WERE ALL DELAYS.

Postponement Sought in the Hayken and Other Cases.

A MURDER INDICTMENT LOST.

Bribery Trials Probably Will Be Before Judge King—The Coal Combine People to Plead on Saturday.

E. L. Carpenter, F. H. Moore, J. R. Hiranan, Daniel Westenholme, V. V. Morris, Frank Haim, Simon Bamberger, Thomas Pierpont, L. C. Miller, W. J. Westenholme, C. S. Martin, T. R. Elertsen, D. J. Sharp, H. P. Mason and W. J. Montgomery, indicted by the grand jury for unlawfully engaging "in a combination in restraint of trade and commerce" in this Territory, by what is known as "the coal combine," were called in Judge Bartch's division of the Third district court today to plead to the charge against them. E. L. Carpenter is agent of the Pleasant Valley Coal company, and F. H. Moore agent of the Union Pacific Coal company; while the others are members of the coal exchange in this city. The agents named refused to sell to T. P. Lewis, who was not a member of the coal exchange, coal in carload lots at the same price it was being sold to the coal exchange members. In their doing this, the indictment says that the defendants sought to "unlawfully raise, augment and increase the price of coal at retail in Salt Lake City, and to destroy free competition in the sale of coal in said city, and to compel the consumers of coal in said city to pay therefor the prices fixed by said coal exchange." This is declared to be contrary to the statutes of the United States, under which the indictment is brought. The defendants asked for a copy of the indictment for their attorneys, Williams, Van Cott & Sutherland, and Judge Judd objected unless the defendants would pay for it, as he said the government would not. The copy requested was at first refused, but later Judge Bartch said he would allow it, and the defendants were ordered to enter their plea on Saturday next.

WANTS ANOTHER DELAY.

The Salt Lake county scandal business came up next in the calling for trial of Martin Hayken, on the charge of offering a bribe to Jos. R. Morris, one of the ex-selectmen, in connection with the city and county building furniture business.

Judge C. C. Dey, for the defense, said he was surprised at the case being called for trial, because he did not think Judge Bartch would take it up, and the defense had not had time to prepare affidavits asking for a continuance.

Judge Bartch—I know nothing of this case. Is there an objection to my hearing it?

Judge Dey said Judge Bartch had been a member of the county court, and associated with these same selectmen.

County Attorney Whittemore said it was not true that Judge Bartch was a member of the county court and had any association with the selectmen at the time named in the indictment, nor had he been a member of the county court for more than two years before the date of commission of this offense. Mr. Whittemore said he was not surprised at any attitude the defense in this case might assume.

Arthur Brown said the defense objected to having the case before tried before Judge Bartch, lest there was some bias.

Judge Bartch—If the defendants are fearful I will not do them justice, I will not hear the case. Not that I feel I have any bias that would operate against the former members of the county court, but rather that I might err in their favor.

There was some further discussion of the matter, because Judge Merritt would not hear it, and that left no one in Salt Lake whom the defense would consent to. Finally a messenger was sent to hunt up Judge King, to ascertain whether he would preside at the trial. The judge was found, and after a consultation with Judge Bartch departed from the building. A few minutes later, Judge Bartch announced that Judge King could not hear the case this week.

Mr. Brown then said the defense wanted another continuance for a few days, because their depositions had not arrived; and he wanted to have Judge King to hear this application for postponement.

Mr. Varian, who is acting with the prosecution, said there need be no trouble on that score. An agreement might be reached for a few days' postponement.

The court ordered the case to go over till 2 o'clock, to ascertain what day next week Judge King could begin the trial.

This afternoon it was agreed to take the case up on Monday before either Judge Merritt or Judge King. The attorneys for Hayken gave notice that on Monday they would apply for a still further continuance.

LOST THE INDICTMENT.

The case of Peter Clark, indicted for murder in the first degree, committed in Park City in the killing of Henry B. Nugent, was next called, and Judge Powers, for the defendant, asked to see the original indictment.

District Attorney Judd—The original indictment has been mislaid and the gentleman knows it. He has been given a copy.

