DESERET EVENING NEWS MONDAY JANUARY 14 1907

Every Day,



J. A. Foley of Illinois Central Tells Of Conditions on His Return.

FUEL SHORTAGE BEING FELT.

But Large Independent Companies Are Operating Extensively and Equal Distribution is Being Maintained.

J. A. Foley, commercial agent of the Illinois Central has returned from Chicago where with his wife and ramily he has been visiting relatives and friends. "Eastern railroads are feeling a coal car shortage and shortage in freight cars," he said this morning. "Our road has in the neighborhood of 60,000 cars. Of this number 24,000 cars are out on freight lines while but 11,000 cars from other roads are on our lines. We have about 2,400 refigerator cars and 1,400 of these er lines. We have best rigerator cars and 1,400 of these are out on foreign lines. Other roads are having the same trouble in the east. Cars set off their own lines and become lost. Meetings have been held to find if possible some solution of this difficult. Several eastern roads were in favor of charging \$1 per day for cars taken on foreign lines but others objected. A compromise was reached and 50 per day is being assessed com-panies using cars from other lines other than their own. The Illinois Central has started to keep thely own cars on their own lines and absolutely refuse to send cars for loading on other lines. A car loaded on the Illi-nois Central line, of course can be bill-ed through to a stated destination. "Western railroads are not burdened like those east of the rivers. The big systems back there have immense local business which demands first attention. The teriories through which they pass his those there have immense local business which demands first attention. The territories through which they pass in all directions are thickly populated and under broad development. Cars are needed right at home and each car taken out of the territory is missed by its company. Western roads have not the same demands made upon them that eastern roads do. Eastern lines have business directed to the north, south, east and west. Western roads do not send cars east for loading. The cars of eastern roads are billed through to western points. The west is making big demands upon eastern products and thousands of cars are moving westward insuands of cars are moving westward constantly. When empiled these go back east loaded with western products consigned to eastern markets. As an

consigned to eastern markets. As an example, cars coming from the east at the present time will take wool east during the coming season. "A fuel shoriage is being felt in the east, but large independent companies are operating extensively through east-ern states and equal distribution is be-ing maintained with good results. Crops in the east as well as the west have been larger than usual this year and the whole country is unusually pros-perous."

THOUSANDS COMING.

peroug.

Summer to See Enormous Travel Come

West-Big Conventions Scheduled. The coming summer will see the greatest passenger movement directed to and through this city in the history of Sal Lake. Circulars have been is-sued by the Transcontinental Passenger sued by the Transcontinental Passenger association announcing the dates, rates and other particulars of conventions and movements scheduled for summer. The Christian Endeavor national con-vention will be held in Seattle this year, July 10-15. The convention of Bartist Young people's Union will be held in Spokane, July 4-7. The grand lodge Independent order of Grand Templars will be held in Seattle, July 4-22. Rates have been authorized from all pointe east, with stop-over privi-less in Sait Lake. Over 30,000 persons stiended the Christian Endeavor con-vention held in San Francisco in 1897.

HOW THEY SQUIRMED. Great Times When Children Had to Take Old-Fashioned Cod Liver Oil and Emulsions. You had to bribe them, hold their

You had to bribe them, hold their noses, in fact go through a regular circus to get them to take it. That was years ago, before the two eminent French chemists, Morgues and Gautier, discovered how to sep-arate the medicinal elements of the cod's liver from the useless, nauseat-ing oil, and produce Vinol. Wino is not a patent medicine but a real cod liver preparation containing in a highly concentrated form all of the body-building, strength creating elements of cod liver oil actually tak-en from the fresh cods' livers, with all the useless oil eliminated and tonic iron added. It tastes fine and child-ren love it. Wherever oid-fashioned cod liver oil or emulsions will do good Vinol will do far more good.

cod liver oil or emulsions will do good Vinol will do far more good. Mr. Druchl of Druchl & Franken, says: "It is because we know so well of what Vinol is made that we ask every mother who has a weak, deli-cate or ailing child, and in fact every run-down debilitated. aged or weak person in Salt Lake Ci^{+,} and every person suffering from stubborn colds, hanging-on coughs or bronchitis, to try Vinol on our offer to return their money if it fails." Druchl & Franken Drugeists.—also Smith Drug Co.

money if it fails." Druehl & Franken Druggists.—also Smith Drug Co. NOTE.—While we are sole agents for Vinol in Salt Lake City, it is now for sale at the leading drug store in nearly every town and city in the country. Look for the Vinol agency in your town in your town.

