

## MAGILL IS PLACED ON WITNESS STAND

Man Accused of Murdering His Wife Tells How He Found Her Dead.

WAS GIVEN TO DESPONDENCY.

Says It Was Caused by Headache and Niggling of His Mother.

Deseret, Ill., Oct. 17.—The early part of today's session of the trial of Fred and Fay Graham Magill, charged with having caused the death of Magill's first wife, Mrs. Fay Graham Magill, was occupied with the reading of the seven letters identified by Magill's daughter, Margaret, when she was on the stand yesterday, as having been written by her deceased mother while the latter was propped up in bed, previous to her death.

After the reading of the letters Magill himself was placed on the stand as the first witness of the day. Magill told of his first wife's despondency, and said he saw her propped up in bed with pillows, writing letters. He told of the incident testified to yesterday by Margaret, when a veterinarian was called to chloroform a horse, and said that Mrs. Fay Magill stated upon the occasion that she wished the chloroform to be used for her instead of the horse. He said that Dr. Thomas Davidson of Clinton had told him that Mrs. Magill had told the postmaster that she was taking chloroform, and that Davidson had told the witness that he said he had a gun and would kill himself, instead of taking morphine.

He said that on the night Mrs. Magill died she had requested Margaret to telephone to Fay Graham Magill, to get the promise, whatever it was, that Fay had made to Mrs. Magill.

Just before he retired that night, the witness said, he requested Margaret to get her a bottle of beer. He gave her a bottle from the ice chest and then retired.

In the morning, when he awoke, he said that his wife was not in the room. He made a search of the house and found her in the spare room, lying down, with a blanket wrapped tightly around her. He spoke to her, but got no reply, and upon examining her he found that she was dead. Magill said he detected the odor of chloroform.

Cross-examination brought out that Fred Magill is 25 years old, that he learned for a while had been a locomotive fireman, and for a year a book-keeper in a small bank, and a bartender for six weeks.

Asked what, in his opinion, caused his wife's despondency, he replied: "Her headache and the nagging of my mother and sister."

"You never heard her mention any other trouble?"

"Didn't you know people were talking about you running after Fay and Fay running after you? And wasn't your wife worried about that?"

"She knew people were gossiping about Fay and she was mad about it."

"Were you infatuated with Fay Graham before your wife's death?"

"I was not."

"I married her to see her protected and because Margaret urged me to," Magill replied.

"You were not averse to marrying her?"

"It wasn't compulsory at all. I wanted her protected from gossip."

"If your wife hadn't died you would have got a divorce, wouldn't you?"

"No, divorce was not mentioned."

"You say that the night before she died your wife put her arms around Fay and kissed her?"

"Yes, and told her that if anything happened to her she must take care of Margaret."

"There must have been a strong attachment between your wife and Fay?"

"There was."

Magill's cross-examination concluded after the witness had spent four hours on the stand. His testimony closed the

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## MARRIAGE KNOWS POWER OF PRESS

Tells Reporters They Can Do More Than Anybody to Settle "This Railroad Situation."

SICK OF ATTACKS ON ROADS.

Would Have Papers Refuse to Print One Side of Proposition Until Other is Consulted.

Chicago, Oct. 17.—Until three men who are locked in a room assiduously counting proxies are able to report to the stockholders of the Illinois Central railroad, there will be no action of directors. Twelve today the stockholders assembled, only to be told that the proxy inspectors were not prepared to report. The adjournment was taken after 3 o'clock in the afternoon and carried the meeting over until tomorrow at 2 o'clock. The attorneys for Mr. Harriman, who have all along been anxious to push matters to a speedy conclusion, chafed sorely under the delays imposed by the proxy inspectors. When it was evident at the morning meeting that the committee would not be able to report, Mr. Cromwell sent to Judge Edgar Farrar, who represents Mr. Fish, with the proposition that all the proxies should be thrown upon a table in the general meeting and that conflicting proxies should be thrown out. This would have killed all the resolutions that have been made, and the proposition was promptly declined by Judge Farrar. Mr. Cromwell explained himself as anxious for a "show down." The Fish faction, however, declined to consider the plan for a moment, and Mr. Cromwell was forced to acquiesce in the delay.

While the meeting was waiting for some other word from the committee, in order to determine the time to which the adjournment should be taken, Mr. Harriman picked up his chair and, carrying it to the end of the press table, sat down, with the remark: "I think you gentlemen can do more to settle this railroad situation than anybody else."

