# NEW TACK IN SHOCKLEY CASE.

Attorney For Condemned Man Expects to Get a New Trial For Client.

## NOVEL POINT TO BE RAISED.

Jurisdiction of Judges of City Court in Matter of Preliminary Hearings Of Criminal Cases.

At the next hearing of the case of the State of Utah against James M. Shockley before the supreme court in February, the question of the jurisdiction of the judges of the city court in the matter of preliminary hearings of criminal cases will be raised and will be argued in full. It is hoped by Attorney H. A. Smith, who defended Shockley, to secure a new trial on that point.

Shockley was convicted of the murder of a streetcar man in this city and is now under sentence of death for the crime. It will be contended by his attorney that, according to the Constitution, the city judges have not the right to conduct preliminary hearings in cases of felonies and hence as Shockley's preliminary hearing was before one of said judges it was unconstitutional and of no effect and he should be given a new trial.

The authority relied upon by Atty. Smith is section 1, article 8 of the Constitution, which reads as follows:

"The judiciary power of the state shall be vested in the senate sitting as a court of impeachment, in a supreme court, in district courts, in justices of the peace and such other courts inferior to the supreme court as may be established by law."

This general provision in regard to judicial powers is followed by a special provision in regard to the jurisdiction of the courts established, being section 21 of the same article, which is as follows: "Judges of the supreme court, district courts and justices of the peace shall be conservators of the peace, and may hold preliminary examinations in cases of felony."

It is a rule that where a general provision appears in the Constitution relative to powers and is followed by a special provision limiting such powers, the special provision prevails. It will be argued by the defense that by reason of the fact that the special provision did not specifically provide for other courts by the framers of the constitution that such newly established courts should have jurisdiction over preliminary hearings in cases of felonies and hence the justices of the peace have such power but the judges of the city court have not.

The fact that the provisions of the Constitution are mandatory and prohibitory unless otherwise specifically stated therein is also relied upon as a strong point in favor of the contention of the attorney for defendant in regard to the construction of the Constitution with respect to the question raised. The question is an interesting and important one and will be closely watched by the members of the bar and the general public.

### On Trial for Robbery.

J. E. Driscoll is on trial before a jury in Judge Armstrong's division of the district court today upon the charge of robbery. The information charges that Driscoll and one C. D. Bash held up and robbed Anton Vidick of $80 and a watch and chain on the night of Oct. 6, 1904. Bash was tried during the last term of court and was convicted and is now serving a term of three years for the crime. He was brought in from the state prison today to testify against Driscoll. Dist. Atty. Loofbourow is prosecuting the case and Attorneys McCurrin and Gustin are defending Driscoll.

### Estate of Heber Goddard.

A petition for letters of administration of the estate of Heber S. Goddard, deceased, has been filed in the probate division of the district court today by Mrs. Hattie K. Goddard, who asks to be appointed administratrix of the estate, which consists of real and personal property of the value of $5,000. The petition will be heard by Judge Armstrong on Jan. 28. The decedent died in this city on Dec. 15, 1904, after a short illness of only two days' duration.

### Condemnation Verdict

The jury in the condemnation suit of the Oregon Short Line Railroad company against John Halling et. al., which has been on trial in Judge Lewis' court for the past two days, has returned a verdict in favor of defendants for the sum of $800 as the value of the land condemned and $1,850 damages to the adjoining property by reason of such condemnation. The tract of land condemned consists of 62 acres located near the Bingham Consolidated smelter at Bingham Junction. At the former trial of the case the amount of the judgment in favor of defendants was $1,400, but this was unsatisfactory to the railroad company which moved for a new trial and the same was granted with the result that the judgment was increased a considerable sum.

### $50,000 DAMAGE SUIT.

Widow and Daughters Sue Bingham Copper & Gold Mining Co.

The Bingham Copper and Gold Mining company was made defendant in a $50,000 damage suit filed in the district court this afternoon, by Sarah Nelson and Marcella M. and Ellen A. Nelson who ask judgment in the above sum for the death of Erick Nelson, the husband and father of plaintiffs who was killed while in the employ of the defendant's smelter July 13, 1904. It is alleged that while Nelson was pursuing his regular duty at the smelter, an electric wire became loosened from the ceiling of the room in which he was working, and fell striking Nelson and killing him instantly.

