

Idaho News From Her Main Cities and Towns.

TIMBER FRAUD CASES AT BOISE

Imposing Array of Legal Talent Representing Both Sides Of Controversy.

TWO DEFENDANTS RELEASED.

New Trial For Boise—Harrow Arrives—Citizen Objects to State Paying Pinkerton Men.

Special Correspondence.

BOISE, Ida., Sept. 19.—The big legal battle in the Idaho timber fraud cases opened in Boise yesterday when arguments on the plea in abatement and the motion to quash were made by Atty. Fraser for the defense and the motion to quash was made by Atty. Fraser for the prosecution. Judge Whitson was on the bench, having arrived from Spokane late in the night before. Atty. Fraser, J. H. and Rice were present to represent the defense and Atty. Burch, Rush, Johnson and Ruick were in their places for the prosecution.

First, whether the complaint states a crime that has been barred by the statute of limitation, to be treated under general demurrer by consent of the attorneys for the prosecution. Second, where the court can go into the question of the conduct of the district attorney.

"And the subsidiary issues of whether the question of calling Martin before the grand jury could be raised and whether it had been actually raised by the pleadings."

L. M. Pritchard and William Sweet, two of the defendants, were arraigned and released on \$2,500 each. Mr. Ruick formally filed with the clerk the pleadings of the government in answer to the plea of abatement, but excepting the objections based upon questions of law.

MARTIN SELLS OUT STOCK.

Last Saturday, Attorney Frank Martin disposed of his interest in the Evening Capital News. Mr. Martin was president of the company and owned 50 shares of stock. For some time the proposition of publishing an itemized statement of the expenses in the Haywood trial has been under consideration by that paper, but it is now after his interests had been disposed of, the news came out on Saturday, after the publication, covering eight full pages, setting forth the total expenses of the state in the Haywood case. Rumors are afloat in certain quarters that Attorney Clarence Darrow has secured an interest in the paper. This has not been confirmed, however.

NEW HOTEL FOR BOISE.

A company, composed of some of Boise's strongest men, has been organized with the express purpose in view of erecting a hotel in Boise, which shall be second to none in the west. For this purpose the company has secured the site for the hotel, which is situated on the corner of Jefferson and Eighth streets, just across the street south from the location of the Columbia theater.

DARROW ARRIVES IN BOISE.

Clarence Darrow, leading attorney for the defense in the case against George A. Pettibone, arrived in this city last night from the northern part of the state, where he had been in matters connected with the Adams case. Mr. Darrow stated that Steve Adams would probably be tried next week and that he hoped to get that trial off before the trial of Pettibone came on. In order to do this, a postponement of the trial of Pettibone was asked, and it is believed that the defense will make application to that effect, using as a weapon for argument the present condition of the defendant. Pettibone was taken to the local hospital last Saturday to be treated for stricture of the stomach, and while his case is not deemed serious, yet he is not improving rapidly, and he has not yet been dismissed from the hospital.

RESTRAINING ORDER ISSUED.

Upon petition of Avery C. Moore, for an order restraining State Treasurer Hastings from paying from the general funds a warrant issued by the state auditor to the Pinkerton detective agency for the sum of \$3,560.25, Judge Fred Wood, sitting forth the total amount, which was served on the state



SENATOR BORAH TO THE BAR.

On September 23 Senator Borah, of Idaho, will be called to the bar in his own state to defend himself against a charge of fraud in the government timber cases, which since the trial of Senator Mitchell, have become historic.

treasurer by the sheriff. A hearing in the matter is set for Sept. 27. In his complaint filed in the district court, Moore alleges that notwithstanding the fact that the claim of the Pinkerton agency was examined and allowed by the state board of examiners and notwithstanding the fact that the warrant was drawn for the amount and delivered to the detective agency, the claim is not legal or equitable.

BIG LAND OPENING.

The state land board has approved the works of the Northside Twin Falls Land & Water company, and set the date of the opening of the settlement of the lands coming under it for Oct. 1. This gives promise to be one of the most enthusiastic land drawings that has ever been pulled off in the state. The tract consists of 30 acres of choice land which will be reclaimed under the provisions of the Carey act, with a water supply from Snake river. The water rights will cost \$55 per acre, \$2 down and the balance in nine annual installments. The land costs 50 cents an acre, 25 cents down and 25 cents again when final proof is made. The township of this tract is Jerome, which is 16 miles from Shoshone City, on the Oregon Short Line railroad.

SHORT SUMMER LESSONS MONTPELIER'S HARVEST.

Special Correspondence.

MONTPELIER, Sept. 19.—People of this vicinity are wondering why there has been no summer this year. The season has been so short and cold that crops are not nearly so good as had been hoped for. The potato crop will, on account of the severe frosts, be very light and the quality will not be up to the high standard usually used in this locality.

