

## FIVE DEFENDANTS ARE FOUND GUILTY

Federal Jury Renders Verdict Against Railroad and Coal Companies.

### MERCY IS RECOMMENDED

In the Case of Everett Buckingham, The Court is Requested to Show Leniency—Penalties.

#### GUILTY AS CHARGED.

Union Pacific Coal company.  
Union Pacific Railroad company.  
Oregon Short Line Railroad company.  
Everett Buckingham, formerly general superintendent O. S. L. railroad, with recommendation of mercy.  
J. M. Moore, formerly western sales agent Union Pacific Coal company.

#### PENALTY.

Maximum penalty, \$5,000 fine and one year in the county jail, the punishment for a misdemeanor, which the offense is under the law.

The corporations are liable only for the fine, and their agents for both fine and imprisonment. This makes a maximum fine possible of \$25,000.

Mr. Sharp now intends to plant a civil suit for damages.

It took the jury something over two hours yesterday afternoon to make up its mind as to the proper verdict to bring against the defendants in the government's first important case in Utah under the Sherman act and the interstate commerce commission's policy to fix its hold firmly upon railroads and their allied companies.

After receiving from the court the case of the United States against the companies listed above and their agents, charged with criminal conspiracy in preventing D. J. Sharp from receiving coal after he had decided to give the people the benefit of a reduction made in the rate, the jury was taken to the Cullen hotel for dinner. It met in its own room at 2 p. m. and at 4:25 p. m. returned to the courtroom with its verdict ready.

In the meantime the railroad group of attorneys and defendants had assembled in the district attorney's office, to await the verdict. That the charge to the jury had been a surprise to the railroad people had been clearly evident from its visible effect upon their countenances during its delivery.

It made it almost a certainty that a verdict of guilty would be found, at least for all the defendants except Buckingham, and for him the mildness of the evidence was successful in bringing a recommendation of mercy with the verdict.

#### WILL APPEAL CASE.

After the decision Parley L. Williams, attorney for the Oregon Short Line railroad and the Union Pacific railroad, stated that the case would be appealed to the circuit court of appeals and then to the supreme court if necessary.

Dist. Atty. Booth, who has been at work on the case for over two years, was the recipient of many congratulations upon his closing argument, and upon the outcome. Later in the afternoon telegrams from all over the country poured in from people interested in the case of government prosecutions of which this is a sample.

The indictment under which the trial was held was found a year ago on evidence gathered by a committee of the interstate commerce commission, sitting in Salt Lake. Before this committee Mr. Sharp told his story and it was corroborated by facts enough to cause the committee to believe that prosecution was possible. This committee made a tour of the states for the special purpose of gathering such facts and finding out where they were needed.

Mr. Sharp was engaged in the coal business for 15 years previous to the refusal of the company to sell him coal. On the stand Atty. Varian referred to him as a quarrelsome Scotchman, and in reply Dist. Atty. Booth declared him to be a fighting American. He commenced his fight as soon as he was put out of business in August, 1906, and on Sept. 24, 1906, he secured his opportunity to present his case before the interstate commerce commission. This act was followed by its presentation to a grand jury, and on Dec. 7 indictments were brought against the defendants named.

#### INDICTED TWICE.

These original indictments were found to be faulty as the railroads successfully attacked them on demurrer. Therefore permission was obtained from the court to withdraw them and submit new data to a grand jury, which returned a second indictment Nov. 20, 1907. Under this indictment the trial was finally held resulting in the conviction of the defendants yesterday afternoon.

The jury which tried the case was

### Particular People want



If they were not particular, any other make of chocolates would answer.

#### Moral:-

When you want to please your guests, serve

**SWEET'S SOCIETY CHOCOLATES**



## A Thermos Bottle

Retains heat without fire for twenty-four hours. When out driving a Thermos Bottle will provide you with a hot drink at any period of your trip. Especially serviceable in sick-room and nursery.

From \$3.50 up.

You'll feel Satisfied After bringing Your Prescription Here.



#### DRUG STORE.

The Pure Drug Dispensary  
112-114 So. Main Street

composed of the following: H. J. Clegg, Heber City; James Long, Marysville; Edward Pickering, Salt Lake; Lester Dixon, Provo; J. E. Oppenhaus, Santaquin; C. C. Crismon, Salt Lake; Horace Cummings, Salt Lake; John Vick, Salt Lake; G. F. Felt, Salt Lake; J. W. Campbell, Salt Lake; J. A. Maxwell, Peoa; J. H. Early, Salt Lake.