world of one or more of them is an-nounced. This morning at 8 o'clock occurred the demise of Mrs. Mary E. Gibbs, a resident of Salt Lake since 1848. The end came after three months 1848. The end came after three months of intense suffering from stomach de-rangement, a disease that she had been more or less subject to for a period of

more or less subject to for a period of thirty-five years. Mrs. Gibbs was a native of New York, born in Berry, Orleans county, Aug. 21, 1830. Her parents were Mr. and Mrs. David Frederick, the mother dying when the child was six years of age. Nine years later Mary became a Latter-day Saint, being baptized May 21, 1855. Har father was also a mema Latter-day Saint, being baptized May 24, 1845. Her father was also a mem-ber of the Church, and he enlisted in the Mormon battalion. The daughter arrived in Salt Lake valley in Septem-ber, 1848. In 1857 she became the wife

the Mormon Battanon. The daughte, arrived in Salt Lake valley in Septem-ber, 1848. In 1857 she became the wife of Gldeon H. C. Glbbs, who has been dead a number of years. Of the union there are four surviving children.name-ly, Mrs. Thomas Morris, Sarah A., Gideon A. and John E. Gibbs. Mrs. Glbbs was a true and faithful woman as wife, mother and Church member, and she was much beloved by a wide circle of friends by whom she was known as "Aunt Mary." The fu-neral will be held from the Sixteenth ward meetinghouse, Wednesday, Jan. 16, commencing at 1 o'clock. Friends are invited to attend the services and may view the remains at the residence, 123 north Fourth West street, from 11 to 12 a. m., Wednesday. to 12 a. m., Wednesday,

PILES CURED IN 6 TO 14 DAYS. PAZO OINTMENT is guaranteed to cure any case of Itching. Blind, Bleeding or Protructing Piles in 6 to 14 days or money refunded. 50c.

LEE BUNCH PLEADS.

Answers "Not Guilty" to Charge of Obtaining Money by False Pretenses.

Lee Bunch, the Idaho man arrested rec ently on the charge of obtaining money by means of false pretenses from Samuel Newhouse, was in Judge Diehl's court this morningt for the purpose of arraignment He entered a plea of not guilty to the complaint and the case was set for Jan. 18 for preliminary hearing.

MAKING AN EVEN 30 DAYS.

On Dec. 22 H. L. Gibson was arrested on the charge of obtaining money by means of false pretenses from Max Florence. The amount involved was \$10. Since his arrest Gibson has been in the county jail. This morning he pleaded guilty and was sentenced to seven days' additional im-prisonment.

SADIE CLARK FREE.

Charge of Burglary Against Her Dismissed by Judge Dichl. The announcement made by the "News" several days ago to the effect that the case of burglary against Sadle Clark would be dismissed and that the young woman would be sent to her home in Kansas City, has been verified. This morning the action was dismissed on motion, and the statement made in the city court that the young woman had been sent to her The young woman had been sent to her home. Robert Burns, who was arrested on the charge of criminal actions involving a young girl, was arraigned on the charge of petit larceny and pleaded guilty. The Clark woman was accused of stealing an ostrich plume, but Burns said he was guilty of the theft and was given 150 days in the county jail. It is understood that the complaint alleging the more serious offense will be dismissed, but County At-torney Hansen says this has not been done as yet.

DOCTORS ADMIT PRESIDENT IN at They Can do Nothing More for Your Stomach Than Stuart's Dys-pepsia Tablets Are Doing **HIS OWN DEFENSE** COSTS NOTHING TO TRY.

(Continued from page one.)

port of the inspecting officers to be en-tirely sufficient upon which to base the executive action which was taken. The reports of the inspecting officers were made in the usual form in such reports, and do not set out at length the evi-dence upon which they based their con-clusions. The matter has now become a subject of a resolution in Congress and for consideration in the house of representatives by reason of the inand for consideration in the house of representatives by reason of the in-troduction of a bill intended to affect the status of the men now discharged with reference to re-enlistmenit. A num-ber of the men who were discharged have applied for leave to re-enlist. The accuracy of the conclusions reported by Maj. Blocksom has been questioned be-cause of an absence of the evidence in cause of an absence of the evidence in full upon which he made his report as to who committed the crime charged. All these matters require the setting out of the evidenc in greater deta than is contained in Maj. Blocksom detail

report "The president is of the opinion in view of the new phases which the mat-ter has taken, that Maj. Blocksom should be directed to return to Brownsville and to other places where evi-dence upon the subject matter is avail-able to have the evidence reduced to writing and taken under the sanctity of an oath. To assist him in this mat-ter he has directed that Asst. Atty. Gen. Purdy shall accompany him and shall conduct a careful, thorough and impartial examination of the witnesses. The evidence will be taken by stenog-raphers, transcribed and submitted to the witnesses for signatures

"The presider, wishes me to say that Mal. Blocksom does not go as a prose-cuting officer in the trial of an indicicuting officer in the trial of an indict-ment, but only as an examiner to elicit the truth and put the evidence in re-spect to the matter in permanent form. "The president has reached a conclu-sion as to what the facts are, but this should not influence Maj. Blocksom in his examination, for if the president's conclusion in the matter is wrong he earnestly wishes to be set right. "Very respectfully, "WILLIAM H. TAFT, "Secretary of War."

"Secretary of War." "The inspector general of the army-Dec. 22, 1905."

LETTER TO MR. PURDY.

"My Dear Purdy: As the president has directed your visit to Brownsville to accompany Maj. Blocksom of the inspector general's department to con-duct a thereugh correctl and impartial duct a thorough, careful and impartial examination of the witnesses as to the issue who were the perpetrators of the crime committed on the night of the 15th of August in the town of Brownsville, Tex., by shooting into the various houses, and killing one man and wounding the lieutenant of police. I enclose a letter which, by direction of the president, I have sent to the inspector general, as instructed to Maj. Block-

som.

