

RIVAL FACTIONS THREATEN FIGHT

Greek Colony Divided Over Murder Trial and Promise Trouble.

BOTH DIVISIONS ARDENT.

Prisoner's Friends Stalwart in His Cause While Other Side Demands Penalty From the Law.

The big Greek colony of workers in Birmingham canyon, particularly of those employed in the Yampa smelter, is divided into two hostile armies which threaten to clash in open warfare over the trial of John Kothiaffis, charged with having murdered Peter Getis, early on the morning of Dec. 23, 1908.

The corridors on the fourth floor of the City and County building were jammed this morning with crowds of Greeks who excitedly talked among themselves. They were divided into two rival camps, one espousing Kothiaffis' cause, and the other as earnestly condemning the accused. Kothiaffis' enemies swear that if he escapes punishment by the law, they will take matters into their own hands, and revenge Getis' death. Kothiaffis' adherents, however, are incensed at what they declare the purpose of the other side to convict the defendant on perjured testimony, and say that they will do everything in their power to prevent it.

The trial of Kothiaffis has assumed important proportions, in the light of recent disclosures, and may end in a sensational denouement. Deputy sheriffs are keeping close watch on the opposing crowds of Greeks, to prevent trouble. The trial probably will last a long time, as 15 Greek witnesses are yet to be called by the prosecution, and the defense may summon as many more.

The cross-examination of Mike Getis, brother of the deceased, was continued by Atty. S. A. King and Schuler for the defense this morning. In going over the testimony given by the witness at the preliminary hearing, it developed that Mike Getis' statements at that time differed greatly from those made on direct examination at the present trial. The contrast was noticed particularly in regard to Mike Getis' testimony as to what he did after he heard the shooting, how he found his brother, and how many people were there.

STORMED WITH QUESTIONS.

Atty. King showered the witness with a storm of questions, and Getis contradicted many important statements which he had made in his preliminary hearing. Getis explained the discrepancies in his testimony at the trial by saying that the interpreter who translated his testimony at the preliminary hearing did not understand him.

The next witness for the prosecution was John Panousis, an employe at the Yampa smelter. He said that he knew Peter Getis for a month prior to the latter's death, and that they lived at the same boarding house in Birmingham Canyon, and their beds were in the same room. About 15 days before Getis was killed, Panousis said, he saw another shooting scene in the same house. Peter Getis, George Hondropoulos and Panousis were sleeping in the same room when the shots were fired. Panousis said that he saw the man who stood in the doorway and fired the shots, but that he could not recognize him, owing to the darkness. Panousis said he saw the flash of the gun and that the weapon was directed towards the beds where Peter Getis and Hondropoulos were sleeping. Panousis said that, after the shooting, he went to the bedroom where Kothiaffis had been sleeping the night before, but that Kothiaffis was not there yet.

Panousis said that he saw Getis lying on the bed, after he had been shot, 15 days after the above occurrence, and that Getis said to him: "Telephones to my father and tell him to be here at 10 o'clock, because I am going to die." The defense at this point interposed serious objections to the admission of Panousis' testimony regarding what Peter Getis told him on the morning of the tragedy after he had been shot. The attorneys for the defense contended that the state had not laid a good foundation for this testimony, inasmuch as it involved a dying statement, and that the state had failed to previously show that Peter Getis knew he was going to die when he talked to Panousis.

Judge Lewis granted the request of the attorneys for the defense that they be allowed to first cross-examine Panousis, in the absence of the jury, before Peter Getis' statement to him could be admitted.

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Go west to Alford Bros. and see the sweaters, newest and freshest line of suits, overcoats, hats and furnishings ever shown in our town—

See why we and our friends call them "Clothes of the better sort."

We are out of the high rent district. It will pay you to step a few steps off of Main Street—Your dollars will have more sense.

Suits and overcoats \$15 to \$40

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Dyspeptics

Sugar-coated tablets, quickly relieve Sour Stomach, Heartburn, Nausea, Wind in the Stomach, Stomachic, Sleeplessness arising from Indigestion or Dyspepsia. They are composed of the best digestives, carminatives and correctives, and are agreeable and economical. Put up in three sizes, 10c, 25c, and \$1. Sold by all druggists, and sent promptly by mail on receipt of price by C. I. Hood Co., Mfg. Chemists, Lowell, Mass.



At noon, the court took a recess until next Monday morning at 10 o'clock.

POINTS OF LAW ARGUED.

