

2

FREIGHT DEPOT

to a minimum. CHANGES ON ALL SIDES. For years two old worden buildings have done noble service as freight, depot. They were built when the Oregon Short Line was many years younger than it is now. For a number of years the old red buildings just west of Third West were Salt Lake's only freight houses. The open platform of the cast building is being razed. A gang of men is tearing off its roof. As fast as debris accumulates it is hauled to the north end of the yards on trains of flat cars. All small wreckage is being burned. Both old buildings are to be removed from the neighborhood as quickly as possible, as the company intends to commence work on its proposed depot early in the spring. The viaduct across North remple street is up and lacks a flooring and a few other details, only. The con-crete approach on the east end is now under construction. A steam shovel is carrying the yard grading ahead. The west half of the yards is being leveled to conform with the east half. The indelle of the yards between North and South Temple streets. There is a big army of men at work carrying these improvements towards rapid completion.

ARRANGING EXCURSION.

Salt Lake Elks Planning Trip to Los



Gov. Cutler is sending out personal etters today urging citizens of Utah to attend the convention of arid farmers at Denver, Jan. 24 and 25. Dr. John A. Widtsoe, J. N. Paxman, Hon. George L. Farrell, Fisher Harris and Dr. Yo-der will represent Utah on the program.

tional bank of this city. Messrs, Shearman and Dow of the Commercial Nalonal are at Bingham Junction to-day, closing up the transaction which ought to be completed this evening, if there is no disagreement as to de-tails. The capital of the bank is \$30,-000

GIBSON IN JAIL.

Henry L. Gibson, charged with ob-taining \$10 from Max Florence, by means of false pretenses, will plead in Judge Dichi's court on Monday morn-In the meantime Glbson is in the county jail.

LOADED CAR WALTZES.

Seventy-seven Passengers Experience A New Sensation on Main Street.

The East Fourth South car, inward bound with 77 passengers on board, came within an ace of tipping over on Main street, just north of Third South at 7:50 this morning. As it was it looked like an ugly panic in the crowded car for a second, but the monorman shut off the power in time to avert a

stampede. As is usual on this car, it was loaded

As is usual on this car, it was loaded and people were standing in the aisle and on both platforms before Ninth South was reached. On its way up town the conductor demonstrated that he was a packer and succeeded in get-ting 77 people on the car, including one man who rode on the pilot outside. Through some cause or other the car left the track on Main street, the for-ward trucks apparently bent on mak-ing for the Palace Meat market while the rear trucks remained on the metals. The sloppy snow on the asphalt also was a factor in making the wheels slide south so that in a twinkling the car slewed around viciously while the rear platform which was loaded with people narrowly escaped striking a pole. The noise which accompanied this unex-pected waitz, brought pedestrians up standing and employes of adjacent stores rushing to the doors who watched the car sway as though it would tip over and the subsequent screamble of all

the car sway as though it would the over, and the subsequent scramble of all to get out of the affair. As one man remarked subsequently, "had the car gone over there would have been a dozen smothered and as many more injured."

THE WHOLE BULL FAMILY.

Don't Like Their Name and Ask Court To Change it for Them.

A petition was filed in the district court this afternoon by Joseph Bull, Jr., Elizabeth A. Bull, Joseph W. Bull, Burdette P. Bull, Ruth Bull, Elsie Bull, Walter R. Bull, Sidney and Melvin Bull asking that their names be

changed to Burdette. The reason for asking the change of name as set forth by the petitioners is: "That your petitioners carry the name of Bull which is in itself suggestive and of Bull which is in itself suggestive and makes your petitioners objects of ridi-cule, thereby causing them great an-noyance and humiliation; that it is a common name in Salt Lake City and county, Utah, and the name of many living in close proximity to your peti-tioners, not in any way related to your petitioners and the mail of your peti-tioners has been and is confused with that of persons of like name; that your petitioners are strangers and frequently mistaken for persons of like name; that the name sought hereby to be taken by your petitioners is a family name and highly honored by your petition-ers."

