

Special Grand Jury in Chicago Will Almost Surely Bring In True Bills Against Those Who Have Manipulated The Fuel Famine for Their Own Profil-Criminal Prosecutions Are a Certainty.

and and soft coal combinations . ss in litinois and Indiana as the result of the labors grand jury in the fuel It is considered posdictments will include appeared before This, it is nd probably will be done proborative evidence secured ng to prove guilt, brought to the ion of the grand jury by the own testimony. The jurors sed today, it is believed, in the evidence is deemed to convict, and true bills today or tomorrow Albert C. Atts the chief prosecutor in has been called in to ignating the men against leient evidence has been se-

advent is taken to mean prosecutions are a cer-RELIEF FROM CANADA.

Paul, Jan. 14.—President James J. of the Great Northern Railway any, when asked for an opinion as

e house galleries today was an evi-

general interast in the pro-

place upon

the rebate of the

insuction of some

ution supplemental to

vesterday directing the

investigate the coal situa-

large number

loor and the

on rules, pre-

their

Chicago, Jan. 14 .- Conspiracy indict- to the prospect of relief from the fuel is against members of at least famine by the importation of Canadian coal, if the proposed bill of Canadian gress, said: With duties on Canadian coal abol-

ished, a large amount of Nova Scotia and Cape Breton coal will reach New Engiand and will relieve the pressure on Pennsylvania and West Virginia mines. There is no Canadian coal pearer St. Paul and Minneapolls than 1,100 or 1,200 miles, which is quite as far as the West Virginia."

AFTER DETROIT COAL EX. CHANGE.

Detroit, Jan. 14.—After much inves-tgaton for a number of days Prosecut-ng Atty. Hunt today filed an nformaton aganst the Detrot Coal exchange an organization of 30 local coal dealers, charging violation of the state anti-trust law of 1899 and asking for an injunction. In the information of the exchange which declares that members shall not sell coal under the minimum price fixed by the exchange and provides a fine for violations of this sec tion by members. Prosecutor Hunt de-clares that this is in violation of the anti-trust law of 1899, and asks for an njunction to restrain the exchange and its members from maintaining the

timent and show the disposition of Congress to do everything in its power

Mr. Mondell of Wyoming, sald the bill

would injuriously affect the coal indus-try of his state and of the northwest

generally by permitting competition and in view of the stated belief of Mr. Mondell that the bill will give no re-lief, he asked if the committee would

not consider the question of reducing

the period of its operations to six

Mr. Dalzell said the proposition had

Mr. Daizen san the proposition had been considered but because of the im-possibility of forecasting the future of the coal trade it had not been adopted. Mr. Richardson of Tennessee called

the situation.

exchange or any other combination. Judge Hosmer will hear arguments on

RETAIL OROCERS. Kansas City, Jan. 14 .- The time of the second day's session of the annual convention of the National Association of Retail Grocers and General Merchants was taken up in the discussion of papers and in lis-

CONVENTION OF

that President Cleveland had, during have been received:

ening to the reports of the cummittee credit rating, system and the executive committee. There is a contest on over the election of There is a lively contest on over the election of presi-dent and secretary for the ensuing year. President J. C. Williams of South Bend, Ind., is a candidate for re-electon, and the other candidates for that office are C. R. Lott of Chicago and Johu A. Green of Cleveland. Green's backers are making a consid-erable showing, and Lott has a goodly number of delegates promised to him, but Williams' friends cousider him in but Williams' friends cousider him in the lead. For secretary, Charles F. Pfeifer, St. Louis, for re-election, is be-ing opposed by Fred. Mason of St

Paul, and William Gray of Brooklyn. Gray, It is said, will withdraw in favor of Mason. San Francisco and Niagara Falls are the leaders in the fight for the 1904 convention.

#### Prussian Budget Deficit.

Berlin, Jan. 14 .- The Prussian budget estimated for 1903 shows a deficit of \$15,175,000, which will be covered by a new loan. The revenue is estimated at \$650,551,482, the ordinary expenditures at \$629,092,408, and the extraordinary expenditure at \$39,634,074.

