ter from the "pen" to Judge Powers or anyone else. SMITH TAKES THE STAND.

asked him if he had anything to say

was placed in solitary confinement as soon as he reached the penitentiary. Was in Diamond August 25th. Did not

know Fred Hansen. Never saw him until he got on the witness stand. Knew Joe Biddlecome. Had known him since 1893. "Did you know his feelings toward

if I could get someone to assist me I would waylay him and do him up. The

would waylay him and do him up. The s- of a b- has done me out of my mining property." This conversation. Smith said, was had July 20th, 1899. Knew the witness Peck. Denied making a confession to him. It was all made up, for the purpose of injuring him. Defendant then went on to reliate how he came by the two sticks of giant powder. He said he took them from the magazine of the Diamond mine. He had been told to help himself and did not consider he had done anything particularly wrong in

done anything particularly wrong in taking them. Denied that he was ever

in Eureka. Had passed through there in a train. Mrs. Isabella Burt who said she saw him pass her place Aug-

ust 25, on the way to the Rio Grande Western depot in Eureka, was mis-taken. Was in Silver either the 23 or 24 of last August. Had no business

there. Remained at the place for about half an hour. Did not go to any mine while there. After he had been locked up in the jall at Eureka, about a hun-

dred people came to see him. The next morning Marshall Henriod took him

to the express agent at the depot for the purpose of seeing whether the lat-

ter could identify him. Henriod made him put on his old suit of clothes.

"Did the agent identify you?" asked Mr. Truman. Objected to by Mr. Put-

am. Objection sustained. Smith was here shown the two dyna-

Smith was here shown the two dynamite boxes eent to Judge Powers and Warden Dow, one empty and the other containing a revolver. He said he saw them for the first time at the police station, during his preliminary hearing. Peck's statement that he carried two revolvers in Diamond was untrue. Defendant said he never owned or carried but one.

ried but one.

Mr. Putnam—You say you never spoke to Judge Powers until he sen-

"Never threatened him in court?"

"I don't remember seeing him."

letter asking him to come to the "pen"

"Don't you remember telling him you were penitent and broken in health and would like to get out?"

"I never had such a conversation

'Did you ever write to Judge Ro-

your services weren't of much use to

"It is."
"You want the jury to so understand,

"Yes, I hope I may not live five min-

utes if I am not telling the truth.

Here the defendant raised his right

Smith was asked if he had not threatened Judge Powers, Judge Rolapp

and others, and he replied by stating that it was all a pack of lies, "politica

corruption" and that the parties were

Counterfeited Cigar Lables.

Reading, Pa., Dec. 13 .- The jury in

Over 1,500,000 labels were seized.

front door.

Ray is a practicing physician and

has been in Salt Lake for about a week.

For a short time he has not been feel-

ing well. Postules appeared on his

face and last night he became suffi-

ciently alarmed to seek medical aid.

He called on Dr. Bascom and was sent

to Dr. Beatty. The latter telephoned

to Chief Hilton, asking if there were

SMALLPOX IN SALT LAKE CITY.

John Ray, a Practicing Physician, of Emery County, Recently

From Bingham, Covered With Postules—Officials

in Consultation.

"maliciously mistaken."

hand and looked straight at the jury.

you had written him is false?"

Smith-No, sir.

with Judge Powers."

Judge Powers in August, 1893." jected to and objection sustained.

before sentence was pronounced. Yes, first sentenced in February, 1886.

#### NUMBER 20.

## SALT LAKE VISITED BY AN EARTHQUAKE.

Distinct Shock Passed Through the City Shortly Before Seven O'Clock this Morning, Frightening Many People.

