

Thompson was the same previously referred to. The defense declined to ad-init anything but Mr. Loofbourow said he did not contend it was not the same, On cross-examination witness said he took good care of the property in his possession, and that it was not disturbed.

Sheriff Emery was placed on the stand and swore he was called to the scene of murder; and that he took charge of the outfit and it was still in his possession.

RYAN'S COAT.

"I now show you a coat," said Mr. Westerveit, producing Ryan's coat, "and ask you if it is the same you found at the camp? "Yes, it is."

The coat was offered in evidence, On cross examination the sheriff said he did not remember who was at the scene when he arrived.

- "Did you search the wagon?" "I did."
- What did you find?"

"I found a spectacle case, a shot gun, a trunk, a rifle and a pistol." "Is the trunk the one you broke open

with an axe?" 'Yes.

"Did you take it out of the wagon?" "I did not, but some one did. I think It was Mr. Mauss. There was also a Butte, small valise containing some spoons and spectacle cases."

"How many spectacles?"

'The case was full.' 'How many would you think?" "I did not count them. There might

have been 150." 'Were there spectacles elsewhere?"

"Yes, Some were in the trunk." Was there anything else in the trunk?"

'Yes, some bill heads and business letters of Mr. Ryans. Some were to the Utah Junk company."

"Ind you find letters of identification?" "I found 'William X. Ryan' written

on receipts and other papers." "Have you mentioned every place

name was written? where the "I think so,

"Did you find any wearing apparel?" Yes. In the wagon I found a pair of ladies stockings

'Anything else?" "I found a black shirt and the coat."

"Did you find a pair of socks?"

there; but later I did." Did you pick up the camp outfit and

put it in the wagon?"

"Did you see it done?"

"Parily so. I gave instructions to have everything placed in the wagon." "Had you ever seen the man before?

Not that I know of. "Had you ever had any conversation

with either of these persons before? "No. sir.'

AN OLD SHOT GUN.

"Where was the shot gun in the wagon? "At the side of the wagon?" "What kind was it?"

"Wea it londed ?" Gray. 18.14 "Yes. What kind was the rifle?" "I think it was an old time Ballard." "Was it joaded?" "Tes. "What make was the revolver?" "An American Buli Dog, 38 caliber." "Was it loaded?" "Yes, but the cartridge under the hammer had been fired." 'Recently ?! "There was no evidence of it." Where was the revolver?" 'In the telescope. "Was it wrapped in clothing?"

"Is it still in your possession?" "Yes; it is." "Was the wagon seat out on the ground?" am not positive." "Was this revolver bright ?" "Have you examined the revolver

SAW HER IN JAIL.

"When did you see her next?" "I saw her in jall about a wek ago." "Who did you go with?" "The sheriff, the porter and a deputy sheriff.

"Anybody else?" "Yes. Mr. Westervelt." "Did you see any other women in the Yes. I saw some in another cell.

"Were they white or black?" "I saw one colored woman." "Now, Mr. Gray, is it not true that when you went to the jail the sheriff

then and there introduced Mr. Wester-veit and this woman and called her by name, saying, 'Mrs. Hodge, this is the ounty attorney? Yes, str. That occurred when you went there

to identify her?" "Yes, sir." "When did she give you the \$20?" "When I save her her berth." "Where did she have the money?" "In her hand." First Battallon, consisting of com-panies D, E and H, and the Second "Did she take it out of anything?" battalion, consisting of companies A F and G. The captain expressed him-'No. sir.' "Did you see her railroad ticket?"

"What do you mean?" "I took it up "What kind of a ticket was it?" "A local ticket from Salt Lake to

"Any name on it?" "No. JACKET WAS HEAVY.

"Did you notice a jacket?" "Yes; it was on the seat of the berth."

"Who called your attention to it? 'The porter.'

"Did you examine it?" "I picked it up." "What kind of jacket was it?"

