

The Saturday and Semi-Weekly News Reach 150,000 Readers. Special Rates Accorded Advertisers in These Two Issues.

10 PAGES—LAST EDITION.

WHERE FINE BLOOD TELLS ITS STORY.

Splendid Specimens of Horses, Cattle and Many Kinds at The State Fair.

ONE OF THE STRONG FEATURES.

Prize-Winning Thoroughbreds that Attract Attention and Invite Admiration from All.

WEATHER DEPRESSING TODAY.

Had Visible Effect in Cutting Down Attendance, But the Fair Should Be Seen Rain or Sunshine.

FEATURES OF THE FAIR.

Paid admissions first day, 6,000. Saw the races first day, 8,000. Races called off today on account of rain. Grand horse show 10 a. m. tomorrow.

WEATHER FORECAST.

Government bureau forecast: Shows this afternoon; colder and frost tonight; cool and fair tomorrow.

The threatening weather, inky clouds and intermittent rain drops were too much for the prospective visitors to the state fair this afternoon and there was a perceptible falling off in the attendance as compared to yesterday. However, there was plenty of shelter for those who did come and perhaps they had a better time than had the weather been otherwise and the crowds packed on every hand. The judges, too, were reluctant to get down to work, nothing being done in the livestock department at all until late this afternoon. On the midway the freaks held social reunions, while the fair officials between the attending to routine matters and the weather. By this morning every exhibit was in place and the fair can now be said to be at its best as everything looks new and inviting to the eye.

RACES CALLED OFF.

Showers Put State Fair Track Out of Commission.

The races that were to have been held this afternoon were declared off for the day, shortly after 1 p. m., owing to the steady showers that had set in and put the track out of commission for the time being. However, it is hoped that by tomorrow, the fair weather will have returned, and then it will be different.

Owing to the threatening weather in the morning, and the rain that set in at noon, the attendance today, at the State Fair, was very light, and visitors had no trouble in getting around the fair grounds. The midway, however, was put in the wet, looked decidedly dejected.

EQUINE BEAUTIES.

Fine Horse Show On Tomorrow Morning Headed by Held's Band.

"Never remember having seen a better lot of horses at the State Fair in Utah than there is right on the ground today," said Supervisor T. H. Smith to the "News" this morning. "We have 40 entries without counting the 75-odd running and speeding horses that are in the grounds, and in every respect the horses on hand are good. It is well for the exhibitors to have a day of rest, and the Denver Importers, Springer & Stubbs, the Denver Importers, are turned from competing, because they have four horses that have only been in America that are destined to take the ribbon along the line. They were shown in Colorado last week and walked away with everything in sight at the State Fair there. The horses shown, Duran, are Belgian, French draft and Guernsey coach animals. In the latter group is a superb black Belgian, the crown brand of the Belgian government on his haunches. At the American prize fair this animal captured first prize over the horse that was exhibited at Buffalo. Quite a different animal is Exposed, De La Laverie, a five-year-old, draught horse that tips the beam at over 2,000 pounds and sports a double mane. He has a head that is majestic head in great fashion. Duran, Fletcher & Coleman of Wayne, also have two black stallions that are gamblers among the best on the grounds. Among the Utah horses it is specially noted that there is a number of stallions of the standard breed animals present. The certificates of the American trotting register are more suggestive of the best of the breed. In fact such is the number of horses that all stalls are occupied and temporary quarters have been erected for those crowded out.

Among the Utah exhibitors T. H. Smith of Percherons. They show eight years being a two-year-old stallion, which weighs 1,600 pounds, a black team at over a ton, a three-year-old mare and foal. Among those who have horses on hand are John R. Baker, standard breed; James Rae, two standard breeds; H. W. Brown, of Salt Lake, standard bred horse, "Altoona," standard stallion, H. L. Pearson, Gordon City, two blacks; Almy Hilliard of Fairfield, grey Percheron; John R. Baker, head of English shire horse; and J. Bond eight head of splendid animals.

Other entries are T. G. Wimmer, splendid horse to harness; a very light team of Shetland ponies by Hon. John R. Winder and single horses by harness by C. L. Tuttle, general live stock agent of the Oregon Short Line, and James Devine.

FINE HORSE SHOW.

There will be the finest horse show

THE KINE OF UTAH.

Animals That Might Go Into Competition With Good Chances.