Several fine points of law were warmly argued Thursday afternoon by Atty. S. A. King and Russell G. Schuler for the defense, and Asst. Dist. Atty. D. L. Leatherswood and Associate Counsel Carl Badger, the principal issues being the admission of the testimony of Mike Getis as to what his brother told him after he had been shot. In leading up to this point, all that the prosecution could elicit from Mike Getis was that his brother got out of bed about 3 o'clock in the morning; that on hearing the shots, Mike ran out and found his brother down on the ground, and that Peter Getis said that "his insides were all eaten up" and he would die in a few hours.

Mike Getis could not tell how long it was from the time his brother got out of bed and went outside until he heard the shots. Counsel for the defense fought every inch of the way against the admission of Mike Getis' testimony concerning what his brother told him. Atty. S. A. King boldly contended that such evidence should not and could not be admitted save on the ground that it was a dying statement, and that the state would not be allowed to introduce its introduction by simply proving that when Peter Getis made the statement he was aware of approaching death and was morally certain that he was going to die when he made it.

The statement of Mike Getis said "my insides are all eaten up" and "I will die in a few hours," was not sufficient to show that Peter Getis' statement immediately after the shooting was a dying statement.

DOCTOR'S TESTIMONY.

Dr. C. N. Ray had previously testified that Peter Getis, after having his wounds dressed in the boarding house at Birmingham Canyon, was removed by train to Salt Lake City, and taken to St. Mark's hospital, where he died. He had been on the operating table under the influence of chloroform, for 15 minutes. Dr. Ray said that Getis was in a state of great shock, when the physician examined him in Birmingham, and admitted on cross-examination that many patients die from chloroform improperly administered. He also admitted that very often, in cases where the patients are in such a state of shock, the operation is postponed until the patient is strong enough to withstand the effects of the anesthetic and the shock of the operation.

Atty. S. A. King contended that the evidence submitted by the state itself showed that what Peter Getis told his brother Mike immediately after the shooting was not a dying statement, and the events that occurred after the shooting until Peter Getis' death showed that it was not a dying statement.

Judge T. D. Lewis listened to the varying points of this fight for two hours. The jury was excluded from the court room while Atty. King cross-examined Mike Getis in an effort to lead the court to Peter Getis' words to his brother just after the shooting did not form a dying statement in the eyes of the law. The defense contended that the state had not proved that that is what the man in making it knew that he was dying.

EVIDENCE ADMITTED.

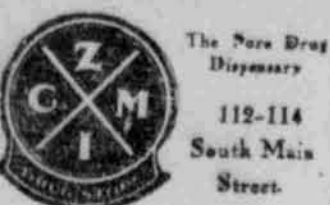
The court finally decided that the evidence was admissible. Mike Getis then testified that on hearing the shooting he ran out of the cabin and found his brother down on the ground; that his brother told him that when he came out of the house he saw Kothiaffis standing by the kitchen stove; that Kothiaffis fired at and shot him three times. Mike Getis further testified that his brother told him that after he had fallen he raised up and fired several shots at Kothiaffis and that he kept on firing until Kothiaffis disappeared.

On cross-examination by Attorney King, Getis repeatedly contradicted himself on important points of testimony which he gave on preliminary hearing, some time prior to this trial. The attorneys for the defense played to the effect that on the night of the shooting he had gone to bed with his brother and that the latter wore no outer clothing and had on two under-shirts and a pair of drawers, but wore no stockings, though he did wear slippers. The defense brought this into startling relief when it developed that Peter Getis also had a gun when the shooting occurred and that he shot Kothiaffis. The defense directed Mike Getis' testimony and declared that he has lied on numerous vital points, or that he lied on preliminary hearing of the case according to the transcription of the testimony. The progress of the trial had been so

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Quick Service
Promptness
Civility
Carefulness
All the Time



delayed by the bitter fights between the opposing Greek interpreters that the court finally made a change. Ernest K. Pappas, interpreter for the defense, was put in the place of interpreter for the court, and Charles Soter, who had been interpreting for the court, was instructed to sit by and assist the prosecution. Soter, it appeared, had been making loose translations of Mike Getis' testimony. Pappas objected to almost every answer, insisting that Soter had not construed the question properly, and had not translated the answer correctly. It developed, during a row between the interpreters, that Soter had left out certain parts of answers or had added to them or changed their meaning. The court then put Pappas in Soter's place, and the examination of the witness went on without further difficulty.

BIG IRRIGATION SUIT.

Plaintiff Completes Its Side in Intricate Action.

The testimony for the plaintiff in the case of the Raft River Land & Live Stock company vs. John Lind and 44 other defendants, was closed yesterday before J. W. Christy, examined in chambers, in room 4 in the federal building after a hearing lasting three weeks. During this time, 15 witnesses were examined, some of them at great length. One of the witnesses was up for the greater part of three days.

