

# JENKINS-JENSEN CASE AFFIRMED

## Supreme Court Today Sustaining the Decision of Judge Hall.

### IN FAVOR OF DEFENDANTS.

Complicated Suit to Quiet Title Settled—Property Passed Through  
A Number of Hands.

The Supreme court today affirmed the decision of Judge Hall in the case of John Jenkins Jr., appellant, vs. Mary E. Jensen and Thomas Quayle. The opinion is written by Chief Justice Miner, and concurred in by his associates. It is very lengthy, occupying twenty-two typewritten pages.

The action was brought by John A. Jenkins Jr., to quiet title to lot 16, block 22, Ten Acres plat A, Elk Field survey. The defendants denied plaintiff's allegations of title, and set up a defense based on a chain of title, involving family compromise and settlement, and want of consideration. The trial court found the issues in favor of the defendants, and the plaintiff appealed.

Two copies of the opinion were filed in the case. The opinion is written by Chief Justice Miner, and concurred in by his associates. It is very lengthy, occupying twenty-two typewritten pages.

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# Better Keep It.

Don't let money slip through your fingers. Don't pay 50 cents a pound for baking powder when you can get Three Crown, just as good, for 25 cents. It is better than most of the popular priced baking powders and is equal to any of the high priced baking powders. It is made for satisfaction and is sure to give you pleasure. It helps you to have wholesome, reliable food, and it helps you to economize at the same time.

Three Crown Baking Powder is sold and guaranteed at following prices:

Two ounce can, 10c; 5 ounce can, 15c; 12 ounce can, 20c; 16 ounce can, 25c.

# HEWLETT BROS. CO.

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down after a successful run has been a great boon to the farmers and in everyone's opinion the best growing industry will rank among the foremost of the state. It is coming well to the front. In fact it is an ideal county for the agriculturalist.

A. J. Davis leaves in the morning for his oil well in the San Rafael. He says the well is down 1,300 feet, and the present indications warrant him in believing that it will not be necessary to go lower than 1,700 or 1,800 feet in order to secure a good flow of oil. Mr. Davis has the highest hopes for the oil fields in that part of the state.

J. H. Turner returned this morning from a business trip through the Dixie country, and is at the Silver Reef. He says that the Silver Reef properties are looking unusually fine, and that in Grand Gulch is being found copper assays of 30 per cent pure, and there are lots of the bronze metal in that section. Mr. Turner reports a better feeling in southern Utah than for a long time past, and everybody is hoping for a railroad.

"If any one wants to go in bathing now at Silver Reef they will find it necessary to walk out about a mile from the pavilion to get into water deep enough to bathe," remarked F. J. Connor today at the Kenyon, with a pathetic touch of sadness to his voice. With the water out as far as it is from the shore now, the shore looks like a ruin and a desolation, and Salt Lake people ought to feel like hanging their heads because their children are not back. Back always towards old Lake Point, where the first salt was made, is dry land. It seems to grow worse and worse."

"It makes me very tired, the way some of the self-appointed critics in this country get after the missionaries in China, because they are not doing anything in the line of indemnity for the Chinese Christians who have lost their little all in the recent Boxer troubles," said Chaplain Marion at the Manitou today. "Minister Conner and the British minister will both admit that had it not been for the Chinese Christians that not one of the members of the foreign legations would have been left alive. The Chinese Christians are the ones who were most remarkable. I know of a Presbyterian missionary who was attacked by Boxers and thrown to the ground. Immediately four native Chinese threw themselves over him into the river to save his life at the risk of their own. Two of these natives were beaten to a jelly, and it was only their timely rescue that saved the missionary. When asked what he thought of the medical missions Chaplain Marvin said they were of the very highest utility, of the most important service. He knew of one medical missionary, Dr. Lewis, who was able to perform seven operations for cataracts on Chinese patients in one day. "Now," said Mr. Marvin, "are not people who are thus humbly treated bound to show some gratitude for what has been done for them? You may rest assured that they do. Minister Denby visited numerous Chinese coast mission stations in an American war vessel, and at the end of his trip emphatically endorsed the work of the Christian missionaries both Protestant and Catholic. The chaplain will hold regular Episcopal services every Sunday morning at Fort Douglas, and in the evening there will be a general evangelical service, with gospel hymns. He is very glad to have the assistance of Christian Endeavor workers from this city in the post work."