"Very sincerely yours, "WILLIAM H. TAFT. "Secretary of War." "Hon. M. D. Purdy, assistant attor-ney general."

COPY OF TESTIMONY.

I have the honor now to transmit to you a copy of all the testimony tak-en and reduced to writing by Maj. Blocksom, under Mr. Purdy's examina-

en and reduced to writing by Maj. Blocksom, under Mr. Purdy's examina-tion, in pursuance of the directions contained in the letters set forth above except the statement of one witness which had little or no bearing or weight upon the issues raised upon the present evidences, but did have, if trustworthy, a very direct bearing upon the issue to be raised in the courtmar-tial proceedings pending against Capt. Macklin, and which I have therefore transmitted to Brig.-Gen. McCaskey, commanding the department of Texas, to be delivered to the judge advocate in the court-martial proceedings. I also enclose a sworn statement of one witness, a hospital steward named Francois Oltmans, taken by Inspector Gen. Garlington by my direction. I also enclose a report from Gen. Cro-zier, chief of the ordnance, and Capt. Rice, with respect to the Springfield rifie, model of '93, in use by the soldiers of the Twenty-fifth infantry, its oper-ation, its calibre, and its rifiling, the ex-istence of other guns using the same cartridges or cartridges of the same size, etc. The map and photograph exhibits have been reproduced and are included in the printed cony of the

According to the expert analysis of government authorities in the Uunted States and Great Britain. Stuart's Dyspepsia Tablets contain the exact elements provided by nature for di-gesting food in the healthy stomach. Stuart's Dyspepsia Tablets have saved sufferers from stomach dis-orders millions of dollars by giving them, in one small 50 cent package, more relief than countless treatments by obvisicians would bying about at by physicians would bring about at \$2,00 per visit. Perhaps you are afflicted with dys-

pepsia—or some kindred disease aris-ing from a disordered digestion. It may be headaches, heartburn, palplmay be headaches, heartburn, palpl-tation, liver trouble, insomnia, ner-vous debility. They all have their be-ginning in a stomach which does not secrete the juices or grind the food which is taken into it. If so, we urge you to send for a free trial packoge of Stuart's Dyspepsia Tablets. It will cost you nothing and surely will bring us no gain unless you find, after using it, that you are bene-nitted and feel that you need a full-

fitted and feel that you need a full-sized package. There is absolutely no danger in us-

ing Stuart's Dyspepsia Tablets. Noth-ing is contained in them that has not been subjected to the closest scrutiny by the government officials. Stuart's Dyspepsia Tablets will di-gest your food without demanding a careful dist. One grain of these table

careful diet. One grain of these tab-lets has power to digest 3.000 grains of ordinary food. You can be sure therefore that no matter what your condition, these little tablets taken after each meal will shortly restore your stomach to its normal condition condition, after each nd render it capable of doing its ork unassisted. We withhold the names of hundreds work

who have written us voluntarily ex-pressing their gratitude for this simple substitute for nature. Send for trial package today. Stuart Co., 70 Stuart Bldg., Marshall

Michigan. 50 cent size package for sale by druggists everywhere.

was riddled by bullets—the Miller hotel extending west from the alley to its front from Elizabeth street. Crossing Thirteenth street, proceeding up the alley to its front from Elizabeth street. Crossing Thirteenth street, proceeding up the alley and passing by houses on the north side of that street which were shot into, notably the King block, we reach on the alley the rear of the Ruby saloon, owned by Tillman, and called sometimes the Ruby saloon and the Tillman saloon. This saloon fronts on the Elizabeth street and runs back through a considerable courtyard with one or more tables and chairs in it to was riddled by bullets-the Miller hotel one or more tables and chairs in it to a broad gate or door opening on to the alley. This alley, of course, intersects Twelfth street at the next corner.

RIDDLED WITH BULLETS.

Going back to Thirteenth and the alley the events of the night carries us on Thirteenth street, having a block of 120 feet to Washington street toward on Thirteenth street, having a block of 120 feet to Washington street toward Twelfth to a house standing on the east side of Washington street and oc-cupled by Mr. Starck. This house was riddled with bullets. Proceeding up Washington street to Twelfth and west on Twelfth brings us again to the alley along which, as already stated most of the shooting was done. The volley was fired at the corner of Tweifth and the alley west toward the river. With this geographic explanation, which it is nec-essary to keep in mind in order to fol-low the evidence clearly, we come now to the events of the night. The shoot-ing occurred about midnight. ing occurred about midnight.

"HURRY UP AND JUMP."

Jose Martinez was a drug clerk who lived in a house fronting on the north side of the garrison road, immediately opposite the garrison wall and B baropposite the garrison wall and B bar-racks and next to the alley. He was sitting inside his front door, with the door open, reading by a light, when he heard from four to six shots in front of his door, fired, as he thinks, inside the garrison wall. He went to the door to see what was the trouble, and he heard some one say: "Hurry up and jump," and he saw negro sol-diers, first in a group of five and then some 20 or more jump from the garsome 20 or more jump from the gar-rison wall. They were 15 paces from him when he saw them jump. He him when he saw them jump. He then put out his light, Sosed the door, and laid down on the floor to avoid injury. Fifteen or 20 shots had been fired when he closed the door. He heard their voices and some seemed to be going toward Elizabeth street west, while others moved toward the allow while others moved toward the alley to the east. He heard shooting in the alley back of his house and looked out his back window and saw men in the alley back of his house, some 10 or 15. He said they were soldiers.

him and he heard firing in the alley back of him. WHAT A BOY SAW.