Sensation a Decidedly Peculiar One and Lasted Several Seconds-Buildings Rocked, Windows Rattled and Dishes Danced Upon the Shelves-Shock Came from the Northwest and Passed On to the Southeast-Observations at the Weather Bureau-The Shock Was Rather Appreciated by Some, but Was Emphatically Nerve Shattering to Others-Prominent Citizens Tell How It Affected Them-Women and Children Particularly Frightened.

the course, singularly enough, provided

for a lecture by the gentleman on that topic this afternoon. Stranger still, the

doctor a few days ago good naturedly assured his students that he would try and have an earthquake ordered for

their especial benefit; and sure enough it came on the most opportune of days

and as a result there were many mut-

this afternoon.

congratulations at the University

When queried concerning the shock

the doctor said: "Yes, I heard it dis-tinctly enough and felt my house rock

under its power. I have been endea-voring to ascertain during the day as

to whether it originated at the base of the Wasatch and passed outward in-

to the basin or lake, or whether it came in from the basin and went towards

the Wasatch. The base of the Wasatch range is determined by a great 'fault' or 'slip.' Besides this 'fault' there are many minor 'faults' sometimes indicat-

ing a 'slip' of but a few feet. Now, when crushed blocks slip one upon another an earth jar is started. If these crushed blocks are large and the displace-

ment great the earth jar may be very yiolent. If but a small slip occurs a mere tremor may result. The western base of the Wasatch marks such a

fault and in all probability the crushed block along that line settle from time

time to positions of greater stability,

he newspapers a warning that warth-

This particular shock or tremor ap-

than in Salt Lake. At least two per-sons at Farmington, Sheriff Abbott and

County Superintendent of Schools Por-

MORE MAY COME.

In conclusion Doctor Talmage said,

while he could not predict other shocks

with a definite certainty, it was quite probable that there would be other fol-lowing closely upon the one of today as

such results were quite in keeping with our geological formation.

HOW CITIZENS FELT IT.

The shock was the main topic of con-

versation am ng citizens today and var-ious and interesting were the individual

expressions. Said one man: "Feel it? Well I guess I did. It threw

me about four feet out of bed. Besides that it scared me out of a year's growth. Altogether it has been a pretty

good day. It isn't every town that car

boast of an earthquake, a small-pox scare and a snow storm in one day.

OGDEN ALSO SHAKING.

Jar Was So Sharp as to Cause People to

Run Into the Streets.

ISPECIAL TO THE "NEWS."]

from earthquake passed through Ogden

at exactly 10 minutes to seven this

morning. In the Woodmansee building

the jar was so sharp that the people ran down stairs, out onto the sidewalk to ascertain what the matter was. At

the residence of G. W. Larkin, Sen., the

plaster ceiling was cracked. The shock was felt all over town, but so far as is known at the present time no actual

AT FARMINGTON.

Commenced at Twelve Minutes to Seven

and Lasted Four Seconds.

[SPECIAL TO THE "NEW."]

Farmington, Dec. 13.—Our great distance from the Philippine and South African wars, and the absence here-

abouts of extensive mining operations,

justifies the conclusion that we experi-

enced a genuine earthquake shock here

this morning, at 12 minutes to 7 o'clock.

Its duration was three to four seconds;

but some people who say they were not trightened say that it shook their

house for nearly an hour. It apparently came from a westerly direction.

No one has heard of any damage re-

[SPECIAL TO THE "NEWS."]
Kayaville, Dec. 13.—An earthquake shock was distinctly felt here at 6:50

OTHER UTAH EARTHQUAKES.

A Severe Shock Visited Salt Lake Several

Years Ago-Several Light Ones.

There have been several earthquake shocks in Salt Lake City. One occurred

a number of years ago that was con-siderably more violent than the one re-corded today. Since then there have been slight tremors but none that did

damage was done.

sulting from it.