Judge Powers—He has not been given a copy. We insist that they produce the original indictment, if there ever was one. I do not think my brother Judd ever saw it.

Judge Powers then stated that the defense would not be able to proceed, as they had not had time to prepare their case.

Judge Judd said Mr. Tewksbury had received the copy of the indictment. He wanted the case to go on unless there was a reason for its postponement.

Judge Powers—One reason is that there is no indictment.

Judge Judd—We'll find an indictment.

Judge Powers—If the original indictment is not produced, I will withdraw from the case.

Judge Judd—That might be better for your client than for you to remain.

Judge Powers—Yes, because the conviction would be no good. Besides, we want a continuance in the case to secure witnesses.

Judge Bartch cut the discussion short by putting the matter over till this afternoon, to allow the district attorney time to look for the indictment.

It was suggested by Judge Judd as possible that a new indictment will have to be found by the present grand jury, which presented the other bill.

NOTES.

In the case of Crown Point Silver Mining company, wherein one of the parties was cited to show cause today why an order of survey had not been complied with, a postponement was had until Saturday next, Dec. 14, before Judge Bartch.

If Judge King is unable to try the Martin Hayken cases in this district next week it is quite probable they will go over to the State court.

Mathew Arnold, apostle of sweetness and light. So is Price's Baking Powder.

TO ANSWER IN COURT

Colonel Squires Cited Under Contempt Proceedings,

FOR FAILURE TO PAY ALIMONY.

Frank McDonald's Sentence and Appeal—Cruelty to a Child—Dr. Carrington's Case.

Col. George B. Squires, Salt Lake county statistician, is the next in order to have a hearing in the Third district court on the accusation of contempt of court in refusing to obey an order for payment of alimony amounting to $20 per month. Morris Sommer represents Mrs. Mary L. Squires, who is at present in Washington, D. C., and this morning he presented an affidavit to Judge Merritt, setting forth that on the 17th day of October, 1893, a decree was granted dissolving the bonds of matrimony between George B. and Mary L. Squires, and that it was ordered that George B. Squires pay, commencing November 1, 1893, the sum of $20 per month alimony. He further alleges that since the first day of October, 1891, "with the exception of making payment of back alimony, the said George B. Squires has wilfully neglected and refused to obey and comply with the order of said court," although he is able to do so, being employed by Salt Lake county at a salary of $100 per month. Upon this affidavit, Judge Merritt issued an order requiring Mr. Squires to appear on Dec. 16 at 10 a.m. and show cause why he should not be punished for contempt of court in disobeying its order.

McDONALD SENTENCED.

Frank McDonald, the ex-policeman convicted of assault with intent to murder Emil Sankerson, was called up before Judge Merritt today. The court overruled the motions of defendant's attorneys, Powers & Straup, for a new trial and in arrest of judgment, and directed McDonald to stand up for sentence. After ascertaining particulars about his family, Judge Merritt sentenced the ex-policeman to imprisonment for four months.

When judgment had been pronounced Judge Powers asked that bail be fixed on an appeal to the Supreme court.

Judge Merritt granted the request, fixing the bail at $500. At the same time he remarked that he had let McDonald off very light because of the latter's wife. If it had not been for consideration for her, the court would have given McDonald at least a year in jail.

The only other business transacted today by Judge Merritt, who is slightly indisposed, was entering an order under the ruling of the Supreme court, by which the judgment of April 7th, 1894, of $4,000, secured by Joseph Krantz against the Rio Grande Western railway, was reinstated.

FOR CRUELTY TO A CHILD.

Mrs. Elizabeth Swinburn was brought before U. S. Commissioner Greenman today on a charge of unlawfully striking, beating, bruising, kicking and otherwise maltreating an infant boy about 10 months old. Mrs. Swinburn, who says her husband is now in Montana, lives on Vine avenue, on Third South street, between West Temple and First West. She has had an adopted child, and it is said she has used it in a most cruel manner. Several women interested themselves, and finally made complaint. The child was given to the care of another woman today pending the result of the hearing, which will take place on Monday next. Mrs. Swinburn denies all the charges against her, and says she has never treated the baby in any other than a proper manner. She was required to give $100 bail for her appearance for trial on Monday.