The wilness Schrieber, a boy 20 years old living on the garrison road, east of the alley, perhaps 150 feet, was in bed when the first shot was fired; got up and came out onto the sidewalk and saw a couple of volleys fired from in-side the garrison. He heard the men walking on the barracks porches, and heard some one say: "Where is the damned stuff? Get it going."

CARETAKER MARTINEZ.

Theodore Martinez, the caretaker of the Yturria house, on the corner of Washington street and the garrison road, was awakened by the shooting, could not say whether the shooting came from the inside of the garrison or from the ease of the wall. He found bullet holes in the Yturria house the next day, having an allement from the heat having an alignment from the bay racks

Tamayo, scavenger of B company, testified that he was near the garrison gate. He heard a shot toward the gar-rison wall, but thinks it was outside the wall.

Proceeding north now to Fourteently corner of the alley and Fourteenth street, it appears that there had been a children's party at the Cowan house. At the time of the shooting there were in the house only Mrs. Cowan, the six in the house only Mrs. Cowan, the six children and the maid, Amada Martin-ez. Mrs. Cowan and her daughter wers In the dining room. There were lights in the house. As the firing approached Mrs. Cowan called all her children and rushed to her room and put them under the bed, while the maid rushed to the windows of the boys' bedroom, near the alley, to close the windows. As the maid got to the window she saw the men come opposite to the house in the alley, and by the light from the kitch-en recognized them as negro soldiers. The Cowan house was shot full of bulthe Cowan house was shot full of bul-lets. The dining room lamp was shat-tered by a bullet and another bullet broke a plate glass in a wardrobe and was found behind the glass. Mrs. Cowan and Louis and Gertrude Cowan, describe the working-of the guns and the crashing of the bullets.

On the northwest corner of the alley and Fourteenth street was the back of the Leahy hotel. There were three rooms in all that looked out into Thirteenth street toward the Cowan house. One room was on the corner of the alley and was occupied by Herbert Elkins. The next room was occu-pled by Judge Parks. The third room was an empty one, into which Mrs. Leady, the proprietress, went when she heard the firing. Judge Parks is dead, and the only evidence from him is a letter which he wrote to his wife the day after the shooting. Mrs. Leahy testifies that she heard the firing from the garrison and that from her window she was able to look across the block to the garrison and say the upper barto the garrison and saw the upper bar-racks of company B and from there saw the flashes of shots fired from that porch. The three witnesses with othporch. The three witnesses with oth-ers who saw them at other places, de-

scribe the movements of the men who did the shooting as being under order and having the march of soldiers-that is, in files—with a leader who gave the word of command. These three wit-nesses say they were able without the slightest doubt to recognize the men who did the shooting as negro soldiers in khaki uniforms. The witnesses de-scribed the proceedings of the men, the shooting and the number of bullets that were fired in the middle of the street, some of the bullets striking the rear of the Leahy hotel.

LIEUT. DOMINGUEZ.

While the men who did the shooting were at the Cowan house. Ligut, Do-minguez, a policeman of 20 years' ser-vice, and one of his men. Padron, had come down from Washington to Fourteenth street, and stood at the corner of those two streets and saw the shoot-ing and recognized those who did the shooting as uniformed men. As the shooting as uniformed men. As the men went up the alley, Dominguez and Padron proceeded in a parallel line up Washington street to Thirteenth and turned into Thirteenth street, Domin-guez met another one of his policemen. Ramfrez, and these three proceeded toward the intersection of the alley and Thirteenth street. Meanwhile the squad proceeded up the alley passing the proceeded up the alley, passing the house of Dr. Thorne, a physician.





side of Washington street next to a house of a man named Tate, who had knocked down a member of C company knocked down a member of C company a few days previous. They doubless mistook the Starck house for the Tate house. They fired eight or ten shots into the second story rooms in the front of the house. In which there was a light and in which rooms four or five children of Mr and Mrs. Starck were sleeping. These bullets went through the mosquito bars of the beds in which three children were sleeping.

the mosquito bars of the beds in which three children were sleeping. Coming to the latter squad that went to the Tillman saloon and their acts there, there were in the saloon three men-Frank Natus, the barkeeper, Paulino Preciado, the editor of a Span-ish paper, and another, a Mexican named Nicholas Alanis. ish paper, and anothe named Nicholas Alanis.

KILLED SALOON KEEPER.

Preciado followed Natus out into the yard when five or six men filled the yard and killed Natus. Preciado was wounded in the hand and had a bullet hole in his coat. He testifies that the men who did the shooting were negro soldiers. His testimony was weakened men who did the shooting were negro soldiers. His testimony was weakened by the admission on his part that in previous statements at the inquest be-fore the grand jury and elsewhere he had not said that he saw the men who did the shooting to be negroes, but he seeks to explain this by the fact that he was not asked. There were bullet holes inside the saloon yard.

