

say anything about his own case, Senator Smoot said: "Of course, I do not intend to take a victory for myself as much as I consider it a victory for our state and for our country, and for the rights of liberty in this United States. It is not settled, and I do not know that I care to say anything further about it."

AMUSEMENTS.

Theater—The University club will give its double production of "The Merchant of Venice" and "The Merry Wives of Windsor" on Monday night at the University club. The production is under the direction of Mr. Austin. The cast is as follows: Mr. Pypers reports a very gratifying sale.

Orpheum—Tonight the Orpheum will give its double production of "The Merchant of Venice" and "The Merry Wives of Windsor" on Monday night at the Orpheum. The production is under the direction of Mr. Austin. The cast is as follows: Mr. Pypers reports a very gratifying sale.

Grand—"Jerry From Kerry" caused nearly three hours of almost uninterrupted laughter on the part of a large audience at the Grand last night. The curtain was only down for a moment or two, but during all the remainder of the evening one mirth-provoking incident followed another in swift succession. There were three short sketches, "Joe, the Newsboy," "Jerry From Kerry" and "An Editor's Confession," and each of them furnished opportunity for an abundance of fun and frolic which was fully taken advantage of. James Campbell and Miss Thelma Fletcher enacted the first comedy, the former having four distinct take-ups in about as many minutes.

"Jerry From Kerry" by John Bunick and George Ketter was the most laughable and ludicrous thing of the evening, while "The Editor's Confession" was a close second. The company has its own orchestra, and it played well. The sextet of wind instruments, which rendered a number of selections in a manner to elicit much applause, was headed by James J. Campbell and Will H. Fletcher, which is very hard to beat. The bill, which is well deserving of a heavy patronage, flashes out the word "Grand."

Lyric—At the Lyric the new play entitled "A True Born American" will run on last night and will run the remainder of the week with the customary Saturday matinee.

MUSICALS LAST NIGHT.

Miss Frieda Stender, Dramatic Soprano, Was the Stellar Feature.

Miss Frieda Stender of New York, dramatic soprano, appeared last evening, in the Ladies' Literary club, under the auspices of the music section of the club. She was accompanied by a local orchestra. The program was a very large one, and she was better known for her performance was worthy of a large attendance. Miss Stender has a clear voice, of good range and quality, which she sang, but her voice last night lacked warmth and sympathy, which, however, may have been due to local conditions. Miss Stender is evidently a singer of experience, though as to her methods of interpretation her audience did not seem to agree.

AT THE UNIVERSITY.

On Oct. 15, 1906, her young legs lord led the state and went to Omaha and she has never heard from him since his departure from the University has decided that March 29 shall be observed as annual day. The class will be due to their first appearance in cap and gown. A program of appropriate exercises will be held in the museum hall on this occasion, consisting of some musical numbers and an address by some prominent speaker.

BARBERS' RIGHTS.

Connecticut Supreme Court Says Don't Have to Shave Negroes.

Hartford, Conn., March 8.—The supreme court of the state has decided that barbers in this state need not shave colored men. The decision was reached on an appeal from a barber of this city. Selig refused to shave Foulkes, his defense being that his barber shop was not a place of public accommodation within the meaning of the law. The supreme court upheld the contention.

Peptiron Pills

Ironize the blood, feed nerves and brain, tone the stomach, aid digestion, give restful sleep. Especially beneficial in nervousness and anemia. Chocolate-coated, pleasant to take. 50c. and \$1.00. Druggists or mail.

Hood's Act on the Pills

liver and bowels, cure biliousness, constipation, morning and sick headache, break up colds, relieve unconformable fullness after dinner. Painless cathartic. 25c. C. I. HOOD CO., Lowell, Mass.

LOCAL BRIEFS.

Bank Clearings—Today's local bank clearings amounted to \$99,556.92, as against \$78,817.83 for the same day last year.

Judge Ritchie II—Judge M. L. Ritchie of the district court, was unable to hold court today on account of a severe attack of erysipelas and was compelled to continue the trial of the case of Holt against Nielsen & Kearns until Monday.