### COURT NOTES.

Former Secretary of State James T. Hammond has commenced the practise of law and has opened an office in the McCornick block.

Suit was filed in the district court today by Edward Martin against Robert C. Hamill and seven other defendants to quiet title to lots 17, 41 and 42, Cummings' subdivision of block 2, plat C, Salt Lake City survey; lots 28 and 29, block 1, Kelsey & Gillespie's subdivision; lot 6, block 1, Hunter's subdivision.

Laura J. Brown filed suit for divorce in the district court today against Leonard P. Brown on the grounds of desertion and non-support. They were married in this city on Sept. 24, 1903, and it is alleged that defendant deserted plaintiff in April, 1904, and is now a fugitive from justice. She asks to be awarded the custody of their child and that her maiden name, Laura J. Goins, be restored to her.

Judgment by default in favor of plaintiff was entered today by the clerk of the district court in the case of the C. A. Lammers Bottling company against Eugene Chatlin and Stephen Legar for the sum of $741 due for merchandise sold to defendants by plaintiff, and $8 as costs of suit.

## JURY SAYS NOT GUILTY.

In the Case of May Anderson, Alleged Shoplifter, Accused of Larceny.

The case of the city vs Mary Anderson, alias Bell Fisher, the alleged shoplifter, charged with petit larceny, was begun in Judge Diehl's court late yesterday afternoon, and was continued this morning, when the case went to the jury, and a verdict of not guilty was returned within 15 minutes.

Several days ago, according to the complaint, the woman entered Walker Bros' store and purloined a coat. She was caught before she could leave the premises and was turned over to the police, who took her to the city jail.

Her attorney, Soren X. Christensen, did not offer any defense beyond the argument that the woman did not "steal, take and carry away," as the complaint read, but that she merely took the coat and then returned it, and he denied that there was any intent to steal.

Upon this argument, he made a motion for a non-suit, but the motion was overruled by Judge Diehl.

According to the police, the woman has a bad record. They say she came here from Evanston, Wyo., where she conducted a house of ill fame, and where she had the reputation of being a procuress.

The time of the court and jury was taken up this morning by arguments by Prosecutor Willey and counsel for defense, Mr. Christensen, after which the case was submitted to the jury.

Mr. Christensen argued that the city had wholly failed to make out a case of petit larceny. He said that, for the sake of argument, it might be admitted there was some cause for action on the charge of attempted larceny, but even that failed in the light of all the facts. The woman was overjoyed at the verdict.

## HORTICULTURAL SOCIETY.

Salt Lake County Fruit Growers Meet Tomorrow.

The annual meeting of the Salt Lake County Horticultural society will be held at 1 o'clock p. m. Saturday in the city and county building. Officers for the ensuing year wil be elected, and legislative matters will be discussed. Amendments to the horticultural law, and the measure already introduced in the Legislature, providing for a horticultural experiment station, in the central fruit district of the state, as a branch of the state Agricultural college experiment station, will receive considerable attention.

## WAS BADLY HURT.

Accordingly Nephi Y. Schofield Wants Damages from the City.

A claim was filed in the city recorder's office today by Nephi Y. Scofield, who asks the city to pay him damages in the sum of $500 for personal injuries received on the night of Dec. 1, 1904. The petition recites that owing to a pile of dirt and gravel on the sidewalk at 342 south Ninth East street, he fell and severely injured his head, face, shoulder and legs, for which he asks damages in the above named sum. The petition will be submitted to the city council on Monday night, and will probably be referred to the committee on claims for consideration.

A Guaranteed Cure For Piles.

Itching, Blind, Bleeding or Protruding Piles. Your druggist will refund money if PAZO OINTMENT fails to cure you in six to fourteen days. 50c.

## PERSONALS.

Sheriff Benjamin Saunders of Pioche is a guest at the Wilson.

George Y. Wallace left this week for Boston on a business trip.

Dr. A. Zimmerman, dentist of the Galena block, has gone to Seattle to locate permanently.

James S. Forrest of New York, who has been visiting this city for the past 18 years, is at the Knutsford.

Donald P. Gillis, the well known mining engineer, is very ill at Los Angeles, where he went some time ago for his health.

Ex-Treasurer Henry C. Corton of Bannock county, Ida., and Hugh Dorlen, both of Soda Springs, are in town for a few days.