GRAND JURY RESUMES.

to all concerned. The United States will convene again next Monday and the session will be rule day.

Miss Alice Wolfgang has returned from a New Year's visit in Denver, with her friend, Miss Bessie Piggott of Marion street.

Mrs. Ada M. Mayo of this city is visiting for 10 days in Denver, after which she will go east, to be away two months.

PERSONAL

SOCIAL AND

BURGLARY IN ON CHRISTENSEN

NEWTON'S ROAST

Arrest of the Police Court Lawyer.

Another Chapter in the Tale of Alma Jones Pleaded Guilty to That Charge and Goes to State Prison.

DESERET EVENING NEWS FRIDAY JANUARY 4 1907

The strange stranger of the

SENTENCE IS THREE YEARS.

Prisoner Has a "Past" and Has Already Done Time in Institution To Which He Returns.

Alma Jones pleaded guilty this afternoon to a charge of burglary in the first degree and waived time for sentence. Judge Armstrong of the criminal division of the district court, before whom Jones appeared, sentenced him to serve three years in the state prison. Jones burgiarized the local offices of the Western Union Telegraph company on the night of Dec. 22.

The prisoner has a past record and enjoys liberty in short stretches only. He was released from the Utah state prison last October after completing a sentence of one year. He was impris-oned the last time after being found guilty of assault, with the intention of guilty doing bodily harm. He will have been out of the prison a few months only upon commencing his present sentence.

JUDGMENT REVERSED.

tle et al.

the et al. An opinion has been handed down by the supreme court reversing the judgment of the lower coart and dis-missing the complaint in the case of Susie M. Free against Fannie M. Lit-tle et al, appellants. The action was brought to compel the specific perform-auce of a contract of sale of part of lot 4. block 86, plat A. Salt Lake City sur-vey executed by James T. Little, the husband of Fannie M. Little, during his lifetime. The lower court found the issues in favor of respondent and or-dered the defendants to deed the prop-erty to plaintiff upon the payment by her of \$7,000, the purchase price agreed upon.

The contract was dated on Jan, 6, 1898. The contract was dated on Jan. 6, 1888, and Mr. Little died about two years afterwards before the price agreed upon had been paid. The supreme court holds that the saintiff could not have compelled Mr. Little to specifically perform the agreement even in his life-time because his wife did not join in the same and hence her interset could time because his wife did not join in the same, and hence her interest could not come in court now and compel her to carry out the agreement. Further than that the evidence shows that the plaintiff did not file a claim against the estate of James T. Little neither did she proceed to compel specific per-formance by the executor of his es-tate as required by the law laid down in the strutes f on sec lons 3135 to 39.0, which states that the mode of proce-dure to compel specific performance of contracts against the deceased per-sons. Hence she has no cause of acsons. Hence she has no cause of ac-tion against the defendants who are heirs to the estate of James T. Little, The lower court is therefore reversed The lower court is therefore reversed and the case ordered dismissed. Justice Frick wrote the opinion of the court, which is concurred in by Chief Justice McCarty and Justice Straup.

SHEEP CASE COMPROMISED.

Santa Fe Pays Losses After a Lapse Of Five Years.

Of Five Years. Judge Morse today entered a judg-ment by stipulation in favor of plain-tiff in the case of the W. T. Smith com-pany against the Atchison, Topeka & Santa Fe Rallway company for \$500. The action was brought to recover damages for the delay of defendant in delivering a shipment of sheep from Elko, Nev., to Chicago for plaintiff in September, 1902. It was claimed that because of the delay of the railroad peace, was also marked for service af-September, 1992. It was channed because of the delay of the railroad company plaintiff was compelled to pay company plaintiff was compelled to pay extra money for feeding the sheep and that when they did arrive at their des-tination they were in such poor condi-tion that they were sold for 25 cents a head lower than he would have got for them had they arrived in good time. The case was compromised by the payment of \$500 to plaintiff.

year ago and has failed to upport her. She also asks that her maden name, Sadie Wilkinson, be restored to her.