# GENERAL MANAGER HOME.

D. S. Murray of the Bell Telephone Back From Eastern Trip.

General Manager D. S. Murray of the Bell Telephone company returned today from a month's trip to the East. He visited Denver, Kansas City, Chicago, New York, Boston, and Philadelphia, and returned with a view of ascertaining what betterments to the local system it will be advisable to make in order to have a part system nearly as good as that accompanied by his wife and had an enjoyable but very busy trip.

# SOLDIERS GET INTO TROUBLE

Have Been Pawing Uncle Sam's Property in the City.

This afternoon Detective Sheets made a round-up of all the second-hand stores and pawn shops in the city, in many of which he has found articles left there by soldiers from the post. There were shoes, gloves, uniforms, overcoats and other articles, the soldiers' property, all gathered together and sent to Fort Douglas and then the strenuous life of the soldier will begin. It is a serious offense for a soldier to dispose of any article of his property without the permission of his commanding officer, and the punishment for the offense is that it may go hard with the boys who have been guilty of disposing of property in the manner named.

# PERSONALS.

George Boyer, manager of Haverly's minstrels, is registered at the Kenyon.

Civil Engineer R. E. L. Collier leaves on a two weeks trip to Deep Creek Saturday.

John Noble, of Boise, is at the White house, having come to this city to get his eyes treated.

Charles J. Reed was today married to Agnes Oberg by Deputy County Clerk Emery at his office. The groom is 21 years of age and the bride 18.

President Armstrong, of the Commercial & National Savings bank, is the father of a fine boy, his second.

A. E. Hyde returned this morning from his Battle Mountain, Nevada property, well pleased with the outlook. Mr. Hyde says that the showing in gold ore especially is encouraging.

Philip Kiefer of Dayton, Ohio, uncle of George S. Nickum, of this city, celebrates today, his one hundredth birthday. He has been a resident of Dayton for seventy years.

Section Director L. H. Mordock, of the weather bureau, left this morning for the White House. He has bought out the New York Cash store of Selby & Tatham of the new hotel for occupancy has largely increased. Col. Henshaw's cares and responsibilities, and the rest will prove very beneficial to him. In the meantime, Harry Burton is the commanding officer, and that he will do well without saying.

# THOMAS IS BACK TO HIS OLD POST

Former Custodian of the Tabernacle to Resume His Position.

# MR. JENSEN HAS RESIGNED.

Le Roi G. Snow Retires From Position of Instructor in German at the L. B. S. University.

Ephraim Jensen, the custodian of the Tabernacle, will retire from that position on the first of the year and the office will again be assumed by Charles J. Thomas. The latter held that position for over a score of years, and when he retired a little more than a year ago it seemed as if a fixture of the historic building had been removed, and there are many who will be pleased to learn that he will return to his post.

The resignation of Mr. Jensen comes as a surprise to his friends. He feels, however, that a more satisfactory field is open to him elsewhere. He recently purchased a home in this city and it is quite probable that he will make his permanent residence here. But he has not decided fully whether he will remain in this city or just what occupation he will pursue. Under his custodianship some changes were effected in the Tabernacle, the most remarkable of which was the remodeling of the organ. Mr. Jensen is a zealous, well-informed man and his many friends wish him abundant success in whatever business he may engage.

Another surprise, which his friends were not prepared for, was the resignation of Le Roi G. Snow as instructor in the Latter-day Saints' University. It is not stated what led Mr. Snow to take that course, but he feels, perhaps, that his fellow teachers and the students in the field. Mr. Snow has been instructor in German and French at the university for the last two years and a half, and is a very hard and conscientious worker. He was also able to do for himself in the future he had not disclosed to his friends, but it was doubtless he along a literary line, as his previous work had been in that direction. He was a very hard and conscientious worker. He was also able to do for himself in the future he had not disclosed to his friends, but it was doubtless he along a literary line, as his previous work had been in that direction.

# TO CURE A COUGH IN ONE DAY.

Take Laxative Bromine Tablets. All druggists have the money if it fails to cure. E. W. Groves' signature is on each box. 25c.

# SENATE PROCEEDINGS.

McComas Advocates Passage of His Bill to Suppress Anarchy.