When asked for an explanation, he said: "You can do it by refusing to print one side of the proposition until you have seen the man on the other side and let him have his say at the same time. I am sick and most other men are sick of continued attacks made on the railroad. When charges are made against a railroad, the proper thing to do is to refrain from publishing them until the party bringing the charges and the representatives of the railroad have had a conference with representatives of the press present. As such things are now run, the charges are printed in the papers and the public receives a wrong impression, because the railroad side of the question is not given as full a hearing as the other side. It is the first impression that counts. Very often a railroad is not able to make a reply for several weeks after charges have been made and the denial is not then noticed, because the matter is no longer fresh news. The way to settle such things is to get together at the outset and let the charges and denial go before the public at the same time. This would do away with much of the ill-feeling that is now created against the railroads."

Pacific was guilty in a serious violation of the law, and in fact was entirely guiltless, is found in the trouble we had when the Colorado river broke over its banks. We spent millions of dollars in forcing the river back into its channel. It was too big a job for the government to tackle and we had to do it ourselves. The Colorado Development company, which did the work, although we paid the bill, asked for a rate on the material which was to be used in damming up the river. The Southern Pacific quoted to the company the same rate it charged against itself for the transportation of its own supplies. This was a different rate from the one legally established for handling such stuff. We are therefore guilty of a violation of the law in fact, but we were entirely guiltless in spirit. Many times charges have been brought against railroads, which could be as easily explained as in this case. It is only because the explanation is not allowed to be promptly given that so much ill-feeling is created against the railroads."

When asked if he had proposed this plan to other railroad men, Mr. Harriman said that he had not, that he desired to find out the view on the proposition before doing so. He might take action, he said, within two or three months, but was not positive just what he would do.

Before it was definitely announced that the proxy committee would not be able to report, the attorneys on both sides were somewhat startled by the suggestion that the trustees of the company were open. When the stockholders' meeting was originally called, it was thought that it would not last over one day, and the announcement was made that the trustees would be open again on Oct. 17. After a hasty conference, it was decided that there was no way in which the books could be closed today, and the adjournment was made for Tuesday at 11 a. m. It was agreed between the attorneys that no effort should be made on either side to purchase stock during the day. At the afternoon meeting, which lasted but a few moments, it was at first proposed to take an adjournment until 10 o'clock tomorrow morning. The proxy committee, however, declared that it was in no way possible that it would be ready to report at that time. Upon motion of Mr. Cromwell, the meeting then went over until 2 o'clock in the afternoon.

The attendance was much smaller than yesterday and only a few persons were present when final adjournment was taken. Both sides claim they respect to control the meeting, and both are hunting earnestly for proxies or for the revocation of proxies previously given.

HIGHEST PRICE FOR HAY.

Chicago, Oct. 17.—No. 1 timothy hay sold here today at \$21 per ton, which is the highest price ever paid here for the year.

The high price is said to be due to scarcity of hay in Chicago, notwithstanding the fact that the crop is larger than the average crop for the last 10 years. The railroads maintain that they are unable to furnish enough cars to transport the hay. Most of the hay handled in Chicago comes from Illinois, Wisconsin, Iowa, Nebraska and Kansas.

## THE INTER-MOUNTAIN MILLING COMPANY

Is now located at 161-163 North 3rd West, a block and a half north of the O. & N. passenger depot, the home of HUSLER'S FLOUR.

Both 'phones 128.

is the highest price ever paid here for that commodity at this season of the year.

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## Daniels Does It, Too.

What do you think when I tell you I can straighten bow legs and round shoulders?

"Has Daniels gone into some new-fangled surgery?" you ask.

Not a bit of it. Just tailoring amplified to cover defects of Nature. I know how to build the shoulders of a coat and the legs of trousers so that the defects are overcome. Further, I can dress the man tastefully—build a suit that will fit the form gracefully—so that it will be observed instantly that he is tailor-dressed.

All men want to appear well in their clothes. But all men do not feel they can afford tailor-made suits—hence hand-me-downs are generally bought. And hand-me-downs cost all the way up to \$35—and more.

I make fashionable suits of fine woollens and fine materials at \$20, \$25 and \$30.

Woollens—ah, there you are—imported woollens—suits made in the most approved style, made to wear, made to hold their shapes, made to look nice till discarded.

Also, I have suits, over coats and rain coats which you can have at half-price.

**Daniels, the Tailor**  
57 W. Second South.

**HERE!**

If you are looking for Shoes that wear and look well you will be interested in ours.

We Sell and Guarantee **FAY STOCKINGS**

**CHILDREN'S SHOE & STOCKING STORE**  
No. 60 So. Main St.

**Low Prices and Worth Combined**

IF it won't pay you to come in this store it won't pay you to pick up dollars.