R ECIPROCITY WITH CUBA.

Senate Committee on Foreign Re-SOME EVIDENCE OF lations Agrees to Amendment. Washington, Jan. 14 .- The senate committee on foreign relations today

resolution:

agreed to recommend the adoption of an amendment to the Cuban reciprocity treaty providing that the reduction of 20 per cent in the tariff on Cuban sugar shall not be further reuced by any preferential rate given to another country

This action was taken at the instance of the beet sugar men. Today's meeting also served to develop objections to other features of the treaty. Senator Tallaferro of Florida made an argument before the com-mittee urging amendments to the prorisions relating to tobacco and cattle, and Senators Bacon and Balley, both Democratic members of the committee. indicated opposition to the treaty on other grounds. Senator Bacon offered an amendment applying the Cuban treaty on the same basis as other reciprocity treaties with reference to the

govern a dozen mine operators in the

A COAL CONSPIRACY

Chicago, Jan. 13 .- The most tangible | Charles W. Gilmore and Norman vidence secured by the special grand | Birkland, officers of the Crescent comjury in the coal shortage inquiry up pany, who were before the jury for a to the present time is that which re- time yesterday. A number of railroad lates to an alleged agreement drawn in | then were also on hand when the jury March last year and which is said to began its work today, representing the Burlington, Wabash, Illinois Central Clinton, Ind., district, with Walter S. | Monon and Michigan Central and were Bogle and the Crescent Coal & Mining called in as fast as their testimony company as the Chicago factor. It is could be heard. W. H. Abrahams of charged in the evidence, that Mr. Bo- the Building Managers' association, gle appears as president of one of the was also called and is said to have given valuable information concerning Indiana mining companies, making an the printenance of a room by the coal agreement with himself as president of the s association where secret conorlor to the starting of the present in vestigation. He also declared that his association found that dealers delayed telivery of coal in good weather and then pleaded that they were unable to deliver in rough weather, thus compelling building managers to consume Valley Coal company, and recalled their entire stock of coal on hand.

If in the opinion of that committee the

Cleveland made no request that should not be a candidate for the sen-storship because I was an Apostle of a all. He did not, to my knowledg interfere in any manuer whatever Moses Thatcher, 7:07 p. m.'

HISTORIAN'S OFFICE. Church of Jesus Christ of Latter-day Saints.

Philadelphia, Jan. 14 .- There was no time lost by the coal strike commioday in getting down to work. Whe the session opened counsel for the Eri mpany, which operates the collieric the Hillside Coal and Iron company Dr. E. S. Payne, charged with the murnd the Pennsylvania Coal company continued the presentation of its case der of Miss Anna D. Hill, were of a highly dramatic character and were Capt. W. A. May, general superinten dent of the coal department of the com particularly so when the defendant at rany, who was on the witness stand tempted on cross-examination to exyesterday, continued his story of the plain away statements he is alleged to onditions in and about the company' have made shortly after his arrest concerning the condition of Miss Hill collieries. Mr. May said he was alway willing to meet grievance committees when she entered his office. From the course pursued by Mr. Wanof his own men or any one man and where there was a real grieyance it was less for the defense, it is evident that he will make a strong effort to prove

that the operation performed upon Miss Hill was done by herself, and that her Bishop Spalding asked the witness 1 he men do not feel timid about making omplaints, and the witness replied that men may possibly have been timid "he instructions to the bosses, he said vere that foremen must listen to the nen, and that complaints will not coun painst the men.