Washington, Dec. 5.—The announcement that Senator McComas would inaugurate the discussion on the suppression of anarchy and anarchists filled the Senate galleries today with a goodly number of spectators. Before the routine business was taken up Mr. Hale, (Maine), secured the adoption of a resolution that when the Senate adjourns today it be by yeas and nays. The heavy influx of petitions, bills, etc., continued much time being taken in their formal reception.

Mr. Penrose, (Penn.), favorably reported the committee on education and labor the bill continuing the industrial commission until February 15, in order that it may close up work now in hand and secured immediate action for the measure. The bill was passed.

Mr. McComas was then recognized in support of his bill introduced yesterday providing for the death penalty for anarchy, and in the evening he was lecturing, advising or procuring such assaults. The senator spoke of the dangerous spread of anarchy. President Carnot, Prime Minister Casanova, the emperor of Austria, King Humbert, the president McKinley having been foully assassinated by anarchists within the last seven years. It was humiliating, he said, to consider the impotency of the federal laws to punish this fearful crime. The senator spoke of the revolutionary propaganda under the guidance of Herr Most and the nihilist Hartmann and the formation since 1881 of the various groups. Congress must legislate against this peril with courage, firmness, conservatism and prudence. The constitutional power of Congress to deal with the subject was discussed at length and supported by numerous references to the Supreme Court decisions.

Mr. McComas further urged the exclusion and deportation of anarchists, the amendment of the immigration and naturalization laws and the negotiation of treaties with foreign powers permitting the extradition of those charged with anarchy offenses.

President Pro Tem Frye, of the Senate, today announced the following committee in accordance with the resolution passed Tuesday to prepare a tribute and taken for the late President McKinley.

Foraker (Ohio); Allison, Iowa; Fairbanks, Indiana; Keen, New Jersey; Aldrich, Rhode Island; Nelson, Minnesota; Perkins, California; Jones, Arkansas; Morgan, Alabama; Cook, Missouri; and McEnery, Louisiana.

The Marries Will Stand Together.

New York, Dec. 5.—Ernest Marx, brother of Henry Marx, who killed two men and wounded two others in West-moeland county, Va., on Wednesday night, has started for Virginia with Abel Blackmar, an attorney of this city.

William B. Marx, another brother, said today that he did not believe his brother had been in the shooting. He said the family would see him through any trouble in which he might be involved.

"We were surprised," said William B. Marx, "when we read the story of the shooting published in the morning papers, although we knew that Herbert had been in a shooting scrape. He wired us yesterday that he had shot a friend

but assured us that everything was all right and begged us not to worry. "Herbert was graduated recently from the New York law school and went down into Virginia to recuperate his strength. My father bought the Westmoreland county estate some eighteen years ago and the family lived on it from time to time. The Taylors have been our neighbors and we have always esteemed them highly."

# Episcopal Missionary Conference.

Rochester, N. Y., Dec. 5.—The second day's session of the Episcopal Missionary conference opened with the reading of the minutes and the report of the administration. The Rev. Dr. Henry W. Nelson spoke on the matter of the board of missions, and the Rev. Dr. Henry Anastos, representing the board of missions, also addressed the assembly. Rev. W. Dudley Powers and Miss Julia C. Emery spoke at length on the theme under discussion.

# A Jeweller Fatally Shot.

Deadwood, S. D., Dec. 5.—Joe Winberg shot and fatally injured Solomon Levinson, a prominent jeweler of this city early today, during an altercation over business affairs. He came here to accept a partnership in Levinson's jewelry business, but Levinson had refused to keep the agreement. He confessed to the shooting, saying he hoped Levinson would die.

# All Quiet at Rich Hill.

Kansas City, Mo., Dec. 5.—A telephone message today from Rich Hill, Mo., says that everything in the miners' camp is quiet and that no further trouble is expected, at least for the night. The company of the board requested last night had not yet arrived at noon, but was expected during the day. It is not believed that the wounds of the miners, shot by deputies last night, will prove serious. The wounds of the two officers hurt are slight. Four hundred men are on strike.

Sedalia, Mo., Dec. 5.—Company D, of the Second regiment N. G. M., was ordered to march last night by the adjutant general, and kept at the armory until this forenoon, expecting to be sent to Rich Hill, but were notified at noon today that their services would not be required.

# London Entertains Prince of Wales.

London, Dec. 5.—The city entertained the Prince and Princess of Wales today at a luncheon given in the Guild hall and presented them with addresses of congratulation on their successful tour of the British empire.

