendation made by the secretary of the navy last year that the commandant of the marine corps be given the rank of major-general. The re-port says that under the present meth-ods and rate of recruiting, it is believed that the marine corps will be recruited to its full strength before the end of the present calendar year. Gen. Elliott states that as soon as the condition of the corps will permit. It is the intention of the corps the marine contingent in the Philippines to a total of 1.00 men, which is the sum-ber recommended by the general board of the mary and approved by the depart-ment. There are 35 officers and 1.20 en-listed mon now in the islands. listed mon now in the islands

James, aged 59, widow of Morgan E James, who died about five months ago, died last night at 11:45 from general debility. Mr. and Mrs. James were old residents of this city, and were well known in Utah and Idaho. They oper-ated the James music house in this city which had a large trade in the coan try. Mrs. James was the daughter of Mr. and Mrs. Edward Crockett, and was born at Granton, Lincolnshir, England, April 28, 1847. She leaves a married daughter, Mrs. John McKin-non, who is with ner here. Mrs. James was a true member of the Mormon Church.

WITHDRAWING BULLION.

London, Oct. 24 .- Bullion amounting to 88,000 pounds taken in the Bank of England today and 300,000 pounds was withdrawn for shipment to Constantinople.

HARTJE CASE ECHOES.

Hooe, the Ex-Colored Coachman, on Trial for Perjury.

Pittsburg, Oct. 24 .- Only those directly connected with the trial of Clif-ford Hose, the former negro coachman of Augustus Hartje, who is charged with perjury in connection with alleged depositions reflecting on Mrs. Mary Scott Hartje, were permitted in crimin-al court today when the case was called. It is said the commonwealth expects to prove by Mrs. Hartje that she was not at home on the dates mentioned by Hooe in his deposition, and therefore the story he told in that statement could not be true.

T. & P. CLERKS WALK OUT.

New Orleans, Oct. 24,-Clerks em ployed by the Texas & Pacific railroad left their places today, conferences with representatives of the road having failed to adjust their grievances, which are similar to those of the Southern Pacific strikers.

SOUTHERN PACIFIC MACHINISTS GO ON STRIKE

New Orleans, Oct. 24 .- Following the discharge of 10 men by Master Me-chanic Nolan all the machinists and ha-borers employed by the Southern Pacific at Algiers struck today

Fourth Vice President Wilson of the International Machinists, says the strike will extend over all the Southern Pacific lines unless the trouble is adjusted.

President O'Connell of the International Association of Machinists, is ex-Harriman in New York today in the hope of securing his personal influence toward a settlement of the trouble.

CLEMENCEAU'S PROGRAM.

Probably Will be Very Broad and Con-tain Some Surprises.

Paris, Oct. 24 .- The Clemenceau cabine has begun the formulation of its program and indications are that it will be very broad and that possibly some surprises are in store. In well informed circles the impression prevails that the plans of the government include, besides the carry-ing out of the law providing for the sep-aration, of church and state, legislation establishing workmen's ponsions, the state purchase of the western and some of the southern railroads, and the creation of a state monopole of petholeum and alcohol southern railroads, and the creation of a state monopoly of petroleum and alcohol. The draft of the budget, as presented by the budget commission under the Sur-rien ministry, which has been bittedy as-aulted, especially by M. Folmenre, the ex-foreign minister, as being improperly bal-aticed, probably will be revised.

The People's of Washington, D. C. by Comptroller of the Currency.