### DESERET EVENING NEWS: MONDAY, FEBRUARY 17, 1902.



Upon the court being convened Judge Stewart announced that the first case the trial calendar is the State Utah vs Merrill M. Kaighn, and asked if the attorneys were ready for trial. Judge King, on behalf of the defense then said: "If your honer please, we have an affidavit to file in this case After the document was marked "filed" by the clerk Judge King handed a copy to District Attorney Elchnor and then read the affidavit, which is as follows; "State of Utah vs Merrill M. Raighn, defendant. State of Utah, County of Salt Lake, s5. Merrill M. Kaighn, being sworn, upon oath says: That he is the defendant in the above entitled cause; that no has been im prisoned in the county jail of the county of Salt Lake since the 26th day of November, 1901; that on the 18th day of January, 1962, the above en-titled cause was set for trial in said court for the 17th day of February, 1902; that afflant was edvised by his father, M. M. Kaignh, on or about the ist day of January, 1902, that Col. M. Shaughnessey was a necessary and important witness in his behalf and that said Shaughnessey would be at the trial to testify in said cause as a vitness in behalf of the defendant whenever said case was called trial. That said Shaughnessey resides in Sait Lake City, Utah: that imme-diately after said case was set for trial, as affiant is informed and believes and therefore alleges, his coun-sel for the purpose of subpoending said Shaughnessey for said trial made an inquiry to ascertain his whereabouts and as affiant is informed and therefore alleges they learned that said Shaughnessey was out of the state, and had left the state immediately before said case was set for trial That neither affiant nor his counse was able to find said Shaughnessy, but the information which they received upon making diligent investigation to ascertain where he was and when he would return was to the effect that he would return to the State of Utah before the 15th of February, before the 15th of February 1962: affiant further allege 1962: affiant further alleges that he has not been able to ascertain where said Shaughnessy is but be ascertain where said snaughnessy is, but he avers that said Shaughnessy is not within the State of Utah. From information in the newspilpers recently received, within the past week, afflant believes that said Shaughnessy is eith-er in the city of New York or in the city of Washington, D. C., and further others that sizes and can you at for alleges that since said case was set for trial it has been impossible for him to procure the deposition of said Shaugh-nessy. Affiant further alleges that before said case was set for trial ne was informed that said Shaughnessy would be in the state at the time for said trial and affiant had no information which led him to believe that said Shaugh-nessy would be absent from home when said case way called for Affiant further alleges that for trial , said Amant further aneges that said Shaughnessy is a material, nec-essary and important witness in his behalf upon said trial and as affiant is informed and believes and therefore alleges some of the facts within the knowlodge of said Shaugh-nessy are not within the knowledge of other parties and be cannot prove the other parties and he cannot prove the same by any other person save said Shaughnessy. Afflant is informed and believes and therefore alleges that if said Shaughnessy were present he would testify that he was in the Knutsford hotel in Salt Lake City, Utah, on the 23rd day of November, 1901, within a few minutes after it is alleged Willard S. Haynes was shot: that said Shaughnessy had a conversation with said Haynes in which the latter stated to said Shaughnessy substantially as follows

lows: "I wish you would go at once and see Col. Raighn (meaning thereby the fath-er of affiant). I want to see him at once. Tell him to come and see me im-

mediately." Affant further alleges upon informa-tion and belief that said Shaughnessy immediately thereafter formunicated with said Col. Kaighn the message re-ceived from said Haynes. Upon infor- has suffered from it.

and immate ppera company and Blanche antement alleged to have been made by gan. The sale has been very lively for both events. The opening of the Juve Haynes to Shaughnessy would be hear-say testimony and not in the nature of niles will occur this evening in a noted a dying declaration: that the affidavit for a continuance does, not state that comic opera which has never been seen in Salt Lake, "The Geisha." Haynes' statement was a dying declar-ation. That what is alleged Haynes should have told Col. Shaughnessy to tell Col. Kalghn is absolutely imma-At the Grand tonight the patriotic colonial drama, "At Valley Forge,"

. . .

MINISTERS' MEETING.

For the Present.

The feature at the ministerial meet-

ng today, was an able paper read by

Rev. Dr. W. M. Paden on the "As-

ent of Man Through Christ." It was

a the nature of a review of Griffith ones' book, and deals with the rela-

ions between the processes of evolu-ion-physical, mental, moral and spiritual. Rev. Mr. Balley, the secre-tary, resigned his portfolio as he is

bout to remove from the city, and a esolution of thanks for his capable

and efficient work during his incum-

D. A. Brown, pastor of the First Bap-tist church, was chosen secretary of

the association in his stead. While it

was not given out, it is understood that Rev. Dr. McNiece introduced a

resolution relative to polygamous mat-

ters, but it was held in abeyance for

TODAY'S RAINSTORM.