**SUITS: \$12.50, \$15.00, \$16.50, \$18.00, \$18.50, \$20.00, up to \$40.00.**

Our lever of prices pushes business these months.

**TOP COATS—\$9, \$12.50, \$15, \$16.50, \$18 up to \$35.**

**BOYS' SCHOOL SUITS—\$2, \$2.50, \$3.25, \$4.50, up to \$7.50.**

Furnishings, underwear, hats, etc., in grand assortment. No house goes above us in value or under us in price.

**BARTON & CO.,** Clothiers to Men & Boys.  
45-47 Main Street.

Cures Biliousness, Sick Headache, Sour Stomach, Torpid Liver and Chronic Constipation. Pleasant to take

**ORINO** Laxative Fruit Syrup

Cleanses the system thoroughly and clears sallow complexions of pimples and blotches. It is guaranteed

## ESTABLISHED 1864

**F. Auerbach & Co.**  
ONE PRICE TO ALL NEVER UNDERSOLD  
A GREAT AGGREGATION OF

**SPECIALS FOR SATURDAY.**

You can't afford to miss any of them, provided you have needs to fill. No store anywhere can meet the prices.

**3 BIG SPECIALS**  
in Children's Bearskin Coats.

\$4.00 Bearskin Coats, all shades \$2.75  
\$6.00 Bearskin Coats, white and colors \$3.95  
\$7.50 Bearskin Coats, pretty shades \$5.00

**LADIES' AND MISSES' COATS**  
A lot of 40 Ladies' and Misses' Coats, fully 30 inches long, made of a fancy novelty mixture, trimmed with velvet collar and cuffs, \$7.50 and \$10.00 Coats on sale Saturday \$5.00

**SATURDAY—FOR ONE DAY ONLY.**  
100 PIECES APRON GINGHAMS.  
Blue and white checks in all sizes and other colors—value 7c  
10c—Saturday at, a yard, 7c

**SATURDAY FOR ONE DAY ONLY.**  
100 pair heavy Blankets, 10-4 and 11-4 sizes; blue, gray and red—\$1.35 per pair—value \$1.75 and \$2.25—value \$1.69  
Saturday they go at, a pair, \$1.69

**THE GREATEST HANDKERCHIEF BARGAIN OF THE YEAR**  
Ladies' Handkerchiefs—Best 35c grade at 19c  
Mexican drawn work bordered white Handkerchiefs in a fine linen quality—in great demand for fancy work, etc.—most beautiful designs in the best 35c grade, on sale Saturday all day at, each, 19c

**HOSIERY SALE—SATURDAY ALL DAY.**  
Children's 25c Hose at 15c  
100 dozen children's extra fine ribbed seamless Mace Cotton Hose in black—in all sizes—a splendid 25c quality—on sale Saturday all day at, a pair, 15c

**SPECIAL FOR SATURDAY.**  
BOYS' CLOTHING.

For the closing day of this busy week in boys' clothing, the best values yet offered will be on sale. All the latest fall creations in boys' clothing, including brown and gray checks, stripes and plaid effects in values up to \$3.75, offered at a great saving price to you—

**\$3.75 Boys' Suits at \$2.45**

**Saturday Special.**  
Ladies' Patent or Kid Shoes,  
With good quality well soles, Cuban heels, dull kid top, blucher cut and made over the newest 1908 last—all sizes—value up to \$3.50—last at, per pair, \$2.65

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Of all collectors of honest debts the Merchants' Protective Association leads both at home and abroad for the very simple and convincing reasons that they have discovered that "red streaks of honesty" exist in everybody, and that they have the essential knack of making the debtor feel that "now is the time to pay." All in all, it is the stick-to-itiveness of this association that has gained for it its world-wide reputation and present condition. Yours respectfully,

MRS. F. C. COCHRAN,  
1016 West Eighth South, City.

The above answer won the prize in the Herald rebus contest. Turn in your claims and we will get some money for you.