Prof. J. H. Paul to Address Teachers—The Salt Lake county teachers will hold their regular meeting tomorrow at noon in one of the court rooms in the City and County building. Prof. J. H. Paul will be the principal speaker and his subject will be "Nature Study."

Fine Weather Due—The prospects are excellent for a continuance of the present fine weather for the next few days, as there is a high barometric area pressing in from the southwest, with only a weak low to oppose it. There was very little precipitation over the county yesterday.

Sweaters For Cummings—The associated societies of the University of Utah, at an meeting held today, presented Prof. Byron Cummings and Coach Maddock a football sweater each. Prof. Levi E. Young was the speaker at chapel exercises today at the University, taking for his subject "The Ideals of a Student."

See Publisher Here—Publisher V. S. McClatchy of the Sacramento Bee is a guest at the Knutsford. He is attending the day automobile about the city and patronizing the "Sealing Salt Lake" cars. McClatchy is favorably impressed with the local outlook, and hopes the city has a bright future. He is en route home from an eastern trip.

Who Knows Lafayette Ball?—William S. Burton of 118 South Second West street this city, is anxious to find traces of Lafayette Ball, who is supposed to have come to Utah many years ago from Nauvoo, Ill. If Mr. Ball is still alive he would be about 75 years of age, and his name is supposed to have been appreciated by Mr. Burton.

Thirty-first Ward—There will be an entertainment this evening, in the Thirty-first ward chapel where the cantata of "Booby Ball" will be given with children from the Religion classes participating. The cantata was given a week ago, when the attendance was so large that many desired to attend could not get into the house, so there was a general wish that the performance should be repeated.

Danish Artists to Entertain—Mme. Oda Nielsen and Actor J. Wilmsen, two leading professional people from Copenhagen, Denmark, will be tendered a reception tomorrow evening by a number of their fellow countrymen here. On Sunday evening, at Federation of Labor hall, the visitors will give a public entertainment, the program to consist of song and recitation.

Little One Laid to Rest—The friends of Mr. and Mrs. E. S. Case, who reside at No. 1 Howlett terrace, will be grieved to learn of the death of their infant son which occurred yesterday. The child was born on Wednesday night and only lived a few hours. The remains were buried yesterday afternoon in the city cemetery beside two other children of the grief-stricken parents. Mr. Case is chief engineer at the City and County building, and has a host of friends who will sympathize with him and his wife over his loss.

Riverton's Water Supply—The Riverton Commercial club has taken active steps towards securing an ample water supply for domestic purposes for that settlement and contemplates the construction of a pipe line from Draper, a distance of four miles. A committee from the club has investigated the water system of Smith and Nelson, who furnish Draper with water, and have reported favorably upon the project and it is the intention to secure from 50,000 to 100,000 gallons of water daily from that system. The people of Riverton have had a very hard time getting water for domestic purposes and are greatly in need of a steady and reliable water system. It is believed that the project will attain the relief sought.

New Supply Firm—The Utah & Nevada Merchandising company of this city will incorporate tomorrow, at the state house, with a capital of \$10,000, and then officers: President, John G. Critchlow, manager of the Utah Implement company; vice president, State Senator George Lawrence; secretary and general manager, J. H. Smalls, formerly manager of the Western Packing company; director, B. F. Redman of this city. The office of the company are to be in Salt Lake, but the locations for active business will be in Nevada. The company is to handle mining supplies of all sorts. The prospect of the enterprise believe there is opportunity to transact an immense amount of business between Salt Lake and the Nevada mining camps.

SENATOR FAVORABLE TO CONSOLIDATION

Park's Bill Providing for Constitutional Amendment Has Passed Upper House.

BULLEN'S PLUCKY FIGHT.

CACHE COUNTY SENATOR MAKES LONG AND STIRRING ADDRESS, BUT IS VOTED DOWN AT LAST.

THE SENATE VOTE.

For consolidation submission: Senators Brinkerhoff, Callister, Clerk, Gardner, Hollingsworth, Lawrence, Miller, Park, Rasband, Benner, K. Smith, Williams and President Love—12.