#### MRS. PARSONS FILES ANSWER.

Mrs. Jennie B. Parsons filed a reply this afternoon, to the answer of C. C. Parsons, defendant, to her suit for divorce in the district court. In her reply she denies that he supported her in accordance with his means and her needs. Respondent states that while she was in Europe she ran short of funds, and to her repeated requests, defendant paid no attention until she succeeded in inducing a mutual friend, C. C. Thomas, to call his attention more emphatically to her condition. While in Europe, respondent was sick with peritonitis, and although the doctor said she might be an invalid for life, defendant insisted on her immediate return home, when he must have known she was in no physical shape to travel. After the return of herself and daughter, they went to the Knutsford hotel, where her husband deducted from her \$250 per month allowance, the cost of living at the hotel. Respondent acknowledges having charged defendant with committing a statutory offense, and asks that his counter claim be dismissed.

#### AMUSEMENTS.

**Sacred Concert Tonight**—The long awaited opening of St. Mary's cathedral and the dedication of the great organ will occur tonight. The program will be exactly as printed in the Saturday "News," and the entire concert will be given under the direction of Miss Nora Gleason. The program has been approved by the organist of the St. Patrick's cathedral, New York, also by Miss Nordica. There will be a heavy attendance of the leading members of the Catholic church all over the west. Prof. McCallan will preside at the organ, Willard Wehrle will render a solo, and other leading performers will take part, a large chorus assisting in the choral numbers.

**Orpheum**—This week's excellent bill is now in its last performances. The customary matinees will be given tomorrow.

**Colonial**—"Fantana" winds up the week tomorrow, to be followed by the military play, "On Parole," next week.

**Grand**—Hi Henry and his minstrel band opened what should be a successful engagement of three nights and Saturday matinee at the Grand last night. Hi Henry and his cornet have been before the public for many years, and his coming is always heralded with joy by those whose liking for minstrels is lasting. His reception by a fair sized audience last night was warm and the laughter and applause were merited. His troupe is well balanced. His jokes, or the major portion of them, have a freshness that is welcome. His cornet men are by nature and cultivation well fitted for their parts. He has a number of good songs, and his gallery whistles after the show is over, were applauded for many encores. His soloists are particularly good for blackface artists. The band is as good as ever, and there is no mistaking that it is a minstrel band, trombones and high pitched cornets predominating, with many opportunities for the humorous strains from the red section. With the fine troupe and its effective setting, the piece should draw well for the remainder of its short stay at the Grand.

**Lyric**—Manager Clark announces an attractive list of new features for tomorrow afternoon.

#### OPIE READ ARRIVES.

Will Be Entertained by Press Club After His Lecture at Theater.

For the second time in his career, Opie Read, journalist, humorist and author, set foot on Salt Lake health today. Mr. Read was here three years ago, when he delivered a lecture in this city and other western towns, and on that occasion became acquainted with many western people. Today Mr. Read paid a very high compliment to the people of Utah, than whom, he said, he had found no more kind and courteous people in the whole country. Mr. Read is as big physically as he is mentally, and his kindly open face contrasts well with his bubbling good nature and broad view of humanity. He has just returned from the Puget Sound country, where he has been delivering a series of lectures, and is now on his way back to Chicago. He will lecture at the theater tonight, under the auspices of the university lecture bureau, and this will probably be his last appearance on the lecture platform for several years, as he has signed a contract with eastern managers to write one play a year for several years, and that will engross his attention.

Mr. Read said he owed the west to have expanded wonderfully in the last three years. He found general satisfaction with the outcome of the election, but thought there were people who would have survived if Bryan had been elected.

Mr. Read will be entertained after his lecture by members and associate members of the Press club, at the club rooms this evening.

#### HOG DEAL TURNS OUT BADLY.

A number of policemen, firemen, street car men and employees of the telephone companies are anxiously looking for a smooth young man who gave the name of Jones. That he worked a cunning scheme to graft on them is their firm belief, and they are equally certain that he has left the state for some point in the west.