Came from the Northwest and Will

Wind Up With Snow,

The storm which began early this af-

ernoon, came from the northwest, and

the storm center was over Washington

the present.

terial and does not go to the guilt or innocence of the defendant." SENATOR BROWN REPLIES.

Senator Brown then auswered the arguments of Attorney Elchnor, and related how Col. Shaughnessy had takone of the best that had ever visited his n his wife east for her health, and hat they were traveling around from town. slace to place and it was impossible o catch him at any place where a de-The directors of the Theater have very generously tendered the free use of the house for the occasion of Miss Arvilla Clark's benefit on the night of asition could have been taken. "We tought that Col. Shaughnessy would be here in time for the trial," said Senator Brown, "and the diligence is Wednesday, the 26th. omplete here as we have used every fort to be ready for trial." In answer At the Tabernacle tonight occurs the long-advertised concert for the benefit o the contention of the state that his vidence would be immaterial, the senaof the cheir excursion fund. Asid from the excellent program offered, or contended that the admissibility or great deal of interest is taken in the free plano and a free trip with the materiality of that evidence could not the passed upon by the court at this time, but is a matter to be determined choir to California. upon the trial, surrounded by all the circumstances. Continuing Sen ator Brown said, "We expect to connect that statement with the chain of evi-Resolution on Polygamy Goes Over ance which will form a complete de ense and hence that statement will add materially to the establishment of the innocence of the defendant. Counsel

# Old as the Pyramids

for the state claims that the statement

And as little changed by the ages, is Scrofula, than which no disease, save Consumption, is responsible for a larger mortality, and Consumption is its outgrowth.

It affects the glands, the mucous membranes, tissues and bones; causes bunches in the neck, catarrhal troubles, rickets, inflamed eyelids, sore ears, cutaneous eruptions, etc.

"I suffered from scrofula, the disease affecting the glands of my neck. I did everything I was told to do to eradicate it, but without success. I then began taking Hood's Sarsaparilla, and the swelling in my neck entirely disappeared and my skin resumed a smooth, healthy appearance. The cure was complete." MISS ANITA MITCHELL, 915 Scott St., Covington, Ky.

"My daughter was almost blind with scrofula, I had derived so much benefit from Hood's Sarsaparilla that I gave her this medicine and now her eyes are sound and she is in good health. Hood's cured me of nervousness and debility, and saved my life." OMIE KOUNCE, Cayce, Ky,

# Hood's Sarsaparilla and Pills

Thoroughly eradicate scrofula and build up the system that ake, have been swept away

the coute the read will enter Salt

The map which was filed in the land office this afternoon is for a 20-mile section of the survey running north from the initial point near Fairfield. passing through Riverton and termi-nating some little distance north of that town. This survey means that the main line will come into Salt Lake via opens a full week's engagement. Manager Pyper received a dispatch from Manager Hannaford of the Pocatello Opera House this morning stating that they had sold out entirely for the three performances of the Juvenile Opera company, and that the show

the Jordan narrows and the big county smelters. The survey was made De-cember 3, 1901, and the map approved at the meeting of the directors in Los Angeles on the 10th inst. The survey keeps to the southwest of the Jordan river, which stream it strikes at a point just over the Salt Lake county

DAUGHTERS OF

ontinental congress of the National

Society of the Daughters of the Amer-

Ican Revolution convened here today.

About 800 delegates and others, repre-

senting chapters in states through-

out the country, were present. The

congress has before it many matters of

mportance to the welfare of the daugh-

ters. These include the erection of a

continental memorial hall in this city,

the adjustment of internal disputes

which have caused much trouble in

the past, needed amendments in the

rs in the colonial struggle with Eng-

The congress was called to order this

United States senator from Indiana.

the quarter corner between said sec-tion 22 and section 27, said township and range bears south 6° 20' west 4. oll feet; thence in a southerly direction on surveyed land a length of 15.113 miles to a point in the easterly boundary of Fort Crittenden military reser vation from which a stone on said boundary marked "3 M-O R M" bears north 8° 30' west 22 feet; thence in a southerly direction on surveyed land with Fort Crittenden military reservaa length of 4.887 miles to the te minal point in the southwest quarter o section 11, township 6 south, range west, from which a stone at the southwest corner of said section 11 bears 5.650° 41' west 1,047.2 feet, a tota. length of 20 miles.

on every daughter the cultivation h

the highest degree of reverence for law

devotion to the flag and preservation

membership over 40,000.