Ogden, Dec. 13 .- A distinct shock

But that appears to be our record."

vere in Davis county."

been more violent north

quakes might occur here at any time.

salt Lake City and vicinity re- | ed a rather severe shaking up before 7 o'clock this morning. lirect cause of the commotion was el defined earthquake shock which wing to the closest observation, from the west northwest and sed on to the east northeast.

re is some difference of opinion to the duration of the shock. Nearall who heard it, however, agree as the time of the vibration-from 10 to stautes before seven. The morning me cloudy and the air full of falling on, it was still quite dark. Many le were in the act of arising from slumbers at the time. Those who still sleeping were rudely awaknd by the shock and some were althrown from their beds. Those sere in supper tories and high ings received the clearest evies of the visitation and many woon and children were badly frightand as a matter of fact some according to their own admissions. enced sensations that are not

atly much more distinct in some ets of the city than in others and ein lies a phenomenon that is diffito explain. The portions most were those skirting the foots from the Warm Springs and runwhere houses rocked upon their founations, causing windows to shake and thes to dance upon the shelves. In central or business district large lings oscillated to and fro for a ent, while their occupants grasped | ter, deser be the shock as teing quite seach stationary objects as were within such with which to steady themselves. Comis at the Knutsford and Kenyon Mels-especially those on the topmost bors, were subjected to the most ex-

naive rocking. CHIEF MURDOCH TALKS.

Chief Murdoch, of the government Twas at home and in bed when the toke came. I, however, heard it very At first I was uncertain what it was but concluded that it an earthquake and quickly ashed that this conclusion was corat On arriving at the office I found some distinct observations had been It the time. Of course, we have no exits at all, as the office is not pro-Wed with equipment for that class & work. The instrument by which quake vibrations are recorded is hown as the seismograph, I don't bleve there is one in Utah. In Washbeton the measurements of earth-Cakes are made by and recorded in the Naval Observatory."

IR GRUNOW'S OBSERVATIONS. Mr. Grunow, of the weather bureau, abock came suddenly and percepti-It was about ten minutes before en and the motion was from west bothwest to east southeast as nearly is I was able to determine. Following the vibration was a noise like the rush-ag of a heavy gust of wind. I have aced a number of earthquake enations during my official experany that I had before felt. It was sugted by some one that the motion of noise were caused by a big explo is in the mountains near by but the alicy of this was soon established. The shock lasted for several seconds and caused the building to rock and

indows to shake." AT DR. KINGSBURY'S RESIDENCE. r. Kingsbury, president of the ha University when spoken to con-tening the matter, said: "I did not led the shock myself. I was dayn. shock myself. I was downirs at the time it occurred, but my the and children heard it distinctly, act, it was so violent that one of children screamed outright as all her. As described by Mrs. Kings-lay it came in waves of an oscilating facter and lasted fully fifteen sec-

Asked as to whether the University ad any instrument by which the ded in the negative, but that one could ally have been constructed. "We be, however, to have such equipment then we get in our new buildings on be all above the city."

WHAT DR. TALMAGE FOUND. the hews of His Observations Today

-Sait Lake on Earthquake Line. Dr. James E. Talmage, who holds the bair of geology in the State University. any damage. During the present sum-mers of earthquake study of late and cinity of Beaver, Utah.

AT THE HIGH SCHOOL.

ball team by Miss Pearl Weiler was exceptionally fine, eliciting rounds of ap-plause from the enthusiastic students. Prof. Evans' picture. "Feeding the Calf," was described in an interesting manner by Miss Alice Gilson. The picture is a barnyard scene in France, and a happy creation. Miss Gilson treated the picture principally from the standard coloring. Polytting out the varyhere were also a number of vishore bresent. The boys' chorus did
the excellent singing, that an encore

## SMITH TAKES

Says Judges Powers and Rolapp are "Maliciously Mistaken."

STATEMENT OF DEFENSE.

Effort to Prove an Alibi Fails-Unable to Get Four Material

The defendant took the stand shortly before 3 o'clock and declared before his maker that he was innocent of the

were falsifiers.

now looks as though the case may be given to the jury sometime tomorrow. JURY EXCLUDED.

Upon the opening of court this morning Atterney Westerveit asked the court to excuse the jury while counsel for the defense presented certain mo-tions. The request was granted and the jury filed out of the court room. Thereupon Mr. Westervelt moved that all the testimony relative to the finding of the exhibits shown from the Pacific whim house be excluded, on the ground that the prosecution had falled to connect the defendant with the same by any evidence; also that all evidence relative to the infernal machines be withdrawn from the jury for the same reason. The court overruled the mo-tions and in doing so his honor said that whatever view he took of the matter at this time he thought the evidence

this point as he did on the others and center the motion.

