Wrote Letter of Warning to Mrs. Ferguson Advising Her to Reep Away.

SAID ADVICE WAS FRIENDLY.

Prisoner Searched for a Gun, but Sald He Had Left it at Home-Found To be Unarmed,

The case of the state against O. C. Cox, charged with discunding a witness from appearing in the Dr. Payne murder case, was heard thin morning in the court of Justice Dana T. Smith. While no decision was announced, and the case was taken under advisement until 10 o'clock tomorrow morning, still the evidence seemed to clear Mr. Cox from any criminal intent, and the decision is expected to be in his favor. HIS OWN INITIATIVE.

Prosecuting Attorney Parley P.Christengen, who conducted the case for the state, admitted in his final arguments that the matter was crowded under the impression that Cox had acred at the instance of someone else and that hawas party to a plot to keep Mrs. Ferguson, the mother of the girl who died under an operation, from returning to testify. He also admitted that the testimony appeared to show that Cox had written from his own retitative and was written from his own initiative and was not associated with anyone else. He therefore considered the case to be much less serious than it looked to be when the arrest was first made. ARREST OF PRISONER.

The arrest of Mr. Cox followed the re-ceipt of two letters by Mrs. Ferguson, in which he stated that he did not believe it would do her any good to re-turn to Salt Lake, and that there were rumers to the effect that she would be arrested if she should come back.

LETTER BY COX. The text of the principal letter is as

follows.

Dear Mrs. Ferguson-Your fetter came to me today and as per your request I will forward you all your mail. Mr. Fairchild left the house the morning you left and f could not stand to stay in the bouse gione, so I left next

The papers continue to publish re-The papers continue to publish reports daily about the death of Alice, and the talk of the public is very very bad, and I do believe that if I were you I would not return to Sall Lake City. It is common talk here that if you return a warrant will be served upon you. To be sure you do as you like and remember that what I tell you is for your own good, and that of the family. Anything more that I can do for you don't for a minute hesitate to call And now with best regards and wishes to you all and much love to my little sweatheart Thelma, I remain, O. C. sweetheart Thelma, I remain, O. C.

THE SECOND LETTER.

The second letter enclosed a clipping from the Deseret News, supporting the statement in the first letter that rumors were being published concerning the case which were not favorable to Mrs.

THE DEVELOPMENTS.

The defendant was represented by Attorney Sorea X. Christensen, while County Attorney Parley P. Christensen appeared for the state. The witnesses examined were Mrs. Ferguson, and John E. Hansen, city editor of the Deseret News. The defense submitted the case without giving testimony after the witnesses of the prosecution had been witnesses of the prosecution had been examined. Mr. Ferguson was present and was deeply affected by the narra-tive of facts connected with his daugh-There was much sympathy s death. There was much sympathy for him. He frequently left the court room for short intervals, and when his wife had finished her testimony retired

with her to an adjoining room. MRS, FERGUSON'S STORY.

MRS. FERGUSON'S STORY.

Mrs. Perguson told a direct story, in a modulated voice under perfect control, of the death of her daughter and her receipt of the letter from Mr. Cox. She stated that Mr. Cox was a boarder at the house, and that she considered him a friend of the family's, or always had so considered him until the appearance of her daughter's picture in the paper, the photograph from which it was obtained having been taken she thought from the wall of her home, to which Cox had access. He explained this however, to her by stating that her daughter had given him the picture long before the affair occurred. When her husbad cume, she declared, they both went away to their old

when her husbad came, she declared, they both went away to their old home to bury their daughter, and as Mr. Cox was asleep in the house when they left, and she could not tell him a few necessary things about caring for it in her absence, she wrote these items from Laramie, Wyo., while character and

Giving the contents of her letter she stated that it asked Mr. Cox to see a locksmith about fixing a broken lock on one of the doors, to forward her mail her her, and to send her information of any new developments in the case. His letter was in answer to this letter, and told her of developments he considered made it advisable for he not to come back.