The superintendent said the company has no black list and he never heard of one being in existence in the coal re-gions. There was no objection to the men in its employ organizing for the purpose of making complaints, but the company did object to the union as now Dr. Payne was placed upon the stand. He described the dead woman's condition when she entered his office and swore that he had never seen her befor. But on cross-examination he was organized because it brought between the men and the company, whose relaput through a most rigorous test of his knowledge of medicine and it was tions should be cordial, persons who were not interested in the company and anything but favorable to the defense. At times he became very angry and

nly indirectly with the men. The entrance of the union into the excited and practically refused to an-swer questions asked by Mr. Westernines, he said, had the effect of making the workmen less efficient, caused elt until ordered to do so by the court While trying to explain the cause and symptoms of convulsions he became ack of discipline, interfered with au caused tyranny to preva hopelessly tangled. While on the stand he denounced ex-County Attorney gainst other workmen and limited the arning capacity of the employes. Capt. May produced a notice issued

Christensen and Dr. Mayo. He said that the latter had 'h'ad it in for him' by the union miners which stated that any man placing more than 12 inches of topping on the mine cars would be fined \$5 by the union for the first ofmake trouble for him. Dr. Mayo had a seat next to the prosecuting attorney ense and \$10 for the second offense. Between the strike of 1900 and the and frequently prompted him during the examination. Dr. Odeli was also present for a time. Mrs. Payne occu-pied a prominent seat in the courtte strike there was an average of ne petty strike a month at the comoom, and at the conclusion of this any's collieries

Reverting to the discipline of the men morning's session, she darted angry the witness said a miner refused to obey the orders of a foreman and that the latter did not dismiss him because he was afraid the union would the up the colliery by striking for the reinglances at Dr. Mayo and said he had better borrow some money and return to college and parn a little about medcine. The doctor, however, paid no attention either to Mrs. Payne or her retatement of the man. nark.

Commissioner Clark wanted to know that the latter had "had it in for him" f the action of the foreman in not dismissing the offender did not affect ant was very trying to him. He was nervous, haggard, very pale and his eyes were bloodshot. At times he could he discipline of the men and the wit-

a long time and was seeking

some expect witnesses.

But, did the attorney for the defense

FOUND A BOX OF PILLS.

Prof. G. N. McKay was then placed

DR. PAYNE'S TESTIMONY.

The defendant, Dr. E. S. Payne, was

owing testimony:

Declares Dr. Mayo Has It In For Him-Describes Miss Hill's Convulsions.

Doctor is Placed on the Stand and Testifies to Circumstances

Leading Up to Miss Hill's Death-Gets Excited and

Payne Case.

The proceedings in Judge Dichl's | it to her. I gave her some every few minutes but she did not take all of it," ourt today in the case of the state va Did you use chloroform?'

ON SATURDAY NIGHTS the Real Es-

tate columns of the News are closely studied by those interested in buying or selling Real Extate.

NUMBER 46

"Did you use any anaesthetic?"

'What was she suffering from?' "My opinion is she had taken some-thing which brought on convulsions and caused death. Not knowing who he was, I ran over here. I thought est to call in the polle

"Had you ever seen her before?"

"Did you know of Mias Hill's condition "I did not.

"Did you ask her?" "I did not."

"Did you know an instrument had

condition, so far as the alleged con-vulsions were concerned, was caused by her use of pennyroyal. It was brought out this morning in the testi-"I did not. Her position was the same when I returned as when I left her. The was practically dead when I left. I tried to hurry the police so they would see her before she died. I made I statement of these facts to the ofmony of Prof. G. N. McKay that Miss Hill had a box of pills in her room and hat they were supposed to be pennycers, to Dr, Mayo and the county at-A great surprise was created when

"How long was she in your office," "About half an hour,"

"Did you know who the other patient "I did not know her name."

"Do you know yet who she is?" "No I do not." "Do you know of anything which. vould cause those convulsions when a

atient was in the condition of Miss "Yes, an amenagogue-pennyroyal

would cause it. DEFENDANT CROSS-EXAMINED.

The defendant was then subjected to most severe and rigid cross-examinaon by Mr. Westervelt.

What did you give the granules

"To stimulate the heart action." The defendant said he had practiced nedicine for 30 years. At the age of 19 be graduated from the Royal College Physicians in England. He went the East Indies as assistant surgeon in the British army. Later he went to the West Indies. He has been in Salt Lake since 1988. "Is your practice general or as a

"General, but I did make a speciality f women and children."

DESCRIBES CONVULSIONS.