THE CARRINGTON CASE.

The preliminary hearing in the Dr. J. B. Carrington case, for alleged unlawful treatment of Mrs. Ida Page, causing her death, was set for 2 p. m. today, before U. S. Commissioner Pratt. As intimated in last evening's News would probably be the case, the defendant's attorney took steps to test in the Third district court the question of the commissioner's jurisdiction. This was done by application for a writ of mandate, returnable on Saturday next, requiring the commissioner to turn over the papers in the case to some one else, or to show cause why he does not do so.

Coasting Has Commenced.

Numerous complaints have been registered at police headquarters against boys who are making themselves not only obnoxious to people residing on the bench, by coasting on the hillsides, but who are rendering it extremely dangerous to the public in traveling along the sidewalks. More especially is this the case in the vicinity of First and J streets, and the mounted police have been instructed to watch their chance, and if they see any youngsters, or older ones either, indulging in this dangerous practice, their duty will be to convey them to the police station, which may result in a fine being imposed, which the parents may be called upon to pay.

IN ART'S DOMAIN.

The Exhibition of Home Artists Beginning to Draw.

FINE PAINTING OF BANKER HILLS

Evans's Surprising Achievement in Vivid Sunlight Work—Somber Reminder of Artist Haag.

"The harvest to their sickles yield" —such is the poetic title to what up to date is unquestionably the greatest vivid sunlight painting ever produced by a Utah artist. It is from the brush of E. Evans and is sure to catch the eye of the visitor to the art exhibition almost as soon as the threshold of the hall is crossed. Members of the society regard it as an achievement in that class of work worthy the ambition and effort of an artist with the experience and fame of many years as a lever for recognition. Said one old art critic as he studied its every detail, and then summed them up into a whole: "There is not an art exhibition in the land to which it would be unwelcome. Such a production is an uncommon triumph and Mr. Evans's colleagues join heartily in praising him for his splendid achievement." To be appreciated in all its brilliancy and beauty it must, like other fine paintings be seen. No description of it, however critically or intelligently written can describe it with the same satisfaction that an ocular view of it will give.

In the way of portrait painting Clawson, in addition to his new works which have already received attention in these columns, has a most striking life like likeness of L. S. Hills, the well known banker. Notwithstanding the many ardent admirers there are of the painting of General Wells and the wide spread belief that it is the best thing he has yet done there are not a few others who incline to the emphatic opinion that the Hills painting is the superior. Others with equal fervor claim this distinction for the life size portrait of Mayor Baskin.

Among the artists whose paintings have this year created a mild surprise by reason of a departure from earlier styles, is H. L. A. Culmer. In his Upland Slopes, a free and breezy air and resourceful imagination are recognizable characteristics. The picture is an east bench scene familiar to many Salt Lakers. On Jordan's Banks he portrays with wonderful accuracy a fishing scene in the neighborhood of the Old Pettit Farm, in which he converts one of his own sons and a playmate into a pair of youthful Isaac Waltons with countenances fairly brimming over with expectations of a big "catch." Moonlight, Top o' the Morning, Sunny Pastures and a generous contribution of water-color specimens make up the remainder of this artist's productions, all of them highly creditable.

The Spring, by Hafen, ranks among the best paintings in the exhibition and should find an early sale. Forsaken, Relic of Pioneer Days, Study of a Head and one or two other productions by the same artist are all highly creditable.

A sad reminder of the work of a talented and valued member of the society is an oriental painting by Herman Haag, recently deceased. It is called a Game of Chess. The frame is draped in black crepe in memory of the departed and evokes many expressions concerning him and the bright future to which he seemed to be so fairly entitled.

Personal Paragraphs.

Dan Hansen, of Ogden, is at the Templeton.

W. P. Bowers, of San Francisco, is registered at the Templeton.

H. B. and D. B. Slater, of St. Louis, are Templeton guests.

George White, of Evansville, Ind., is among the arrivals at the Templeton.