Judge Armstrong announces the set-ting of cases for Monday at 10 a. m. for those to be tried during the January FIRST DEGREE

Miners' Union No. 67 of the Western Federation of Miners was made defend-ant in a suit filed in the district court yesterday afternoon by the Bingham Coal & Lumber company which asks that a lien on the Union bail at Bing-ham be foreclosed. The company has a claim against the union for \$\$86.90 for material furnished for the construction of the hall and judgment for that amount is asked.

A. R. Lundin filed suit in the district A. R. Lundin filed suit in the district court today against Emma A. Lewis et al., heirs of John S. Lewis, deceased, to reform a deed executed by the ad-ministratrix of the Lewis estate in favor of plaintiff. It is alleged that the description of the property as con-tained in the deed is erroneous and that the ded deas not envye the versativ Intended to be conveyed at all hence it is asked that the deed be corrected.

The will of James E. Campbell, who died on Dec. 22, 1906, has been filed for probate in the district court tofor probate in the district court to-gether with the petition of Rachel Campbell asking that she be appointed executive of the estate in this county valued at \$2,500, cash in the bank amounting to \$563 and also an interest in several mining propositions in Ne-vada. The will bequeathes all of the property to the widow to the exclusion of the testator's obligan of the testator's children.

of the testator's children. In the case of A. C. and Joseph Hatch against Robert Gorlinski, M. Shaugh-nessy and J. R. Walker, appellants, the supreme court has handed down an opinion affirming the judgment of the lower court. Judgment was rendered in the court below in favor of pialniffs for \$250 on a mining transaction and the defendants appealed. The supreme court now holds that the lower court committed no error in the case and the judgment is affirmed. Justice Straup wrote the opinion of the court.

wrote the opinion of the court. Damages in the sum of \$25,000 are asked by Tomine Torkelson in her com-plaint filed in the district court yester-day afternoon against the Oregon Short Line Railroad company. It is alleged that plaintiff was walking along the track at Ninth South and Third West on March 20, 1906, when she was struck by an engine and her leg was crushed so that it had to be amputated. She claims that the train was running in excess of six miles an hour, which is the rate of speed as fixed by the city or-dinances, and no warning whistle or bell was sounded as required by law.

SMALL BLAZE.

The residence of George D. Alder, 55 The residence of George D. Alder, 55 First street, was the scene of a small fire at 4:10 this morning. The trouble was caused by a defective grate and the woodwork beneath the tiling became ig-nited filling the house with smoke. The firemen were soon on the scene and af-ter some hard work, got to the seat of the trouble and extinguished the fire. The loss is estimated at \$25.

PERSONALS.

J. A. Greenewald has gone to Chi-cago, New York and other cities on a business trip.

Harry Jacobs has gone to Cleveland, Ohio, on account of the serious illness of his sister; and his mother, Mrs. Jacobs, is with him.

C. A. Nichols, the champion lino-typist, has returned from a two weeks Chicago trip, after being mixed up in two small railway wrecks on the Un-ion Pacific, from which he escaped unhurt. Mr. Nichols went east on a mining errand in which he was suc-cessful. cessful

Applause by Machinery.

Applause by Machinery. The third-act climax of the Christ-mas melodrama fell very flat. "I wish," said the manager, speak-ing low in the dead silence of the thea-ter, "that I had some of those clapping machines such as they use in the French and German theaters. "These machines are made of wind-fill d leather. They are like two flat-tisn footballs. Bang them together, and they make a sound exactly like handclapping. "They are hidden in different parts of the house, and just an electric wirs-connects them with the wines. You

of the house, and just an electric wire connects them with the wings. You just touch a button when a climax comes, and the theater resounds with machine-made applause."

NEVADA STOCKS.

nining

The National Pure Food Law

Will require no change whatever in any of our formulas. The entire line will be maintained in the future as in the past-PURE FOOD CANDIES

SWEET CANDY COMPANY.