Dr. Payne was then examined at nardly speak loud enough to be heard. es, and was asked to describe Miss Finally he said he could answer no Hill's convulsions. He said: "Her eyes were rolling. Her breathnore questions then and said he would have to leave the courtroom. His atng was hard and her face was twitchtorney fought hard to save him from the ordeal and objected to questions at There was a weak action of the cart. She tried to rise up two or three every opportunity. The court, however, ruled against him, saying that the de-"Did you not say to the county attorfendant had testified as to the cause ney, in the presence of Dr. Maye and Chief Paul, that Miss Hill several of Miss Hill's death and the prosecution had a right to cross-examine him times rolled on the floor?" "Positively I did not. I said she put upon his knowledge of medicine. It is quite likely that the case will one foot on the floor. I said lots of things then I would not say now." occupy all of today and probably be continued until tomorrow, as it is un-"I've no doubt of that," replied the county attorney, scornfully. "Were any inducements held out to you to derstood that the defense will put on The defense in the E. S. Payne make statements? der case had an inning in Judge Diehl's "No, but the county attorney exercourt this morning. As soon as the pro clsed a domineering and autocratic manner over me and I answered him ceedings were opened, Attorney Wan-less for defense arose and asked the in glittering generalities because I saw ourt to compel the state to elect which their game was." allegation in the complaint was the "Is that all?" ause of Miss Anna D. Hill's death. County Attorney Westervelt vigor-ously objected and in support of his remarks cited the Carrington case and

judiciary is authorized and hereby di- | ercise of such power has arisen, that rected to investigate and report to this the committee for with report to this nouse, with all convenient speed, the house a bill declaring the necessity opinion of that committee as to the providing full and in detail the occa power of Congress to declare that a sions, modes, conditons and agencies necessity has arisen for taking posses- for said appropriation that will fully sion of all coal, coal beds and coal and completely exhaust the power of mines in the United States, and all | Congress in that regard.

Government May Step In

TRUTH AND LIBERTY

WEDNESDAY, JANUARY 14, 1903. SALT LAKE CITY, UTAH.

Washington, D. C., Jan, 14 .- In re- tion of Apostle Moses Thatcher to the | Fred T. Dubois, U. S. Senate, Washing- | Dubois, Washington, D. C.-President

conse to inquiries telegraphed by Sen- senate, as President Roosevelt has in- ton, D. C .- As I have not the slightest

House Judiciary Committee to Report on Power of Congress to Declare There is a Necessity to Take All Coal Beds and Mines and Lines of Transportation.

Washington, Jan. 14.-The chairman lines of transportation, agencies, instru-

of the judiciary committee o, the | ments and vehicles of commerce neces-

house today introduced the following sary for the transportation of coal, and

"Resolved. That the committee on power exists and a necessity for the ex

### a'or Dubois as to the accuracy of the terfered to bring about the defeat of recollection of the incident, the stateatatement inspired at the White House Reed Smoot, the following dispatches ment you refer to must be entirely incorrect-Grover Cleveland, 4:40 p. m. is term, interfered to prevent the elec- | "Princeton, N. J., Jan. 12, 1903, To Logan, Utah, Jan. 13. To Hon, Fred COAL COMMISSION GETS DOWN TO WORK

EVENING NEWS.

always adjusted.

attention to the fact that the rule pre-vented all possibility of amendment and on authorized sub of the committee to take he protested against such a course in It was adopted. such a crisis. Proceeding, Mr. Richardson said when

and

NTEREST IN HOUSE PROCEEDINGS

Washington, Jan. 14.-The attendance | people, but it will satisfy a public sen-

unths

Dalzeli of Pennsylvania, from the the stress of emergency came there m rules, then presented the were, perforce, a recourse to Democratial rule for the consideration of the rebate bill. It provides for the ic doctrine diate consideration of the bill with Mr. Williams, of Mississippi, who followed Mr. Richardson, contended that the removal of the duties must result in of one hour's debate at the d which time the previous question In concluding the price of coal. In concluding the debate upon the rule, Mr. Dalzell declared that the hyid be considered as ordered withintervening motion. Twenty minwere allowed upon the pocricy of the other side was apparent Mr. Dalzell, after reviewing the from the remarks of Mr. Richardson. f the present duty on coal, The opposition, he said, was simply playing politics. The Democratic "perpending bill needed no defense. designed to relieve the existing Nevertheless, he said, he did hdy and dishonor" bill had contained a