B. Oettinger and wife, of Gotham, are arrivals at the Cullen.

B. C. Hubbard, of Chicago, is at the Cullen.

W. D. Morgan, is in from Mercur, and is stopping at the Walker.

F. A. Cleland, of Cincinnati, O., is a Knutsford guest.

A. E. Holden, of New York, is among the Knutsford arrivals.

S. F. Mount, of Richfield, owner of the Iron mine, is a Cullen guest.

J. W. N. Whitecotton, the well known Provo attorney, is in Salt Lake on business this week and is registered at the Cullen.

Mr. F. E. Gabriel, editor and proprietor of the Tooele Transcript, and wife, are guests at the White House.

Modern women win fame as cooks by using Dr. Price's Baking Powder.

RAPID GROWTH OF A TOWN.

ONLY A YEAR OLD, BUT IT HAS THREE THOUSAND INHABITANTS.

Last February there was one log house on the site of the mining town of Rossland, B. C. Today there are 3,000 people there, and the town has electric lights, a telephone system, and water works are now being put in. Rossland is in the famous Trail Creek district where the well known Le Roi and War Eagle mines are located. It is about eight miles from the boundary line.

While Rossland is a very young town, there are now 3,000 people there, and they have their churches, schoolhouses, seventeen hotels, and, of course, many saloons. A smelter is being built at Trail, five miles from Rossland, at a cost of $250,000, and it will be finished January 1st. From the smelter a tramway is being constructed at a cost of $110,000, which will tap all these mines. Last December a quarter interest in the War Eagle was offered for $400. Since then it has paid $182,000 in dividends, and the owners have been offered $1,000,000 for it, but they would not think of accepting such a price.

One would think that in a mining town of such sudden growth there would be much disorder, but there is a man who is the whole city government in himself. This is John Kirkup, who, with two deputies, obstinately runs the town, so far as keeping order is concerned. About 90 per cent of the population is from this side, and on the Fourth of July the business houses closed, while on Dominion day everything went as usual.—Seattle Post-Intelligencer.

CASTORIA

for Infants and Children.

THIRTY years' observation of Castoria with the patronage of millions of persons, permit us to speak of it without guessing. It is unquestionably the best remedy for Infants and Children the world has ever known. It is harmless. Children like it. It gives them health. It will save their lives. In it Mothers have something which is absolutely safe and practically perfect as a child's medicine.

Castoria destroys Worms.
Castoria allays Feverishness.
Castoria prevents vomiting Sour Curd.
Castoria cures Diarrhœa and Wind Colic.
Castoria relieves Teething Troubles.
Castoria cures Constipation and Flatulency.

Castoria neutralizes the effects of carbonic acid gas or poisonous air.
Castoria does not contain morphine, opium, or other narcotic property.
Castoria assimilates the food, regulates the stomach and bowels, giving healthy and natural sleep.
Castoria is put up in one-size bottles only. It is not sold in bulk.
Don't allow any one to sell you anything else on the plea or promise that it is "just as good" and "will answer every purpose."
See that you get C-A-S-T-O-R-I-A.

The fac-simile signature of *Chas. H. Fletcher* is on every wrapper.

Children Cry for Pitcher's Castoria.

The Obituary List.

CHICAGO, Dec. 10.—News has been received from the Kankakee insane asylum that "Billy" Andrews, an old time circus clown, is dead. Death was due to paresis. He was about 55 years old and had been in the asylum for a year and a half.

NEW YORK, Dec. 10.—William Augustus Camp, well known in business, especially banking circles in this city, by reason of his long association with the New York clearing house, from the management of which he retired in April, 1892, died today at the age of 74.

The Atchison Sold.

TOPEKA, Dec. 10.—At 2:05 o'clock this afternoon, Special Master in Chancery J. B. Johnson, bareheaded, mounted the stone steps at the Topeka station of the Santa Fe Railroad company, and announced that he would offer the great railroad property for sale. The road was finally sold for $60,000,000 to Edward King, representing the new company. His was the only bidder and the master declared the property sold.