CARTRIDGE SHELLS FOUND.

Cartridge shells were found outside of the garrison wall and all the way up the alley from the garrison road to Tweifth street, especially at the Cowan bouse, the Leahy hotel, the Miller hotel, the Tillman solcon and in court of the house, the Leahy hotel, the Miller notes, the Tillman saloon and in front of tha Starck house on Washington street, which was shot in. Clips also were stated more on washington street, which was shot in. Clips also were found, used to hold five cartridges in the gun together and a bandolier, or cartridge case to be shung over the shoulder, manufactured by the Union Metallic Cartridge company.

SHELLS EXAMINED.

Some 32 shells, seven loaded cartrid-ges and two or three clips were col-iected from Mayor Combe and others by Maj. Blocksom and Mr. Purdy, and were subject to expert examination by military officers at Fort Sam Houston and by Capt. Rice and Gen. Crozier of the ordance buresu. They proved to be, all of them, ammunition with marks indicating that they were manufactured exclusively for the government and for use only in the Springfield rifle of the use only in the Springfield rifle of the model of 1903, with which the battalion at Fort Brown was armed. It appeared that these cartridges would not fit in any gun known in the market, not the Krag-Jorgensen or any other gun, mil-itary or sporting, known to the expert witnesses, excent a sporting Winchester witnesses, except a sporting Winchester rifle of the model of 1905 but that the cartridges were so insensitive as to ex-plode under the hammer of this Win-chester 1905 model rifle when chambered to receive cartridges of this size, so that the cartridges of this size, which were manufactured and sold for the Winchester 1905 rifle had different and more sensitive methods of dis-charge, which easily distinguished them

could have discharged the cartridges the shells of which were found along the line of fire in Brownsville the morn-

ing of the 14th of August. Three bul-lets were extracted, one in the presence

of Maj. Blocksom at the Cowan house, one by Maj. Blocksom from the Yturria house, and one by Mr. Garza from his

raised parts between the grooves of the

NO GUNS BUT SPRINGFIELDS.

The evidence is conclusive that there were no guns except the Springfield guns which would discharge the bul-lets from the cartridges found. When this evidence is carefully considered, it is a conclusive demonstration that the datase must have been done by men

with the rifles of the Springfield 1903 model. The only rifles of this kind in or near Brownsville were in the pos-sesion of the soldiers of the three com-panies, B, C and D, of the Twenty-

were negro soldiers, even if

CONFLICTING CIRCUMSTANCES.

things about the evidence of actions ald, Mrs. Odin and Precado, who testi-fy in such detail as to seeing the negro soldiers-the one at the garrison wall, the next at the alley of Miller's hotel, and the third at the Tillman saloon-

rifling.

fifth infantry.

espect to the cartridges and bullets venture to say that no one can read this evidence judiciously without being this evidence judiciously without being convinced beyond a reasonable doubt that the men who committed this out-rage were negro soldiers from Fort Brown and therefore of the battallon of the Twenty-fifth infantry stationed there. Another conviction that forces fiself upon the mind from the reading of this evidence, es-pecially that of those witnesses who testify as to the beginning of the firing and what took place along the garrison road and behind the garrison wall, with the statements of five wit-nesses as to the firing of bullets from the upper galleries or porches of the barracks—a fact corrobornted by the alignment of bullet holes in houses along the garrison road—is that what took place on the porches and just back of the barracks the volleying, the noise, the walking along the porches, could not have taken place

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the noise, the walking along the porches, could not have taken place without awakening and attarcting the attention of all who were in the bar-racks, privates and the commissioned officers, whether asleep or not, and officers, whether asleep or not, and that it is utterly impossible that they should not have been aware of what should not have been aware of what was going on when the firing contin-ued for at least 8 or 10 minutes there-after. That a guard which was on watch with a sergeant in charge 400 feet from where the first firing took place should not have been aware that this was the work of their comrades is utterly impossible. There are many other circumstances which might warrant comment, but time and space will not permit.

DENIALS NO GOOD.

The testimony of every man of the battalion who was in the neighbor-hood of Fort Brown was taken and was in the record originally submit-ted. In this each man denies that he engaged in the shooting or knew any-thing about it. In the face of the evidence already reviewed the denials under each by the men of the battalion do not overcome or meet the overdo not overcome or meet the bittambit whelming evidence that men of this battallon did do the shooting, con-tained in the testimony already sub-mitted to the senate and confirmed by the evidence herewith transmitted.

Very respectfully, WILLIAM H. TAFT. Secretary of War.

Nasal Catarrh, an inflammation of the delicate membrane lining the air-passages, is not cured by any mix-tures taken into the stomach. Don't Take Ely's waste time on them. Take Ely's Crean Balm through the nostrils, so that the fevered, swollen tissues are reached at once. Never mind how long you have suffered nor how often

Theodore Martinez, the caretaker of

the wall.

AT THE COWAN HOUSE.

SHOOTING INTO GARZA'S HOUSE.