Some weeks ago Jones approached firemen, policemen, street car men and telephone men with what appeared to

be a fine proposition. He represented that he had control of a big string of fine hogs and could sell them at a great profit. He stated that he could sell any below the market price, and it would be a fine chance to get a winter supply of hog meat. The young man explained that he would deliver the hogs in hundred pound lots or less on Dec. 1. He took orders from several hundred persons, it is claimed, and got each to sign a contract to purchase the hogs at a very low price. To bind the contract, however, he insisted on the payment of the modest sum of \$1. When Dec. 1 rolled around neither man or hogs were in evidence and then some of the firemen began to worry. Inquiries were made, and it was found that Jones had departed with several hundred dollars.

#### AGED MAN MAY DIE.

Unconscious and suffering from acute alcoholism, George F. Brady, aged about 60 years, a cigarmaker by trade and hailing from Norwalk, O., was found at the Oregon Short Line depot this morning about 8 o'clock. He was taken to the emergency hospital, where Dr. S. G. Paul attended him. At first it was thought the man had taken poison of some kind, but later it developed that he had been drinking heavily, had eaten but little, and became dangerously ill as a result. His condition is quite serious and there is a probability that he will not recover from the effects of excessive drinking.

## SHOOTING AFFRAY ENDS DRUNKEN ROW

Roy Armstrong in Jail for Shooting Isadore Baptiste in Dewey Club.

In a drunken rage and filled with a desire for trouble, Roy Armstrong, a half breed negro and Indian, went to the Empire roominghouse, where colored people reside, early this morning and started a row in the Dewey club that terminated in a shooting affray. Isadore Baptiste was shot through the right leg, and Armstrong was placed under arrest and is now in the city jail on the charge of assault with a deadly weapon.

From all accounts given to the police, Armstrong was drunk when he went to the house. He was looking for a woman named Ray, who is a native of who goes by the name sometimes, of Roy Armstrong. The man thought the woman was in a room with another man, but several inmates of the place tried to convince him that she was not there. Armstrong insisted she was, and battered down a door. This was followed by a general row.

In this building there is an organization called the Dewey club and several of its members surrounded Armstrong after he had battered down the door. Armstrong drew a revolver and threatened to shoot. Baptiste grabbed Armstrong about the body and tried to take the weapon away from him, but the gun was fired and Baptiste was shot through the right leg near the knee. H. A. Davis, Jesse Thompson, William Norman and several others pounced upon the crazed man and disarmed him. The police was notified, and Sergeant Roberts and Patrolmen Stains and Kelly hurried to the scene and placed Armstrong under arrest.

Baptiste was taken to his room and Dr. Sprague summoned to attend him. His wound proved painful, but not necessarily dangerous, but it is likely that his leg will be stiff permanently. At the city jail, Armstrong acted in a sullen manner and refused to talk about the affair. He declared that he did not know anyone had been shot and professed innocence. Chief Pitt stated that he would take some action against the place where the shooting occurred, as there had been numerous complaints about the place. The so-called Dewey club is said to be a gambling house, and it is known that liquor is sold there. A government license is paid, but steps are to be taken to close up the place.

#### ARRESTED ON SERIOUS CHARGE

E. V. Reynolds, alleged to be a priest in holy orders, giving his address as 331 east South Temple street, was detained at the police station this afternoon on a serious charge. Probation Officer Harry Joseph took the man in custody on complaint of several parties residing in the neighborhood to the effect that Reynolds was enticing boys to his rooms. Chief of Detectives George Sheets took the matter in hand and will conduct an investigation.

#### CHARGED WITH LEVITY.

In a complaint issued today from the office of the county attorney. Spot

Austin, George McDonald and Joe Sewell are charged with disturbing the peace.

The men are accused of having entered the McDonald Saloon, at Upper Bingham canyon, breaking windows, shooting inside the place and destroying property, the offense being alleged to have been committed Nov. 14. James McDonald and Conroy are the complainants.

#### LATE LOCALS.

**Local Bank Clearings**—Today's local bank clearings amounted to \$384,057.57, as against \$633,983.95 for the same day last year.

**P. F. Goss Very Ill**—P. F. Goss a resident here since 1862, was taken abnormally ill this morning at his home, hemorrhages of the stomach recurring with serious frequency.