With the completion of the testimony for the plaintiff, the defendants will now introduce their testimony after which the case will go to the federal court. This hearing will not begin until after Jan. 1, and will probably last a month or more.

The case is one of the most important irrigation suits in the west, and its settlement involves difficulties which have probably never arisen before in any irrigation suit. The principal difficulties arise from the fact that the rights of a number of people in two states are involved, and the jurisdiction, whether of state or federal courts, only extends to the border of the state. On this account the case is full of legal intricacies.

A SUIT TO QUIET TITLE.

Suit to quiet title to a big tract of land in Salt Lake county was filed today in the district court by the Salt Lake Investment company. The plaintiff names J. M. Nelson and his unknown heirs, besides several hundred others as defendants.

GIRL'S COMPLAINT ANSWERED.

Edna Batten was not compelled to work in the laundry at the orphanage of which she was an inmate from May 16 to June 12, and the accident in which she lost the fingers of her right hand on June 7 occurred through her own carelessness, according to an answer filed today by Bishop Lawrence Scanlan, the Catholic church, to the suit brought against him in his official capacity by the girl, through her guardian ad litem, James M. Batten.

WARD ENTERTAINMENTS.

Emerson Ward—A benefit entertainment will be given at the Emerson ward amusement hall at 8 o'clock this evening. A splendid program has been prepared and some of the best artists have been secured to take part in the concert. Among the names on the program are Miss Leah Smith, Joseph Acosta, Prof. B. Morris Young, Mrs. George Goff, Mrs. Hattie Amos, Ruth Johnson, William Clements, and Reta Heston. The program will conclude with the "Limerick Boys," in which the following will take part: W. B. Scott, Fred Handley, Irwin Meritt, Amy, William, Myrtle McKnight, and the Emerson Ward Quartet.

Glazier at Zion's Bank—State Bank Examiner Glazier is looking over the books of the Zion's Savings Bank & Trust company today.

To Attend Dedication—Presidents Joseph F. Smith and Anton Lund have gone to St. Placido, where they are to take active part in the dedication of the new academy. They return Monday.

"The Missouri Method"—The flour that the state food commissioner found short four pounds per sack, came from Junction City, Mo., where the mills are charged with trying to run flour into this city at 15 cents per pound under the regular market price, so it seems that cut prices are accompanied by cut weights.

SIX BEST SELLING BOOKS.
RECORD FOR OCTOBER.

According to the foregoing lists, the six best-selling fiction books have been in the order of demand during the month are:

1. "Trustee King," McElhenny, \$1.50
2. "The Game Girl," MacGrath, \$1.50
3. "The Silver Horse," MacGrath, \$1.50
4. "A Certain Rich Man," White, \$1.50
5. "The Danger Mark," Chambers, \$1.25
6. "The Calling of Dan Matthews," Wright, \$1.50

Report at the
DESERET NEWS BOOK STORE.

WEATHER REPORT.
Fair Tonight and Friday.

TODAY'S TEMPERATURES.

YESTERDAY'S RECORD.

WIDOW TO HOLD HARRIMAN REINS

Vast Estate to be Administered By Her Personally From 475 Fifth Avenue.

TO CARRY OUT HIS PLANS.

Sharing Great Magnate's Secrets for Thirty Years, His Faith in Her Is Shown in His Actions.

Mrs. Mary Averill Harriman, widow of Edward Henry Harriman and sole legatee of his estate, which makes her one of the wealthiest women in the world, will take charge of and personally direct the management of this great fortune of more than \$100,000,000, and possibly twice that amount, says the New York Herald.

While Judge Robert S. Lovett may represent her in the boards of the Union Pacific and Southern Pacific railroads, and he or some other man may represent her in the directorates of the other great corporations in which Mr. Harriman was interested, it will be this woman, sitting in her Fifth Avenue office, who will direct the destinies of these great properties and who will give the final decision on all disputed questions that may arise.

Mrs. Harriman has leased offices at No. 475 Fifth avenue, between Fortieth and Forty-first streets, the first floor of which is occupied by the Union Pacific and the Farmers' Loan & Trust company, and which is directly opposite the new public library. Her offices will occupy the greater part of the second floor. She is the largest individual stockholder in the Union Pacific and Southern Pacific railroads, the Wells-Fargo Express company, and a large stockholder in many other corporations. While the details of the management of these properties will be left to others, it will be Mrs. Harriman at one end of the telephone who will give orders on important matters.

WIDOW HAS FULL POWER.