E. T. Mattox, formerly a resident of this city, has just been elected secretary and treasurer of the Hobart Trust company of New Jersey.

W. W. Chisholm and wife leave this week for Hot Springs, Ark., to remain until April, as Mrs. Chisholm is a constant sufferer from rheumatism.

P. L. Rosenthal, a well known coffee salesman from San Francisco, is at the Kenyon with his bride, and receiving the congratulations of many friends.

Rev. Roser of All Hallows college has returned from a visit to Tonopah, and will go back to the camp later, to complete his collection of minerals for the college cabinet.

Word from Havana, Cuba, states that Dr. T. R. Beatty has arrived safely in Havana from Panama, in attendance on the big medical gathering in the Cuban capital.

G. P. Daniel, formerly physical director of the Y. M. C. A. under Secy. Axton, has returned to this city, from Quincy, Ill., where he was both physical director and secretary of the Y. M. C. A. there. Mr. Daniel expects to remain in Salt Lake.

## SECOND WARD S. S. ENTERTAINMENT

The Sunday school of the Second ward, under the leadership of Prof. H. E. Giles, will give a musical entertainment at the ward hall tonight, for the benefit of the Sunday school. The Juvenile Minstrels will give part of the performance, and this will be followed by the operetta "The Runaways."

One Dose

Tells the story. When your head aches, and you feel bilious, constipated, and out of tune, with your stomach sour and no appetite, just buy a package of

Hood's Pills

And take a dose, from 1 to 4 pills. You will be surprised at how easily they will do their work, cure your headache and biliousness, rouse the liver and make you feel happy again. 25 cents. Sold by all medicine dealers.

# BESSIE LAPLANT ALLEGES CRUELTY

Sues for Divorce Because She is Afraid to Live With Husband.

## YET ANOTHER UNHAPPY WIFE.

Mrs. Blanche L. Coonrod Seeks Freedom from Her Husband Who Deserted Her.

Cruelty is the ground upon which Bessie B. LaPlant asks a divorce from Napoleon P. LaPlant, whom she married at Florence, Colo., on Feb. 21, 1900. In her complaint which was filed in the district court today, she alleges that defendant has an ungovernable temper and frequently goes into a violent rage without cause during which spells he calls plaintiff vile names and has on various occasions struck her and otherwise maltreated her. She alleges that his conduct towards her has grown worse and she fears for her personal safety while living with him. She asks for costs of suit and attorney's fees, and that her former name, Mrs. Bessie B. Sweet, be restored to her.

### CONDUCTOR DESERTED HER.

Blanche L. Coonrod filed suit for divorce in the district court today against Albert E. Coonrod on the grounds of desertion and failure to support. They were married in this city on May 10, 1887, and have three children. The complaint alleges that defendant deserted his wife and children on Oct. 14, 1899, and left them in destitute circumstances and has ever since failed to support them, notwithstanding the fact that he is capable of earning $150 per month as a railroad conductor. Mrs. Coonrod asks to be awarded the custody of their minor children and a reasonable sum of alimony and attorney's fees.

### FEDERAL COURT.

Arguments in the case of Field vs the Daly-Judge Mining company on trial in the federal court, were concluded at 12:15 today, Atty. H. A. Smith and Judge J. E. Frick arguing on behalf of the plaintiff, and Judge Andrew Howat speaking for the defense. Court then adjourned until 2 p. m., at which time the jury was charged by Judge Marshall, and retired.

In this case a widow and three minor children are sueing the mining company for $20,000 damages for the death of their husband and father at Park City a few months ago. The deceased was riding on a truck, which was run down by a runaway ore train, and he was killed.

## Amusements

A good sized audience was drawn out at the Theater last night to see Edna Wallace Hopper in her new departure. The audience went away both surprised and delighted. Hitherto Miss Hopper has been known to us as a blithe little lady whose accomplishments were limited to walking through the music of burlesques and musical farces—she seldom essayed to sing them. In her two roles last night she showed undoubtedly that she is the possessor of genuine talent, both in the range of comedy and emotion, in the beautiful one act curtain raiser, "Captain January," abridged from the popular story of the same name, she did a charming bit of acting as the child, her manner, walk, gestures, and enunciation all being to the last degree faithful. She was admirably supported by Mr. Paul Everton in the title role, and he too showed that he is an actor of decided attainments. In the after piece "A Country Mouse," after we have overlooked the distasteful theme upon which it is all built, and the immoral sugestions with which it is rampant, it can be said that Miss Hopper and her fellow players shone to entire advantage. The play is decidedly light, but is very amusing as an alleged reflection of one part of fashionable London life. Some of the character bits were excellent, notable the duke of Mr. Norton, the Wyse of Mr. McAllister, and the Lady Sylvia of Kathryne Brown. Mr. Everton, though he played with care, hardly had a role that gave opportunity for his abilities.