**Organ Builder Recognized**—Joseph H. Ridges, builder of the great organ in the tabernacle, was the recipient today of three tickets entitling him to the choicest seats in the new Catholic cathedral on the occasion of the organ dedication tonight. The tickets were the personal gift of the Rt. Rev. Lawrence Scanlan, bishop of the diocese of Salt Lake.

**Zion's Savings Dividend**—The directors of the Zion's Savings Bank & Trust company have just declared a regular quarterly dividend of 2 per cent, and a special dividend of 4 per cent, a total of 6 per cent for the quarter. The amount is \$12,000 payable Dec. 15.

#### DIED.

**WILSON**—At Sandy, Dec. 1, 1908, of paralysis and dropsy, after long illness, John Thomas Wilson, brother of W. W. Wilson, born in Hull, Yorkshire, England, Dec. 2, 1834. Came to Utah in 1871. He left no family. Funeral from Sandy ward house Sunday noon, Dec. 6. Friends invited.

**RICHARDS**—At Los Angeles, Cal., on the 3rd inst., Prescendia Nebeker Richards, wife of Erasmus S. Richards, and daughter of the late John and Lurena Nebeker.

**CAPREY**—In this city, Dec. 3, 1908, Frank M. Caprey, son of the late James and Martha Caprey of Springville, Utah, aged 20 years, 7 months and 2 days.

The funeral services will be held Saturday at 1 p. m. at Springville, Utah. Friends are invited to attend.

**ARNOLD**—In this city, on Dec. 3, 1908, Louis Arnold, aged 26 years, son-in-law

#### THE RIGHT MOVE!

A commission of the most prominent English and German physicians have declared that the germs in Milk may contract Consumption, Typhoid, Fever, Diphtheria and Scarlet Fever. The Elgin Dairy Creamery & Supply Co., have just installed in their plant one of the latest up-to-date pasteurizers. All their milk and cream is now pasteurized, heated to 180 degrees, and immediately cooled to 50 degrees, making all their products absolutely pure.

Pure Milk is the greatest life giving food. Why not buy the best. Ask for ELGIN DAIRY products.

of W. L. Richardson, 630 south State street. Funeral notice later.

**BROWN**—In Denver, Colo., Dec. 2, 1908, Harold L. son of Edwin G. Brown, the well known traveling man. The remains will arrive in this city on Friday evening. Notice of funeral later.

**BRIGGS**—Harriet A. Briggs, aged 62 years, 27 north Second West, of cancer, Dec. 2.

Funeral services were held today at 2 p. m. from 27 north First West street. Interment in Mt. Olivet cemetery.

**HOBBES**—Raymond Hobbs, aged 10 months, 70 south Fourth West, infection, Dec. 2.

R. E. Evans, Florist, 36 S. Main St. Floral designs a specialty. Phone 961.

Pure Drugs and Prescriptions our specialty. Halliday Drug Company.

Dress Suits for rent. Daniels, the Tailor, 57 W. 2nd St.

## Union Dental Co.

Are now permanently located in their new and handsomely equipped rooms.

212 MAIN STREET.

Remember us. WE TREAT YOU RIGHT. Painless Extraction of Teeth or no pay.



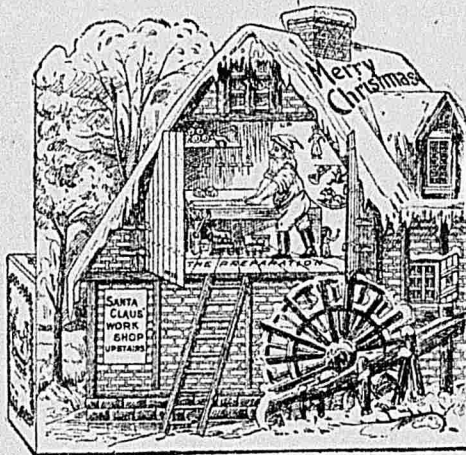
McDonald's cocoa is good for the blood, good for the digestion and withal a good strength builder. And it's so good to drink, too.

#### LAGOON ROUTE.

Twelve passenger trains daily between Salt Lake and Ogden. Heat by steam; electric lights and always on time. Phone, 159.

## Santa Claus Makes Children's Shoes for Robinson Bros. Co.

He made some for each little Boy in Salt Lake.



He made some for each little Girl in Salt Lake.

He made a lot more than he will need for Christmas presents, so he told us we could sell some new if we would sell them cheap enough.