OPENING STATEMENT OF DE-FENSE.

and thus cause jars.
"It may be remarked here that Mr. Grove K. Gilbert of the United States geological survey, who has done such admirable work on the Great Salt Lake and its relation to its predecessor Lake The jury was then recalled and At-torney D. S. Truman made the opening statement for the defense. Mr. Truman said the defense would prove that Smith was not at Eureka at the time Benneville, has announced several times that Salt Lake is right on the line of earthquake disturbances. When in the city last he caused to be published in smith was not at Eureka at the time the offense was alleged to have been committed, and that he was not in Eureka at the time the boxes were al-leged to have been deposited with the Rio Grande Western agent. He further stated that it would be proven that Smith was never at the Pacific shaft or whim house. Counsel admitted that Smith obtained two sticks of giant powder at the Diamond mine, and said it would be shown that they were used by Smith in prospecting. Referring to the addressed envelope upon the box sent O. W. Powers, Mr. Truman said the defense would admit that Smith requested the witness Haslam to write the address for him. A man named Butler Mr. Truman, said, asked Smith to write it for him, and counsel claimed that as soon as Haslam had written the directions Smith delivered the envelope

defense would show that the testimony of the witness Peck was entirely unreliable; that Smith never confessed the commission of the offense to him, neither had he talked to Peck at the window of the latter's sleeping apart-ment. Regarding the suit of clothes claimed by the witness Stewart as his chained by the witness stewart as his property, Mr. Truman said it would be shown that the garments were taken by defendant Smith for the purpose of liquidating a debt of \$10 existing between Smith and Frank Utterly. The latter, Mr. Truman said, gave the suit to Smith as he was leaving Diamond for o Smith as he was leaving Diamond for

sentence for grand larceny.

in his opening statement. sisted the motion and said the defen

see the materiality of the testimony. "But," said his honor, "were I to grant the motion at this time it would certainly give the defendant an opformer jeopardy.

While the court regretted the neces-sity of overruling the motion, he did not believe the rights of the State would be protected were he to grant

SMITH WAS NOT TIRED.

Cross-examined by Mr. Putnam.

ools. Court here took a recess.

This afternoon Emery Ward was called by the defense. Witness testi-fied that in 1853 he was guard at the penitentiary. It was there he first saw Smith. The defendant was put in the cage house by witness and was kept there three or four months; it might have been five months.

#### "Don't you know he was kept there two years?" Mr. Truman asked. Witness-No I don't. Arthur Pratt testified that he was CEN. OTIS SENDS penitentiary warden when Smith was brought out there. The custom was to STIRRING NEWS. examine all letters that came to or from the penitentiary. Did not remem-ber of Smith sending a threatening let-

Insurgents Running Away from At 2:10 this afternoon Smith was called to the stand. He said he did not know Judge Powers. Only spoke to him once and that was when the Judge Americans at All Points.

AGUINALDO IS IN HIDING

His Body Guard Destroyed-Mabini, Founder of the Filipino Rebel Gov Had a conversation with him at Bingham. Biddlecome said it was a wonder some one didn't get at Judge-Powers. "I would like to get at the s- of a b-," Biddlecome said. "He crosses the desert to go to his mine and it I could got a properly to expect the section." ernment, is Now a Prisoner.

Washington, Dec. 13.-Gen. Otis had some stirring news to report today from Manila, his advices going to show that the insurgents are, as he predicted a few days ago, at the end of their resources from a military point of view, and are running away before the rapid advance of the American troops at all points. His cablegrams were as fol-

"Manila, Dec. 13 .- Fifty men of the navy and fifty men of the army, transported by the navy, took Lacag on the 10th inst. Gen. Young, with staff, followed next day. He reports Howse with Pennsylvania battalion of the Thirty-fourth, followed by a portion of the Thirty-third infantry, passed north to Pidding, east of Lacag.
"Marsh's battalion of the Thirty-

fourth was at Cayan, province of Le-panto, on 7th inst. "The Third cavalry was along the coast and in the mountains pursuing

the enemy. "Young states his extreme northern force passed over the mountains, driv ing the insurgents under General Tino, who was badly wounded, killing 50 and wounding many. He made large cap-tures of rifles and property, with all insurgent transportation, and released all the Spanish prisoners in that sec tion, to the number of about 2,000. Our casualties were two wounded. troops are still pureuing the remnant of

Tino's command.