The royal party drove from York house to the Guild hall in an open four-horse landau, escorted by life guards. They were met everywhere with the heartiest reception from the sight-seers lining the brilliantly bedecked and troop-lined route. The scene in the library of the corporation's historical quarters where their royal highnesses were received by the lord mayor, Sir Joseph C. Dimsdale, and the corporation was picturesque. Levee or diplomatic dress, uniforms or judicial robes were worn by the majority of the guests, among whom were the agents general of the colonies. Prominent among the other notables present were Lord Salisbury, Lord Rosebery and Mr. and Mrs. Chamberlain.

# Lola Ida Bonine's Trial.

Washington, Dec. 5.—The lengthy examination of expert witnesses called by the defense in the trial of Mrs. Bonine will necessitate the carrying of the case over into next week, but the present understanding now is that it will go to the jury on Tuesday.

Dr. H. D. Frye today resumed his testimony as to Mrs. Bonine's physical condition at the time of the tragedy. Dr. George Barrie gave similar testimony.

# Forger Gets Five Years.

Kansas City, Mo., Dec. 5.—M. R. Allen, charged with passing forged checks and several local injuries, was convicted today and his punishment assessed at five years in the penitentiary. Allen was arrested in San Francisco two months ago. He insists that he is a case of mistaken identity, and that his name is Truman L. Nye. Allen says he left St. Paul in August last, traveling to Detroit, Buffalo, Omaha and San Francisco. He was arrested while taking a trunk, containing considerable jewelry and other articles, from the depot. He asserted that the trunk belonged to an uncle named Barrow, who was in San Francisco at the time.

# Mayor May Fight Supreme Court.

Omaha, Neb., Dec. 5.—Mayor Moore today intimated that the present board of fire and police of this city, appointed by himself and the city council, would not accept the decision of the supreme court yesterday by which the governor will in the future appoint the members of the board. The mayor said emphatically that the present board would not relinquish office without a fight. He said they would take advantage of the forty days allowed in which to file a motion for a rehearing.

"If the decision is against them," declared the mayor, "we still have the officers and the new board will have to bring quo warranto proceedings to get rid of them. We shall fight the case to the extreme limit."

The decision of the supreme court had the effect of restoring Fire Chief Redel to his position at the head of the fire department, but he did not attempt to assume control. The board of fire and police commissioners met at noon today and suspended him again and set Thursday for his hearing.

# The Nelson Being Towed In.

Port Townsend, Dec. 5.—The British ship Nelson, which was last off the Columbia river, is being towed in here by the steamship Walla Walla.

# Capt. J. P. Sanford.

Stamford, Conn., Dec. 5.—Capt. Joseph Perry Sanford, United States navy, retired, aged 55, died here today.

Capt. Sanford was connected with the Wilkes' exploring expedition around the world in 1884-85, and served with distinction in civil war.

# St. Louis Fair Troubles.

St. Louis, Mo., Dec. 5.—Attorneys for the St. Louis fair association today filed a demurrer in the injunction suit begun by City Gen. Cook against the association to prevent bookmaking at the fair grounds under the licenses alleged to be void. They contended that the attorney general has no legal capacity to sue.

# May Day Down.

It is rumored among the frequenters of the floor of the stock exchange that recent forced selling by an unfortunate one is what is troubling May Day some. This afternoon the stock was driven down and 4,200 shares were sold at 85 to 84 1/2 cents. California was also sold at 85 to 84 1/2 cents. Sales were as follows:

Ajax, 1,500 at 77 to 76; Carls, 2,500 at 79 to 78 1/2; Consolidated Mercantile, 100 at 15 1/2; Ingot, 3,000 at 1 1/2; at 15 1/2; Uncle Sam, 5,000 at 75 to 74; Ben Butler, 500 at 15; Boss Tweed, 500 at 77 to 76; California, 7,200 at 54 to 53 1/2.

Our breakfast foods and cereal coffee lead everywhere—all grocers sell them. ST. HELENA SANITARIUM FOOD CO. 63 E. First South St.



# Cured Itching and Protruding Warts.

Mr. Phil Owens of So. Omaha, writes: "After suffering two years from an aggravated case of itching and protruding piles I was cured by a single 50 cent package of the Pyramid Pile Cure purchased from a local druggist." For sale by all druggists. Little book, "Piles, Causes and Cure" mailed free. Pyramid Drug Co., Marshall, Mich.

