

THIRD DEGREE FOR SUSPECTS

Police Believe They Have the Man Who Killed Officer C. C. Riley.

THREE MEN CAUGHT IN OGDEN

Driscoll and Kennedy Suspected of Murder—J. R. Healy Wanted for Pawn Shop Robbery.

Although Chief of Detectives George Sheets this morning declined to state his full views regarding the alleged connection of L. E. Driscoll and R. E. Kennedy with the murder of Special Officer C. C. Riley a week ago Tuesday night, it is understood that the police are fairly satisfied that in the couple they have captured the man who fired the fatal shot.

Driscoll and Kennedy were arrested in Ogdon Wednesday, and brought to Salt Lake City last night by Detectives J. W. Hurt and E. M. Jamney of the local force. On arriving at the police station, they were subjected to a fierce round of the third degree, and under the fire are said to have weakened enough to form a strong basis for belief in their connection with Riley's death. They were unable to make a satisfactory explanation of their whereabouts and actions on the night Riley was killed, so were committed to jail.

J. R. Healy, who was also brought down from Ogdon last night, is not suspected of connection with the murder, but is held on a charge of robbing a pawn shop at 47 Commercial street some time ago.

VERDICT FOR DEFENDANT.

A jury in Judge Armstrong's court yesterday returned a verdict in favor of the defendant in the case of Lino Trujillo against the Denver & Rio Grande Railroad company. Trujillo sued the railroad for \$10,000 for being ejected from a train near Agate, Utah, Feb. 7, 1909, while he was traveling with his wife. He was thrown from the train and rolled into a ravine 20 feet below the track. Trujillo claimed the trainmen used unnecessary force in ejecting him and brought suit for damages. The jury, however, differed from Trujillo and returned a verdict against him.

PETITION IN GUARDIANSHIP.

Mrs. Beatrice Clark has filed a petition in the probate division of the Third district court asking to be appointed guardian of her two minor children, Pauline, aged 5, and Paula, aged 3 years. The estate consists of a two-thirds interest in a claim for damages against the Day West Mining company for the death of the children's father, Angus C. Clark, who was killed while in the employ of the mining company. The action against the company has been compromised by the payment of \$2,750.

MCCORMACK LOSES SUIT.

Judge Ritchie yesterday rendered a decision in the case of James McCormack, administrator of the estate of Matt Moore, against the Rev. D. J. Kelly, holding that the money in the custody of Father Kelly, amounting to \$1,200, which belonged to Moore, is a trust fund and that McCormack is entitled to \$283.85 of the fund, the remainder to be held by Father Kelly for the benefit of St. Ann's orphanage. The administrator claimed that the entire amount belonged to the estate, while Father Kelly claimed the money given him by Moore was to be used for the orphanage.

SEEK TO RECOVER TEAM.

Joseph W. and Charles W. Reese have filed suit in the district court against A. E. Lofgren to recover possession of a team of horses valued at \$450, surveying instruments worth \$10, money advanced, \$175, and for \$150 worth of labor performed by them. It is claimed that Lofgren fraudulently obtained possession of the property mentioned in this year. If the horses and instruments are gone, the Reeses ask a lump judgment for \$174.

DAMAGE CASE TRANSFERRED.

The case of J. H. Worral, administrator of the estate of J. T. Parrie, against the Garfield Smelting company, was, on petition of Atty. Mathoniah Thomas, transferred from the Third district court to the United States circuit court for the district of Utah, on order of Judge J. G. Armstrong. The action was brought to recover damages for the death of Parrie, which took place Oct. 19, 1908, while he was repairing a converter through a wheel falling upon him by the breaking of an axle.

GRAY LOSES HIS SUIT.

W. T. Gray lost his suit yesterday in Judge Ritchie's court against Salt Lake county and the Utah Light & Railway company when the jury returned a verdict in favor of the defendant. Gray asked for \$400 in damages to his property on account of high waters from Parley's canyon flooding his property at Reynolds, East and Ninth, South streets, and the Utah Light & Railway company placed a culvert at this point diverting the course of the water, which caused it to flow over onto his land.

VERDICT ON INDICTION.