Garza lived in the Garza house just across the alley. He testified to the shooting into his house but was not able to say who did it. JUDGE PARKS' LETTER.

seventy-one special trains passed hrough Salt Lake in three days. Sum-

These will be sold from June 1 until September 15 with limit date. October 1. Rates have been authorized for the Imperial Council, Auclent Arabic order, Nobles of the Mystic Shrine. This will be held in Los Angeles, May 16-23. Tick-et will be sold between April 25 to May 1. This council was to have been held be san Francisco but was postponed on acount of the earthquake and fire. Colonists rates are also scheduled to be posted commencing March 1 and con-taining until September 1, and com-mencing September 1, and com-tanting until September 1. And com-tanting until September 1. And con-tanting until be allowed in Sait Lake. The Rio Grande carried 20,000 persons fouge will be made from Chicago to all take for the one way trip and a take. Rates of \$30.50 will be made from Chago to points in the northwest. These conventions are but a few of the anay scheduled for the west and north-wat and with all tickets permitting Beal stop-overs in Sait Lake. thou-and a travelers will visit this city and diravelers will visit this city and diravelers will visit this city and the convention season.

SPIKE AND RAIL.

C. A. Walker, general agent of the Calego & Northwestern, is expected to return from Chicago today.

L D. Isaacks, consulting engineer for the Harriman lines with headquarters at Chicago, passed through Salt Lake tiday en route to Portland.

A unique folder is that being distriband by the passenger department of the benver & Rio Grande railroad ad-vertising special rates to Los Angèles in account of the Shrine meeting to be held the first wesk in May.

The Malheur Valley railroad, just completed between Ontario and Vale, or, is to be placed under charge of the local Oregon Short Line officials, who will have full management of opera-tion. The local offices assume control ha. 15. The Malheur Valley railroad covers a distance of 15 miles.

Mr. H. R. Wagner of the passenger department of the Baltimore & Ohio subset with headquarters in Chicago, is in the city. He is on his way to Goldfield, Nev., where he expects to sund a couple of weeks visiting with a brother who is engaged in business there, This is Mr. Wagner's first trip to the west.

Runor has it that the Oregon Short Is well, a line this year from Amstead on the Utah Northern to the Gimore mining district in Lehi county. Haio, The properties in Glimore and these controlled by the Junction Mining company are to be consolidated, it is an a freater strides than ever before one created and the share of a railroad. Hereto-fore one and supplies have been hauled in also of wagon road.

ANOTHER PIONEER CALLED. Mrs. Mary E. Gibbs Enters Into Her Reward After Long Illness.

The ranks of Utah's early pioneers are thinning fast, scarcely a day going by but the departure for the other

BOTH FEET FROZEN. Mexican Found on U. P. Track in a

Bad Condition.

(Special to the "News.") Ogden, Jan. 4 .-- A Mexican named

Frank Rodas was arrested this forencon by Officer Tom Burk. Rodas had in his

by Otheer Tom Burk. Rodas had in his possession ladies waists and other appar-el, which he claims he baught in Salt Lake yesterday, but which is believed to have been stolen by him. He is being held pending an investigation. A Mexican whose name is unknown to the officers was found on the Union Pa-clific tracks near Riverside, with both of his feet frozen. The sheriff had the man brought in and placed under the care of Dr. Gordon. The latter hopes to save the man's feet.

man's feet. A switch engine was derailed on Pacific avenue, but no considerable damage was

done. Mrs. Martha Henry, aged \$2, died this morning from general debility. The re-mains are at Larkins' undertaking estab-lishment, and the funeral will be held Thursday from the First ward meeting-

bonse. Vernon Melvin Fields, a three-weeks-old infant of Mr. and Mrs. W. C. Fields, died last evening at 472 Thirty-first street. Funeral from residence Tuesday, com-mencing at 2 p. m.

FOOD FOR ACTRESS Knew How to Get Well.

A young lady well known to the theater-goers of the land, gives an in-teresting experience. Writing from Chicago she says: "In December, 1902, I was laid up with a sick spell, at the expiration I was very weak, nervous and extreme-ly delicate, so much so that when I attempted to resume rehearsals such a faintness seized me that I was comfaintness seized me that I was com-

pelled to stop. "My strength returned very slowly "My strength returned very slowly and I spent my time in lying down and worrying, till my mother persuaded me to try Grape-Nuts food for my break-fast. I confess I had but liftle hope that it would do me any good, but made up my mind to give it a good fair trial.

"I am more than glad that I did. It "I am more than glad that I did. It quickly brought back my lost strength, made my nerves strong and h i thy again, and gave me increased health and weight I chrome the strength that the and weight. I always carry it with me now, as I find that some hotels do not keep it. Grape-Nuts food has emphat-ically demonstrated itself a blessing for health, strength, brain and perves, in my case." Name given by I stum Co., Battle Creek, Mich. "There's a reason."

size, etc. The map and photograph exhibits have been reproduced and are included in the printed copy of the evidence. The shells, clips, ball cart-ridges, and bandoller referred to in the evidence, are in the custody of this department and would be produced when called for when called for.

FORT BROWN.