No man has ever paid a higher tribute to the ability of a woman than did Mr. Harriman in his will of 39 words when he gave his entire estate to his wife and appointed her sole executrix. That he had the utmost faith in her good judgment was shown when he did not make a single trust, and gave her full power to do as she pleased. No one knew better than he that mismanagement of the property he had been accumulating would mean the ruin of thousands of persons, but he knew better of his plans for the future than this woman who for 30 years had shared his secrets and had been his adviser.

Mrs. Harriman comes naturally by her interest in financial and railroad matters. Her father was William J. Averill, a banker of Ogdensburg, N. Y., who with her brother built a large part of the Rome, Watertown and Ogdensburg railroad, now a part of the New York Central system. She had a fortune which was equal to Mr. Harriman at a time when he needed money the most, and which, small as it was compared with the great estate he had accumulated, formed part of the capital which enabled him to get started in the acquisition of railroads and which enabled him to become the dominating factor in the control of more miles of railroads than any man in the world.

RETAINS SOCIAL LEADERSHIP.

For many years Mrs. Harriman has been one of the social leaders of this city, and it is not believed that the management of the large estate will in any way interfere with her social plans. The offices, which she has rented are convenient to her Fifth Avenue home, and with the telephone, which Mr. Harriman said was his greatest servant, who can keep in touch while at her desk with the men who will represent her in the directorate of the corporations.

Judge Robert S. Lovett, who was counsel and adviser of Mr. Harriman in all railroad matters and who succeeded him as president and chairman of the executive boards of the Union Pacific and Southern Pacific railroads, refused last night to talk about the management of Mrs. Harriman to manage the estate.

"I will not talk about the affairs of the Harriman estate at any time," he said.

Charles A. Peabody, who was personal counsel for the dead financier and one of the witnesses to the will, which is declared by lawyers to be proof against all contests, was out of the city last evening, as was Mrs. Harriman, who was said to be at Arden.

Mr. and Mrs. Harriman had five surviving children. They are Mrs. Robert L. Gerry, William Averill Harriman, the Misses Mary and Caroline and Roland Harriman. None of these was mentioned in the will, and only Mrs. Harriman knows the plans her husband made for the future of the two sons.

At the local Western Pacific offices this morning, it was stated that no information had been sent to this point relative to the first train over the road, which left San Francisco this morning, eastbound. So that all known is what is contained in the meager Associated Press dispatch. It was not known here even that the ends of the two approaching lines had been closed up. Mr. Derbold said this noon that the line was being completed in several spots, but he supposed that the final gap being closed up was near the California line. It will be some time before the party reaches this city, but advice may be received at more any time as to the movements of the special train.

TO CHANGE CAR ROUTES.
When the new Rio Grande depot is completed, important changes will be made in the routing of several street car lines. The present line operating between the Short Line and Rio Grande depots, via Main street, will run via Third South street (instead of Second South) the southern terminus facing the Rio Grande depot entrance. The present Mt. Olivet-east South Temple street line will be so changed that the Mt.

Olivet cars will run the full length of Second South street to Jordan bridge, and the South Temple street cars will run down Main to Fifth South street, and thence to Liberty park. The Sixth and Ninth avenues, and the Third avenue, Second West street lines are permanent.

WANTED.

Young man of good address and at least High School education to learn advertising business. Address, giving references, Room 15, care of News.

FUNERAL NOTICE.

The funeral of Laura W. Amundson, aged 16, will be held Saturday, at 11:30 a. m., from the residence, 775 Roosevelt avenue, 2nd floor, in South Jordan cemetery.

DIED.

AMUNDSON—At 775 Roosevelt avenue, Nov. 4, 1909, Louisa W., daughter of Andrew and Elizabeth Glover Amundson, born Dec. 15, 1893, in South Jordan. Funeral notice later.

RASH—In this city, Nov. 4, Kathryn Elizabeth Rash, only child of Mr. and Mrs. W. M. Rash, at their residence, 133 south Twelfth East, of scarlet fever. Funeral private.

CLURE—At the residence, 225 I street, Nov. 4, Jennie Hall Clure, aged 28 years. Funeral services will be held Saturday at 2 p. m. from the residence of W. C. Stahle, 227 I St. Friends are invited to attend. Interment in the City cemetery.

R. E. Evans, Florist, 26 S. Main St. Floral designs a specialty. Phones 951.

LOST.

LADIES' PURSE, CONTAINING currency. Finder return to News, Room 15.



Five Dollar Hats

Saturday at Banks' is a day of unusual hat values, exclusive, smart trimmed styles worth a third more and selected from the season's choice colorings, materials, trimmings and shapes.

As usual for Saturday we have a choice selection of all varieties in season.