Harvesting and haying having been completed, threshing is the order of the day among the farmers. Improvement both public and private continues with unabated vigour, furnishing employment to all who seek it. The attendance at the city schools is much better this year than that of the same period of last year. The teachers are in the best of health and spirits, and are very enthusiastic over their work.

Supt. Baughart is making a strenuous effort to raise the standard of the schools and put them on a par with any in the west, and this end he has asked the co-operation of the parents and guardians.

In the past teachers have experienced a great deal of trouble in the inconvenience by many of the pupils being so irregular in their attendance. The board has had the matter under consideration and has decided to enforce the truancy law. The city council, mayor and city council have been asked to make the police officers' truant officers to serve without pay and the assurance of the council has been received that this would be done.

The opening of the high school has again been hindered and deferred, but it is hoped that this branch of the schools will be opened soon. The present delay is due to the railroad or its employees failing to get goods over the road in any reasonable time. Dame Rumor has it that Cupid has been playing with the heart strings of several of our youth and maidens, and it is whispered that as a result there will be several weddings soon, the first to take place the last of the present month when John A. Henschel, manager of the Studebaker Bros. company's branch of Montpelier, and Miss Irene Thomas, will be married.

Messrs. Plummer and company, representing eastern capitalists, arrived yesterday to inspect the mining interests of this locality, and it is asserted they are highly pleased with the prospects and have already placed an order for machinery to be installed at once. Good health generally prevails throughout the community.

CORONER'S VERDICT ON DEATH OF R. F. PAYNE.

Special Correspondence.

IDAHO FALLS, Sept. 19.—Last Sunday the dead season opened, and all the sportsmen left town for various points where they thought the most ducks were and all came back with the limit the law allows. The town has been quiet this week, as the fair at Blackfoot has taken many people away.

Farmers are very busy harvesting their crops. Threshing is on in full blast, and some have started disking beets. It is impossible for the farmer to get sufficient help and they expect to be much later this year in harvesting than usual.

After several days of search for evidence the coroner's jury rendered a verdict in the case of Randolph F. Payne as follows: "Before the coroner's of Bingham county, Idaho, an inquest held at Idaho Falls, Idaho, beginning Sept. 11, 1907, and ending Sept. 17, 1907. Be it known that the coroner's jury duly impaneled and sworn in the above entitled matter do hereby render their verdict and verdict: "That the name of the deceased was Randolph F. Payne, that said Randolph F. Payne came to his death at Idaho Falls, Idaho, in the apartment occupied by himself and family in what is known as the Central block, by a gunshot wound from a revolver in his own hand. That said wound was inflicted by himself with the intent then and there to commit suicide."

CONDUCTOR DIES AT POCATELLO

A. M. Russell Operated on for Aggravated Case of Peritonitis and Falls to Rally.

A GERMAN FARMER MISSING.

The Academy of Idaho Begins Year's Work, and is Filled to Overflowing.

Special Correspondence.

POCATELLO, Sept. 19.—A. M. Russell, passenger conductor between Pocatello and Boise, died Saturday night at the Pocatello general hospital, from peritonitis, caused by a rupture of the appendix. He was operated on immediately upon arrival here, as he was in a bad condition, and although he rallied for a moment, death followed. Funeral services were held Sunday at the family residence. Representatives of the various orders to which he belonged were in attendance. The body was shipped to Mahanoy, Pennsylvania, the former home of the deceased. The remains were accompanied by his wife, T. F. Russell, a brother, Mrs. R. Russell, a sister, and her husband and Mr. and Mrs. Victor Mayo.

Rev. and Mrs. E. C. Smith, and two sons, have made Pocatello their permanent residence. Rev. Smith will have charges of the Trinity Episcopal church. The reverend gentleman is a brother to Mrs. Dr. O. B. Steady.

GERMAN FARMER MISSING.

Carl Schlicht, a German farmer, 40 years of age, has disappeared from his ranch west of town, near the Point of Rocks. An employee of the Cold Storage men's market, reported the incident to the others, and a visit was made to the place by Police Chief McManis, and Sheriff David Quigley. An investigation showed that the trunk was riddled and a suit of clothes, and a rifle were missing. Schlicht was known to have had about \$200 on his person when last seen, and the officers believe that he may have met with foul play. Up to date he has not been found.

The Pocatello Pressed Brick company, is exhibiting its product at the office of the Hancock County Abstract company, on West Center street. The bricks are made from a local deposit of big dimensions, and they compare favorably with the best in the market.

ACADEMY OPENS.

The sixth annual opening of the Academy of Idaho began Monday morning with the largest enrollment up to date. The last available room in the girls' dormitory was engaged two weeks ago, and new applications are coming in every day, but students find plenty of accommodation in private homes.