The display of sheep and cattle at the State Fair this year is considered by competent judges on the grounds to be the best ever made in this western country, and is a decided credit to Utah growers. One glance over the pens will convince any one at all able to judge in such matters, that the growers of this state have made remarkable strides forward in the improvement of live stock, and that outside growers might with profit learn lessons from the exhibits there. The cattle are all sleek, glossy, plump and well cared for, and have a look that sometimes seems to approximate intelligence. The total number of cattle on exhibition is 140 head, including Durhams that are the best of anything of the kind heretofore shown in Utah State Fairs, as to quality, and stockmen say that their owners need not hesitate to send them to the International show to be held in Chicago, the World's Fair at St. Louis for that matter. John H. White's array from his own herd of Herefords and Shorthorns, and that of the Island Improvement company, are the best of the breed, as claimed, by anything the international exhibitions have turned out. Mr. White is a noted prize winner, and over the heads of his cattle he has the diplomas to show for the same. Mr. White is one of the most intelligent raisers in the west.

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MORTENSEN TO SPEAK TOMORROW.

Will Tell Court and Public of the Awful Tragedy at Forest Dale in 1902.

THE EXPECTED AFFIDAVIT FAILS.

One More Effort of the Defense Comes To Naught—Now Wants an Order For Royal B. Young.

The proposed affidavit upon which Peter Mortensen's attorneys had hoped to secure a new trial for their client, has failed to materialize thus far and it is believed that the attorneys were unable to secure the coveted document. In the place of that affidavit, Attorney R. J. Stewart, today filed with the court an affidavit by himself in which he set out the alleged misconduct of the jurors when they visited the scene of the tragedy in stepping off distances and in regard to the conversation had with Royal B. Young, who was sworn as a special officer of the court to show the jury the premises.

AFTER MR. YOUNG. The affidavit also sets out the proceedings in court when the first motion for a new trial was made at which time the attorneys for the defense were denied the privilege of introducing oral testimony in regard to the conduct of the jury. The attorneys were then unable to secure an affidavit from Mr. Young in regard to the matter and the court refused to allow the introduction of any oral testimony. The affidavit filed by Attorney Stewart asks that an order be made compelling Mr. Young to appear in court tomorrow morning at 10 o'clock and testify as to the matters set forth in the attorney's affidavit.

The matters contained in the affidavit were passed upon by Judge Morse when he overruled the first motion for a new trial, so it is very doubtful whether or not he will even issue the order for Mr. Young to appear in court tomorrow. From all indications it is quite likely that Mortensen will make his speech tomorrow which he intended to make last Saturday, but which was postponed at that time. The arguments on the motion for a new trial will not be very lengthy, it is believed as District Judge E. C. Johnson stated that the matter would be taken up by him in his argument. There is nothing left for the defense now save the affidavit of Juror Royal and, as the supreme court has already held, a juror cannot impeach his own verdict; it is not believed it will take Judge Morse long to dispose of the affidavit.

ON THE MAZY MIDWAY. This New Entertainment at Utah Fair Promises to Be Big Business. The midway will prove a decidedly unique and new feature in the entertainment provided at Utah state fairs, and it seems that since the inauguration of this style of attraction at the Chicago world's fair, no fair is complete without it. The midway in the present case branches off from the main promenade to the south opposite the secretary's office, extending for 300 feet, and having a promenade 10 feet wide. The entrance is gaily decorated by a triple arch in red, blue, yellow and white, surmounted by several domes and flags, and the midway is a complete business being sold by a variety of stalls and booths. The general effect is of a lively and interesting scene, and the effect is heightened by the proximity of an interesting herd of "real Egyptian" donkeys, "Midway" appears on either side of the archway in incandescent lamps. Various and sundry attractions line the sides of the midway. Among them are two ten-month-old cinnamon bears, exhibited by Mehes. The youthful bruns are playful and of an inquisitive turn of mind, and receive with thankful expressions handfuls of popcorn from the children. They are chained so there is no occasion for flight. Further along is the Old Plantation and Vaudeville shows, owned by Hutchinson & Burns, the old plantation business being sold by a variety of stalls and booths. The vaudeville is of the "coon" pattern. The "Kolo" show is shown in a large tent with a chrome yellow exterior more or less chaste in design, and include living pictures, female posing and similar performances. In a large tent adjoining is being exhibited "oriental maidens" doing the Danse du Ventre and similar muscular exhibitions. Then there is a Merry-go-round run by steam, with 12 strings, and hard by such "drawing cards" as the five-legged sheep and the similarly afflicted calf. There are shooting galleries, knife throwing booths, "the automatic city" or "the little wonder world," a remarkable piece of automatic work showing moving and working figures up to eight inches in height, going through various mechanical operations—an exhibition of special interest to the mechanically inclined. The palmist also is abroad in the land, as well as the acrobats, the Barrel of Love, and sundry other attractions that are being rung in. This part of the fair is being largely patronized.