In order to understand the testimony In order to understand the testimony it should be said that Fort Brown res-ervation is south of the city of Browns-ville and immediately adjoins it. The Rio Grande river runs by the city on its west and then circles around the reservation. In the minds of the wit-nesses, therefore, the river lies to the west of the city, while the reservation lies to its south

In order to prevent private building close up to the reservation the garri-son wall is constructed 30 feet within the reservation line, leaving a narrow road of about 30 feet in width between the garrison wall and the houses that front the garrison road on the city side. The reservation line is not parallel to the east and west streets of the city. nor is it at right angles to the north and south streets, but at the points of importance in this controversy it runs in a general direction east and west. PLACES INVOLVED.

The streets and places here involved The streets and places here involved were, first the three barracks of D company, B company and C company. They stood about 50 feet inside of the garrison wall. Between D and B com-panies was a road leading to the garri-son gate which led immediately into Elizabeth street, running north from the garrison through the town. The D the garrison through the town. The D company barracks was on the west side of this gate, B company's barracks was on the east side and next beyond was on the east side and next beyond was the C company's barracks, and beyond that a barracks not occupied. The barracks were two stories and had porches above and below. The passage-way between B and C behind the gar-rison was just opposite the mouth of an alley in the north side of the gar-rison road. This was the alley upon which most of the shooting was done. The alley was 130 feet east from Eliza-beth street on the west, and the same distance from Washington street on the east and this alley and the two streets run north from the fort into the town. Intersecting first Fourteenth street, then Thirteenth street and then Twelfth street.

On the garrison road, immediately opposite B company barracks was Twelfth street. opposite B company barracks was a house containing the Western Union telegraph station, known as the Rendell house.

HOUSES SHOT INTO.

son road. Next beyond was the Yur-ria place, the house of which fronted on Washington street, but ran back on the garrison road to the alley. These three houses were shot into. Proceed-ing north on the alley from the garri-son road the next intersecting street is Fourteenth street. On the southwest corner of the alley and Fourteenth street is the Cowan house, which was shot into. Across Fourieenth street, and on the northwest corner of the al-ley and Fourteenth street was the rear of the Leahy hotel, which was shot in-to. Proceeding up the alley beyond Fourteenth street, on the southwest corner of the alley and Thirteenth street, stands the Miller hotel, which

M'DONALD'S EVIDENCE.

The witness McDonald, an elderly The witness McDonald, an elderly man, a carpenter by trade, living half a block from the garrison wall on Adams street to the east of Wash-ington, was awakened by the firing, came down to the garrison road. Saw shots fired from the inside of the garrison, one from the gallery of the barracks and another from the ground. He then saw 20 or more men assemble in front of the garrison wall on the garrison road near the garrison gate. under the lights of that gate nearly opposite Elizabeth street. He saw them divide into two squads, one going west toward Elizabeth street, and the

west toward Elizabeth street, and the telegraph station, and the other squad going to the alley around Martinez's house. He lost sight of the one going toward the gate and telegraph station and retreated from the squad advanc-ing up toward the alley. He then heard a lot of shooting up the alley toward the Cowan and the Miller house. He recognized them as United States colored troops. There were two lights on either side of the pillars of the gate opposite the foot of Elizaof the gate opposite the foot of Eliza-beth street.

G. W. RENDALL'S EVIDENCE.

G. W. Rendail, who with his wife oc-cupled a room in the second story of the telegraph station, was awakened by two stots. He looked out of the window He looked out of the window toward the garrison wall and saw from to ward the gamen moving around between the barracks and the wall. They were negro soldiers and were shown to be such in the light of the lamps of the garrison gate. He could not tell that they were armed except that he saw the flashes from the discharged guns. There m the discharged guns. There shots fired within the gar-He saw them make a break were five rison wall. rison wall. He saw them make a break for the wall and go over the wall-he could not tell where they went. Shorily after, the firing began in the alley and continued for 10 minutes. He heard the word of command. One shot struck the house and room in which he was and threw dust on himself. Mrs. says she was frightened he window when the firing ran to the window when the firing be-gan; thought the shots came just inside the post. They were in rapid succes-sion, and she thought 10 or 12 in num-ber. She thought she saw figures of men running up inside the wall in the direction of their cottage. She could not tell whether they were soldiers or not. ran to the

WHAT DR. THORNE HEARD. Dr. Thorne was aroused by the shoot-Dr. Thorne was aroused by the shoot-ing and heard the men go by his house in the alley as he lay in bed not more than 10 or 15 feet from where the men were. He heard their conversation and heard them utter words indicating their desire to sheot somebody who was going by. He testified with great cer-tainty that the voices were the voices in appearance from the government am munition for the Springfield rifle. It therefore is conclusively established that no guns but the Springfield rifle of negroes.

A short distance beyond the Thorne A short distance beyond the Thorne house the men who did the shorting came to the Miller hotel, on the south-west corner of the alley and Thirteenth street, and here they saw Dominguez of the police department passing along Thirteenth street, and two volleys were fixed by them at him and his horse. fired by them at him and his horse. Dominguez testified that he passed nassed Dominguez testified that he passed within 20 feet of the men as they came out of the alley. He was able to iden-tify them as colored men in uniform. His horse was shot twice and he was shot in the arm and his arm shattered so that it had to be amputated. own house. Each of these bullets was of the weight and size of bullets used in the Springfield ammunition and bears the four marks of the lands or WHAT THE MOORES HEARD.

