

At 2 O'Clock Burris Had Pedaled 2621/2

was also excused. Court was adjourned for the moon recess at this point and the remaining two jurors will be axamined at that time.

Afternoon Session.

Atternoon session. At this afternoon's session Witton Ellerbeck was the first juror examined by the defense. He was prejudiced against the plea of insanity as a de-fense and was accordingly challenged by the defense and excused by the court. James T. Strong was then ex-amined and passed for cause. Upon examination by Dist. Atty. Elchnor, Mr. Strong stated that he was well ac-quainted with defendant and had formed such a strong opinion that he could not fairly and impartially try the case with reference to the state. He was challenged by Mr. Elchnor and ex-cused.

James E. Beveridge told Mr. Eich-nor that owing to the fact that he had known defendant's father so well he was afraid that he could not act fairly in the case, so he was excused upon the challenge of the district attorney. he case, so he was excused upon challenge of the district attorney. ies W. Burbidge was passed for se by Mr. Eichnor, but later ex-ed upon the state's fifth peremptory

Alongo Young, John Arnold, David R. Perkins, William Davis, J. E. Sherlock and A. E. Caddy were then called to the box for examination.

WILL GO TO IDAHO.

First Infantry Band Gets an Engage ment for the State Fair.

The First Infantry hand, U. N. G., of o pieces has been secured for the Idaho te fair, and the boys begin work with concert Sunday evening, Oct. 19, the engagement lasting a week. The new band has done so well that its friends will try to secure the Utah state fair job for it. The band is being carefully trained, and it contains excellent maarial.

THE CORRECT VERSION. Landlord Ernheim Was Not Arrested

As Previously Reported

In the report of the trouble which surred at the Herald hotel Wednes. ay evening betwene Landlord Ernheim and a guest named F. M. Butler, eim and a guest bamed F. M. Butler, wer the settlement of a bill, a mistake as made which, in justice to Mr. Ern-aim should be corrected. It was re-certed that the two engaged in a row wer a bill which it was alleged Mrs. utler ran up while here husband was way, and that the row led to blows of both were arrested and placed un-er bonds.

The fact is that Butler was the ma The fact is that builder was the man arrested on the charge of assault and was taken before Judge Diehl yesterday afternoon at which time he entered a ples of guilty and was fined \$10. Mr. Brinheim was not placed in the position of a defendant and no complaint was made against him.



in increase of salaries of 20 per cent an increase of salaries of 20 per cent. The Call is in a position to announce that this union will make a test case on one of the roads. Should its request be refused by railroad officials the con-ductors and brakemen are able to the

at the Salt Palace were still doing their weary round before a small crowd of spectators, Burris being two laps in the lead owing to the fact that Samuelup every road west of Chicago. The organization was perfected last June in the lead owing to the fact that Samuel-son dismounted for a brief rest and had not since been able to gain the distance he accordingly lost. "Old War Horse" Emery had his signals of distress out early in the game and had been off the track for two hours, while Leyland this morning took an hour's rest. Kansas City and W. V. Stafford, a passenger conductor of the Southern Pacific, residing at Oakland, was elect-ed its executive head. ed its executive head. Circulars have been secretly passed around among the men and as a result every trainman has signed the request asking for the increase of 20 per cent and making other demands. Chairman Stafford of the executive council of the union, when seen, con-firmed all of the above statements, and added:

It is expected that there will be good crowd at the track this evening to witness the finish which promises to be warmly contested between Burris and Samuelson, with the latter a decided favorite. "Our organization is perfect. Th

The score at 2 o'clock stood:

Received Ten Months Ago.

Phineis H. Young, son of Phineas H.

and Phoebe Clark Young, and nephew

FATAL ACCIDENT.