"What kind of jacket was it." "Dark mixed goods." "Anything peculiar about it?" "Yes; it was heavy." "Where was the weight?" a side pocket.' "Did you at any time see a hat?"

"No, sir." HAIR THE SAME.

"Is this lady's hair the same color now as it was then?" At this question Mrs. Hodge turned quickly to her lawyer and smiled. The witness said he noticed no differcial target practise. For this particular work, it seems that the regulars will loan the Hotchkiss guns, but not furnish the ammunition. Adjt.-Gen. Burton honored the requisition this ence and the prisoner again smiled. WAS VERY NERVOUS. morning, and the same calls, among other things, for 40 shells, 40 shrapnel

"Now, have you told us all you know about this girl going to Butte?" "Well, I noticed that she was very

'How did the nervousness manifest itcel1?

campment this year than ever before, and it is because the regulars are with "When I went to give her her change them. she jumped up excitedly." "Did she read during the trip?" "Yes, she had a newspaper."

Where did she get it? "I don't know."

THE PORTER'S STORY.

E. W. Jarret, porter on a Puliman

running from Salt Lake to Butte was the next witness and his testimony was corroborative of that given by Pointing to Mrs. Hodge, he said she rode on his car from thus city to Butte on July 12. "She rushed into the car in a hurry," said Jarret, "and asked for a berth. She paid for it with a \$20 gold "Did you notice a jacket?" "Yes, when I made up the berth." "Did you notice anything particular about it?"

MONEY IN RIGHT SIDE.

"Yes, I noticed there was some money in the right side under the linmoney in the right side under the lin-ing. I picked the jackst up and it was very heavy. I heard the money rattle and saw some \$20 gold pieces, but I don't know how much." Witness said that Mrs. Holgs was very nervous during the trip.

LOWER FOUR. Answering Mr. Loofbourow Jarrot

(Continued on page two.)

neer for 1.500 second feet by H. P. My-ton of this city, A. E. Capron, Henry F. Dubbs, and Oliver S. Jacil of Coloranore service than many regular soldiers, and has received more wounds than many a grizzled veteran. He ran away from his horse in a small Ken-tucky village several years ago and went to the Philippines with Uncle claimed that a million of dollars is behind the enterprise. The idea of re-Sam's boys. While there, he rendered efficient service on several occasions claiming the great Green River descrt in Utah is no new thing. It was broached 20 years ago, when it was proposed to dam the Green and set the At one time he carried water for the Utah battery and the Kansas boys, when they would almost have perished without it. He was wounded a number of times during the day, but still kept on, going without sleep for 24 hours, He is deaf and almost dumb, and states water back clear into the Ashley country, and reclaim 300,000 or more acres. But the cost of the dam prevented the that he has received 16 wounds. One scheme from being seriously considered. shot passed through his vocal organs, and the simultaneous discharge of two A Colorado syndicate has of late years been proposing to divert half of the waters of the Grand river across the desert from above Grand Junction. But pieces of artillery broke both earthe expense of fluming is such that the plan may not be carried out. The boy is endeavoring to learn the whereabouts of his parents, who have left the Kentucky village where they resided when he left home.

INSPECTION OF MILITIA.

DRESS PARADE.

ent during the parade, and remained to

listen to the magnificent music ren-

The weather permitting, a regimen

tal dress parade will take place this

A number of the regulars expressed themselves in a very complimentary

manner concerning the drilling of the

Quartermaster Sergeant Burkhart of

the First infantry, is up from camp with a requisition for state ammuni-

tion to be used by the battery in spe

80 drill cartridges and 80 service charges. All of this will be furnished

SEEING THE TOWN.

park management, not to

will do the honors down at Mill Creek.

are taking more interest in the

The sergeant says the boy.

dered by the regimental band.

so far inspected.

evening at 6:40.

guardsmen.