Miss Hopper in this piece was the demure country girl and quite charmingly she played it, although one could not help feeling disappointed that at the close her character too should be blended in with the folly and hollowness of fashionable life. The end was rather disappointing, but it all made an evening of merriment and was enjoyed by the audience.

The same double bill will be seen for the last time tonight and tomorrow afternoon and evening.

* * *

The advance sale for the Symphony Orchestra concert began at the theater box office this morning.

### COOKE LECTURE TONIGHT.

Tonight the third entertainment of the M. I. A. lecture course will be given at Barratt Hall. The attraction will be Edmund Vance Cooke the "Humorous Poet-Philosopher," who is well known as a writer of verse dealing with child life quaintly and pleasantly.

Season tickets will be given the preference at the door. As the holders of these nearly fill the building, only 100 general admission tickets will be sold, which may be found at the book stores today. General admissions read "not good until after 8 o'clock," until which time the house will be reserved for holders of season tickets.

Mr. Cooke arrived in Salt Lake this morning, and will leave tomorrow early, so that no extensive plans for his entertainment have been made.

### SHE TURNED VEGETARIAN.

The Countess of Essex, who has many American friends, recently became a vegetarian. The other day, in a letter to New York, she accounted for the abandonment of flesh

"By chance," she wrote, "I happened to see the preparations in a slaughter-house for the killing of a great herd of sheep.

"I can't tell you how unpleasant those preparations were—how everything was stained deep with blood—how there arose from the drenched, dark floors the peculiar odor of blood.

"As I was hurrying away, three beautiful lambs were led in by a man with a long, shining knife. Filled with pity and indignation, I said:

"'How can you be so cruel as to put these innocent little lambs to death?'

"'Why, madam,' said the man, 'you wouldn't eat them alive, would you?'"

# SHORT SESSION OF LEGISLATURE

Senate Met This Afternoon Merely for the Purpose of Adjournment.

## COUNTRY MEMBERS ABSENT.

Bill by Roberts Relating to Qualifications of Members of the Board Of Education.

The senate met today, at 2 o'clock merely for the purpose of recording a session and adjourning, in compliance with the letter of the law which forbids an adjournment for more than three days without consent of the house. The session was an alternative, the senators voting to take yesterday, in preference to accepting a favor of the lower branch of the Legislature that would place them under any obligations to it. While the house assembly room was filled with members an hour before it convened, not a senator was in the senate chamber until a few minutes before the hour of calling the session to order. Then the president's gavel called the senate into session with barely a quorum present. They were Senators Bennion, Bamberger, Hart, Williams, Lewis, Hollingsworth, McKay and Love. All of these members are from points near to Salt Lake or points too far away to allow of their going home for the recess, which will be taken until Monday. In the absence of a regular chaplain, who left this morning for Tooele county, Senator McKay officiated.

An announcement that caused some surprise was made by President Love, who stated that Senator Lewis had requested to be relieved from the committees on which he was serving. The president announced that the vacancies would be filled Monday. The senate adjourned at 2:30 until Monday at 2 p. m.

### MANY ABSENTEES.

House Called to Order With Some Out-of Town Members Away.

The house was called to order this afternoon with many of the out-of-town members absent. After the calling of the roll and prayer by the chaplain, the clerk read the journal of the previous day, eliminating the reading of the rules by unanimous consent.

Rule 15, which had been amended by the clerk without the consent of the house, caused some discussion, and a motion by Mr. Roberts to permit the rule to stand as printed, was objected to and the matter was deferred for future action.

H. B. No. 17, introduced by Mr. Panter, amends section 24 of chapter 133, laws of 1901, relating to the protection of fish, game and birds, making said section read as follows:

"It shall be unlawful for any person, in any year to kill, take, shoot at, ensnare, entrap or have in his possession any gull, owl, lark, whippoorwill, thrush, swallow, snowbird, robin, kohl meisen, mourning dove or any other insectivorous or song bird except the English sparrow, or to rob or destroy the nests, eggs or young of said protected birds mentioned in this section."