We want to keep good faith with Santa Claus and be good to the boys and girls, so we're going to sell—

**Children's Solid Leather Shoes,**  
sizes 5 to 8, from - - - \$1.00  
**Children's Solid Leather Shoes,**  
sizes 8½ to 11, from - - - \$1.25  
**Children's Solid Leather Shoes,**  
sizes 11½ to 2, from - - - \$1.50

Tell your mamma you need a pair and ask her to buy Santa Claus shoes at

## ROBINSON BROS CO.

124 MAIN STREET.

## Last Week OF THE BIG

## BANKRUPT SALE

OF JOHN DUBEI STOCK, 322 SOUTH MAIN ST.

**ORDERS ARE:** Clean Up Stocks without Further Delay!

Sale Closes Wednesday Night Dec. 9th

**Everything Must Go, Regardless of Cost and Value**

No price too low to sell now. Last days of this shameful sacrifice at prices to keep buying at fever heat.

**All Men's Overcoats, Topcoats, Auto Coats, Protector Coats, Cravenettes, Rain and Storm Coats, Fur Coats and Suits**

All Pants, All Men's and Boy's Hats and Caps, All Ladies', Misses', Children's, and Boys' Rubbers, All Boys' Suits, Overcoats and Knee Pants, All Youths' Long Pant Suits, Overcoats and Trousers, All Men's and Boys' Furnishings, All Smoking Jackets, Bathrobes, Pajamas and Night Shirts, All of the Woollens, Trimmings and Buttons, all Ladies', Boys', Children's and Men's Shoes and Leggings, Fur coats, Men's and Boy's Fur Gloves, All Silk Mufflers and Handkerchiefs, All Men's, Boys' and Children's Underwear and Hosiery; in fact, Everything in the Building.

Doors open tomorrow at 8:30 a. m. Come early and avoid the Crowd.

SEE BIG "ADS" IN EVENING PAPERS.

Wanted: Salesladies, Salesmen, Cash Boys, Wrappers and Messengers.

**322 South Main St.==Right Below Walker's**

We are the Outfitters for the Little Folks in Underwear and Hosiery.

## Salt Lake Knitting Store

58 Main St.

## INDEPENDENT GROCERY!

17 POUNDS SUGAR \$1.00 with order

You do not have to send east or west to buy at the right price. Just send or telephone to us.

Best Smoked Hams.....14c lb.	Kegs Sconers Pickles.....75c
Best Smoked Bacon.....16c lb.	6 bars Scouring Soap.....25c
5 lb. can Lard.....70c	7 bars Diamond C Soap.....25c
10 lb. can Lard.....\$1.25	7 bars Borax Naptha.....25c
4 cans Peas.....25c	10 bars Sepe Laundry.....25c
5 cans Corn.....25c	6 bars Castile Toilet.....25c
6 cans Tomatoes.....25c	4 bars Mechanics' Pumice.....10c
6 large cans Milk.....25c	3 cans Lye.....25c
4 1 lb. cans Baked Beans.....25c	3 Dutch Cleaner.....25c
2 Kumers large size Beans.....25c	25c cans Borax.....25c
20c jars sliced Bacon.....10c	20 mule Borax Soap, 6 for.....25c
65c size boned Turkey.....25c	10c bars Queen Borax Toilet Soap, 4 for.....25c
20c jars sliced Beef.....20c	4 lb. Navy Beans.....25c
2 for.....25c	25c cans Borax.....25c
25c size Roast Beef, 2 for.....25c	10c bars Queen Borax Toilet Soap, 4 for.....25c
25c size Bot. Catsup.....20c	7 boxes Best Matches.....25c
15c size Catsup or Chili Sauce.....10c	4 lb. Navy Beans.....25c
15c and 20c size Dodson Brann.....25c	25c cans Borax.....25c
Pickles.....10c	25c cans Borax.....25c
25c size Bot. Pickles.....20c	4 pkgs. Dr. Price's or Egg O'See.....25c
	3 pkgs. Pan Cake Flour.....25c
	3 pkgs. Mince Meat.....25c
	Pancy Loose Mince Meat 10c pound

TWO STORES.

74 W. First South. Bell Phone, 2800, Ind. Phone, 2509.

479 So. Main. Ind. Phone 2539.