One of the coolest places on the grounds is the Midway headquarters, located just inside of the Oriental archway facing the rear of the grandstand. This building is the private office of Amusement Manager J. G. McDonald and his assistant, S. A. Mann, while one-half is fitted up for the accommodation of the press bureau with typewriter tables and the necessary furniture. Inside the building is decorated with white, red and green bunting, which covers the walls and ceiling and is tastefully draped, the office being lit with electric light.

Large tent adjoining is being exhibited "oriental maidens" doing the Danse du Ventre and similar muscular exhibitions. Then there is a Merry-go-round run by steam, with 12 strings, and hard by such "drawing cards" as the five-legged sheep and the similarly afflicted calf. There are shooting galleries, knife throwing booths, "the automatic city" or "the little wonder world," a remarkable piece of automatic work showing moving and working figures up to eight inches in height, going through various mechanical operations—an exhibition of special interest to the mechanically inclined. The palmist also is abroad in the land, as well as the acrobats, the Barrel of Love, and sundry other attractions that are being rung in. This part of the fair is being largely patronized.

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COAL LANDS AND STOOL PIGEONS.

Sudden Halt in the Inquiry How The Latter Had Illegally Filed On the Former.

AUDITOR EVANS WAS MISSING.

Kept Out of the Way and Officers Were Given the Horse Laugh for Not Finding Him.

WIFE "DON'T KNOW" WHERE HE IS.

Court Grants Brief Adjournment for Presentation of Facts in Affidavit Form.

The hearing in the case of Eugene J. Dair, protestant, against Owen L. Davis, came up pursuant to adjournment before the United States land office this morning at 10 o'clock. This is the case which was fully reported in the "News" of the 30th ult., and involves the title to coal lands in Salina canyon. It is one of a series of 11 cases, involving 1,760 acres of valuable coal beds.

The charge is made that the locators of these various tracts were merely stool pigeons for the Utah Fuel company, who paid the expenses of the locators and then gave them sums of money, infinitely less than the lands were worth for their right of locution. Six of the cases have been tried and there is still five to be heard.

At the last hearing considerable acrimony arose between the attorneys engaged in the case, who were Gray and Beane for the protestants, and Maj. Bird and Mr. Bruffett for the defendants. At that hearing a subpoena duces tecum was issued against John E. Evans, auditor of the Utah Fuel company, directing him to produce the books and vouchers of the company for examination.

WAS TOO SARCASTIC. At the opening this morning Mr. Bruffett arose and made a statement to the court in which he said he desired to apologize for any remarks he might have made during the excitement at the last hearing. He didn't want to show any disrespect to any officer of the court. He thought he had been more sarcastic than the occasion warranted. The matter was passed up without any comment on the part of the court.

EVANS WAS MISSING. Mr. Beane, of counsel for the protestant, said their principal witness Auditor John E. Evans, was not in court and that they could not proceed to trial without him. He stated that since the hearing they had done their best to serve the subpoena, but without success. He stated that they had inquired at his office in the Dooly Building and had been able to get no satisfactory statements as to his whereabouts. In fact they had been "given the laugh." They had left a subpoena with some one in charge of the office and then went to the Fifth East hotel and saw his wife who also gave no information as to his whereabouts. They also left a subpoena with her. He said no one had been able to get track of him, although they had been looking for him in vain.

IRREGULARLY CHARGED. This didn't bring the opposing counsel, Messrs. Bird and Bruffett, to their feet, for the reason they were addressed to court sitting down. Several speeches were made however, in which it was charged the law for the service of subpoenas, which showed that the protestants were not doing their duty in not having the subpoena served. The matter was passed up without any comment on the part of the court.

WANTED A CONTINUANCE. Mr. Beane maintained they had exhausted their subpoena power and they could not further state that they were out of the jurisdiction of the state would have to be examined by deposition and that therefore they would ask the court to grant a continuance in the case.

UNTIL 1:30 P. M. Register Hobbes decided that the case stand over until 1:30 p. m. to enable the attorneys for the protestant to obtain an affidavit as to their efforts to obtain service on Evans.

AGAIN CONTINUED. At 1:30 a voluminous affidavit made by Eugene Dair, embodying the facts above set forth was submitted by Mr. Beane. Defendant's attorneys objected to its admission because the subject of practice had not been followed. They claimed that a personal service must be made and stated that the statutes of Utah so hold. The register sent for the statutes, which showed that substituted service could be made. Defendant's counsel then maintained that the statutes did not apply. An hour and a half was consumed in arguing the question, which showed that the substituted service could be made. Defendant's counsel then maintained that the statutes did not apply. An hour and a half was consumed in arguing the question, which showed that the substituted service could be made.

The register in rendering his decision said it was one of great importance to the government and of a grave character. He regarded the showing as sufficient in granting the request and the continuance was granted to Oct. 10 at 10 o'clock.