TODAY'S MONEY MARKET

Manufacturing Confectioners

Hancock, 15% @16: Newhouse, 17@14: Tin-tic, 8 asked: Greene-Cananea, 2314@14: E. Butte, 124@1314; Utah Con., 6514@ 4; Royale, 30% @31; U. S. S. pfd., 4654@ 47; U. S. S. com., 683%@69; Adventure, 5% @34; Atlantic, 153%@16; B. Coal'n, 38@ : Cop. Range 874@14; Mohawk, 89% @85; North Butte, 118@14; Osceola, 161@162; Quincy, 115 asked; Shannon, 134@14; Tecumseh, 3012@31; Un Cop-per, 74@75; Victoria, 714@34; Wolverine, 190 asked; Az, Com'l, 35 asked; Bing, Cent., 13%@2; B. Exp. 412@5; Cananea, 8115@5; Dorth Butte, 17%@4; East Butte, 12%@13; Globe, 915 asked; Hel-vetia, 4 bid; Majestic, 33%@4; Nipls-sing, 14%@15; Utah Apex, 7%@34. Standard Oll. Sugar Tennessee Coal & Iron.... United States Steel pfd. Western Union Northern Pacific Great Northern pfd. Int. Met. Int. Met. pfd. Mackay pfd

NEW YORK CLOSING STOCKS. Friday, Jan 4, 1907. Atchison pfd Atchison pfd Baltimore & Ohlo..... Canadian Pacific Chicago & Northwestern...... Colorado Southern Colorado Southern enver & Rio Grande..... rie linois Central ouisville & Nashy lunhattan L lexican Central lissouri Pacific lissouri Pacific lissouri Pacific emsylvania eading Reading Rock Island Rock Island pfd... Pacific pfd Wabash Wisconsin Central



This man's life is in great jeopardy because there is no fire escape. Your property is in great jeo pardy if not isured. insure with





life out of prices. By all means,

be here Opening Day of the Great-

est Sale in Utah.

atternoon before Justice Bishop at the latter's residence. Mr. Newton was represented by Atty. A. J. Wober, The cause for all Newton's troubles was the issuance of a complaint against him several days ago by County Atty. Parley P. Christensen, the man who wanted to go to Congress. Through the demands of Christensen, the ball was fixed at \$2000 but was later advanced to

fixed at \$2,000, but was later reduced to \$500 and Newton was released. On this charge the lawyer demanded an im-mediate hearing, and in order to get the same he went before Justice Dana T. Smith and asked that his case be called at once.

SAMPLE COMPLIMENTS.

P. P. Christensen was present at the time, and Newton said to the court. fore this thing gets out of office,'

"I don't want a dismissal but I want a hearing" said Newton. At this, Christensen is said to have arisen to his lofty height and started arisen to his lofty height and started to leave the office. Newton admits that he followed Parley P. and proceed-ed to tell the county attorney a few things. He admits that he used every epithet he knew of in English, French, German and Italian and when he ran out of them he invented others Newton also said things to Johnson, the reporter, and it is alleged he threatened to "shoot and kill" Johnsor, becauge the latter wrote an article in which he called Newton a "stool pigeon lawyer" for the police court.

BAIL COMMISSIONER."

After the terrible denunciation he received, Christensen issued two com-plaints against Newton. The latter says that the warrants clearly show the spite work of Christensen, and claims that in the county attorney's handwriting appears this instruction to the sheriff: "You are directed to serve this warrant after dark. Bail \$1,500."

Newton says he wants a hearing a once because Christensen goes out of office on Tuesday. The deputy sheriffs who looked for Newton last night were who looked for Newton last night were unable to locate him. He knew that the warrants were out, but declined to give the county attorney any satis-faction, so he telephoned to Sheriff Emery, stating that he would be in the latter's office at 10 o'clock this morning. Promptly at that hour Newton put in his appearance, and then went before Justice Bishop, with the result already stated. A bond of \$1,500, as demanded by Christensen, was not required. The warrant, charging disturbance of the peace, was also marked for service af-



THREAT TO KILL REPORTER

Who Promptly Swore Out Another

Complaint Against Him-Spicey

Situation Now Develops.