Received on R. G. W.

sions with the crew. After

as stated.

he fell beneath the wheels which pass

circulars we have been sending out have been signed not only by myself, but by E. E. Clark, grand chief con-ductor of the Order of Railway Con-ductors, and P. H. Morrissey, grand master of the Brotherhood of Trainmen. Miles. Laps. Rider. Burris ... 202 Samuelson ... 262 Turville 260

We have every trainman in the coun-try back of us and we will win our de-ahead with 275 miles, 4 laps to his cre-dit. Turville had made 273 miles, 5 laps, Mgr. James Agler of the Southern or 22 miles more than Leyland and 32 Pacific stated that he was fully aware that the organization had been per-fected but he refused to discuss the miles ahead of Emery.

A GOOD MAN GONE. Phineas Young Succumbs to Injuries

The Welby Presentation. The presentation by the employes of the Rio Grande Western to ex-General Superintendent A. E. Welby and Mrs. Welby as outlined in last night's

mand."

ubject.

this season.

"Nev's." occurred last evening at the tamily residence on Quince street when over a score of the employes of the company called. The presentation speech was made by Waldemar Van Cott, representing the employes. Mrs. Welby, assisted by the Misses Welby, afterwards entertained those present. Dainty refreshments were served and altogether a very pleasant evening was

SPIKE AND RAIL.

The Saltair train now leaves the old Garfield depot at 2:15 daily, No. 4, Rio Grande Western, went out In two sections last night.

ployers speak of him in the highest praise, he being a faithful and devoted It is estimated that 159,000 head of sheep will be shipped from Heber City ervant. He leaves a wife and eight children to mourn his untimely depar-There are some more Rio Grande shakeups scheduled. This time Denver

rure. Funeral will be held at the Sugar ward meeting house on Sunday at 12 m. Friends are invited. is to be the storm center.

The street car company is double-tracking North Temple street in an-ticipation of the coming Fair business. The Burlington had 14 cars of cattle out of Colton last night.. They are be-

ing shipped by I. Glazier to South Oma-Alvin Morris, chief clerk in the gen eral freight department of the Oregon Short Line, is in Chicago on a business trip.

A force of men is now actively en-gaged in putting the tar roof g on the Pocatello shops. The big chimney also will be completed by Saturday.

There is said to be only about \$5,000 pounds of wool left in Idaho for ship-ment to the market. Wool has not been moved so fast for many seasons.

The opening of the Denver gateway was announced in the "News" locally a couple of months ago. Denver apparently has just awakened to the fact. Rosewell Mott, emigration agent for

the Southern Pacific at Houston. Tex., continued his journey home from the mining congress at Butte last night.

What with a tunnel seven miles long and trains running right across Great Salt Lake the Southern Pacific will not lack attractions for the advertising department.

J. A. Munroe, freight traffic manager of the Union Pacific, returned rather suddenly to Salt Lake this morning. It ly come to Utah from Seattle. His wife and family at Salina have been notified regarding his death.

At 2 o'clock this afternoon the riders

Gelegates: Roger Farrer, Grant C. Bagley, W. E. Rydalch, S. S. Jones, David Openshaw, John B. Milner, Mrs. C. F. Decker, R. A. Barney, J. T. Wil-liams and Miss Florence Taylor. Alter-pates, R. E. Knowlden, W. W. Billings, in the 24-hour race on the saucer track Mrs. Grant C. Bagley, Albert S. Jones and H. F. Thomas.

Second Ward-State convention dele-gates, W. R. McBride, S. A. King; al-ternates, Hugh McGean and Mrs. H. J. W. Goddard. County convention delegates, Miss Lou Nelson, Mrs. S. A. King, W. S. Gibby, Mrs. A. O. Smoot, W. N. Dusenberry, H. J. W. Goddard, James Gray, R. Kirkwood and W. D. Roberts: alternates, S. A. King, Aiva Nelson, S. S. Balley, Frant Holt and W. D. Alexander