He did not believe it would inthe importation of a single rule resulted. Ayes, 136: noes, 110-a party vote, with the exception of Mr, Perkins (Repub-lican, N, Y.), and Mr, Gaines (Rep., I don't believe," sa he, "that anying now can stop the greed and av-West Virginia), who voted with the

ieve it would accomplish its pur-

bg advantage of the already oppressed | Democrats. FRANK A. FULLER IS MISSING.

duty on coal.

Erstwhile Resident of Salt Lake Mysteriously Disappears From His Home in New York-Wife Sounds a General Alarm.

(Special to the "News.") en missing since Jan. 5, when, his to manager.

wife says, he put her on a car and New York, Jan. 14-A general alarm | promised to be home at 10 o'clock, but as been sent out by Mrs. Frank A. never showed up. Young Fuller came iller, for her husband, treasurer of from Salt Lake City several years ago, gustine Fuller company, who has and worked his way up from office boy

TILLMAN ON COAL QUESTION.

uced a concurrent resolution callng on the president to inform the senwhat government is existing in the and of Guam and through what excutive department thep owers of such ernment are now executed and adistered, as well as the number of abitants in said islands, and also by that authority Mabini, the Filipino hief, is being detained at Guam. At Hoar's request the resolution went er until tomorrow.

The Vest resolution regarding the tal of the duty on anthracite coal hen was considered.

Tillman (South Carolina) in purance of his notice of yestercay. ed the senate. He said that Mr. , since the resolution came up, come more strenuous and had more feeling and carnesiness he thought him capable of. energy of the venerable and brilfrom Missouri, Mr. T'll-

### JUDGE W. R. DAY. anows Nothing About Any Appointment to U. S. Supreme Bench.

Incinnati, Jan 14-Judge William R. who is sitting as a member of the el States court of appeals, when about the reported appointment main is an associate justice of the of States supreme court, said he e information of the appointment. eclined to say whether or not he en consulted by the president and then consulted by the president and Thomas R. Fisher, captain of the such an appointment. 1808 team.

were badly damaged by fire today en-tailing a total loss of \$150,000, with only Washington, Jan. 14 .- Foon after the | tives and those in the senate who have enste met today Mr. Hoar (Mass.) in-roduced a concurrent execution of affairs for a month. His partial insurance in each case. only wonder, he said, was that in these trying times of death and distress mobs store of Branson and Worley, and be fore it could be controlled spread the book store of G. W. Lash, the Ne are not taking steps to show monop-olists that in the last resort men will Yerk Dry Goods company, the furnitur-store of Campbell and Company, and neither starve nor freeze to death, but will throttle the law if necessary and Wendell's jewelry store, in which build-ing the Republican club had headtake it into their own hands and seize quarters,

He then criticised those who claimed that there was not now sufficient au-thority to remedy the evils which exist Pensacola, Fia., Jan, 14.-Fire early cday destroyed Dr. R. I. Bryan's in-umary, a three story frame structure and said that we may load down out statute hooks with laws but unless the sworn officers of the law shall disdis. t Baylen and Darden streets. There to 25 patients in the building and all

charge their duties foarlessly and hon-estly every effort to protect the po-ple will fail because of their der liction. "Efforts have been made," said Mr. Tillman, "proof has been filed, pleadings have been had, petitions to the attorney general filed warning and begging him to protect the people against the impending danger, but he has sat quietly in his office and done nothing Rich and poor allike." he declared, "are freezing because of the fact that ing horses in the house of representa- in the interest of the people." monopoly does exist, because the law yers have failed to interpret the law