Not a trace of adulteration in Dr. Price's Baking Powder, the most perfect made.

COMMERCIAL.

SALT LAKE CLEARING HOUSE.

Today's clearing house exchanges amounted to $297,938; same day last year, $207,525.

TODAY'S QUOTATIONS.

New York.—Silver, 66, lead, $3.27½.
London.—Silver, 30 3-16d.

ORE AND BULLION.

W. S. McCornick & Co. received today: Silver and lead ores, $13,200; Hanauer bullion, $4,300; gold ores, $4,000. Total, $60,200.

Wells, Fargo & Co. received today: Penn. bullion, $4,205.

T. R. Jones & Co., received today: Base bullion, $3,800; Ores, $1,250. Total, $5,050.

STOCKS AND MARKETS.

NEW YORK, Dec. 10.—Trading on change the first fifteen minutes was practically confined to industrial shares. Tobacco opened with sales of 4,300 at 77 to 78. The price soon receded to 76 against 77½, yesterday's final sale. Leather preferred yielded 1¼ to 59¼. Sugar made fractional loss.

The pressure to sell abated directly after 10:15 and on covering of short contracts a general rally ensued. Tobacco regained 1½ per cent of the earlier decline. Sugar and Chicago gas recovered to last night's closing figures. Leather preferred made a small gain.

The appearance of heavy purchasing orders in high priced industrial shares the most towards the shorts to rout. Their efforts to cover sent the price of tobacco up 1⅛ per cent to 81¼. Consolidated gas made a net gain of 1¾ per cent. The railway list was neglected and the prices generally were unchanged at 11 o'clock as compared with the final sales yesterday.

Chicago Live Stock.

CHICAGO, Dec. 10.

Cattle—Market slow, prospects steady.
Beeves, $3.30 a $4.90.
Cows and Heifers, $1.20 a $3.85.
Texans, $2.60 a $3.25.
Stockers and Feeders, $2.20 a $3.90.
Christmas Cattle, $1.90 a $5.40.
Sheep slow and weak.

CHICAGO MARKET.

Chicago, close, Dec. 10.

Wheat—December, 55¼; January, 56¼.
Corn—December, 25¼; January, 25¼.
Oats—December, 17; February, 17¼.
Pork—December, 8.75; January, 8.85.
Lard—December, 5.35; January, 5.40.
Rye—Cash 36¼; January, 36.
Barley—35½.
Flax seed—94.
Timothy—3.65.

Cuticura WORKS Wonders

In curing torturing, disfiguring, humiliating humours of the Skin, Scalp, and Blood when all else fails.

Sold throughout the world. British depot: F. Newbery & Sons, 1, King Edward-st., London. Potter Drug and Chem. Corp., Sole Props., Boston, U. S. A.

FRAGRANT VANITY FAIR CIGARETTES

GOOD FOR EVERYBODY

Almost everybody takes some laxative medicine to cleanse the system and keep the blood pure. Those who take SIMMONS LIVER REGULATOR (liquid or powder) get all the benefits of a mild and pleasant laxative and tonic that purifies the blood and strengthens the whole system. And more than that: SIMMONS LIVER REGULATOR regulates the Liver, keeps it active and healthy, and when the Liver is in good condition you find yourself free from Malaria, Biliousness, Indigestion, Sick Headache and Constipation, and rid of that worn out and debilitated feeling. These are all caused by a sluggish Liver. Good digestion and freedom from stomach trouble will only be had when the liver is properly at work. If troubled with any of these complaints, try SIMMONS LIVER REGULATOR. The King of Liver Medicines, and Better than Pills.

EVERY PACKAGE
Has the Z Stamp in red on wrapper.
J. H. Zeilin & Co., Phila., Pa.

CHURCH BLANKS.

Printed and For Sale at THE DESERET NEWS OFFICE, SALT LAKE CITY.