Roberts: alternates, S. A. King, Alva Nelson, S. S. Bailey, Frant Holt and W. D. Alexander. Fourth Ward-State convention dele-gates, T. N. Taylor, Sarah E. Cluff; al-ternates, Jabez Dangerfield. County convention, George T. Duke, Jorgan Hanson, W. K. Henry, Mrs. Belle Nel-son, Mrs. Jorgan Hanson, O. B. Young, James L. Clayton, Thomax Martin and T. N. Taylor; alternates, Jabez Danger-field, James G. Haws, Mrs. Welmuth White and Joseph M. Brown. Fifth Ward-State convention dele-gates, W. N. Roylance, Amanda Knight, S. R. Thurman: alternates, R. R. Ir-vine, Sr., J. E. Snow, E. S. Hinckley, County convention delegates, M. M. Kellogg, R. R. Irvine, Jr., M. C. Newell, Oliver G. Haws, J. W. N. Whitecotton, Mrs. Elizabeth Gillesnie, Ellen Jake-man, Mrs. Oliver G. Haws, S. R. Thur-man, R. B. Thurman, W. M. Roylance, John T. Field: alternates, Edward L. Jones, E. S. Hinckley, George Haver-camp, Clarence Taylor, John Swenson.

More Primaries.

of the late President Brigham Young, died last night from injuries received in failing from a horse, ten months ago. Democratic primaries not hitherto announced will be held this evening as Deceased was born Sept. 10, 1860, and was therefore 42 years of age. From

District 1-Residence Dr. C. M. West, 1882 to 1889 he was superintendent of the state insane asylum at Provo, and 854 East Tenth South. for three years thereafter was foreman of the Border Ranch and Stock com-District 11-Residence B. Y. Golding, 328 South Ninth East. of the border Ranch and Stock com-pany, later serving as patrolman in Parley's canyon for a period of three years and still later as a guard ata the state prison, where he served for five years, and in which position he was when he met with the accident which District 15-Residence W. C. Hus-bands, 1125 Indiana avenue, District 35-Residence John W. Has-District 35-Residence Joh lam, 544 West Third North,

District 44-Residence Frank Hughes, 217 South Tenth East. District 45-Residence A. W. Brown, 28 Ninth East. caused his death. Phineas Young was beloved by all who knew him, his em-

District 51-Old city hall,

THE WATER WASTE.

Mr. Caine Speaks of the Way Builders Allow it to Run.

To a "News' reporter, who interview ed Hon, John T. Caine, former superintendent of the waterworks, on the question of the existing drouth and the Jerome M. Sauder Dies from Injuries mayor's proclamation, that gentleman said: "We are going through just what was experienced once during my in-cumbency. The water situation is un-Jerome M. Sauder died at the Holy Cross hospital at 5:30 this morning from doubtedly serious. The attention is un-authorities ought to be directed to the waste that is going on all over the city the effects of an accident while coming in on the regular Rio Grande Western Sanpete Valley train last evening. by people who are building houses.] From what can be learned regarding the unfortunate affair Sauder bought have personally seen today cases when have personally seen today cases where the water is running to waste in front of new buildings, and in the big ex-cavation now going ou inside the Eagle Gate, the contractors are allowing it to run into a barrel, the barrel overflows and that much water is, of course wasted. The worst of it is that the city realizes nothing out of the builders who use the water they need. In other cities the people have to pay for the water they take, whether for culinary lawn, or building purposes." a ticket at Salina for Salt Lake yester-day. He is also said to have bought some whisky, with the result that he made himself decidedly obnoxious on the train and got into several discusleaving Thistle he made a practice of getting off the train at every stop with the sequel that the train pulled without him at Lehl. Despite the att mpt on the part of a without an above of the train of the part of a witness on the platform stop him Sauder attempt d to boar moving train with the result that

UTAH PRESS ASSOCIATION.