Judge Armstrong this morning instructed the jury in the case of the attack on the Utah Light & Railway company to bring in a verdict in favor of the defendant, on a charge for action. The case was one in which the plaintiff sought to recover \$3,000 damages for injuries alleged to have been sustained by him in attacking from a street car on Broadway street, between First and Second streets on May 21 last. West claimed the car started before he had alighted, throwing him to the ground and inflicting severe injuries.

When the case was called in Judge Armstrong's court this morning neither the plaintiff nor the defense put on any appearance, and after several efforts were made to locate them by telephone, the judge gave the jury instructions to return the verdict of no

WHEN EXPERTS

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Startup Candy Co.,
Denver, Utah, "THE CANDY CITY."

Compound Syrup Hypophosphites

Is an excellent preparation for the treatment of nervous and general debility, nervous dyspepsia, sleeplessness, lack of energy, etc.

\$1.00 a Bottle



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South Main Street

cause for action, as provided under section 3152 of the laws of Utah.

SUES ON NOTE.

The Salt Lake Security and Trust company this morning filed an action for \$2,500 on a demand note against August Stoker. The date of the note is Oct. 12, 1909.

BUSY SERVING SUMMONSES.

United States Marshal James H. Anderson and his deputies are busy engaged in serving summonses upon jurors for the United States court. The court will convene again on Nov. 5, with Judge Marshall on the bench.

IN POLICE COURT.

"The quality of mercy is not strained," would have sounded queer to Eugene Smith, a cripple, had anyone quoted the phrase in police court Wednesday afternoon, when Judge Bowman sentenced Smith to serve 30 days for violating the license ordinance. Smith landed here recently, sick and penniless. He is a cripple whose handicap is a stiff leg. He was arrested on Oct. 10 on Main street to peddle a few strings to get enough money for a meal and the night's lodging. He was arrested for not having a pedler's license.

THE TICKET.

The ticket will be called the "Citizens and Democratic ticket" and will be filed by petition with the city recorder Saturday morning. The ticket which was agreed upon in an informal meeting of the Citizens and Democratic party, held at the residence of Mr. Wallace, Democrat, City Recorder—George N. Lawrence, Republican.

SLAUGHTER HOUSE MUST BE CLEAN

State Authorities Say Bingham Concern Must Abide by the Law.

State Dairy and Food Inspector Hanson is not on the trail of slaughter houses whose proprietors are violating the law. He sent his men to Bingham yesterday, and one result of their trip was the following letter, which the inspector general is sending to C. G. Schlup & Co., slaughterers in Bingham Canyon:

"We have the report of your slaughter house made by our inspector, Simon Hansen, as follows: 'Hogs under and around building. Exceedingly dirty hog pen adjoining house. Floor, plank, open, but clean and covered under floor in awful condition. Walls, rough and dirty. Hide room adjoining. Cooling room floor very dirty but not in walls. If the hide room is not cleaned up, it will be a source of trouble. Yard and building in dilapidated condition generally.'"

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OWNER OF INFECTED SHEEP FACES COURT

George Vellotti, whose herd broke quarantine, is Arraigned Before Judge This Morning.

George Vellotti, who has a herd of sheep about a mile and a half west of the Jordan river on North Temple street, entered a plea of not guilty to the charge of having disregarded a special order of the Utah state board of sheep commissioners to keep his sheep in quarantine, Oct. 6, when he was taken into police court before Judge Bowman. His case was continued to Nov. 17, but the sheep commissioner announced after the continuance had been granted that in the meantime they will find other means to compel Vellotti to comply with their demands.

NEW INCORPORATIONS.

The Utah Motor company of Salt Lake City, filed articles of incorporation with the county clerk today which grants the company permission to deal in automobiles, taxicabs, aeroplanes and dirigible balloons. The capital stock is fixed at \$1,000, divided into 100 shares of \$10 each. J. A. Jackson is president; Joseph H. Davis, vice-president; and John H. Davis, secretary.

Articles of incorporation of the Salt Lake Horse & Mule market were filed in the office of the county clerk this morning. The capital stock of the company is fixed at \$50,000, divided into 5,000 shares of \$10 each. J. E. Tracy is president; J. E. Tracy, secretary and treasurer; and J. E. Tracy, manager, and these with A. J. Gunnell and J. C. Gunnell constitute the directors. The company takes over the Salt Lake horse and mule market at 244-6 west Sixth street.