MR. COX'S VISIT,

Mr. Hangen was put on the stand to testify in regard to the article in the "News" and the picture of Miss Fer-

"News" and the picture of Miss Ferguson which accompanied it.
His testimony was to the effect that some days before it appeared he had a conversation with Mr. Cax in his office.
Mr. Cox explained that he had boarded at the house, and had a picture of the girl which he offered. He than told of hearing rumors to the effect that Mrs. Ferguson knew of the operation, and would probably be arrested if she should return. Mr. Hansen accepted the picture on the assumption that he was one of the first to know of the girl's condition and that on learning it he advised the girl to go to her mother, which he says she did with the result that Dr. Payne's office was visited and the operation performed and paid for by young Slephenson, the youth who rained the girl. The amount paid was \$50. He was present in the house during the hast hours of the girl's life, though she died whils he can to get a dector. After the family went away too said he was in charge of the house and had a right to give the picture which was used with the publication of the story to the effect the pacture which was used with the publication of the story to the effect that there was official uneaslosses as to the conviction of Dr. Payne and the coming back of Mrs. Ferguson.

The witness also told that he had heard general talk on the matter and that he understood that the city officials were apprehensive on that point.

Attr. Sorea X. Christonson supersal

Happiness At The Breakfast Table

There's nothing filer for breakfast than some of those little, round biscuits made right -light, crisp, flaky, delicious, healthful.

THREE CROWN



The Pure Cream of Tartar BAKING POWDER Makes them so-always,

By the way, have you seen our exhibit yet at the Lewis-Clark Exposition?

Hewlett Bros. Co.

witness, that the complaint did not state in what court she was summoned as a wilness, and that the supposed at-tempt to dissuade was not for the pur-pose of having her leave the jurisdic-tion, but merely to have her remain where the already was. He therefore moved to dismiss. The motion was denied as a matter of form, and the mat-er taken under advisement until to-morrow morning at 10 o'clock.

PRISONER SEARCHED.

DOCTOR PAYNE'S CASE. The case of W. S. Payne, the "doctor," charged with the murder of Miss Ferguson, was set by Judge Dishi this morning for preliminary hearing on Sept. 12, next Tuesday morning at 10 rolock.

UTAH CADETSHIPS.

Local Candidates for West Point and Annapolis Being Examined.

The mental examinations of candilates for the appointment of cadets and alternates to West Point and Annapalis, to be made by Senator Sutherland, are being held today in the office of State Supt. of Schools Nelson. Five young men appeared at the appointed time and are taking the examinations. They are Benjamin Lockwood, Charles

The applicants were put through a bhysical examination by Dr. T. B. Scatty yesterday. The examinations anches and are being conducted by pt. Nelson, Dr. Kingsbury of the liversity of Utah and Supt. William one alternate will be appointed to ach school.

ROGERS WAIVES HEARING.

William Rogers, the colored man harged with the larceny of a diamond from James McTierny, was before udge Diehl this morning on the charge f grand larceny, and waived prelimnary hearing,

LIKES THE UINTAH.

Marshal Heywood Predicts Great Things for the Reservation.

United States Marshal Ben Heywood has returned from the Uintah reservation, enthusiastic over the outlook in that section. Contrary to many published reports. Mr. Heywood save tha lands on the reservation are as good as lands on the reservation are as good as are to be found anywhere, and he is strong in the belief that a few years will bring that country to the front and make of the settlers there prosperous citizens of this state.

Marshal Heywood compares the res. ervation to Ashiey valley, which he visited in 1873, when there were only eight ranches under cultivation and settlement, while now there are 7,000 people, many of them well-to-do as a result of a little hard work. The marshal believes that a amplier story will be sulf of a little hard work. The marshal believes that a similar story will be sold of those who stay on the Ulntah reservation, as the land there can be brought under cultivation and is bound to pay well as the country becomes settled and the water is diverted in the proper channels.

MINISTER ROBBED.

Iowa Clergyman Has His Pockets Picked at Cheyenne.

Chavenne, Wyo., Sept. 3 .- Rev. Robert Lewis of Linden, La., while returning on the train from the Frontier park, yesterday afternoon, had his peckets picked during the short ride to town, \$40 in cash and his round trip ticket from Linden to Denver being taken. A new ticket was purchased and the 140 replaced by other members of the laws delegation and Peckets. of the lows delegation, and Rev. Lin-den last evening departed for Denver.