ed over his legs, severing the right an-kle and crushingthe left leg badly. A meeting of the Utah Press associa tion is called for tomorrow, Saturday, in the office of the Juvenile Instructor, The train was stopped and the man brought into Salt Lake and taken to the hospital. But little hope was en-tertained for his recovery and he died in the office of the Juvenile Instructor. Templeton building, at 3 p. m., when business of importance to the associa-tion will be presented and considered. It is hoped that all members who can possibly attend will be on hand at that time and plase. The call is issued by President D. P. Feit, who earnestly de-sires a general response. Sauder is believed to have original-

Judge Hall today rendered a decree in favor of plaintiff in the case of Sarah J. Butterfield vs Eugene M. Cannon, trustee of the estate of Sam-uel J. Butterfield, of the firm of Butter-field & Crane, brankrupts, quieting her title to about 420 acres of land in section title to about 420 acres of land in section 35, township 3 south, range 2 west and section 9, township 4 south, range 2 west, and section 2, township 4 south,

range 2 west, all in this county. Judge Hall today granted Susie R. Covington a divorce from her husband Edward Covington, on the ground of failure to support. The parties were failure to support. The married on July 10, 1889.

A decree in favor of plaintiff was ren-dered by Judge Hall this morning in the case of Elizabeth Stevenson vs M. A. Faldmo and wife, quieting plaintiff's title to the west half of the southeast quarter of section 3 township 2 south quarter of section 3, township 2 south,

Joseph W. Batley has filed suit for divorce against his wife Alice Batley on the ground of adultery. John Ho dert is named in the complaint as co respondent. The parties were married in this city in 1895. Mrs. Batley asks to be awarded the m'nor children. d the custody of their two

UTAH SHEEPMEN.

Prof. Gannett Finds a Spirit of Conciliation Among Them.

Prof. Henry Gannett of the geological survey has been conferring with the Utah sheepmen, farmers and cattlemen, and finds a spirit of accommedation and conciliation that is gratifying. The sheepmen agree that there are more sheep in the state than can well be taken care of, and that a reduction in the number would be advisable, espec-ially in view of the shrinkage of the pastures. Prof. Gannett favors the policy of the department in increasing the forest reserves in order to preserve the watersheds, and prevent the wood lands on the upper mountain lands from being all cut off.

BACK FROM THE CONGRESS.

Messrs. John Henry Smith, Henry Dinwoodey, Bishop Romney, Mr. Barnes and W. W. Riter, with the members of their families, are back from their visit to the Transmississippi Congress, and various points in the east. All speak glowingly of the enjoyable time they had, both at the Congress, and in visit-ing Chicago and other large centers, When they got to Omaha on reutrning,

when they got to Omaha on reutrning, the crush on the railroad was such that they were unable to obtain a sieeper, but the Short Line people telegraphed to Chicago for an extra, so that the Utah contingent traveled from Omaha home together in a special Pullman. Mr. Dinwoodey arrived just in time to celebrate his 77th birthday, which oc-curred yesterday. The event was curred yesterday. The event was pleasantly celebrated by the members of his family at the residence of his son. Henry M. Dinwoodey.

GENERAL CHURCH NEWS.

The Sunday school conference of the Fremont Stake of Zion has been post-poned from Sunday, Sept. 21, to Sunday, Sept. 28.

Apostle George Teasdale will attend he Morgan stake conuference next the Mon Sunday.

The quarterly conference of the Salt Lake Stake of Zion will convene in the Tabernacle on Sunday next, services commencing at 10 s. m. and 2 and 7

Members of the First Presidency will leave early next week for the purpose of attending a conference of the St. George stake. Returning it is expected they will hold meetings on route.

manne manness NAMES OF THE RECIPIENTS. AMUSEMENTS.