Marsh's buttalion of the Thirty-third reports from Cayan, Lepanto province, on the 7th inst., that he has destroyed Aguinaldo's body guard, killed Gen. Gregorio Pilar, received the surrender of Gen. Concepcion and staff, killed and wounded 52 insurgents, released 575 Spanish prisoners, including 150 friars, and captured considerable property. His was two killed and nine wounded

"My information is that Aguinaldo has disguised his individuality, abandoned his troops and is hiding in the province of Benguet Otis' second dispatch follows:
"Manila, Dec. 13.—Admiral Watson Never saw Judge Powers at the

informs me that the province of Cayan surrendered unconditionally to Captain "Did you not ask Judge Powers to try and get you a pardon?" "I did not." McCalla, of the Newark, on the 11th inst., all arms being surrendered. Major Aparri; command in good condition

"Navy will take supplies to Batch-elder in launch. Surrender doubtless includes the province of Isabella.
"Gen. Bates at Zamboanga, reports affairs there as satisfactory. Nearlyall riffes surrendered.

'MacArthur, at Bayambang, reports he holds as prisoner of war Mabini, the st of the insurgents, and founder of the late government.'

lapp?"
"Yes, I sent him a whip and said something like this: 'Being a man of my word, I send you this gift, although Manila, Dec. 13, 10:30 a. m .- Lieut. Col. Howse' reports show definitely that Gen. Tinto is conveying American prisoners north. Bruce, of the First "Then Judge Rolapp's statement that Nevada, and Edwards, of the York-town, were rescued near La . Pas. Howse is rapidly pursuing Tinto Pennsylvania battery of the Thirtythird infantry

Major Marsh, probably from Abra province, reports the destruction of Aguinaldo's body guard, and the kiling of Gen. Gregorio del Pilar. Gen. Concepcion and his staff surrendered to Major Marsh, who liber ated and sent to the coast 575 Spanish risoners, including 150 friars.

Reports from Lepanto province show it has been cleared of insurgents. Aguinaldo is a fugitive in the mountains without a command.

Major Marsh's loss was two men

the case of James E. Norton, a printer, The latest reports show that fifty of charged with counterfeiting interenemy were killed and many nded. The Americans also capnational cigar makers' labels, returned a verdict of guilty today, and recomtured 100 prisoners, 200 rifles, several cannon, a quantity of provisions and some money and released a number of mended him to the mercy of the court. There are four other defendants who Spanish prisoners. The latter report remain to be tried. It is alleged there that some American officers and sevwill be an extensive conspiracy in eral men who had been taken prison which eigar manufacturers were interers were conveyed from Laoag to Tarcova, where Gen. Tinto, who is severely injured, had arrived.

### WITNESSES IN THE ROBERTS CASE.

They Are Called Before the House Committee in Washington Today, and the Taking of Testimony is Begun.

C. M. Owen the First Witness-Many Spectators Present, Including Ladies-Delegation of Anti-Mormons on Hand-Chairman Tayler Tells Mr. Roberts All the Latter's Rights Have Been Protected-A. T. Schroeder Appears as Attorney and Examines Witnesses-Mr. Roberts Objects, but is Overruled -Owen Tells What is the General Reputation in Salt Lake City Concerning Mr. Roberts's Family Relations-Owen Knew Nothing of the Case Himself-McEwen, Iliff, Martin, and Other Parsons-Roberts's Demurrer Overruled.

of the House of Representatives which is investigating the case of Mr. Roberts of Utah, began the examination of witnesses at 10:30 today.

A large number of epectators was present, including many ladies.