Stake Reports	60c per doz
Ward Reports	25c "
Relief Society Reports	25c "
Primary Association Reports	25c "
Y. L. M. I. A. Reports	25c "
Y. M. M. I. A. Reports	25c "
Release Certificates	25c "
Bishops' Recommends, books of 50, 50c; of 100, 75c.	
Primary Association Roll and Record Books, $1.00.	
Y. L. M. I. A. Roll and Record Books, $1.00.	
Ward Records, 1 qr., $6.00; 2 qr., $8.00; 4 qr., $12.00.	
High Priests' Records made to order.	
Seventies' Records made to order.	

R. K. THOMAS,

26 to 32 East First South St.

THE UP-TO-DATE RETAIL HOUSE

Of the State of Utah.

Modern Merchandising Means Making Moderate Margins.

THIS KIND OF SELLING FROM NOW 'TIL AFTER CHRISTMAS.

Jackets.

In addition to the largest and lowest marked stock of Jackets and Capes in the city, we have a few lots of last season's goods to close. They'll keep you just as warm as new goods.

A $7.25 Jacket for $3.75.

A $9.75 Jacket for $3.75.

Yes, that's right.

$3.75 instead of $7.25.

$3.75 instead of $9.75.

Jackets.

CAPES

People come to us for their Capes and Jackets because, as they say, we are lower on these goods than any other house. Of course we are. We know how to buy these goods, and are satisfied with a moderate profit.

FROM NOW 'TIL AFTER CHRISTMAS.

CAPES

Dress Goods.

"R. K. Thomas for Dress Goods." Has become a household expression, which speaks volumes. From now 'til Christmas we are going to offer some rare bargains in this department.

Shoes.

Yes, we know how to buy Shoes—bought before the advance in leather. You'll get the benefit of our shrewdness. From now 'til after Christmas we'll place before you the best Shoe for the money you ever bought in your life.

Underwear.

We've had to duplicate and re-duplicate our fall purchases on Women's and Children's Underwear. That tells the story better than anything else—we are headquarters for these goods. Will continue our small margin selling 'til after Christmas.

Handkerchiefs.

We always have been, are now and always will be headquarters for Handkerchiefs.

Our usual grand display from now 'til after Christmas.

Gloves.

We have the best 75 cent Kid Glove in the market. Come to us for Gloves.

Remnants of DRESS GOODS.
Remnants of OUTINGS.
Remnants of TOWELINGS.
Remnants of TABLE LINENS.
Remnants of SILKS.
Remnants of BUTTONS.
Remnants of FLANNELS.

Silks.

200 pieces of Black Silks, assorted weaves, in lengths suitable for a waist, skirt, or a full dress. So that all may have a Silk dress, we have marked these goods just two-thirds their value. Don't miss it.

Blankets & Comforts.

The cold, chilly nights of December, January and February, you need not be cold. We sell Blankets as low as 75 cents a pair. We sell a good Comfort for $1.25.

We sell Blankets and Comforts.

Men's Goods.

Our 75 cent wool ribbed Shirts and Drawers are the best things ever offered for the money. Ask to see them.

We carry a complete line of Men's Furnishings, but remember this:

There's no fancy prices on them.

Babies' Bonnets.

We were successful in securing another big drive in these goods. So we can sell you Babies' Bonnets at just half what they are usually sold for elsewhere.

A splendid line of Boys' and Girls' Caps for winter, just arrived.

Remnants of SHOES.
Remnants of SHEETINGS.
Remnants of LININGS.
Remnants of TRIMMINGS.
Remnants of LACES.
Remnants of EMBROIDERY.
Remnants of Everything.

Wrappers.

Our superior buying ability has made it possible for you to buy these goods cheaper than you can make them up.

$1.25 Wrappers for 75c.

$1.50 Wrappers for 95c.

$2.65 Wrappers for $1.50.

Our Wrappers are cut full.

The prices are cut short.

Wrappers.

SHAWLS

What is nicer than a good warm Shawl.

Fashion's fancy brings us many new warmers, but the shawl, the old faithful, holds its own.

Just ask to see

Our $2.25 Shawl.

Our $3.25 Shawl.

Our $5.00 Shawl.

Our $7.50 Shawl.

HAVE ONE.

SHAWLS

R. K. THOMAS