Another bill by Mr. Roberts amends section 1905 of the Revised Statutes relating to the compensation of members of boards of education and fixing it at a sum not to exceed $100 per annum. The bill also provides that no member shall take a contract or engage in any labor, payment for which shall be made from the school funds.

Mr. Roberts this afternoon introduced a bill amending section 1897 of the Revised Statutes, relating to the qualifications of members of the board of education and providing that such members shall take the oath and give a bond of $1,000 to be approved by the county clerk before entering upon the duties of his office.

The gentleman from Cache also has in contemplation a bill establishing high schools in all cities of the first, second and third class, and eliminating the preparatory departments in the University of Utah and Agricultural college. The bill appropriates $25,000 for this purpose, $3,000 to go to cities of the first class, $2,000 to cities of the second class and the balance to be divided pro rata among cities of the third class. The bill is a very important one, and is in direct line with a movement started at the University some time ago.

## LEGISLATIVE GOSSIP.

A $10 clock now adorns the west wall of the lower house.

A dictionary is one of the indispensable adjuncts of the house chamber.

"To undo undue legislation" will be Harry Joseph's motto during the session.

Most of the out-of-town members will spend Sunday at their respective homes.

Chaplain Hess evidently believes that short prayers are just as effective as long ones.

The house is unlike a stenographer in this, that it refuses to take dictation from the senate.

Senator Peter Clegg left for his home in Tooele this morning at 8 o'clock. He will be back Monday.

The matter of bounties on wild animals will doubtless receive some attention during the session.

Representative Joseph expects a bitter fight on his bill providing for a general mine inspector.

There is a disposition on the part of many to hew closely to the lines drawn in the governor's message.

Rep. C. S. Kinney of Salt Lake is said to be slated for the chairmanship of the committee on judiciary.

Being an old newspaperman himself, Chief Clerk Vigus is not slow to extend the usual courtesies to the profession.

Representative Thompson wants it distinctly understood that he is not a sheepman, reports to the contrary notwithstanding.

Secretary of State Tingey is to be commended for furnishing the press table with a copy of the Revised Statutes and Session Laws.

Sergeant-at-Arms Snow of the house is a dignified, affable, obliging gentleman, and has a corps of accommodating assistants under him.

House members were yesterday notified that telephone toll service was free to them, but not to friends and relatives on the other end.

With the appointment of the senate committees the play-hours and social sessions are at an end. There is plenty of work from now on for every senator.

There is considerable speculation as to the personnel of the house committees. Speaker Hull is giving the matter careful consideration, so as to be fair with all members. The committees will likely be named on Monday next.

A canvass of house members reveals the fact that Representative McCrea of Salt Lake is the youngest man in that body, being 26 years of age Dec. 28 last. Next in order come Representatives Stringham and Kuchler, who are safely this side of 30.

With the house casting temptation before it and deciding to get every "needful" things that doesn't cost over $2.50 per from the state, and the senate carefully hurling temptation far behind it, the first war of the branches is on.

Senator Bennion is not going home for the recess granted the remaining days of this week. He only lives 250 miles away, and "half of this by wagon, so that he doesn't feel quite in the mood to run out home as some of his brother senators have done.

The senators from the outside districts are settling down at permanent homes in Salt Lake for the session. Senator Harden Bennion will live at 227 west Third North street; Senator Barber at the Kenyon, Senator Callister at 3685 University street; Senator Johnson at the White House, and Senator Larsen at the Halls.

While it is a little early in the session to determine the qualifications of the respective members of the house, it is plain to be seen that Tolton, of the Democratic minority, is well to the fore as a parliamentarian. Several times during the week he has very properly corrected members who were out of order.

Representatives Luther and Wilson are two members of the house who are thought to bear something of a resemblance to each other. At least the artist of the Christmas "News" got them sadly mixed in placing their names under their respective pictures in that issue. Mr. Luther's portrait bearing the name of Mr. Wilsn and vice versa. The "News" regrets the circumstance, but as both gentlemen are equally good looking, there is really no apology due to either.