GANG BROKEN UP.

Horse Thieves Caught But Later Permitted to Escape.

Lusk. Wyo., Sept. 2.-A gang of horse. thieves which has been operating in

this section for a considerable time has heen broken up by the county authori-ties here, who caught three of the lead-ers in the act. Warrants were at once sworn out, but the men, Carroll, Grif-nith and Jordan, escaped, leaving the horses in a corrul and as yet they have not been apprehended.

AINSBURY.—To the wife of John H. Sainsbury a 12-pound boy, Wednesday, Aug. 30, 1905, Mother and child well.

Atty. Soren X. Christensen summed the case up for the defense by stating that there was no evidence to show an latent to thwarf the ends of justice, that there was no evidence to show Mrs. Ferguson ever had been a witness,

STATE SOLDIERS

Arrived in Beautiful Temple City A Little Late but in Good Shapa

TENTED TOWN NOW COINC UP.

This Afternoon the Six Infantry Companies and Cavalry and Battery Are Pitching Camp.

(Special to the "News.") Mami, Utah, Sept. 5.-The National Sourd of Utah went into camp here his morning, a mile north of the center f town, and in a stretch of level meaow land ideally located for camp man uvers. Artesian wells furnish the water supply, while the Sanpete river passes close by. A shower yesterday laid the dust and cooled the atmosphere so that everything is pleasant today.

The troops did not arrive as soon as expected. The passenger train was due at 8 o'clock and the freight at 7 o'clock, but it was 8 o'clock before the men disembarked, and 10 o'clock before their bassase was landed from the freight cars. The haul to camp is but half a mile's distance, so no time was lost in setting the equipment on the ground. At 2 o'clock each of the six infantr. companies, the troop of cavalry and the battery are busy finishing their company cumps while the head quarters, the hospital tents and kitch has are adding rapidly to the tentsitten he see adding rapidly to the tented city. A guard was established at the moment the men reached camp and visitors were not allowed within the camp confines. Just how many men will report for duty will not be known until tonight's roll call but it is thought that ever 325 are now on the ground. The spirit of the guard is one of enthopsiasm and everyone seems willing

The shirit of the guard is one of en-thusiasm and everyone seems willing to do his level best to bring his com-mand into a state of excellence. The rivairy among the different companies in pitching tents was noticeable. The trophy and \$50 cash prize for the best drilled company, and individual prize for the best drilled enlisted man, are believing out interested discussion. the bringing out interested discussion.
Adjutant General Geoghegan is expectto arrive Thursday to spend some
bys in camp before governor's day,
which will probably be Saturday.

BUSINESS NOTES.

Councilmen L. D. Martin set a gang of men at work today tearing down the building occupied by the Poodle De-cafe, on lower East Temple street. A new three-story building will be erected on the site and it will be occupied by Franklin, who will conduct a fine onfectionary store there.

The bank clearing today were \$868,-18316, as compared to \$581,107.92 for the same day last year. The holiday yesterday is thought to account for the

Articles of incorporation of the Mexfice today. Its capital stock is \$13,500, divided into shares of the par value of \$1 each. S. W. West is president; W. W. Cluff, vice president; J. F. Green, secretary and treasurer.

A copy of the articles of incorporation of the Lehl Commercial club of Lehl was filed with the secretary of state today. George Austin is governor and president. J. W. Smith. J. H. Gardner, S. I. Goodwin, A. J. Evans, W. M. Stookey and M. W. Ingalis, vice presidents; G. N. Child, secretary; J. M. Kirkham, assistant secretary; C. V. Friel, treasurer. Friel, treasurer.

The Lehi Mill & Elevator company of the Leni Mill & Elevator company of Leni fliet a copy of its articles of in-corporataion in the secretary of state's office today. Its capital stock is \$20,000, divided into shares of the par value of \$10 each. Thomas Webb is president; J. M. Parry, vice president; S. I. Good-win, secretary; David Smith, treasurer.