Mr. Beane asked for another subpoena for Mr. Evans. Defendant's counsel asked that an exception be noted.

JAPAN'S LATEST MOVE IN COREA.

Part of Experimental Plan for Purpose of Showing Her Ability to Mobilize Troops.

HAS NO OTHER SIGNIFICANCE.

Japanese Minister in London Says He Still Believes Russia Intends to Evacuate Manchuria October 8.

Paris, Oct. 2.—Information received through a censorship at St. Petersburg shows that the explanation given of Japan's moving troops to Korea is calculated to remove suspicion concerning her action. The number of troops moved is estimated at between 8,000 and 10,000.

Japan explains that the movement is part of a plan of experimental mobilization for the purpose of showing her ability to mobilize a considerable force in connection with the friction between Japan and China, but that it has no connection with differences between Japan and any other power. The official refuse to comment upon the explanation.

HAS FAITH IN RUSSIA. London, Oct. 2.—Baron Hayashi, the Japanese minister here, has no news of the movement of Japanese troops to Korea, announced from Paris yesterday. In an interview today, the minister said: "From the published accounts I am certain that any movements of troops are only the routine relief of the Japanese troops guarding the Manchurian line from Fusan to Seoul and Chemulpo. To send a small body of troops to Korea would have no effect on her plans. A mobilization of the Japanese forces on a large scale is not contemplated for a moment, and Korea's consent would have to be obtained for any such step."

The minister added that he still believed Russia intended to keep her promise to evacuate Manchuria Oct. 8. Until that promise was broken Japan was not likely to make any move. The Japanese troops guarding the Manchurian line were stationed in Korea with the assent of Russia as well as Korea.

W. Pritchard Morgan, consul general of Korea in London, also has no information on the subject. He suggested, however, that the time was coming when the powers should agree to Korea being declared an independent, neutral state.

DEATH CUTS HIM SHORT. Young William Noble Dies of Cerebral Hernia. (Special to the "News.") Pleasant Grove, Oct. 2.—The news of the sudden death of William Noble, late of Pleasant Grove, is contained in the following telegram received this morning by his father: "San Francisco, Cal., Oct. 1.—Donald Noble, Pleasant Grove, Utah.—Your son William Noble died suddenly at 10:30 p. m. of cerebral hernia. He was otherwise directed, body will be buried here tomorrow morning. "MOSER, Commander."

The deceased enlisted in the United States navy at Provo on the 25th of April, 1903, and was sent to San Francisco, California, and was stationed at San Francisco, where he has remained ever since, and expected to make his first cruise down the coast on Oct. 1. The father of young William Noble has wired Commander Moser to ship the remains of Pleasant Grove, where they will be interred. It is expected that the body will arrive on Sunday.

William Noble was the son of Donald and Isabelle Henderson Noble was born at Glasgow, Scotland, Feb. 28, 1888. He was a youth very popular with his companions, but always had a great desire to enlist in the navy and at the first opportunity availed himself of the chance to enlist, but it seems he was disappointed in his ambitions to become a sailor, he being able to even take his first cruise.

DEATH OF T. B. O'REILLY. Old Salt Make Merchant Summoned Hence at the Age of 62 Years. Thomas B. O'Reilly, one of Salt Lake's oldest merchants, died this morning at his home, 525 south East Temple street, at the age of 62 years. He deceased was a native of Ireland, but came to America in his early youth, settled first in Montreal, Canada, where he was married to Eliza Beauchamp, who survives him. In the sixties he left Canada for California and in 1870 came to Utah, where he has resided ever since. When Alta was a prosperous mining camp he engaged in business in that district and a few years later moved to Salt Lake where he established the house which now bears his name. He was a good father of a family and retiring disposition, charitable in his nature and through his unassuming manner made many friends who will regret to hear of his demise.

The funeral will take place from St. Mary's cathedral, the time to be announced later.

DRUG STORE CASE. Lloyd & Coombs Charged with Selling Cigars to Minors. The case of the city vs. Walter Lloyd and Arthur Coombs of the Lloyd drug store charged with selling cigars to minors, was being heard in Judge

DIAL'S COURT AT A LATE HOUR THIS AFTERNOON.

The case was set for this morning, but owing to the failure of the officers to summon the witnesses the matter had to be continued until this afternoon.

The trial was not begun until after the regular city business was disposed of. It will probably take some little time to dispose of the case, as the city proposes to prosecute it most vigorously.

The arrest has caused a great deal of interest and comment, as it is alleged the cigars were sold to small boys. The complaining witness is Mrs. C. A. Walker.

THE DAILY HOLD-UP.

Divorce Case On — A McLaren Boyle Critically Ill. (Special to the "News.") Ogden, Utah