OTHER WATER FILINGS

Colone' S. B. Milner has applied for an appropriation of water from several springs in Iron county, for use in con-nection with his iron mining operations. Capt. Barth today inspected the Daniel Te and Jacob Miller of Logan ask for 50 feet of water from the Bear river near Collinston for irrigating. Electric pumps will be used to lift the self as much pleased with the several organizations of the guard that he has water to the irrigating ditches. The Maxfield Mining company, the Newhouse Mines & Smelter corporation, Mi-lando Pratt of Farmington, the Mt. Baldy Mining & Milling company, and a number of other pelitioners are asking Lieut.-Col. J. A. Greenewald con-ducted the battalion dress parade last evening. This is the first experience of the young officer in this direction, and he was warmly complimented for his success. Many visitors were presfor use of water for irrigating and min ing purposes.

TO OGDEN TOMORROW.

State, County and City Officials Will Go Into the Canyon.

The state, county and city officials. and the employes of the city and county building take their outing to Ogden canyon tomorrow, the train leaving at 9 o'clock. The county commissioners will grant the county officers and clerks full pay for the day but they will hold the heads of the respective departments responsible for the carrying on of the business of their departments. There will be someone, therefore, left in charge of each office to carry on the

All of the ex-officials of the city, county and state have been invited to go and many of them have expressed their intention of going. At Ogden the party will be joined by the city and county employes there and they will all pro-ceed to the Hermitage. A big time is anticipated by all who are going.

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TRIAL 18 INTENSE.

T INTEREST IN HUMBERT

Visiting Editors Having a Strenuous Time of it in Salt Lake.

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Paris, Aug. 21.-Public interest is growing more intense as the The visiting members of the South Humbert trial is nearing its con-Dakota Press association had another clusion and the crowds at the touch of that strenuous life today. palace of justice were much aug-Bright and early they were compelled to mented this morning. Although vacate their pillows and take another whirl at seeing Salt Lake and study-

palace of justice were match as mented this morning. Although the court officials believed that the advocate general will reply to Maltre Labori, leading counsel for the defense, thus postponing the verdict until tomorrow. Among those who have reserved places near the judges today was Senora Castro, wife of the presi-dent of Venezuela, who was ac-companied by the Venezuelan ing her fauna and flora. This morning. after they had barely digested their breakfast, they were given a rider around town on the seeing Salt Lake car, while the man behind the mega-phone bombarded them with statistics and information enough to banish "pa-tent insides" for the next year. This afcompanied by the Venezuelan ternoon they were allowed to rest for a brief period, when they were escorted minister. Maitre Labori continued his adto the Tabernacle, where they were ten-dered an organ recital and a short ad-

dress for the defense averring that the larger creditors had act. dress. Tonight they will be initiated into the delights of watching athletes ed through attorneys who should be held responsible, while the path if the Rente Viagere had not been wreeked through the premature prosecution of the Humberiz. follow a "red devil" around the rim of the saucer under the glare of the elec-tric light. Tomorrow morning the party goes to Lagoon as guests of the management. In the afternoon Calder's

toproved by the powers, as it is evident Furkey would never submit to a peaceful occupation of the Bosphorus and the Dardaneiles. A Turkish official said this could only be done after fighting. loose carly last evening that treated the town to some lively pyrotechnics.

LAWN TENNIS TOURNAMENT. Clothier Beat Ward After a Mag-

nificent Struggle.

Newport, R. L. Aug. 21 .- The chief attraction in today's contests in the national lawn tennis tournament was the match between Holcomb Ward and W. J. Clothler, in the championship course, though H. L. Doherty and S. S. Mahoney, the present players, met at the same time. Ward and Clothier were viewed as the best of the home players entered in the tournament, and then meeting assumed corresponding import-ance. Ward was slightly the favorite. The first set of the Ward-Clothier lightning and set on fire. It burned for some time creating quite a stir in the match was a struggle to break through service. Clothler succeeded in doing this in the sixth game. After that Ward's playing fell off somewhat, and he lost service again in the eighth game, the last point being his double fault, Clota-ler took the set, 6-2. Manager Campbell estimated the total loss to the company at hardly over \$200.