A copy of the articles of incorporaufacturing company of Spring City, Sanpete county, was filed in the sec-retary of state's office today. It is capitalized at \$100,000, divided into shares of the par value of \$10 each. James Peterson is president; R. O. Justesen, vice president; A. E. Aired, secretary; A. L. Peterson, treasurer.

The old Cope corner, the home for years of Mrs. Francis Cope at the cor-ner of Fourth and H streets is being advertised for sale by the administraor of the estate.

MAYOR IN LOS ANGELES.

Chief Executive of the City Goes to Bring His Family Home.

Mayor Morris quietly left Salt Lake on Saturday night for Los Angeles and Long Beach, where his wife and younger children have been for the past several months. After visiting with them for a few days he will return to Salt Lake, bringing them home with him

NEW YORK CLOSING STOCKS

	Tuesday, Sept. 5, 1905.
П	Atchison
	Atchison pfd104%
ı	Baltimore & Ohio 1124
	Canadian Pacine
	Chicago & Alton
3	Chicago & Alton pfd
1	
d	(Bleago & Northwestern
1	Chicago & Northwestern pfd240
ı	Colorado Scuthern 2814
Н	Denver & Rio Grande
	Denver & Rio Grande pfd 8874
d	Erle
	Illinois Central
	Louisville & Nashville
H	Manhattan L
3	Metropolitan St. Ry
	Mexican Central
	Missourt Pacific
3	New York Central
	Pennsylvania
	Reading 150
	Rock Island
	Rock Island pfd
	St. Paul
	Southern Pacific
Н	Union Pacific
d	Union Pacific pfd 96
П	Wabash
i	Wisconsin Central
ı	Northern Pacific
d	Assessment a menus construction of the second
j	MISCELLANEOUS.

Amaigamated Copper
American Car & Foundry
American Locomotive
American Smelting & Redning
Pacific Mail

ADMINISTRATOR'S SALE OF REAL ESTATE.

FOR MORE WATER.

Will Recommend Putting in of Pump in Emigration Canyon for Relief.

Only four members of the city counil took the trip up the Emigration anyon this morning to investigate the clan to develop the water supply of he canyon for immediate relief of tho vater supply of the city. It was an sounced that the entire council would ake the trip but only President Hewlett, Councilmen Fernstrom, Wood and Tuddenham were on hand and went up there. They were accompanied by City Engineer Riter, Asst. Engineers Zulick and Bacon and Supt. of Waterworks Hines.

and Bacon and supt. of Waterworks Hines.

The plan to put a steel cut-off wall down to bed rock in order to secure the underground flow which is now running to waste and to develop the supply by running additional tunnels was thoroughly explained and collestdered and in all probability the plan will be adopted and work commenced on the improvements without much delay. In order that immediate relief may be obtained it is likely that the committee will recommend that a pump be installed at the sump at once and thereby an additional flow may be obtained within the next few weeks. The intention is also to tap the sump at a much lower depth and thus increase the supply. The idea is to get the council to appropriate a few thousand dollars each year to run tunnels into the mountains and develope the water gradually. The Emigration creek watershed is considered by the engineers as good as that of City creek and it is believed that by development

PATENT FOR CARL V. JOHNSON.

engineers as good as that of City creek and it is believed that by development the supply from that source can be in-

(Special to the "News.") Washington, D. C., Sept. 5 .- A patent for an amusement apparatus has been issued to Carl V. Johnson, Salt Lake

ONLY \$1.25

To Brigham City and Return.

Sept. 7. via Oregon Short Line, for Peach Day. Special leaves Salt Lake at 8 a. m., and returning leaves Brig-ham at midnight. An unlimited supply of free peaches and free melons on hand all day. Ball games, musical and vocal concerts, parade and danc-ing. Go everybody.

Have you heard of Daniels, the artistic Taylor, the man that never misses a fit? Try him: fit or no sale. Daniels, 57 west Second South.

New Grand Theatre

Pelton & Smutzer, Mars A. C. Smiley, Asst. Mgr Both 'Phones 273

THE REAL THING. "THE NEW YORK CIRL."