# TIMBER CASE IS DISMISSED.

The case of the United States vs. W. W. Southworth and others was dismissed in the federal court this morning on motion of the United States District Attorney, Mr. Whitmore. The case was a criminal prosecution for alleged trespass during the month of July, August, and September, 1898, on lands in the vicinity of Colton.

A second report was recently made by Special Agent Sowers and it was concluded from it that the criminal prosecution could not be sustained and particularly since a recent decision of the United States court of appeals in the case of the United States vs. Price Thomas C. Huxley warranted that timber could be taken for new railroad construction at any point adjacent to the main line of the road. Consequently the case was dismissed.

The case of Wm. Brinsley vs. the Silver King Mining company was ordered dismissed. The federal grand jury is expected to give a partial report this afternoon.

Thomas C. Huxley filed a petition in voluntary bankruptcy with liabilities of \$256.69, and assets of \$121, claimed exempt. Lem Farr was discharged from bankruptcy.

# TODAY'S REALTY TRANSFERS.

Following is today's record of real estate transfers, made in the office of the county recorder up to 3 o'clock this afternoon.

David John and wife to Mary A. Brown, warranty deed part of section 27, township 1 south, range 2 west ..... \$150.00  
George J. Cannon Ass'n to Sylvester Q. Cannon, warranty deed, lots 17 and 18, block 8, Forest Dale ..... 1.00  
Estate of Frederick H. Auerbach, executor, to Vespasian and Hogley Mining Co., warranty deed, Vespasian and other lode mining claims, in West Mountain mining district ..... 1,382.88  
Richard A. Keenan to W. H. O'Donnell et al, quit claim deed, lots in Rock Springs subdivision ..... 125.00  
William S. McCormick to Chas. Hodge, deed, the Binghamite and other lode mining claims, in West Mountain mining district ..... 1.00  
Ann M. Cannon to Jesse M. Fox, warranty deed, part of section 33, block 10, Forest Dale ..... 300.00  
Jesse W. Fox Jr., to George J. Fox, quit claim deed, part of section 22, township 2 south, range 1 west ..... 92.45  
George J. Fox, to George J. Fox, quit claim deed, part of section 22, township 2 south, range 1 west ..... 109.90  
George J. Fox, to George J. Fox, quit claim deed, lots 34 and 35, block 6, Central Park ..... 12.45  
George E. Dyer and wife to Glenn R. Bothwell et al, warranty deed, part of lot 8, block 21, plat "B" ..... 1.00  
Henry W. Brown and wife to William H. McIntyre, warranty deed, lot 2, block 101, plat "D" ..... 19,000.00  
Reuben G. Miller and wife to Carlos H. Valentine, warranty deed, part of section 8, township 2 south, range 1 east ..... 1,500.00

# BONDS.

NESLIN.—To the wife of H. L. Neslin, a son. All well.

# BONDS FURNISHED.

All kinds of court and official, personal surety for employers, contractors, corporation officers, trustees and administrators; also burglary insurance bonds, of Baltimore, Md.

THE WILSON-SHERMAN, CO. Gen. Agents, 63 West Second Street. WE WANT YOUR BUSINESS.

# PROBATE AND GUARDIANSHIP NOTICES.

Consult County Clerk or the respective signers for further information.

IN THE DISTRICT COURT, PROBATE DIVISION, and for Salt Lake County, State of Utah, in the matter of the estate of John Squires, deceased. Notice. The petition of Emily E. S. Squires and Joseph Warburton praying for the admission to probate of a certain last Will and Testament of John Squires, deceased, and for the granting of Letters Testamentary to Emily E. S. Squires and Joseph Warburton has been set for hearing on Friday, the 20th day of December, A. D. 1901, at ten o'clock a.m. at the County Court House, in the Court Room of said Court, in Salt Lake City, Salt Lake County, Utah.

Witness the Clerk of said Court with the seal thereof affixed this 5th day of December, A. D. 1901.

JOHN JAMES, Clerk.

Young & Morley, Attorneys.

# CLOSING OUT SALE!

In order to make room for our other departments, we have concluded to close out our

# Glass and Crockery

department. It is a well known fact that our fancy goods in this department have been priced fully 25 per cent less than they can be bought elsewhere. Notwithstanding this, we will sell ANYTHING WE HAVE in this department at