The street car company experience hard luck, the lightning "doing up" The points in the second set were than in the first, but Clothier dozen cars scattered over the system, and which had to be hauled in. closer won, 6-4.

The third set was marked by splendid burst of speed by Ward when the score straight games for the set and allowed his opponent only six points in the five games. He won, 7-5. Ward started well after the rest, but night or Saturday. But the weather today is close and very oppressive, and

was plainly tired and Clothler finally ran it out at 7-5.

GERMAN SOCIALISTS.

Are Entitled to Have, a Vice President of Reichstag. Berlin, Aug. 21.-The Socialists are entitled to have appointed from their party one of the three vice presidents of the reichstag on account of their increased representation, and the other parties appear willing to concede this. The Socialist leaders, however, differ as to whether they ought to accept the offer, but it would limit their complete freedom of obstruction and opposition. Herr Bebel takes this view, but Herr Bernstein favors accepting. The So-cialists of Munich rejected the idea by a majority of eighteen yesterday, while Stuttgart voted for lt.

A GOOD COUNTRY.

Salt Laker Praises the Teton and Jackson's Hole Valleys.

Hon. J. Golden Kimball of this city laid off. This means that about 162 men has just returned from a trip to the have been paid off. In addition a num-Yellowstone, for which section he, in ber of timber hands and laborers have company with Elder Mathias F. Cowley beeen discharged and shipped to other and others, left Salt Lake July 23, going points on the Southern Pacific system where active construction work is gofrom here direct to Rexburg. At this point they celebrated the 24th in fitting ing on. style, after which Elder Kimball, his close the men have got together and in a substantial manner have voiced brother Elias and several others, made their way through the Teton and Jacktheir appreciation of the services of Mrs. Trowe, who, in a number of inson's Hole countries for the far-famed stances, has been a veritable mother to some of the hands who have been national park. Of the section through which they traveled the Salt Lake man working on the cut-off. Owing to the nature of the work the men have conhas nothing but words of praise. He says it is a region of unlimited possi-bilities and one which offers great intracted wounds, which with the actracted wounds, which with the ac-tion of the sait water, in a number of cases, have caused festering sores. Mrs. Trowe, who lives at Promontory Point, has some knowledge of the rudiments The ducements to desirable settlers. country is young and therefore in need. country is young and therefore in here of of a staid, industrious class of peo-ple, and to all such it offers good re-turns. It is a splendid range section, and affords ample room for needed res-ervoirs. Young Salt Lakers are scat-tered through the entire country and in most instances are doing well and of nursing and treatment of surgical rases. Whenever a man would come look after him. This kindness on the part of the lady was greatly appreci-ated. Last Tuesday it found voice in

promise to become independent in a comparatively short space of time. the presentation by some of the men of a purse of \$520, that had been sub-The trip through the Yellowstone, says Elder Kimbell, was simply delightscribed. Needless to say the lady was surprised when she was waited upon by the committee composed of Capt Shure, Frank Kernan, R. C. Btooks ful. They not only saw the geysers in all their fury but visited practically every place of interest in the whole and John Ward.

Rain Storm Last Evening A thunder and lightning storm broke

The result was that about 9:30 the

was thrown into total darkness for 1

be brought into service, and then the

at Third and Q streets was struck by

vicinity. A youth with a lawn hose tried

put the fire out, but he might as well

ive tried to extinguish an oil tank

MORE SHOWERS COMING.

The weather office looks for more

cloudy weather and local showers to-

but for a breeze blowing the entire town would be gasping. The highest tempera-

ture in the country yesterday was at

Phoenix, 112 degrees. In its playful mood the lightning struck a number of trees in different parts of theh city and tore the bark completely off. A noticeable trick of this kind occurred at the corner of

North and West Temple streets, just in front of the residence of the late Mrs. Matilda Barratt, When the lightning struck, two women happened to be passing and one of them, it is said, was

KINDNESS IS REWARDED.

Departing Men Give Substantial Purse

To "Mother" Trowe at Lucin Cut-off.