Mr. Roberts occupied a seat at the foot of the committee table, while flanking him was the delegation of Gentiles, Rev. Dr. Hiff, Mr. Schroeder, and others, here to direct the attention of Congress to the member-elect.

When Chairman Tayler (Ohio) called the committee to order and asked what witnesses would be heard. Mr. Roberts arose and asked to be informed as to his status before the committee. He made a short statement in line with his brief, which has already been published. Mr. Tayler responded that all of Mr. Roberts's rights had been fully looked after and protected, and there was no proper question which had not been Mr. Tayler then asked Mr. Schroeder

what witnesses he would call. "Does this man appear as attorney?" asked Roberts.

"He will examine witnesses," ex-plained the chairman.
"Then I wish to introduce the court record relating to him," said Roberts.

Mr. Tayler said this had already been passed on Saturday, and Schroeder had

been recognized.
Charles Mostyn Owen was then called.
He gave his residence at Salt Lake City.
In response to questions by Mr. Schroeler, he said he knew the general reputation in Salt Lake City of the status of "Dr. Maggle C. Shipp Roberts."

The witness said that the general reputation of the status of Roberts and Dr. Maggie C. Shipp Roberts was that they maintained the relation of husband

While the questions were being put as to Mrs. Maggie Roberts, Roberts inter-

rupted with the objection: What this lady may have done is immaterial in the absence of any showing that it was at the direction of B. H. Roberts. Schroeder said later testimony would bring out the materiality of the questions, and Mr. Tayler ruled that

the competency of the questions could be judged by the subsequent testimony. The witness was then cross-examined y Mr. Roberts, whose questions brought out that the witness had no personal knowledge as to Mrs. Maggie Roberts or Mr. Roberts based on talks with them, but his information was general and of common repute I want to know," said Roberts, "if

the general reputation you have been testifying to obtains since March 4,

"And what is that reputation?"
"That Maggie C. Shipp Roberts is the plural or polygamous wife of Brigham

"On what acts is this general repu-tation based?" inquired Roberts, "No specific acts, but generally ac-cepted reputation," responded Mr.

There was also considerable testiny on court prosecutions throughout the State on which the witness had in formation. As his evidence closed, Mr Roberts asked to have all this testimony struck from the records as the witness was unable to testify to his

The chairman permitted the testi-McEwen, of the Philadelphia North American, was examined as to a recent interview with Roberts, signed

Washington, Dec. 13.—The committee | by him (McEwen). In this Roberts spoke of his "wives," referring to them as "good and true women" toward whom obligations had been incurred prior to the enactment of the polygamy

"Was not this conversation in reference to general conditions?" asked Mr.

"Oh, no. Mr. Roberts." answered the witness, directly addressing his interrogator. "You spoke of general con-ditions, and used your own case to illustrate.

Captain Elias H. Parsons, of the quartermaster's department, United States army, testified to an incident occurring in 1896, while he was in Salt Lake City. About 8 a, m. some one asked him to call up on his tele-phone Dr. Maggie Shipp Roberts. On going to the telephone and calling up the house, a man's voice answered. "Who is this?" Captain Parsons asked over the telephone.

"B. H. Roberts," was the reply, Cap-tain Parsons testified. On cross examination Roberts asked: 'Do you know B. H. Roberts' voice?

"I do not."
"Did the answer over the telephone

say Brigham H. Roberts?"
"No, simply B. H. Roberts."
"Is there not a Bolivar Roberts in Salt Lake City?"

"Yes, but I would know Bolivar Roberts' voice at any time, and it was

not his."
Mr. Roberts said he would later ask to have this testimony stricken out, as irrelevant and not of a personal knowl-

Rev. Dr. Hiff, a Methodist missionary of Utah, testified that the general reputation as to the status of Cena Dibble Roberts was that she was the plural wife of Brigham H. Roberts.

On cross-examination Mr. Roberts sought to show that Dr. Iliff was hostile to the "Mormons," the witness stating that his hostility was to the polygamous eature of "Mormonism."
Dr. Iliff went into the historical fea-

tures of the contest against polygamy, the Utah Constitutional Convention, the attitude of Gov. Wells, and the Wells-Roberts discussion on polygamy.