Something wild, fierce and terrible was going on at the Salt Lake theater last night. An audience of respectable size had assembled when the curtain

rose, but it was not in evidence when the curtain fell. Many surging thoughts rise in the breast on viewing a per-formance like that of "The Penitent." Did Hall-Caine actually write it? If he did who dramatized it? Where was

the company of players discovered? Did Manager Nankerville ever sit through a performance from the front Especially did he ever witness the act ing of the gentleman who played the serious Paul, (not the vagabond one, which was creditably done) or the lady which was creditably done) or the lady who did the Irish servant, or the mel-ancholy gent who posed as Paul's papa, and whom the lightning took off none too soon? Had Manager Pyper's hasty departure for New York anything to do with the appearance of this com-pany? There is no one to answer these and other inquiries, because Mr. Pyper is safe 3,000 miles away, and the com-pany afe in the next form a schemat

his safe 5,000 miles away, and the com-pany safe in the next town, a shrewd manager limiting its apeparances in places like Salt Lake to one night only. There were one or two instances of creditable work in the cast, and they shone out all the more brightly on account of their surroundings. Mr. Byrne's comic Jew, the acting of Greta, and the work of Mr. Green were the redeeming features.

Last night a melo-drama of the "Rat-tlety bang," sensational order held the boards, and it seemed to vastly please the big audience which assembled. There were very few seats vacant down stairs and above stairs there was a jam. "Lost in New York" belongs to the order of the Fireslde Companion, Lincoln J. Carter, up-to-date classics, and while there were one or two melanties. choly spots in the cast, notably th blind mother, still in the main the plec was well acted, and the leading part by Miss DeCoursey was specially good. Everything went with a hum and there is no doubt that the piece will do good business during the remainder of its stay. ed to \$573,706.11 as against \$522,518.36 for the corresponding day of last year.

The Margerita Sylva sale opened a the theater this morning. The manage-ment expect that Miss Sylva, who is reputed to be one of the brightest light opera stars on the boards, will be given a handsome reception.

ABSTRACTS. Three points to think of when you got Abstract of Title to Real Mataje

> I. Completeness. 2. Accuracy. 3. Responsibility.

The Utah Savings & Trust Co. invites an tramination of its complete real estate seconds. of the methods adopted to secure neceracy, and of its ability to make rood any ose caused by error or omission in its ab-mante.

The value of an Abstract de-pends upon these three vital points, insist on an abstract from the

UtahSavings#TrustCo. W. S. MOCORNICK, Pres.

and that the Montpeller warehouse w e area than any other build ing in the state of Idaho, as the area dimension is \$214x255 feet. Mr. Odel found business conditions in promisin shape and lots of produce being moved Distribution Partially Completed by and more coming.

Another enterprising young man ha started in business for himself. Mr. E Moore, for so long connected with th New York Cash Store, has severed hi connection with that firm and is no acting manager of the Moore Shoe com pany at 258 south Main street.

Were Weak.

The following transactions and quot

tions were recorded during the regula

session of the mining exchange this a

PERSONALS.

Andrew Tarbet is visiting in this cit

N. A. Ransohoff is home from a tw

A. W. Carlson of the Z. C. M. L.

enjoying a vacation on the coast, an returns next week to his duties.

C. R. Savage has returned from a

extended photographing trip over th country around Marysvale for th D. & R. G.

NEILSON-In this city, Sept. 11, 190; Niels C. Nielson, aged 60 years, nativ

The remains will be shipped by Jos Wm. Taylor to Ephraim, Utah, for but

of Denmark.

al Saturday morning.

DIED.

month's business trip in the east.

rom American Falls for a few days.

 Ingot
 2,000
 09%

 Lower Mammoth
 200
 1 33

 May Day
 500
 224

 Uncle Sam
 50
 35

 Century
 5,300
 1 24

 Martha
 1,000
 06%

Shares, Bid, Aske

09 1 35

1 24

ternoon:

Salt Luke, Ogden, Logan and Several AFTERNOON MINING CALL. Countles Have Not Yet Sent In Appointments. Few Stocks Were Active While Price

The distribution of the 50 free normal scholarships in the University of Utah has been partially completed by State Supt. Nelson The appointments are made by the state superintendent upon the recommendation of the county superintendents of the state. A number of the counties and cities have made no recommendation as yet so their ap-pointments are held up. The following are the appointments