#### Athletics at Yale.

New Haven, Conn., Jan. 14 .- A committee to be known as the graduate advisory committee on track athletics in Yale university has just been elect-ed by the members of the Yale track team of 1963. The object of the insti-

hespital where prompt attention was given them. Nothing was saved from the infirmary and the loss is total. A Camden Factory Burned Up. tution of the committee is to insure a Camden, N. J., Jan. 14 .- The big fac more definite and consistent policy in tory building of A. Lung & Co. of this city was destroyed by fire today. The icss, estimated at \$130,000, is distributed This committee consists of Charles H. Sherili, captain of the Yale 1899 team, among a number of firms who occupied portions of the building.

use of representatives, but the Crescent Coal & Mining company. adment was not acted upon. Sena It is said that these mines were comor Bailey took positive ground against the policy of securing reciprocal relapelled to pool their outputs, to be disions with other countries by means of posed of by the Chicago factor. In gettreaties, saying such a course was un ting at the facts, the jury today called constitutional in that it is an interferbefore it Max Eichberg of the Wabash

ence with the authority vested in the nouse of representatives to originate all tariff legislation. The amendment agreed upon is in the shape of a provision attached to the eighth article of the treaty and is as

follows: "Provided, that while this convention is in force, no sugar being the pro-duct of the soil of the republic of Cuba shall be exported from said republic to he United States at a greater reduction A rising vote upon the adoption of the

from that island as Cuban tobacco.

Big Fire in Piqua, Ohio.

Pensacola Infirmary Burned.

ere rescued with the exception of a sn named Blockton, who was burned

statled. The fire is supposed to have

The

All of

There we

evered he was burned to death.

result of the exposure and excitement

them were removed to St. Anthony's

several patients had relapses.

of rescuing the inmates.

CTL.

ther meeting tomorrow.

of duty than 20 per cent below the rates prescribed by the act of July 24, 1897, and provided further, that while this convention is in force no sugar shall be imported into the United States from nother foreign country at a lower rate of duty than that imposed by the act of July 24, 1897."

interior reverses the decision of the committee did not reach a vote on the motion by Senator Bacon to strike out article 6 of the treaty ex-empting American tobacco from preferregister and, receiver and the commissioner of the general land office in the case of Grace Spencer Laker. ential rates given by Cuba to Ameaican The facts in this case are: On March articles. It is claimed that the adop-tion of the amendment relative to the

6, 1897, Grace Spencer, who was then eduction on sugar will have the effect and ever since has been a teacher in the of insuring the support of practically public schools of this county, made all the Republican senators. The op-position to the striking out of the pro-The ophomestead entry on 160 acres of land. vision regarding tobacco was because of the plea on the part of the Cubans The school at which Miss Spencer was engaged in teaching, being about 15 that under it American tohacco might be shipped to Cuba and then exported miles from the homestead, it was not convenient for her to be upon the land, the Bacon amendment should be adoptexcept at intervals of perhaps one day ed, the treaty would not become ef-fective until it should be acted upon by in each month. During the season that the house. The amendment reads: "This treaty shall not take effect unthe schools are closed, Miss Spencer was away on a vacation, as is the custil the same shall be approved by the tom of teachers generally. This con-Senator Bacon was speaking in supdition of affairs existed until September, 1899, when Miss Spencer married

port of this amendment when the com-mittee adjourned. There will be an-Mr. Lashbrook Laker, and immediately started east on her wedding tour, from which she did not return until June 1900, a period of eight months, her hus band remaining in Chicago in order to Plaua, Ohio, Jan. 14 .-- Five buildings complete his education at a medical college, where he had continued to remain The up to the time Mrs. Laker offered her mes started in the book and paper firal proof. Mrs. Laker, on her return again took up her profession as school eacher. On March 10, 1892, five years and four days from the time of making her homestead entry, she attempted to

MRS. LAKER IS SUCCESSFUL Wins Her Case on Appeal to the Secretary of the Interior, and is

Adjudged Rightful Owner of 160 Acres of Land.

rs had his attention called to the fact the case, and instituted an investi ation, after which he earnestly oppos-Mrs. Leker's application. The der and receiver denied Mrs Laker's right to make final proof or to obtala patent on the ground that "the testi-mony of the claimant herself shows hat she has not complied with the law to continuous residence upon the

mirried the case on appeal to the com-nissioner, who sustained the decision the register and receiver, holding that "it appears from all the testimony in the case, on the part of the plaintlift and upon her own showing, that her weldence has not been continuous, but that she seeks, or has sought, by mere temporary visits, to establish her claim to residence within the legal neaning of the term."