Ita Worth the Money. Thursday Night and the Rest of the Week "FIDDLE DUM DEE." Matinee Wednesday and Saturday, 25c Children Saturday Matinee, 10c Nights, 25c, 59c, 75c,

Under New Managementi

THE HOTEL MANITOU 125 East Third South

This Elegant Hostelry has been thorbest. Terms reasonable, All are invited to call and inspect.

MRS, J. D LAFORGEE, Manager

Report Made to the Secretary of State of the State of Utah, of the Condition of the ZION'S SAVINGS BANK & TRUST COMPANY

Located at Salt Lake City, in the County of Salt Lake, State of Utah, at the close of business on the 25th day of August, 1965; RESOURCES.

Due from National banks Due from State banks and bankers 663,570.91 197, 20 Total . - .\$4,238,781.07 LIABILITIES. Capital stock paid in 3 200,009,00 Surplus fund 20,000,00 Undivided profits 57,770,24 Savings Dept Int. 68 8 and 4 per cent 5,933,303,22 Cashier's checks 18,997,51 Reserve for payment of interest on deposits 40,000,00

\$4,228,781.07

Total
State of Utah, County of Salt Lake.
George M. Cannon being first duly sworn according to law deposes and says that he is cashier of the abovenamed bank: that the above and foregoing report contains a full, true and correct statement of the soudition of the sald bank at the close of business on the 25th day of August, 1905
GEORGE M. CANNON.
Subscribed and aworn to before me this ist day of September, 1966.
(Seal) EUGENE M. CANNON.
My commission expires Feb, 4th, 1906.
State of Utah, Office of the Secretary of State.

State of Utah, Office of the State of State of L. C. S. Tingey. Secretary of State of the State of Utah. do hereby certify that the foregoing is a full, true and correct copy of the statement of the abovenamed company, now on file in my office of the Ind. C. S. Tingey.

C. S. Tingey. Secretary of State.

Secretary of State. PROBATE AND GUARDIANSHIP

Consult County Clerk or respective sign-ers for further information.

IN THE DISTRICT COURT. PRObate Division, in and for Sait Lake County. State of Utah. In the matter of the
estate of Odesse L. Benedict. Deceased.
Notice.—The petition of Frank M. Benedict. praying for the issuance to himself
of Letters of Administration in the estate
of Odesse L. Benedict, deceased, has been
net for hearing on Saturday, the 16th day
of September, A. D. 190, at 10 o'clock a.
m., at the County Court House, in the
Court Room of said Court, in Sait Lake
City. Sait Lake County, Utah.
Witness the Clerk of said Court with
the seat thereof affixed, this 5th day of
September, A. D. 1906. September, A. P. 1806.
(Seal) J. T. SLDREDGE, JR. Clerk.
By W. H. Farnaworth, Deputy Clerk.
Honderson, Pierce, Critchlow & Barrette, Attorneys for Petitioner.

In the matter of the estate of Ruth Howell Cope, Deceased, Pursuant to an order of the District Court. In and for the County of Salt Lake, State of Utah. Notice is hereby given that the undersigned will sell at private sale, the following described tract of land to wit; Cummencing at the southeast corner of the book sixty-three (St. place). one (1), block sixty-three (63), plat

the sale.

JOSEPH JOHNSON and
FRANCIS W. COPE,
Administrators of the Estate of Ruth
Howell Cope, Deceased.

HICHARD W. YOUNG,
Attorney for the Estate,
Dated September 5, 1985.

A fresh supply of the Battle Creek Sanitarium health foods kept for sale Gardner.

ARE YOU DREADING worry any more. I have an ansesthe-tic which will relieve the pain, Call in and I will explain.

Dr. Loy B. Duncan, DENTIST, Over Walker Bros. Dry Goods Store, S. L.

CALL FOR, GET. Use and Take No Other. Social Bread and Cakes

CHECKS SHOW THE CONTRACT OF SHOWING



Peter Anderson, Taylor, 122 Main, everything first-class.



NEW FALL LINE OF TAILOR= MADE SUITS.