Black Bass, per pound .17 1/2c
Salmon, per pound .20c
Striped Bass, per pound .20c
Brook Trout, each .15c

Ostrich Plumes
Half Price

Saturday is the last day of our Ostrich plume sale. Plumes, Willow pulmes and tips in a choice of color effects. From the \$1.50 tip to the elaborate \$75.00 willow—all half price.

\$10.00 German Seal
Scarfs and Muffs \$5.00

Special—German Seal scarfs and muffs—60 inch scarfs. Large flat rug muffs, worth \$10.00 Each, \$5.00.



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212 MAIN STREET.
HONEST WORK
HONEST PRICES

Painless extraction of teeth or no pay. All work guaranteed.

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We Treat You Right

For the RIGHT GOODS at the RIGHT VALUES for the RIGHT PRICES go to

The Peoples Cash Department Store

Our Special Saturday Bargains in Ladies' Suits, Coats, Millinery, at 33 1/2% off

Our Great Bargains in Blankets, Special Leaders, \$2.50 values at \$1.69

Heavy Pileed Kimona materials, 12 1/2c values at, yard 9 1/2c

Mens' Women's, Children's Boots and Shoes, Rubber Boots and Overshoes.

Leggins and Gaiters, large selection, lowest Cash Prices.

Our Address 42-44-46-48 West First South.

One-half Block from Main Street.

The Godbe-Pitts Drug Co.

Main & First South—(S. E. Corner)
Both Phones—140

Your patronage is solicited on merit—quality, quick service and prices. The Godbe-Pitts Drug Company is one of the oldest Drug houses in the city, well known as the "Old Reliable Quality Store."—Mr. Pitts, manager. The Dayton Drug Company is State Street's up-to-date Drug house, offering quality, quicker service, lower prices. Mr. Walter Dayton, manager.

The Dayton Drug Co.

Second South & State—(S. W. Corner)
Both Phones—552.

Here You Get Your Money's Worth While We Wait for Your Money

Your dollar will do you more good here than it can possibly do elsewhere. Our values appeal irresistibly, and our styles attract the most critical.

Our modern payment plan enables everybody to buy here and be well dressed.

\$1.00 CREDIT \$4.00 a Week TO ALL a Month

We are showing an elegant line of man-tailored suits for women. Prices from \$15.00 to \$35.00.

The cleverest tailoring talent is to be found in our clothes for men. We have a snappy line at \$18.00.

The MERCANTILE INSTALLMENT Co.

Modern Credit System. 74 W. 2nd St.

Fresh Fish

As usual for Saturday we have a choice selection of all varieties in season.

Halibut, per pound .17 1/2c
Salmon, per pound .20c
Striped Bass, per pound .20c
Brook Trout, each .15c

Black Bass, per pound .17 1/2c
Rock Cod, per pound .20c
Brook Trout, each .15c

Fresh Oysters, Fresh Poultry, Salt Fish.

BOOTH FISHERIES CO. 30 West 1st South

Cash Mercantile Co.

Phone your order—we deliver.

17 Lbs. of Sugar - - \$1.00

WITH ORDER

Prices for the following week:

Sack High Patent Flour \$1.50
Sack Straight Grade Flour \$1.45
2 1/2 lbs. Navy Beans .25c
3 1/2 lbs. Jap Rice .25c
Loose Rolled Oats, per lb .25c
3 lbs. Tapioca or Bago .25c
2 lbs. Macaroni .25c
2 quart cans Syrup .25c
New Mince Meat "None Such" .10c
New Mince Meat, Blue Ribbon .25c
2 pkgs. Buckwheat Flour .25c
Gal cans Cane Syrup .25c
Gal cans Pie Peaches .25c
Gal cans Catsup .25c
Qt cans Strained Honey .25c
2 Frames New Honey .25c
4 Jar Libbia's Beef Extract .25c
Brook Trout, per can .25c
3 large cans Milk .25c
2 cans June Peas .25c
5 cans Sugar Corn .25c
3 cans Tomatoes .25c
3 cans Baked Beans .25c
4 cans Campbell's Soup .25c
2 cans Pumpkins .25c
Large Can Asparagus .25c
3 pkgs. Shredded Wheat Biscuits .25c
Buckwheat Flour .25c
3 lbs. New Prunes .25c
6 boxes Matches .25c
Seven Bars Diamond "C" Soap .25c
4 Pels Naptha .25c
Floury fresh Butterine, 2 lbs. .25c
6 Bars Pearl White Soap .25c
Bishop's California Preserves .25c

With every \$20.00 worth of goods we give a beautiful Oil Painting. A ticket given with every \$1.00 purchase.

74 W. First South St.

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