**MERCHANTS' PROTECTIVE ASSOCIATION**  
Scientific Collectors of Honest Debts,  
17-18-19-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-46-47-48-49-50-51-52-53-54-55-56-57-58-59-60-61-62-63-64-65-66-67-68-69-70-71-72-73-74-75-76-77-78-79-80-81-82-83-84-85-86-87-88-89-90-91-92-93-94-95-96-97-98-99-100-101-102-103-104-105-106-107-108-109-110-111-112-113-114-115-116-117-118-119-120-121-122-123-124-125-126-127-128-129-130-131-132-133-134-135-136-137-138-139-140-141-142-143-144-145-146-147-148-149-150-151-152-153-154-155-156-157-158-159-160-161-162-163-164-165-166-167-168-169-170-171-172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188-189-190-191-192-193-194-195-196-197-198-199-200-201-202-203-204-205-206-207-208-209-210-211-212-213-214-215-216-217-218-219-220-221-222-223-224-225-226-227-228-229-230-231-232-233-234-235-236-237-238-239-240-241-242-243-244-245-246-247-248-249-250-251-252-253-254-255-256-257-258-259-260-261-262-263-264-265-266-267-268-269-270-271-272-273-274-275-276-277-278-279-280-281-282-283-284-285-286-287-288-289-290-291-292-293-294-295-296-297-298-299-300-301-302-303-304-305-306-307-308-309-310-311-312-313-314-315-316-317-318-319-320-321-322-323-324-325-326-327-328-329-330-331-332-333-334-335-336-337-338-339-340-341-342-343-344-345-346-347-348-349-350-351-352-353-354-355-356-357-358-359-360-361-362-363-364-365-366-367-368-369-370-371-372-373-374-375-376-377-378-379-380-381-382-383-384-385-386-387-388-389-390-391-392-393-394-395-396-397-398-399-400-401-402-403-404-405-406-407-408-409-410-411-412-413-414-415-416-417-418-419-420-421-422-423-424-425-426-427-428-429-430-431-432-433-434-435-436-437-438-439-440-441-442-443-444-445-446-447-448-449-450-451-452-453-454-455-456-457-458-459-460-461-462-463-464-465-466-467-468-469-470-471-472-473-474-475-476-477-478-479-480-481-482-483-484-485-486-487-488-489-490-491-492-493-494-495-496-497-498-499-500-501-502-503-504-505-506-507-508-509-510-511-512-513-514-515-516-517-518-519-520-521-522-523-524-525-526-527-528-529-530-531-532-533-534-535-536-537-538-539-540-541-542-543-544-545-546-547-548-549-550-551-552-553-554-555-556-557-558-559-560-561-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580-581-582-583-584-585-586-587-588-589-590-591-592-593-594-595-596-597-598-599-600-601-602-603-604-605-606-607-608-609-610-611-612-613-614-615-616-617-618-619-620-621-622-623-624-625-626-627-628-629-630-631-632-633-634-635-636-637-638-639-640-641-642-643-644-645-646-647-648-649-650-651-652-653-654-655-656-657-658-659-660-661-662-663-664-665-666-667-668-669-670-671-672-673-674-675-676-677-678-679-680-681-682-683-684-685-686-687-688-689-690-691-692-693-694-695-696-697-698-699-700-701-702-703-704-705-706-707-708-709-710-711-712-713-714-715-716-717-718-719-720-721-722-723-724-725-726-727-728-729-730-731-732-733-734-735-736-737-738-739-740-741-742-743-744-745-746-747-748-749-750-751-752-753-754-755-756-757-758-759-760-761-762-763-764-765-766-767-768-769-770-771-772-773-774-775-776-777-778-779-780-781-782-783-784-785-786-787-788-789-790-791-792-793-794-795-796-797-798-799-800-801-802-803-804-805-806-807-808-809-810-811-812-813-814-815-816-817-818-819-820-821-822-823-824-825-826-827-828-829-830-831-832-833-834-835-836-837-838-839-840-841-842-843-844-845-846-847-848-849-850-851-852-853-854-855-856-857-858-859-860-861-862-863-864-865-866-867-868-869-870-871-872-873-874-875-876-877-878-879-880-881-882-883-884-885-886-887-888-889-890-891-892-893-894-895-896-897-898-899-900-901-902-903-904-905-906-907-908-909-910-911-912-913-914-915-916-917-918-919-920-921-922-923-924-925-926-927-928-929-930-931-932-933-934-935-936-937-938-939-940-941-942-943-944-945-946-947-948-949-950-951-952-953-954-955-956-957-958-959-960-961-962-963-964-965-966-967-968-969-970-971-972-973-974-975-976-977-978-979-980-981-982-983-984-985-986-987-988-989-990-991-992-993-994-995-996-997-998-999-1000-1001-1002-1003-1004-1005-1006-1007-1008-1009-1010-1011-1012-1013-1014-1015-1016-1017-1018-1019-1020-1021-1022-1023-1024-1025-1026-1027-1028-1029-1030-1031-1032-1033-1034-1035-1036-1037-1038-1