Women's high grade novelty effects are now ready for inspection. All the new materials and styles are represented in our line-and if you contemplate buying a suit it will pay you to give us a call and compare our values with others.

A Beautiful Line of

NEW FALL SUITS.

All the newest colors; long, tight-fitted

coat style; full satin lined; inverted

plait below waist. Skirt in the in-

step length, kilted. Ranging in price

from \$25.00, \$27.50, \$32.50

NEW FALL SUITS, \$13.50.

Fine quality of all-wool Cheviot, colore black, blue or brown; half-fitting back; military effect; latest sleeve, A very nobby and \$13.50

Brown, black and bine in the new long, tight coat style; satin lined to yoke; latest sleeve; cost collar offect; skirt is newest walking length

COVERT JACKETS.

A handsome sariy fall Covert Jacket; full sleeve; all satin-lined; box front. A sample line that was secured by our buyer at a big discount. Values as high as \$19.00 will be sold to close quickly at \$6.00. \$4.00

NEW FALL READY-TO-WEAR HATS. Saturday we received a large ship-ment sample line of ready-to-wear hats, worth up to \$8.00. To sell quick-ly, your choice \$2.45

long 121/2c

A fine grade of Misses stockings;
double heel and toe; extra length A
good, strong, durable hese 20c

A full and complete line of Women's
Hose, in black and tane, plain and
ribbed,
for

SCHOOL HOSIERY.

A very short time before the opening of school. Don't put off buying until the last moment.

A good quality of black cotton ribbed hose, reinforced heel and 10:

MISSES' SCHOOL SKIRTS.

A sample line in tan, blue, gray and brown; the right kind of a skirt to stand the hard wear of school. To close quickly will sell for \$1.48

A new line of about 200 skirts received

Saturday. Colors, black, blue and

fects. To start the season. \$5.50 A new line of shirred yoke effect, full around bottom. A regular \$6.75 value. Priced special \$4.95

brown; Panama and herring-bone Cheviots; sunburst and kilted ef-

All the latest styles, good quality of material; one special with a 12-inch accordian plaited flounce, two rows of ruffles around bottom, \$1.00 A beautiful mercerized moreen, 12-inch flounce; nicely finished, with two rows of shirring around \$1.25

MERCERIZED PETTICOATS.

The latest fad—the Jersey top, form-fitting, with an 18-inch accordian platted flource; finished on bottom with a 2-inch tucked \$1.50 ruffle, for......\$1.50 \$1.50 Green, red and blue mercerized petti-coat, with an Is-inch flounce; finished on bottom with two ruffles. A high grade. Special .\$1.48 MISSES' SCHOOL SUITS.

Pin stripe homespun, half-fitted hox coat, lined, with full sleeve. Skirt plaited. A very good sult for school wear. Ranging in sizes from 14 to 18 years. 18 years. \$9.00

NOTIONS. 1 pkg. Nickel Plated Nursery 1 large cube Toilet Pins, as-1 box steel Hair Pins, 100 to 1 doz. Shell Hair Pins 1 pkg. Kid Curlers, all sizes, . . 3c I card pearl buttons, 2 dozen

Tooth Brushes 100

Canfield Dress Shields 210

Nail Brushes9c

Bargain Items to Be Closed Out.

A HANDSOME SUIT. House facket effect, with full sleeve; skirt platted, panel front. Values as high as \$33.60, \$35.00, \$37.50. \$17.50 TAILOR-MADE SUITS.

Broken lines and odd sizes; \$125 \$15.00 values. .\$7.50 BLUE, BROWN AND BLACK SUITS. Full front, blouse effect, large sleeve; shirt plaited. Values as high as \$22,50 and \$25.00. \$12.50 WRAPPERS.

Women's wrappers, neatly trimmed with a 12-inch flounce. A regular \$1.25 value. To close.

Woman's dressing sacques and kimonas, nicely trimmed. Regular \$1.26, \$1.50, \$1.75 values, for 78c, 98c and.

A few choice styles in those highgrade India linon

980

SHIRT WAISTS. Values as high as \$2.50. To

close the line, for.....

See Our Show Window For Our Special Ready-to-Wear Hat at \$2.45.