The quarterly conference of the Pocatello stake will convene at McCammon Saturday and Sunday Sept. 21, and 22.

Miss Grace Loughran, county superintendent of schools, will hold a special teacher's examination for second and third grade in this city Thursday and Friday October 3 and 4.

DISTRIBUTION DEEDS FILED.

Last Saturday warranty deeds were filed in the county recorder's office, distributing the estate of Laura Woodland, to Charlotte, Pearl and T. W. Woodland and Laura Tanner and Polly Henderson 4.33 acres.

The October term of the United States district court will convene at Pocatello Monday, Sept. 24, and will be presided over by Judge Whitson of Spokane, with whom Judge Detrichs has been transferred.

The infant child of Henry Cassman passed away just one month from birth. The mother died a month before. About 500 bushels of wheat belonging to Hans Anderson burned up during the week. It is thought to be the work of an incendiary; the party was tracked to and from the stacks. Crops are turning out as good as expected and wheat is being shipped out at from 92 to 94 cents per bushel.

The Western Mill and Elevator company has their elevator partially completed. Its capacity will be 65,000 bushels.



OLDEST MASON IN THE UNITED STATES.

James Bellows McGregory, the oldest member of the Masonic Fraternity in the United States, and said, by some, to be the oldest in the entire world, has just celebrated his one hundred and sixth birthday anniversary at Mount Surgeon, New Hampshire. He was born in 1841 within a mile of the place where he now lives and joined the forces of the Masons in 1927. If there is another Mason of 80 years standing in the world his record has not been disclosed.

Where Best is Barely Good Enough. In matters concerning your sight, the BEST should be DEMANDED. Good eye glasses are an aid, poor ones an injury.

J. H. KNICKERBOCKER, O. D. Practical Optician, 141 Main Street.

MOVE THE RUMORS AND WORK UP A COLD WITH THE ORIGINAL RUSHMER'S CURE FOR COLIC. Sold by Z.C.M.I. Drug Dept., 112-4 Main.



CHARGED WITH HUSBAND MURDER.

Mrs. John J. Phillips, of Cleveland, Ohio, is to be tried for the murder of her husband, who was killed in his home and who said, before dying, that he had been shot by burglars. It has been shown that Phillips, who had been a millionaire, had speculated extensively and had, according to report, lost his wife's money as well as his own. Just what theory the police are working on to charge Mrs. Phillips with his death will be revealed at the trial.

changed benches this term, because the latter had acted as counsel in some of the cases at bar and is thus legally disqualified to act as judge.

Miss Ottilie M. Hohenstein and Mr. Frank B. Marley, were united in wedlock last Monday by Probate Judge Thos. A. Johnston. The bride is a daughter of Mr. Hohenstein, bull-maker foreman and the groom is a popular machinist here.

The Young Ladies' Mutual Improvement association gave an informal opening Tuesday night at the L. D. S. church followed by a social hop at the old amusement hall. About 150 young people attended the opening exercises.

Fletcher R. Burris, the insurance man, returned yesterday from the Teton Basin, where he is interested in a new coal mine. He brought home as a sample a sack full of a fine quality of bituminous coal. Associated with him is Congressman Howell of Utah, City Physician J. H. Bean, and a number of prominent county men. The concern is known as the Packadilla Coal & Development company.

Mrs. Noah S. Pond presented her husband with a fine boy this afternoon.

NEW PAPER STARTED.

The Southern Idaho Mail, the long expected semi-weekly newspaper, the third in this city, made its debut last

They Moved Down to Boston. Mrs. H. G. Wolfe and other acquaintances have had their merry glass at Boston, but here is a little more of the same. Why, asked Dorothy the other night on going to bed, "why can't we see the fair?" "Because they do not live in the fields and woods here any more," replied her husband.

"Where are they, then—in heaven?" "Perhaps so," said Dorothy, after a moment of silent thought. "The angels got tired of their old mansions in the sky, so they have moved down here and have moved to Boston."—Judge.

MUSIC TEACHERS. All who desire to consult the list of the representative professors and music teachers of Salt Lake should read the "Musicians' Directory" in the Saturday "News."

IT IS SAID: Lotteries originated in Rome. Small nostrils indicate weak lungs. Madrid's slums are the worst in the world.

Red spectacles are said to cure sickness. In Algeria the horses outnumber the human beings. The English pronounce "cheer" to rhyme with "seer."

"Haber" has made more money than any other play in the world. The buildings most frequently struck by lightning are churches. There are Philippine bats as big as cats, with a wing-spread of a yard.

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TRIB A guaranteed cure for the Liquor and Tobacco Habits. PRICE \$12.50 Schraumm's, Where the Cars Stop, Sole Agency.