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WHEELS IS TIED BY A BLACK BEAR

Charles Rodgers Finally Beats Him Off With a Stout Club.

SLINKS AWAY TO THICKET.

After An Hour in the Branches, the Intrepid Sportsman Hobbles to Camp on a Bitten Foot.

(Special to The News.)

Shoshoni, Wyo., Oct. 13.—Charles Rodgers, a resident of this place, while pursuing a band of elk in the Wind River mountains, encountered a large black bear at which he took a hurried shot inflicting a slight wound. The bear, which had started to retreat, upon being shot turned and charged the hunter. Rodgers dropped his gun and climbed a tree, the bear following so closely that some distance above the ground he managed to get one of Rodgers' feet in his mouth, chewing it severely. The hunter finally kicked his foot free and continued to climb, until he reached a point where the limbs of the tree became so slender as to hardly bear his weight. The bear followed, but just before it came within striking distance, the limb broke and he fell to the ground with terrific force. Although stunned, the animal quickly recovered and again slunked into the thicket. Rodgers in the meanwhile had broken off a limb and fashioned a club, with which he rapped the bear on the nose, causing the animal to again lose its hold and again fall to the ground. This time he was so violently jarred that he lost his ambition to further attack the hunter and slunked into a thicket. Rodgers, an hour later, descended and securing his gun returned to camp suffering with severe lacerations.

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Nine homeless men, including Charles Gallagher, Charles Sturgeon, Roy McCall, Will Sullivan, John Lee, Bernard Lee, Arthur Ryan and Lee Eggert, one of a job and were no more than a night's lodging, crawled quietly into the layoff of the Pacific Highway Tuesday night, where, Paxonholm kept, further distinguished himself by arresting them on a charge of trespass. Judge Bowman thought the matter over a minute, and then continued it until today.

George Jensen's bail was set at \$100 and he was released on his own recognizance. He was given until today to explain why he went into the Portland Office House last Monday morning, threw a cash register through a plate glass window and smashed diverse dining ware.

PICTURE FRAMING.

Our lines for the season are complete—500 artistic styles.

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18TH HOMEWARD BOUND.

A telegram was received last evening from Major M. A. Axton stating the departure of the Transcontinental with the Eighteenth United States Infantry on board. With good weather, the transport ought to be in San Francisco by Nov. 10. Chaplain Axton will come direct to his old home in this city, after the two years foreign service, with leave of absence of four months, which will enable him to remain at home during the winter. The regiment is to be quartered at the various posts, and the 18th is headquarters at Whipple barracks.

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DEMOCRATS AND CITIZENS AGREE ON CANDIDATES REPRESENTING ALL PARTIES.

FUSION SO FAR A SUCCESS.

CONVENTION CALLED FOR FRIDAY AFTERNOON IN SALT LAKE THEATRE TO RATIFY ACTION OF COMMITTEE.

With pledges for a business administration, the Citizens and Democrats joined forces last night and will place a fusion ticket in the field for the municipal election. The Republicans, after making charges of bad faith against the Citizens, withdrew from the conference late yesterday afternoon. The Democrats and Citizens adopted practically the proposition made by the Republican conferees at an earlier stage, except that Mr. Wallace was agreed on to head the ticket and his decision was reached only after it became clear that no candidate acceptable to both party leaders could be found.

A convention was called for 7 o'clock Friday afternoon in the Salt Lake Theatre to ratify the action of the conference committee. The convention, according to the call, is the fusion ticket, and the fusion ticket, which was agreed upon in an informal meeting of the Citizens and Democratic party, held at the residence of Mr. Wallace, Democrat, City Recorder—George N. Lawrence, Republican.

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EXTRAORDINARY OPERATION SAVES YOUNG MAN'S LIFE

An extraordinary surgical case which has attracted unusual attention because of its nature and the success attending such a delicate operation, is that of J. J. Jorgenson, a young man of Shelley, Idaho, son of Soren Jorgenson, a well known man of that place, which came to light today, when the grateful father gave the details, after the physicians and nurses connected with the case at the Groves L. D. S. hospital had declined to discuss it on the grounds of professional ethics.