The work of pile driving on the Lu-

cin cut-off is rapidly being cleaned up

Now that the work is drawing to a

her she would dress his hurts and

Phoenix, 112 degrees.

streets.

stay sail and on the starboard tack eaded out to the point. WHAT SIR THOMAS SAYS.

New York, Aug. 21 .- Sir Thomas

Lipton said today: "I have not lost hope in the slightest. The conditions yesterday were the worst I have ever seen off Sandy Hook. It was crash, crash, flash, flash for an hour or more, but the damage was in an inverse ratio to the amount of noise made. The rainfall was not heavy-.08 of an luch, according to the local weather office. The lightning bothered I have been here now since June, and we never had anything so bad. It was purely a matter of luck. The Sham-rock got no show from the wind. The the Light & Power company by strik-ing closes to the Ogden station, and Reliance was getting all the wind she wanted to foot away from us with, smashing insulators right and left, and short circuiting that source of supply. while the Shamrock was lying withotu a breath. Whenever we did get a breeze we lost no time in making up minutes until the big emergency plant the Reliance's gain, but the luck never on the Jordan, west of this city, could lasted with us.

"As a matter of fact, the Shamrock came about to come home, seeing it lights were turned on again. But for the time, 4,000 horsepower was off. About 7 p. m. the old style transformer came about to come home, seeing it was hopeless to continue when she was getting no wind. The Reliance's sails were full when our sails were ly-ing-limp. The Shamrock, while the wind lasted, did better work yesterday than the Reliance. Others may say what they like on this matter but this is my positive belief."

SALISBURY STILL ALIVE.

Is Sinking Slowly, Oxygen Now Being Administered.

London, Aug. 21.-Lord Salisbury is still alive, but he is slowly sinking. He received the last sacrament yesterday evening. Oxygen is being administered.

Trial of Caleb Powers.

Georgetown, Ky., Aug. 21.-In the Powers case today, the deposition of former Gov, Taylor, the reading of which was begun yesterday afternoon. was concluded. The court excluded 15 questions asked as to cenversations with W. H. Culton; as to his (Tay-lor's) reasons for pardoning Caleb Powers; the political complexion of the general assembly at the 1900 session, the filing of his certificate of election, and his reasons for leaving the state of Kentucky, after being indicted. These were held by the court incompetent.

trown to the ground but not hurt. A number of trees were also damaged in the southwestern part of towa, four be-ing badly barked at a point on Fifth South between Third and Fourth West F. A. MUNSEY RESTRAINED.

He is Forbidden to Sell Daily News Plant at Auction.

New York, Aug. 21,-Supreme Court Justice Davies today handed down a decision in which he granted the appliation of Col. William L. Brown for a emporary injunction restraining Frank A. Munsey from selling the plant of he Dally News at auction.

In his decision the justice says that in his opinion the sale of theh paper at this time would not be to the best o that this week five crews have been ; interests of the stockholders and states interests of the stockholders and states that unless proceedings are brought within 10 days from the date of this or-der for a dissolution of the corporation and the appointment of a receiver he will appoint a receiver.

OPEN PORTS IN MANCHURIA

Treaty to be Signed Oct. 8, Con-

tains Provisions for Them.

Washington, Aug. 21.-Sir Liang Chen Tung, the Chinese minister, today informed Acting Secy. of State Ades that he had received a dispatch from

that he had received a dispatch from his government confirming the informa-tion previously received that Prince Ching had informed Minister Conger that in the treaty to be signed on Oct.

two ports in Manchuria. The Chinese

minister after his last conversation with Secy. Hay informed his govern-ment that the United States would in-

sist upon open ports in Manchuria and he advised them to yield gracefully to

Big Order for Rails.

Baltimore, Aug. 21.-The Baltimore & Ohio, railroad today signed contracts for 50,000 tons of \$5-pound steel rails

the American demands.

for 1904 delivery.

provision would be made for opening

and the work of the second second the second by

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