Her attorney then carried the case on appeal to the secretary of the inerior, who now reverses the decision the local office and the commissioner and holds that "while it is true that ac tual presence on the land is necessary n the first instance, in order to acquir residence, it is equally true that there after uninterrupted presence on the faim is not essential to the continuity f such residence, and that after resience has been once established subse-uent absences for a lawful purpose and indicating no intention to abandon the claim are excusable and do not break the continuity of the residence.

# EXPLOSION AT HIGHLAND BOY

John Dusich, a Machine Man, is Struck Full in the Face and Receives Injuries Which May Deprive Him of His Right Eye.

death in his room. Less than a year to the building was refitted from top [Special to the "News."] bottom and a costly X-ray apparatus Bingham, Jan. 14 .- John Dusich, a machine man employed at the Highen caused by sparks from a grate alling on a rug in the room of Block-en. He was til and was unable to eve and by the time the fire was disland Boy mine, was badly injured this morning by an explosion which occurred while he was engaged in his chily work. Whether the explosion was tizons alded the firemen in the work the result of a missed hole or loose inany narrow escapes and all the pa-tionts were compelled to leave the building in their night clothes. As a powder that had been carelessly scattered about, is not known, but it was | to his injuries.

## OGDEN POSTOFFICE.

### Depository.

Ogden, Utah, Jan. 14 .- Postmaster Davis has received notice that the Og-ien postoffice will be made a money remitting depository on Feb. and after that date that all offices of northern Utah, southern Idaho and eastern Nevada will remit to Ogden inand stead of Salt Lake City.

of sufficient force as to prove disastrous to its victim. The charge struck

him in the face, bruising him badly about the head and injuring the right eye so that it is a question if the sight is not permanently destroyed. Mr Dusich is a married man about 37 years of age, and has been employed in the Highland Boy about a year. After the explosion he was taken to the board is ghouse, where a physician attended

#### HOUSE PASSES BILL

#### It is Made a Money Order Remitting For a Rebate of Duties Imposed on Coal

Washington, Jan. 14 .- The bill providing for a rebate of coal duties passed the house by a vote of 258 to 6. The senate took up the coal duty bill and passed it as soon as it was re-

ceived from the house,

#### ness said it undoubtedly did. Miner Fatally Injured

Pittsburg, Jan. 13 .- John Mulgrez, a Slavish miner, and his wife, living at Sturgin station, near McDonald, Pa., were fatally injured and their house wrecked today by an explosion of a keg of gunpowder. Mulgrez was filling a can with powder, when a spark from the kitchen stove fell in the keg.

#### The St. Louis Not Sighted.

New York, Jan. 14 .- Up to 9:30 a. m today the steamship St. Louis, which is several days overdue, has not been sighted. At the American line office it was said no wireless report of the ves-sel had been received.

Message of Gov. White, of W. Va.

Charleston, W. Va., Jan. 14 .- The biennial message of Gov. White to the legislature of West Virginia was submitted today. The cash balance in the state treasury was the largest in many Gov. White attributed this to years. the ruling of the court. the "Dawson corporation law," net receipts last year were about \$1,300. ask the state to elect what caused death?" asked Mr. Wanless. "I think." replied Mr. Westervelt, 000, expenditures, \$1,200,000. It is recommended that the direct tax be abolished. Special attention is called to the "that the attorney for the defense knew the law better than to do that." recommendations of the state tax committee, especially one to levy excise taxes on the street railways, steam railroads and other public corporations. A tax of one-third of a cent per ton Mr. Wanless was denied. on the mining of coal is also recommended.

To prevent depletion of the West Virginia gas fields, the governor recom on the stand and asked if he found a box of pills among Miss Hill's effects. He replied that he did and turned the mends that a high license tax be put on every pump usd to pump natural gas out of the state. box over to the police. The box was ----produced and placed in evidence.