complaints were filed late yesterday afternoon with Justice of the Peace F. M. Bishop and warrants were issued for Newton's arrest. This morning Atty. Newton walked

down to Sheriff Emery's office and stated he was ready for any action against him. He was at once taken before Justice Bishop, where he entered a plea of not guilty to each charge and was released upon his own recognizance. His hearing was set for 4 o'clock this afternoon before Justice Bishop at the

Supreme Court Passes on Free vs. Lit-

The second annual stampede of Elks to Los Angeles scheduled for Feb. 9, promises to be a hummer. Secy. A. W. Raybould has just returned from Los Angeles, where he has been completing argangements for the entertainment of the Salt Lake herd in that city. The trip will be made in February over the Salt Lake Route. The excursion last year was the biggest long-distance affair ever out of Salt Lake. Just 719 passengers attended these doings. Several stunts carried out on last year's trip will be adopted again this year. These with new treats will make the coming trip hum from a to z. Mr. Raybould has been promised every room in the new King Edward hotel. A side trip to Mount Lowe, an-other to San Diego and Old Mexico; excursions to Catalina island. San Ber-nardino, Riverside, the Smiley Heights country, a balloon trip and a visit to Chinatown are a few of the features arranged for the coming excursion. O. J. Davis is chairman of the committee on arrangements. Berths and tickets to Los Angeles scheduled for Feb.

a. Davis is chairman of the committee on arrangements. Berths and tickets are being sold at the club headquar-ters. Forty-five Pullman reservations have been made already. A round trip rate of \$33 will be made.

BANK MAY CHANGE HANDS.

Bingham State Probably Will Go to The Cosgriff Brothers,

A deal is pending today, whereby the Bingham State bank, owned by George Chandler, will, in all likell, hood pass into the hands of the Cog-griff Bros, who own a chain of banks extending from Cheyenne on the east to the Oregon border on the west, and who control the Commercial Na-



It doesn't matter at what place you buy your clothes, nor what price you pay for them.

The only problem is to get the best for your money.

If you wear one suit of Hart Schaffner & Marx clothes you'll wear them always.



Is Scheduled to Be-open Investigations On Monday Next.

ter dark, and the ball in that case or-dered to be fixed at \$100, but as the court is the one to fix ball, and not the county attorney, Newton was released on his own recognizance. The federal grand jury is scheduled to resume its investigations Monday, Jan, 7, after a recess of nearly one LATE LOCALS. month. Today United States Marshal William Spry is somewhere north, serving subpoenas upon persons who Bank Clearings—Today's local bank clearings amounted to \$1,301,153.71 as against \$1,268,766.89 for the same day last year. are wanted to testify before the jury. Tonight Deputy United States Marshal L. H. Smyth leaves for the south on a similar errand, and Sunday or Mon-

Rain or Snow—A heavy, low baro-metric area is spread this afternoon, over the entire country west of the one hundredth meridian, so that rain or snow is expected tonight and today will see Deputy Julian Rilay en route to eastern Utah of affairs con-nected with the federal court. 'The business of the marshal's office for the year just past has been wound up, and is found to be in a very sat-isfactory condition, highly creditable morrow.

New Garage-Active building is in New Garage-Active building is in progress on the one story garage for Savage & White, on State street, north of the Elks' building. The structure is 30x100 feet, and will cost \$3,500. Matt Gibbs has the contract.

Veterans to Meet—The Veteran Vol-unteer Firemen's association will hold its regular meeting Monday, Jan. 7, 1907, at the hall, 271 Canyon road, at 8 o'clock p. m. All Volunteer Fire-8 o'clock p. m. All Volunteer Fire-men invited to attend; important busi-

University to Exhibit-Secy. Horace S. Ensign of he State Fair association is negotiating with the faculty of the training school at the state university, for an exhibit of the school to be in-stalled and maintained among the ex-hibits of the Chamber of Commerce.

Funeral of Veteran-The funeral of James Madison Fisher, the veteran ploneer, scout and Indian fighter, who passed from mortality on New Year's day, will be held Sunday, instead of on Saturday, as at first announced. The services will be held in the East Mill Creek ward house, commencing at 12 o'clock noon. Friends are in-vited to attend the obsequies.