Against consolidation submission: Senators Bullen, Hulanski, Johnson, Seely, John Y. Smith and Walton—6.

With five senators standing with him in the final vote, Senator Herschel Bullen, Jr., waged his battle in the senate yesterday afternoon against consolidation.

For the first time since he entered the senate in the sixth session, the Salt Lake senator has showed himself in real battle array. But his fight was for absolute union of the colleges, and was not to be confused with the bill which was a Hollingsworth amendment that took much of the sting out of consolidation for Logan, and left the institution at that site, as a university department.

The final vote was reached yesterday afternoon at 5 o'clock, after a series of speeches that took up the legislative records since the same problem was dragged back and forth through the Constitutional convention, 12 years ago.

DEBATE INCIDENTS.

The sensations of the debate were sprung by President Love, who charged that Logan residents had attempted to buy out the bill, with which he is connected, because of his attitude on consolidation; by Park, who declared that the Agricultural college is really a Logan city high school maintained at the state expense; by Bullen, who attacked the state commission, and by Hollingsworth, who asserted that he could not do so as a constituent of the state.

When it was apparent that they had given little thought to the matter on which they had petitioned him.

Hulanski and Park, who had been together and parted company early in the afternoon on the subject. When a recess was ordered at noon it was after Mr. Hollingsworth had served notice of a constitutional measure—S. B. 24, of which H. B. 145 was an exact duplicate, and it would therefore be useless to pass the bill when the senate had acted adversely on the same matter.

"The house then took up and passed the following bills:

FOUR PASSED.

S. B. 81, by Gardner, relating to water utility associations, in conformity with the requirements of the United States, and providing for the recording of articles of incorporation after the filing of the same.

H. B. 276, by McMillan, extending the time for complying with the provisions of title 49, Revised Statutes of Utah, relating to the townships of Utah.

H. B. 212, by Dean, providing that district supervisors and water commissioners named in chapter 14, title 14, shall give bond to the state.

S. B. 69, by Hollingsworth, relating to the time within which and in what manner summons or alias summons may be issued and served in civil actions.

THESE FAILED.

H. B. 217, by Marks, providing for a levy of taxes for school purposes.

Mr. Clark gave notice that he would move a reconsideration of the vote by which the bill failed to pass.

S. B. 70, by Hollingsworth, creating the office of commissioners of the promotion of uniformity of legislation in the United States.

Mr. Barnett gave notice that he would move a reconsideration of the vote by which the bill failed to pass.

The house adjourned until 2 o'clock today.

WON'T RESTORE FITZGERALD.

Chicago, March 8.—George W. Fitzgerald, attorney at law of Chicago, is suing the city of Chicago for \$125,000 in damages, claiming that the city had wrongfully restored to employment by the government for the present.

AFTERNOON ON EXCHANGE.

This afternoon's sales of the regular call of the mining exchange were:

Daily, 100 at 2.75.

Lower Mammoth, 100 at 2.25.

Star Con., 500 at 3.15; 500 at 2.25.

May Day, 500 at 5.00 at 2.00.

Nevada Hills, 300 at 2.75.

Uncle Sam Con., 700 at 2.50.

Rock Tunnel, 1,200 at 1.55.

Rock Tunnel, 1,200 at 1.55.

St. Paul, 200 at 1.75.

Colorado Mining, 200 at 1.25.

Dromedary Hump, 100 at 75.

Ingot, 100 at 6.

Little Chief, 500 at 15.

Mountain Lake, 2,000 at 52.

Seven Troughs, 500 at 71.

Yankee Con., 800 at 65; 100 at 67.

NEW YORK CLOSING STOCKS.

Friday, March 8.

Albion pd. 101 1/2

Baltimore & Ohio 101 1/2

Canadian Pacific 115 1/2

Chicago & North Western 115 1/2

Colorado Southern 31

Delaware & Rio Grande 20 1/2

Erie 20 1/2

National Lead 20 1/2

Louisville & Nashville 19

Manhattan 18 1/2

Missouri Pacific 20 1/2

New York Central 115 1/2

Pennsylvania 115 1/2

Reading 120 1/2

Rock Island 21 1/2

St. Paul 18 1/2

Southern Railway 21 1/2

Union Pacific 20 1/2

Wisconsin Central 14 1/2

MISCELLANEOUS.