POLITICAL NOTES.

In the Fifth precinct last night, the Republicans chose John M. Knight, a candidate on the Citizens' ticket, as the nominee to succeed the Rev. Elmer L. Goshen, who resigned from the councilmanic ticket.

KNIGHT'S NOMINATION FILED.

Declaration of the Rev. E. L. Goshen Now in Hands of Recorder.

The city recorder today received the declaration of the Rev. E. L. Goshen as a candidate for the city council from the Fifth municipal ward and also the certificate of the Fifth ward Republican committee, signed by John M. Knight, chairman, nominating John M. Knight as the nominee to succeed the Rev. Goshen, who resigned from the councilmanic ticket.

All certificates of nomination must be filed with the recorder on or before Monday of next week, as the law provides that they shall be filed within 15 days of the city election.

NEW FIRE STATION.

Ground was broken at Post street and Eighth South yesterday for the new station of the fire department, to be known as engine house No. 6. The structure will be completed in 30 days and will cost in the neighborhood of \$2,000.

MORAN'S BIG BILL BEING SCRUTINIZED

Council Committee Starts Work on Item Murdoch Calls Diriest Fraud of All.

The special committee appointed by the city council to investigate the bill of P. J. Moran for \$20,433.77 for repairs on the wooden stave pipe, connecting the intercepting sewer with the main sewer, commenced its sessions in the council chamber at the joint building this morning. Councilman Thomas Black is chairman of the committee, the other members being Councilmen Fernstrom, Hall, Bayhouth, Martin and Murdoch. City Engineer Chaney was present, as was also D. P. Thomas, force account agent of the engineering department, who gathered and checked up the books of the inspectors on the job.

The records of the engineering department were brought out and the work of checking the payrolls and accounts of the contractors was begun. Seventy days were occupied by Moran in completing the work, and at different times he had as many as 20 or more men and teams employed on the job. The work was done under "force" orders, for which Moran paid 15 per cent above the actual cost of the work performed.

One of the members of the special committee said that the work of checking the accounts would require two months' time if no faster progress were made than in the past set by the committee. This piece of work performed in repairing the wood stave pipe was characterized by Councilman Murdoch in Monday evening's council meeting as "the dirtiest fraud ever perpetrated on the public" and that the investigation would be a searching one, and that he could not doubt.

EMPLOYEES ENJOY DANCE.

Oleum Thronged Last Night With Keith-O'Brien People.

Last night at Oleum hall the employees of the Keith-O'Brien store held a delightful reunion under the auspices of the store management and heads of departments, including Manager H. W. Walker and Assistant Manager H. E. Schuffelberger and others. The affair drew from the heads down to the carter, and spent an enjoyable time. A large number of the employees were present, and the affair was a success.

CHARMING RECITAL TODAY.

This morning at the regular Thursday program given at the L. D. S. university, Miss Sybilla Clayton gave a piano recital. Barrett hall was crowded with the students and friends of the institution. Selections from Schumann, Chopin, Grieg, and Liszt were given in a masterly manner. With the applause that followed Miss Clayton's playing and the cheers that were given, the audience sought to express their appreciation of the exceptional musical treat it had enjoyed.

RESTORED TO ENTRY.

The land office is in receipt of a communication from the assistant secretary of the interior, giving notice that certain lands surrounding the Utah lake reservoir site has been restored to entry. The notice states that the land will be open for settlement after Jan. 1, but not before Feb. 1, 1910. The land is described as follows: "Salt Lake, principal meridian, township 33 south, range 1 west, east half of section 4, east half of section 5, and east half of section 16."

SIX BEST SELLING BOOKS.

Record for September. According to the foregoing, the best selling books which have sold best in the order of demand during the month are:

1. The House Girl. Macgrath. \$1.50
2. The Inner Shrine. Anderson. \$1.50
3. A Certain Rich Man. White. \$1.50
4. The Bride of the Mistletoe. Allen. \$1.50
5. The Romance of a Plain Man. Glasgow. \$1.50
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DESERET NEWS BOOK STORE.

Extraordinary Operation Saves Young Man's Life

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