The pen alone is mighter than the sword, and when a pen and a knife join forces they apparently are mightier than the Legislature. Yesterday the first fight between the senate and the house and between individual members of the house occurred over just a little pen and knife with a few 15-cent cuspidors thrown in. For a time it threatened to disrupt everything, but finally with Harry Joseph to the rescue the ship of state steered out of the storm and the hurricane emptied itself upon the contingent committee.

## SINGING CLASS.

Ensign Stake Sunday School Board Has Organized One for Children.

The Ensign Stake Sunday school board has organized a singing class for the children living in the respective wards of their stake, and the opening session will begin Saturday morning at 10 o'clock, in the Twentieth ward assembly hall. The object of this class is to teach the children the Sunday school songs so that singing can become one of the important factors in cultivating the proper religious and reverential spirit in Sunday schools. Mrs. Olea Shipp, a graduate of the L. D. S. High school, will have charge of the work. Miss Shipp has also studied in the conservatory of music in Ann Arbor university, and has been pronounced a capable teacher in her line. The course of study, which begins tomorrow, will last for twelve weeks.

COLDS CAUSE SORE THROAT

Laxative Bromo Quinine, the world-wide Cold and Grip remedy removes the cause. Call for the full name and look for signature of E. W. Grove. 25c.

## LATE LOCALS.

Today's local bank clearings amounted to $946,446.30 as against $468,480.18 for the same day last year.

William B. Work, who has been in this city for the past few weeks in the interests of an eastern mining company, will leave tomorrow for Ocean Beach, Cal., where he will spend the balance of the winter.

The funeral services of Mrs. Beulah Beatie will be held in the Eighteenth ward chapel Sunday at 1 p. m., under the direction of Bishop O. F. Whitney. Relatives and friends may view the remains Sunday from 10 a. m. to 12 m. at the residence, 341 east Fourth South street.

Grand Master Straup of the Utah Grand Lodge of Odd Fellows was accompanied by Bingham Junction lodge No. 39 last evening, in his official visit to Bingham lodge No. 19. A special train was secured, and the attendance of visitors was quite large. A very pleasant evening was spent.

A copy of the articles of incorporation of the Singer Sewing Machine company of Elizabeth, N. J., was filed in the county clerk's office today. Its capital stock is $1,000,000, divided into shares of the par value of $100 each. The incorporators are Douglas Alexander, T. E. Hardenbergh and C. P.

The Knights of Columbus installed the following officers Wednesday night in the Jennings block lodge rooms: Grand knight, John J. Harvey; deputy grand knight, W. J. Halloran; treasurer, Angus McKellar, Jr.; financial secretary, C. A. Locke; recorder, W. L. Duffie; warden, W. E. Fife; chancellor, T. J. O'Brien; lecturer, H. V. Meloy; advocate, Michael Phelan; trustee, Thomas Murnane; inside guard, J. J. Kenney; outside guard, F. O. Miller.

There is more snow coming, according to the predictions of the local weather bureau, as there is a low barometric area approaching from the California coast, where it is raining, and this area is enveloping everything west of the one hundred and fifth meridian. Considerable of a snowfall is expected along this meridian. It was a day of low thermometers yesterday over a large area of the country, the lowest being 28 below zero at Winnipeg, and along the Mississippi valley it was not much higher.

### A TILL TAPPER.

Joseph Leiter was in New York the other day. He lunched at a fashionable restaurant.

During luncheon the subject of widows rose, and on this interesting topic many original ideas were expressed. Mr. Leiter said:

"Some widows are to be pitied. Others, again, are to be felicitated. My father used to describe a widow of the latter sort.

"She lived in Maryland; she kept a little village store. Her husband was a worthless fellow. He never worked, and he drank a great deal. A worthless fellow, I repeat, but nevertheless, when he died suddenly, many persons made calls of sympathy and condolence on the widow.

"My father did not call, but one day, stopping at the store to buy some trifle or other, he thought it was no more than right to say in a feeling tone:

"'You must miss your husband a great deal, madam.'

"'Well, sir,' said the widow, 'it does seem strange to come into the shop and find something in the till.'"

A Universal HOT BLAST

Is what you need these cold days. Don't delay in getting one. No other will do as well.

H. DINWOODEY FURNITURE CO.

## WEATHER REPORT.

Record at the local office of the weather bureau for the 24 hours ending at 6 a. m. today:

Barometer reading at 6 a. m., 25.82 inches; temperature at 6 a. m., 18 degrees; maximum, 30; minimum, 14; mean, 22, which is 3 degrees below normal.