Mrs. Moore and her husband were in a room in the second story of Miller's hotel on the side looking toward the barracks; could see the flashes of the sums. They heard the second volley as they started down the alley toward the Miller hotel. They heard the ex-pressions of the men as they saw Do-

They testified to eight bullet holes in the hotel, inside and out. Moore recognized the negro voices,

THE ODIN'S EVIDENCE.

The next room on the second floor of Miller's hotel was occupied by a Mr. and Mrs. Hale Odin, with five of their "PLANTED SHELLS" THEORY. The suggestion that after the hurried The suggestion has after the interfed shooting which was done at almost double quick and was finished certain-ly within 10 or 15 minutes, those who did the shooting could have had some other gun than the Springfield rifie, could have picked up the cartridge shells of that gun which were extracted and thrown on to the grass

and Mrs. Hale Oddi, with high of their children. Mr. and Mrs. Odin were looking out of the window as the men came up. They heard the remark which other witnesses report, calling for a volley at Dominguez and the expression of sat-isfaction at having hit him. One of the men first at point blank range at them isfaction at having hit him. One of the men fired at point blank range at them. The builet struck the screen, through which they were looking and went into the celling and through into the room just above the Odins' room. Mix. Odin says that the builet went through her hair; that the man who fired with the gun raised could not have been much more than 12 feet from where they were standing. Mrs. Odin lestified that the man who fired was a negro. They also testified that the men came up the alley in files of two and that in the light of the street lamps and the flashes of the guns they were able to count 12 and and thrown on to the grass as the shooting progressed, and could have then placed upon the ground or "planted" shells of the Springfield rifle, obtained from the target rang 20 miles away, certainly does not create a reasonable doubt of the fact that the men who did the shooting were negro as the evidence be ignored. There is a conflict as to the circum-stance growing out of the evidence, which is entirely natural in respect to The article tange and the to count 12 and that they were all negroes in uniform. Other guests of the hotel, a locomo-tive engineer and a locomotive fireman, testified to seeing negro soldiers cross which is entirely induced in respect to the transaction during the day time and still more natural to the transaction and direction of sounds during the night, and there are some things about the evidence of McDon-ald, Mrs. Odin and Precado, who testi-the new determine the negro the streets.

HEARD GUNS WORKED.

The clerk of the hotel and a guest of the hotel heard the workings of the guns, the extracting of the bullets, and the guest, who wass near to where the men were, heard the voices in the dismen were, heard the volces in the dis-cussion over Dominguez, and recognized the volces as those of negroes. Two other guests swore to the hearing of the negro volces. They both testify that they saw the squad go around the cor-ner of Thirteenth and Washington streets, where there was a street light and where they both recognized the men as soldiers. The squad had ap-parently divided, one part going up to the Tillman saloon and the other going oast on Fourteenth street to the Starck house.

SHOT INTO CHILDREN'S BED. The Starck house stood on the cast you have been disappointed, we know Ely's Cream Balm will cure you as it has cured others by the thousand. All druggists, 50c. Mailed by Ely Bros., 56 Warren Street, New York.

INTER-CLASS DEBATE.

Freshmen and Sophomores Will Debate at U. of U. Tomorrow.

The interclass debate between the freshmen and the sophomores will take place at the U. of U. tomorow, contmencing at 3:30 o'clock. The question to be debated is, "Resolved, That United States senators should be elected by popular vote." J. L. Brown and M. Cummings will represent the freshmen, while J. M. Carlson and C. H. Anderson will speak for the sophomores. The winners of this debate will meet in contest E. A. Morgan and Wallace Calder, who won the junior-senior debate.

The resignation of Frank Holman as editor of the Year Book was formally ten-dered to the class today. A successor will probably be elected Monday.

DALLAS, TEXAS. AND RETURN \$41.10

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SIX BEST SELLING BOOKS

For Month of December.

According to reports from the leading book sellers of the country, the six books which have sold best in the orbooks which have sold best in the or-der of demand during the month are: 1. Jane Cable. McCutcheon.....\$1.50 2. The Call of the Biood. Hickens, \$1.50 5. The Fighting Chance. Chambers 4. Coniston. Churchill\$1.50 5. The White Franz Jondon .\$1.50 DESERET NEWS BOOK STORE.

6 Main Street.

DIED.

HARKNESS -At 110 south Ninth West street, Jan. 13, 1907. of heart trouble, Mrs. 12, J. Harkness, aged 62 years. Funeral from the Fifteenth ward meet-inghouse, Tuesday, commencing at 1 inghouse, Thesday, commencing at 1

McKELLAR.-In this city, Jan. 14, 1966, Peter McKellar, of Eureka, Utah, in his 52nd year, Native of Glasgow, Scotland, and brother of John and Hugh McKel-lar of Eureka, Utah. Notice of funeral later. The romains are at the parlors of Joseph Win. Taylor, 21 south West Temple street.

GIBBS.-Mary E. Gibbs of general debi-lity, aged 76 years. Funeral services at the Sixteenth ward metinghouse at 1 p. m. Wednesday. The remains can be viewed at the late reel-dence, 123 north Fourth West street.