Dr. Hiff denied that there had been an intentional withholding of prosecution in Utah, in order get up a propaganda in the East and thus increase he contributions for missionary work. Rev. G. W. Martin, a Presbyterian

minister of Manti, Utah, testified as to the reputation of the polygamous sta-tus of Cella Dibble Roberts and Mar-garet C. Shipp Roberts toward Brigham H. Roberts. He saw statements to this effect in the Salt Lake City papers, and heard of no denials. The polygamous status of Mr. Roberts was a matter of common repute. It was also reputed that twins had been born to Celia Dib-Mr. Schroeder stated that this was all

the evidence at hand until witnesses ar-rived from Utah.

Mr. Roberts stated that ex-United States Senator Brown, a non-"Mormon" and a member of the Republican organization of Utah, was in town and could furnish information on general condi-tions in Utah, also D. C. Dunbar, clerk of the court at Salt Lake City, and Mr. Glasmann of that city. Chiarman Tayler said the inquiry

would be confined to matters affecting Mr. Roberts, and the broad field of gen eral conditions in Utah would not be ntered at present.
At 1 o'clock the committee went into

executive session prior to adjourning for the day.

ler stated to Roberts that the latter's demurrer had been overruled, all questions being taken into consideration for determination later.

#### MRS. YOUNG'S FUNERAL. The funeral over the remains of Mrs.

Emily Partridge Young was held from the Twelfth ward chapel at 12 o'clock today. There was a large attendance, the house being well filled. Those who spoke were President Joseph F. Smith, George Q. Cannon, Elder Brigham Young, Elder F. M. Lyman, Prayer was offered by President Seymoor B. Young and President Angus M. Cannon pronounced the benediction. excellent music was furnished by a quartet consisting of George D. Pyper, J. T. Dunbar, H. S. Ensign and John D. Spencer. A large cortege followed the remains to the city cemetery where they were interred.

### LATE LOCAL NEWS.

Hugh J. Cannon returned home last night from New York, where he has been upon business for his house. He eperts a very pleasant and success-

A ball will be given in the Fifth ward assembly rooms tomorrow evening un-der the suspices of the Deacon's quorum. Good music will be in attend-

It was expected that Mr. Jos. Lelter of Chicago would have reached here to-day from California, on his way east. Mr. Leiter has changed his plans, howver, and on this trip will pass by Salt

Lake. Melissa J. Summerhays and Albert Partridge Kimball were married in the Temple at noon today, "Millie" Summerhays, as the bride is popularly known, is the daughter of Jos. W. Summerhays, and a member of the Taber-nacle choir and active in all the ward organizations. Mr. Kimball, the groom, is the son of A. H. Kimball of this city. He but recently returned from a 'Oklahoma

mission to the Southern States. He is a young man of sterling character, and a zealous worker in the cause of truth. The happy couple will make their home in Forest Dale in their new residence just completed. A reception will be given at the residence of the bride's parents this evening.

#### How Maj. Logan Was Killed.

Washington, Dec. 13 .- Col. Long, the quartermaster in charge of the army transportation at San Francisco, who was recently instructed by Quartermaster General Ludington to Investigate the report published in certain newspapers that Major John H. Logan, U. S. A. had been killed by his own soldiers out of revenge, reports to the quartermaster general by telegraph today that he has mailed a report of the

Col. Long says Kop Pitz, the freight clerk, who was alleged to have made the assertions, denies officially and positively having made any such statement to a newspaper representative or

"Captain Coulling can find no one on the ship," says Col. Long, "who made any such remark, and is satisfied that if made it was made by some irresponible party."

#### Nominations by the President.

Washington, Dec. 13.-The President today sent the following nominations to the Senate: Treasury-William D. Bynum of In-

diana, to be general appraiser of mer-

William H. Hoey of Indiana collector of customs for the district of Arizona. Interior-Major George W. H. Stouch of Colorado, agent for the Indians of the Cheyenne and Arapahoe agency in

Meresting Program at That Institution This Forenoon.