Deficiency of the daily mean temperature since the first of the month, 24 degrees.

Deficiency of daily mean temperature since Jan. 1, 24 degrees.

Precipitation for the 24 hours ending at 6 a. m., .05 inch.

Precipitation since the first of the month, .35 inch; which is .28 inch below the normal.

Deficiency in precipitation since Jan. 1, .28 inch.

FORECASTS TILL 6 P. M. SATURDAY.

Local forecast for Salt Lake City and vicinity:

Cloudy and unsettled tonight and Saturday with possibly snow Saturday.

Utah (forecast at Denver, Colo.):

Partly cloudy tonight and Saturday with local snow north portion; rising temperature.

West Wyoming—Partly cloudy tonight and Saturday; rising temperature.

### TODAY'S TEMPERATURE.

| | |
|---|---|
| 6 a. m. | 18 |
| 7 a. m. | 15 |
| 8 a. m. | 18 |
| 9 a. m. | 22 |
| 10 a. m. | 24 |
| 11 a. m. | 26 |
| 12 noon | 28 |
| 1 p. m. | 20 |

YESTERDAY'S RECORD.

| | |
|---|---|
| Highest | 30 |
| Lowest | 18 |

## DAILY GRAIN LETTER.

Messrs. Logan-Bryan of Chicago telegraph their local correspondents, James A. Pollock & Co., over their private wire, on the grain and provision situation, as follows:

Chicago, Jan. 12.—Wheat—Trade today has been dull and nervous, but with a very steady market. The sharp rallies from the breaks clearly reflect the tightness of the situation and as we have contended for some time, also reflects the oversold condition of the trade. The market continues very sensitive to any little buying demand. Manipulation has been charged to the bull interest, but it is a singular fact that our market is relatively the cheapest market in the country. The contract stocks in all primary markets are small with absolutely no hope of increasing them. Under these conditions we cannot hope to receive from other primary points wheat that will grade contract. It is a scarce article in all markets, and holders are not anxious to part with it. The decrease in stocks is another factor of strength to the situation, reflecting an improvement in the consumptive demand. The action of the market looks strong to us and we continue to feel the big holders of wheat have the better end of the argument.

Corn—A feature of this market has been the selling at times heavy of a prominent cash and elevator concern, leaving the trade under the impression that it has been liquidating corn for some little time back. Trade continues very quiet, and within a very narrow range. We still feel the immediate course of prices will depend altogether on receipts.

Oats—Trade light and featureless. We continue to feel it is a slow scalping affair.

Provisions—This market continues to be ruled by the packers, and we doubt very much if any sustained improvement can take place until they change their present unfriendly attitude toward the speculative market. It still looks to us like a scalping affair.

### AFTERNOON ON 'CHANGE.

May Day, New York and Wabash were the only stocks sold during the regular call of the mining exchange this afternoon, as follows:

May Day, 100 at 9¾.

New York, 100 at 47; 100 at 46½; 100 at 46; 100 at 45.

Wabash, 200 at 2.20; 100 at 2.17; 100 at 2.12.

## NEW YORK CLOSING STOCKS

Friday, Jan 13, 1905.