Amalgamated Copper 102 1/2

American Car & Foundry 20 1/2

American Locomotive 101 1/2

American Smelting & Refining 115 1/2

American Steel & Refining 115 1/2

Brooklyn Rapid Transit 101 1/2

Colorado Fuel & Iron 101 1/2

International Paper 101 1/2

National Lead 20 1/2

Pacific Mail 27 1/2

Pressed Steel Car 42 1/2

Pullman Palace Car 101 1/2

Sugar 101 1/2

Tennessee Coal 101 1/2

United States Steel 101 1/2

Western Union 101 1/2

Great Northern 101 1/2

Int. Met. 101 1/2

Mackay 101 1/2

Macksay 101 1/2

DR. C. G. PLUMMER

ELECTED COLONEL

Well Known Physician Chosen as The Head of First Infantry, N. G. U.

RECEIVES EVERY VOTE CAST.

It is Predicted New Officer Will Infuse Vigor and Enthusiasm Into His Men.

The polls for the election of a colonel of the First Infantry, N. G. U., closed last evening, and the vote was counted. As was well known in advance, the choice fell on Dr. Charles G. Plummer, who received every vote cast, the voting being done by the officers of the regiment. In conformity with the result, Acting Adj. Gen. Wedgwood prepared the following general order for issuance today:

Headquarters National Guard of Utah, Adjutant General's Office, Salt Lake City, Utah, March 7, 1907.

As shown by the return of the board of officers appointed to canvass the returns, Charles G. Plummer, was duly elected colonel First Infantry, N. G. U., at the election held pursuant to special orders No. 3, C. S., these headquarters. He will assume the duties of commanding officer of the regiment and the organizations attached thereto, and be obeyed as such from this date.

Upon the recommendation of the surgeon-general, N. G. U., W. R. Tynedale, M. D., is appointed assistant surgeon, to rank as captain, from the 25th day of July, 1906, to fill the vacancy theretofore existing in the medical department, N. G. U.

III—Capt. Sophus R. Lund, quartermaster First Infantry, N. G. U., having applied to be placed on the retired list in accordance with section 1446, Military code, having served more than eight

years and being an officer in good standing, is hereby retired with the rank of captain.

By order of the commander-in-chief, E. S. WEDGWOOD, Acting Adjutant-General.

COL. PLUMMER'S RECORD.

The name of Dr. Plummer has been mentioned in connection with the colonelcy of the First Infantry for months. He is a graduate of the Morgan Post Military academy of Illinois, where he was for three years a military instructor later. He was afterwards major in the First Illinois Infantry, and has a wide acquaintance with military tactics and affairs generally. Following his election on last evening, Colonel Plummer said:

"My one endeavor shall be to bring the First Infantry to the acme of perfection, to instill new life into the men and to make the organization the pride of the state. While I have not been actively connected with national guard for some 20 years I have followed the development of the national organization with great interest and I believe I am thoroughly familiar with the local situation."

Dr. Plummer succeeds H. M. H. Lund as colonel of the First Infantry, the latter having been appointed recently to a position on the governor's staff.

The new colonel will announce his staff appointments next week, including an adjutant, a quartermaster, and inspector of target practice, these officers ranking as captain. There is general satisfaction at the choice of the doctor as regimental commander, as it is everywhere agreed he is well qualified for the position and will infuse vigor and enthusiasm into his men. There is a widespread belief now that the guard will be rejuvenated and rapidly built up. As at present constituted, the colonelcy of the First regiment carries with it the office of acting brigadier of the guard.

Dr. Plummer is a native of Illinois, and graduated from the University of Illinois in 1885. He has been in the United States Army for 22 years, and has served in the Philippine Islands, Cuba, and Mexico. He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.

He is a member of the American Medical Association, and has published several papers on military medicine.