State Superintendent Nelson.

already made: Sanpete county, Maria Musig, Charles Quinn and Ethel Candland; Kane county Middie M. Roundy; Weber county Middie M. Roundy; Weber county, Laura Layman; Uintah county, Ira Jenson, F. D. Worlton, Charles O. Stark; Salt Lake county, Mary A. Riches; C. L. Lundgren, O. D. Le Chem-inant, Clarence Wood; Iron county, Junius Taylor; Davis county, Lizzie Garrett; Beaver county, Ida Hamilton; Sevier county, Lulu Morrison; Grand county, Jesse Maxfield; Cache county, Ebhraim Weeks, Lawrence Christen. Ephraim Weeks, Lawrence Christen-sen; Boxelder county, John W. Ward; Summit county, Nettle Stebens: Wa-satch county, Margaret Crook; Carbon county, Annie Jones; Provo City, Fern

Smoot. The cities and counties that have no notified the state superintendent of their appointments are as follows: Salt Lake City, Ogden, Logan, and Emery, Garfield, Juab, San Juan, Tooele, Washington and Wayne coun-

BUSINESS NOTES.

Today's local bank clearings amount

LEDMAN-Sept.11, 1902, in the rear of 847 Eighth East street this city, of old age, Mary Leadman, mother of Fred Nuslein, aged 78 years. Bor in Norkoping, Sweden. Funeral services will be held Satur day at 11 a. m., from the family res dence, Friends are invited to attend.

B. S. Ross has sold to John Dornis, Jr., a lot at N and First streets for \$5,500, and will build him a \$3,000 cot-OFGREN-In Salt Lake City,Sept. 11, general debility, Elna C. Ofgren, i the 79th year of her age. Funeral from J. E. Taylor's under taking parlors, 253 East First South Sunday, 15th inst., at 1 a. m. Friend are respectfully invited. age there.

The real estate market is very light, and dealers are not looking on the sit-tation with any degree of confidence.

Houses are becoming more plentiful, and landlords are having less excuse for boosting up rents. DOTSON.—AT Minersville, Sept. 1 1902, of Bright's disease, Henriett Landrum, wife of Hon. W. L. F Dotson. Born in Alabama in 1832. Miles A. Romney and wife have transferred to Moroni H. Kimball, for a consideration of \$3,900, 17.4x8.4 rods of ground in lot 10, block 44, 10-acre plat A. Big Field survey.

PROBATE AND GUARDIANSHIP NUTICES.

Consult County Clerk or the respectiv

The Utah Savings & Trust company has transferred to Brigham S. Toung, for a consideration of \$2,500, 31424 rods of ground in lot 2, block 67, plat D, the same being situated on the northeast corner of Fourth and C streets. IN THE DISTRICT COURT. PRO bate Division, in and for Sait Lake Court fy. State of Utah. In the matter of the Estate and Gaardiamship of Idward'?. Fer r. an Incompetent Person. Notice.-The perition for approval

Alexander McDonald was given the contract for the carpenter work this morning, on the Miller flags on North Temple street, at \$5,000.

Contractor Campbell will be in town tomorrow evening from Chicago, so that active work can be resumed without delay on the federal building.

Paper tubes or piping to bet

perition for approval and sottlement of in semi-annual account of the suardians of th person and the estate of Edward '. Forri an incompatent person, has been set for hearing on Tuesday, the Eind day of Pepi A. D. 1903, at 10 o'clock a. m., at the Court by Court House, in the Court Room of said Court, in Sait Lake City, Sait Lak County, Utah. Witness the Clork of said Court with the seal thereof affixed tai [Smat.] 15th day of September, A. D. 196 JOHN JAMES Clerk. By J. U. Fidredge, Jr., Deputy Clerk. A. T. Eichards, Attoenay for petitioners.