| | |
|---|---|
| Atchison | 87¾ |
| Atchison pfd | 100¾ |
| Baltimore & Ohio | 103¼ |
| Canadian Pacific | 123¾ |
| Chicago & Alton | 41½ |
| Chicago & Alton pfd | 83 |
| Chicago & Northwestern | 207¾ |
| Chicago & Northwestern pfd | 234 |
| Colorado Southern | 22½ |
| Denver & Rio Grande | 32¼ |
| Denver & Rio Grande pfd | 86 |
| Erie | 40¾ |
| Illinois Central | 158½ |
| Louisville & Nashville | 140½ |
| Manhattan L. | 170¾ |
| Metropolitan St. Ry | 117¾ |
| Mexican Central | 25¼ |
| Missouri Pacific | 106¾ |
| New York Central | 143½ |
| Pennsylvania | 137¾ |
| Reading ex-div. | 80¾ |
| Rock Island | 36¾ |
| Rock Island pfd ex-div | 85¼ |
| St. Paul | 173¾ |
| Southern Pacific | 66½ |
| Southern Railway | 34¾ |
| Union Pacific | 117¼ |
| Union Pacific pfd | 97¾ |
| Wabash | 21¾ |
| Wisconsin Central | 23¾ |
| MISCELLANEOUS. | |
| Amalagamted Copper | 75 |
| American Car & Foundry | 33½ |
| American Locomotive | 34¼ |
| American Smelting & Refining | 81½ |
| Am. Smelting & Refining pfd | 111¼ |
| Brooklyn Rapid Transit | 61¾ |
| Colorado Fuel & Iron | 49¼ |
| International Paper | 23½ |
| National Biscuit | 55¾ |
| National Lead | 24¾ |
| Northern Securities | 144¾ |
| Pacific Mail | 44½ |
| People's Gas | 107¾ |
| Pressed Steel Car | 36¼ |
| Pullman Palace Car | 246 |
| Standard Oil | 637 |
| Sugar | 142¼ |
| Tennessee Coal & Iron | 71½ |
| United States Steel | 30 |
| United States Steel pfd | 93¼ |
| Western Union | 86 |

### BOSTON MARKET.

Closing quotations today as reported by the Brokerage & Finance Co., successors to Hudson Sons Co., brokers, were:

| | Bid. | Asked |
|---|---|---|
| Amalgamated | 74¾ | 75 |
| Bingham Con. | 33¾ | 33⅞ |
| Con. Mercur | 34 | 37 |
| Daly-West | 15¼ | 15½ |
| Utah Con. | 42¾ | 43 |
| U. S. Mining | 24⅝ | 24½ |

TONOPAH STOCKS.

| | | |
|---|---|---|
| East Tonopah | 11.25 | 12.00 |
| Montana Tonopah | 1.95 | 2.10 |
| De La Mar | .70 | .73 |
| North Star | .23 | .24 |
| Paymaster | .03 | .04 |

### DIED.

JONES—Susie B., the six-months-old daughter of Daniel and Kate Milne Jones, at Union, on the 11th inst., of bronchitis.

The funeral will be held at 12:30 on Sunday, at the Union ward meetinghouse. Friends invited.

### DIVIDEND NOTICE.

IDAHO SUGAR CO.—The board of directors of the Idaho Sugar Company has this day declared a dividend of 1½ per cent on the capital stock of the company, payable Feb. 1st, 1905, to stockholders of record Jan. 24th, 1905; the stock transfer books of the company will be closed Jan. 24th, 1905, at 5 p. m., and reopened Feb 2nd, 1905, at 10 a. m.

HORACE G. WHITNEY,
Secy. & Treas.
Salt Lake City, Utah, Jan 13, 1905.

### DIVIDEND NOTICE.

FREMONT CO. SUGAR CO.—The board of directors of the Fremont County Sugar Company has this day declared a dividend of 1½ per cent on the capital stock of the company, payable Feb. 1st, 1905, to stockholders of record Jan. 24th, 1905; the stock transfer books of the company will be closed Jan. 24th, 1905, at 5 p. m., and reopened Feb. 2nd, 1905, at 10 a. m.

HORACE G. WHITNEY,
Secy. & Treas.
Salt Lake City, Utah, Jan 13, 1905.

### OLD IMPERIAL MINING AND MILLING COMPANY.

Notice of Special Meeting of Stockholders.—A special meeting of the stockholders of the Old Imperial Mining & Milling Company is hereby called to convene at the general office of the corporation, Room 20, Manx Building, 24 East South Temple Street, Salt Lake City, Utah, on Tuesday, the 7th day of February, 1905, at the hour of 11 o'clock a. m. Said meeting is called for the purpose of considering and voting upon the question of amending the articles of incorporation in all or any of the following particulars: To amend the 5th article by increasing the number of shares of the capital stock from four hundred thousand (400,000) shares to one million (1,000,000) or any other number of shares.

Dated at Salt Lake City, Utah, this 11th day of January, 1905.

P. H. CANNON, President.

Attest:
SYLVESTER, Q. CANNON, Secretary.

Hello! Have you tried

McDonald's Whipped Cream Chocolates?

If not, there's a treat coming your way. Sold in ½ and 1 lb. packages everywhere.

American, $2.50 to $4.00.
The Kenyon Hotel.
European, $1.00 to $3.00.