#### F. T. Kelly, a bookmaker, and Stiles, another bookmaker, who are charged with complicity in the frauds, pleaded not giulty.

P. Goudie, the bookkeeper, pleaded

guilty, and "Dick" Burge, the pugilist

Little new evidence was developed during today's proceedings. The prosecuting counsel reiterated the statement that a minute investigation proved that Lawrie Marks, the missing American bookmaker, alleged to have been connected with the bank robberies, and who is said to have committed suicide November 27 by jumping from an English channel steamer, was on board the steamer when the vessel was within a short distance of Dover, so

there was no doubt that he committed suicide by jumping overboard. One of the first witnesses was Marks' clerk, whose evidence showed that his employer's cransactions with Goudie were quite beyond Marks' ordinary business dealings, the bets of Marks averaging only £1. As an instance of the ease with which Goudie was swindled, the witness testified that on businessian Goudie work \$25000. THE REVOLUTION one occasion Goudie won £25,000. Af-ter the horse had won, a telegram was sent to Goudie, saying there was no business doing that day as Marks was Washington, Feb. 17 .- The eleventh | Led by Percy S. Foster of this city

#### the congress sang the "Star Spangled Banner." Mrs. Fairbanks then deliv-ered her address of welcome. After VERDICT CONCURRED IN. expressing her gratification at the number of those present and what they Judge Marioneanx Ratifies Decision in represented. Mrs. Fairkanks urged up

(Special to the "News.")

of the interests of the organization. She referred to the pending proposition to reduce the representation of the order this afternoon, rendered his decision in as the congress was becoming too un the famous Grand Central vs Mam wieldy, and said that whatever meas nioth mining case. The court sustains the verdict of the jury in favor of the Grand Central. The opinion is a vol-uminous document covering seventeen would have in view full and complete representation of all the chapters in the country. She showed that there constitution of the order and projects for securing pensions for needy "daugh-ters," whose fathers were actual fight-the past year, increasing the memberlosely written typewritten pages.

the past year, increasing the member-ship by 3,806. This makes the total The morning session closed with norning by the president-general, Mrs. repsense by Mrs. John F, Swift of Cal-Tharles W. Fairbanks, wife of the ifornia, to the address of Mrs. Fair-

Lack of Outside Training.

and trading was very light. There was a marked tendency to depreciate stock values and Uncle Sam,

At press time the following business had been transacted and quotations

37% 64 51%

สำหรักขร้างรู้หม่วงรู้หม่วงรู้หม่วงรู้หม่วงรู้หม่วงรู้หม่วงรู้หม่วงรู้หม่วงรู้หม่วงรู้หม่วงรู้หม่วงรู้หม่วงรู้ห NEW YORK METAL PRICES

firm, 4123/2. 

Special. New York, Monday, Feb. 17.

Stocks. Con. Gas ... 22014 22214 22014 22214 Rock Island ... 16312 16314 16314 16314 early day and settled in Ogden, where host of people who must be "shown." C. G. W. ... 24% 463/2 69% 24% 47% 70 24%

135% 44% 94% 71% 

 Manhattan ....
 1344
 1354
 134
 1344

 Steel Com ....
 444
 445
 444
 444
 444

 Steel Com ....
 444
 445
 94
 944
 94

 Steel Pfd. ....
 935
 945
 94
 944
 944

 Amal. Copper .
 70%
 7154
 704
 714

 U. P. Com. ....
 102%
 1034
 1023
 1035

 Atch Pfd ......
 98
 98
 978
 98

 Atch Com ......
 774
 77%
 77%
 77%

 Brooklyn .....
 634
 665
 6634
 6664

 Peoples Gas ....
 100
 10034
 100
 10042

 Mo. Pac ......
 105
 1054
 105
 1054

 Lou. & Nash ...
 105
 1054
 105
 1054

 Penna. .....
 1314
 154
 1514
 1514

 New Officers Elected.

Balt & Ohio ... 1054

......

Com.

Reading Com ,

Met. Ry. .. .. .

Manhattan ....

Paul

Sugar

397s 575s

165%

1841/4

39% 58%

166% 165%

134

134%

391<u>6</u> 572a



and BLACKSMITH COAL.

Wholesale Office. Room 401 Dooly

TELEPHONE 635.

TELEPHONE 429.

D. J. SHARP,

City Agent.

SURETY COMPANY.