A highly interesting program was thed to by the students of the High School, in the assembly room this mornte demanded. The essay on the foot-

shade underneath the trees.

# WITNESS STAND.

Witnesses.

The sensational feature of the Smith dynamite trial today was the testimony of the defendant himself.

crime he was charged with. Under cross-examination he said that Judge Powers, Judge Rolapp and all the witnesses, who had testified against him

Smith was still being cross-examined when the "News" report closed. It

ter at this time he thought the evidence sought to be excluded should be passed upon by the jury.

Attorney Westervelt then moved that the jury be instructed to acquit the defendant, upon the ground that the State had failed to show that there was ever any present ability existing in Smith to have committed the crime charged.

Juige Norrell took the same view on this point as he did on the others and

to the aforesaid Butler.

Mr. Truman further stated that the

other parts. TAKING OF TESTIMONY. After Mr. Truman had concluded William Rose, a miner, was called on be-hair of the defense. Witness said he had known Smith since last August. Was at Payson when defendant was arrested. Saw Smith at Diamond a day

or two before his arrest.

In answer to Mr. Putnam witness said he first met Smith in the penitentiary. Rose claimed he was serving a

MOTION FOR CONTINUANCE. No sooner had Mr. Putnam got through with Rose, when Mr. Truman arose and addressing the court, said the defense would like the case con-tinued for the term. He thereupon made a motion for a continuance upon the ground of the absence of four material witnesses for whom subpoenas had been issued, and by whom the defense expected to prove a number of material facts referred to by counsel

The motion was sustained by an af-fidavit from Smith. Mr. Putnam rehad been given ample time in which to

produce its witnesses.

Judge Norrell said he could readily at the next trial to plead

George Phillips,, recalled by the defense, testified that he had known Smith since the latter part of July. Smith and Biddlecome seemed to be on quite friendly terms. Saw Smith on the afternoon of August 25th. It was between 2:20 and 4 o'clock. The defendant was not excited nor tired. Witness was about to go on his shift, that was the reason he recalled the time of day. Witness worked from 4 o'clock till 12.

any place that would answer the purpose of a pest house. He was informed When witness came to work, he went to the blacksmith shop where he saw the defendant and Biddlecome. The latter was engaged sharpening some that there was not. A few minutes later Dr. Beatty quietly walked into headquarters, followed by Ray. City Physician Keogh was communicated with and in a short time put in an appearance. The physicians held a con-sultation and made a thorough exam-

A small panic was created at the police station last evening when Dr. Beatty walked in, accompanied by John Ray of Emery county, but recently hours before we will be able to say lice station last evening when Dr. Beatty walked in, accompanied by John Ray of Emery county, but recently from Bingham, who was suspected of whether it is a case of smallpox or not but I hardly think it will prove to be having smallpox. A policeman's story the loathsome disease which has of "how I caught the burglar" was interrupted by the reporters of the of the State. No. I do not think Ray dailles remarking "enough said" and is suffering from smallpox, but we will know more about it tomorrow. making frantic efforts to reach the

Last night Ray slept in the for solitary confinement, in the basement, but this morning in Chief Hilton's private He ate a hearty breakfast this morning and said that he felt all right. "If I have smallpox," he said, "I am certain-ly getting fat on it; I do not feel at all ly getting fat on it; I do not feel at all sick." Dr. Beatty made another examination this morning, and when asked by a "News" man if the case was the dreaded disease, he sol!: "That is a query; this case is one that will be immediately isolated and quar-

There is considerable comment, by citizens generally, as to the wisdom of taking Ray to the police station at all. Dr. Beatty says, however, that even if it is a case of smallpox there is no danger of it spreading while in its present stage. The doctor also said that sultation and made a thorough examination of the patient. They could arrive at no satisfactory conclusion last night and the situation was no better today. Dr. Keogh was rather inclined to the opinion that it was simply will be thoroughly fumigated."