Convicts Are Lamblike-Warden

Convicts Are Lamblike—Warden Pratt reports everything quiet at the state prison, and no convicts on the rampage. The last three case hard-ened gentlemen, who thought they could raise a disturbance and cause trouble, have found the trouble all on their side, and have concluded there is nothing in it. They are now quite lamblike. lamblike.

L. M. Iverson to Resign—A long tried, and faithful bank employe will leave the Zion's Savings Bank and Trust company. Feb. 1, when L. Moth. Iverson, the receiving teller severa his connection with the institution after steady service since Aug. 13, 1883. Mr. Iverson will take a long vacation on the coast, and then decide what line of business he will engage in.

A Typical Alley-The condition of the alley today running into Third South street, back of the Clift House, is a fair sample of the share or up is a fair sample of the shace as many payed alley may get into during sinshy or moist weather. The many many was flowing through the alley ankle deep and spreading over the Third South street sidewalk and roadway, to the annoyance of pedestrians. Walking in the alley was impossible without rubber boots.

90 PER CENT

of the readers of the Semi-Weekly News are Farmers, Stockmen and Ranchers. Advertisers desiring to reach this class of buyers, can find no paper in the West that will serve their needs so well.

COURT NOTES.

The supreme court has denied the pe-tition for a rehearing in the case of Annie F. A. Hilton against George W. Thatcher et al. In its decision on the partition the source court remetition. petition the court very gently repri-manded one of the attorneys for de-fendants for his criticism of the court in deciding the case against him.

An action has been filed in the dis-trict court by the Descret National bank against F. Haight et al., to re-cover \$260 principal and \$3.25 interest alleged to be due on a promissory note executed by defendants on March 8, 1906, Judgement is also asked for \$30 as attorney's fees.

Judge Morse has rendered a decree in favor of plaintiff in the case of Wil-liam George J. S. Bentley against the Salt Lake Investment company quiet-ing plaintiff's title to lots 10 and 11, block S. Graeber's Postoffice addition, a subdivision of block 42, plat C. Salt Lake City survey upon payment by him of one-half of the taxes on the property.

A complaint has been filed this afternoon in the disrict court by Samuel Robev against the Western Ore Separating company. Robey wants \$15,000 as damages for per-sonal injuries alleged to have been received by the plaintiff while at work at the, company's plant in this city, Nov. 21, 1906.

An order has been entered by the su-prome court denying a petition for a rehearing in the case of the Rocky Mountain Bell Telephone company, ap-pellant, against the Independent Tel-ephone company. The court recently handed down an opinion in favor of the Independent company, whereupon the Bell company asked for a rehearing which is now denfed.

Suit for divorce has been filed in the district court by Sadle W. Cameron against Francis A. Cameron on the grounds of desertion and failure to sup-port. They were married in Ogden on July 11, 1897, and it is alleged that de-fendant deserted plaintiff more than a

offee

mining stock quotations from San Francisco:
Belmont, 5 bid; Cash Boy, 12@14; Golden Anchor, 42@43; Home, 16@17; Jim Butler, 1.22\gamma and the standard stan NOW 1907. **RESOLVE TODAY** To Drink Hewlett's wlett Fresh THREE CROWN BOSTON COPPER. Roasted COFFEE

During

1907.

BOSTON COPPER. James A. Pollock & Co., furnish the following Boston cuotations today: North Butte, 118@44; Boston Con., 32&@33; Allouer, 654/@6644; Areadian, 13@44; Bingham Con., 34@44; Calumet & Hecla, 859@890; G. Con., 33@44; Gran-by, 14 asked: Michigan 22@44; Nevada Con., 184/@19; Parrot, 33@42; Santa Fe, 5@44; Tamarack, 123@125; Trinity, 214 @44; Utah Con., 654/@66; Winona, 124/20 B3; Mex. Con., 134/@144; Balaklala, 14 @44; Black Mountain, 104/@44; B. & L., 24@46; Cumberland Ely, 124/@46; Dom Copper, 74/@74; Furn Creek, 27/@3;