STOP! AND THINK WHAT RIGHT IS MINE. If the teacher of Salt Lake your eyes failed often, and if there are any defects in your vision, let us test your eyes and make the kind of glasses that will help you. It's the only kind we make. We test eyes free for glasses. If you don't need them we tell you frankly.

RUSHMER Maker of Perfect Eye Glasses. Both phones, 31 West 1st South.

REXBURG MAY GET TETON COAL ROAD

Surveys for Line Being Rushed. And Present No Difficulties Of Construction.

OFFICIALS ARE FAVORABLE.

In Addition to Fuel Traffic in Sight, Rich Agricultural Districts Would be Tapped.

Special Correspondence.

REXBURG, Ida., Sept. 18.—Word traveled in Rexburg yesterday that the question of building a railroad from Rexburg to the Teton Basin is receiving serious and favorable consideration by the officials of the Oregon Short Line railway. Surveys are now being rushed through to completion, and it is said that work will commence this fall, just as soon as the large body of men now employed in the extension of the branch line to the Yellowstone park completes that branch. The line from Rexburg is less than 60 miles over a favorable surface on which to build a railroad, and in addition to the coal in the basin as an inducement to construct the road, it would pass through one of the richest crop producing regions in Fremont county. The topography of the country is such that no great difficulties would have to be overcome in the building of the road.

FARIVAL A SUCCESS.

The much advertised Farival has come and gone. The exhibits made would do credit to any state fair. Each Sunday school of the stake was asked by the superintendent to make an exhibit of some kind, and prizes were offered for some exhibits, and the result was surprising. The diversity of the exhibits made it very interesting, and the display of the products of the hand, of the mind, of the skill, of the art, of the needle work, cooking and other things necessary to make a community prosperous and self reliant, was such as to evoke general commendation.

TO PROMOTE FAIRS.

It has been practically decided upon that Rexburg will have a race track ready for next year's season, and will also organize an association for the purpose of promoting county fairs. A strong sentiment in its favor has induced some men of means, headed by Mayor Webster, to take part in the movement.

REXBURG NOTES.

The residence of John Layman and William Webster, after going up in flames yesterday, after only one hour of burning, was saved by a fire department saved them, as a stiff breeze was blowing at the time. The fire originated from some one's smoking pipe, and the fire spread on fire by some boy's.

Charles Elliott, the pitcher of the local baseball team, who has been in the service of the Bell Telephone Company for several years past, has been promoted to the position of manager for the company at Walla, Idaho.

Miss Jessie Wall, daughter of City Attorney James H. Wall, was stricken down Friday afternoon last with an attack of appendicitis. At this time she is improving, but will eventually undergo an operation.

Miss Emma Flamm has left for Union, Oregon, to visit with her sister, Mrs. John L. Jacobs.

The district schools opened yesterday morning with 254 pupils enrolled and ten teachers, with Roy Lindsey of Logan, Utah, as principal.

The Rogers academy opened up on Monday morning with a larger attendance than on the first day of last year. It is expected that another month will see a larger enrollment than ever before in its history.

The sugar factory at Sugar City, expects to start its campaign on Monday next. They are calling for men to be on hand September 23, so they can begin the campaign.

E. B. Margrett, son of the veteran actor, Phil Margarett, and his family are here from Salt Lake visiting Mr. and Mrs. Andrew Nash.

Mrs. Clara W. Beebe arrived in Rexburg Saturday last from Salt Lake City and attended the state Primary conference held here that day.

The Yellowstone special will be pulled off next Sunday, and the last train will come down Sunday night. It is stated that a local train is to succeed the special.

At the session of the city council held last night the chief of police was ordered to at once enforce the ordinance requiring the closing up of the rear of the business houses. The rate for feeding stray dogs was changed from 10c to 25c per day. Action was also taken regarding several of the bad roads and street crossings.

CARTER'S LITTLE LIVER PILLS. Genuine Must Bear Fac-Simile Signature. REFUSE SUBSTITUTES. SICK HEADACHE. Positively Cured by these Little Pills. They also relieve Distress from Dyspepsia, Indigestion and Too Heavy Eating. A perfect remedy for Bile, Nausea, Drowsiness, Bad Taste in the Mouth, Coated Tongue, Pains in the Side, TORPID LIVER. They regulate the Bowels. Purely Vegetable. SMALL PILL. SMALL DOSE. SMALL PRICE.

Baker's Cocoa. In a perfect food as wholesome as it is delicious—highly nourishing, easily digested, fitted to repair wasted strength, preserve health, and prolong life. Be sure that you get the genuine, bearing our trademark on every can. 47 HIGHEST AWARDS IN EUROPE AND AMERICA. Walter Baker & Co. Ltd. Established 1780. Dorchester, Mass.

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