350,000 00 524,993 00

428,016 44

419.332 62

105,950 89

109.594 78

78,120,421 00

Retail Dept. 73 Main Street.

[Special to the "News."] Provo, Feb. 17.-The Provo Mining ompany has elected the following officers and directors: Mrs. Kitty A. Hines, president; J. C. Graham, vice president; W. H. Dusenberry, secretary and treasurer; J. T. Leetham, James C. Leethan and A. A. Noon, directors.

Refined Sugar Advanced. New York, Feb. 17.-All grades of refined sugar were advanced 5 points today.



Today's bank clearings amounted to \$698,081.68, as against \$513,657.50 for the same day last year.

Chas, W.Symns has resigned his position as local manager of the Symns Grocery company, and W. H. Simmons, who has been city order man with the concern for the last eight years fills the vacancy. 6.4.8

The executive committee of the Con olidated Wagon & Machine company will discuss tomorrow the introduc tion of extensive improvements in the general plant and equipment of the ompany.



One Defendant Fined \$50, Another Forfeits \$100-Third Continued.

Annual Statement for the year ending De cember 31, 1901, of the condition of the The Sunday liquor cases in which Ed Gregory, Ben Lester and Joe Lane UNION CASUALTY AND were defendants, were called this af-ternoon. Gregory pleaded guilty and was fined \$50. Lester failed to answer The Name and Location of the Company. Union Casualty and Surety Company, St. Louis, Missouri, Edward Cluff. Name of President, Edward Cluff. Name of Secretary, Le Grand L. Atwood. The amount of its Capital Stock 230,000 (\$ to his name when called and forfelted \$100 cash bail.

Attorney W. T. Gunter represented Low, whose case was continued.

Mrs. Carrie Catt Re-elected.

The amount of its Capital stock paid up is The amount of its assets is The amount of its liabilities (in-cluding capital is. The amount of its licome during the preceding calendar year. The amount of its expenditors during the preceding calendar year. Washington, Feb. 17 .- Mrs. Carrie hapman Catt was re-elected president the National Woman Suffrage asciation for the ensuing year.





NEW YORK STOCKS. (By leased wire to the Central Stock Exchange, 215 Main street). Open. High. Low. Close 
 Smelt. Com
 467%
 471%
 467%
 471%

 Smelt. Pfd. ....
 98
 99
 98
 99

 D. L. & W. ....
 283
 234
 283
 284

 Gen. Electric ...
 283
 292
 2901%
 290%



G, F. Brucker and Lew W. Raber, committee to secure accommodations for about 300 Elks who are coming from Omaha to attend the big gathering here in August. They say that the whole Missouri valley is talking of the con-vention and that there will be here a

mered considerably.



AFTERNOON MINING CALL,

arket Showed Extreme Duliness and



May Day, Carisa and others were ham-

posted:













Ogden, Feb. 17 .- Mrs. Eliza Horsepool, one of the oldest and most respected residents of this city, died last night at the home of her son-in-law, Andy Martin. She had reached the ripe

Denver, Colo., Feb. 17.—The West-ern Oil association's exchange in this city for trading in off stocks opened to-THE PUBLIC BUILDING REPORTS

banks.

DENVER OIL EXCHANGE OPENED

among some of the western chapters ure was adopted along this line

[ will be done this year on the public (Special to the "News.") building there. Department officials Washington, D. C., Feb. 17 .-- The sec-

say that no one had authority to make retary of the treasury has received a such a statement and that the adver-

she was one of the oldest residents.

age of 76 years and she goes into her grave with the love and esteem of all who knew her. She was a native of England but emigrated to Utah at an

this morning. The barometer began falling yesterday noon, and the local weather office expects the rain to continue through tonight and tomorrow urning possibly into snow before learing weather Yesterday was the balmy day of the

New Trial Granted.

In the case of the state vs Arthur Miller, who was convicted of burglary alleged to have been committed in Og-den, July 2, 1901, the Supreme court to-day handed down a decision reversing the decision reversing

the decision of the lower court and re-manding the case for trial.

season, when the mercury went up to 62 degrees, and people all over town had their doors and windows open, enjoying the unusual experience. The day was the second warmest ever to occur in the first 20 days of the month of February. The other day was Febru-ary 7, 1886, when the mercury stood at

63. Other warm days in February were Feb. 1881. 63 degrees: Feb. 29. 1876, 66 degrees: Feb. 27. 1879, 68 degrees. Owing to the unusual warm weather during the

past week or ten days, the grass has begun to get green in several places in this vicinity