### MORE SMALLPOX HERE.

#### Seven Cases Reported in One Familythen placed on the stand. Answering Mr. Wanless, the accused gave the fol-Increasing Daily.

"On the morning of Dec. 20 I came New cases of smallpox are being reported to the board of health each day. down to my office about 15 minutes af-ter 10. Miss Hill came into my office Seven cases in one family were reportat about a quarter to 12 and asked if I was the doctor. I motioned her to take ed late yesterday afternoon. About two a seat. She passed by the chair and threw herself on the sofa. She sighed weeks ago Mrs. Anna Butta, residing at 186 K street, was stricken with the and seemed wearled and soon began vemiting. I got an ash pan for her to vomit in. She continued to vemit disease, and yesterday her six children, and an adult related to Mrs. and her tongue got thick until she lost her power of speech. I took off her hat Butts, who has been living at her house lately, were all reported as havand she attempted to remove her rubbers but I removed them fo her, I heid her bands. Then I removed ing smallpox. The quarantine officer placed them all under quarantine in their home.

her coat and set her hand satchel ove hy the table. I got her a ginss o water. Then I heard a knock at th Another case was reported to the board this morning from the Twentysecond ward. E. J. Brain, who lives at 427 north Second West, is the victim. He is a young married man, about 24 years of age. He refused to be taken to the pest house so was quartiss Hill she wa lying on the lounge of I saw she was in convulsions." antined at his home.

## DEAD MAN HAD FLED.

Was Not to be Found When Police Went After Him.

Kansas City, Jan. 14 .- But one session There was some excitement around of the annual convention of the Nationpolice headquatters this morning when al Live Stock convention was held toa report was received that a man's day. After considering resolutions predead body was hanging on the pickets of a fence at the corner of Seventh sented yesterday and listening to sev-South and East Temple streets. Ineral speeches on various topics, the delegates spent the afternoon inspectstantly Sergeant Hompel had visions of ing the stockyards and visiting the murder and robbery and sent Officer packing houses. Tonight a grand ball and reception will be given at Conven-Burt pelimell down to the scene of the atrocious crime, with instructions to ion hall, for which elaborate preparabring the body back to the station. Of-ficer Burt lost no time in obeying ortions have been made. Ex-Gov, David R. Francis, president of the Louisiana Purchase exposition. ders and got down to the point named in a very short space of time, When he who was to have read an address before the convention today, notified President Springer that he would be arrived, however, he found the picket fence there all right, but the dead man unable to be present because of press-ing duties in connection with the fair. had probably heard of his approach and walked away. The man was undoubtedly dead-drunk.

MAYO WAS DETERMINED.

"I saw that Dr. Mayo was bound to have me convicted on the use of chloroform."

"Why? "Because he asked me if I used phloroform.

Then Payne became angry and exitedly said:

Judge Dichl held that the complain He has had it in for me because did not allege that any one particular act caused death, and the motion of patients told me he was bound to catch ne sooner or later.

"Catch you at what? What were you afraid of?"

don't know." "What did you make up your mind

"Why, not to answer as on my oath." "Then you did not intend to tell the truth?

"I did not. I am telling the truth

'But you didnt' then?"

WANLESS OBJECTS.

At this point Mr. Wanles objected to he line of cross-examination, but the ourt ruled that Payne's statements vere voluntarily made and the objec-

ton was overruled. Mr. Westervelt then went back to the subject of convulsions. He asked the prisoner if he could describe the pathological conditions of convuisions but Payne was unable to answer only in a general and limited way. "All cases are not allke," is all he

would say. PAYNE EXCITED.

Dr. Payne was then examined at great length upon the nervous system and the action of the heart. Durin the withering cross-fire of Mr. Weste During alt Dr. Payne became excited and looked as though he would faint. Finally he succumbed and had to leave the courtroom. Court then adjourned

lid you do then? "I mixed up some granules and gave I until this afternoon.

It was a lady patient but I told

was busy. When 1 returned to

#### of cities that desire to entertain the NATIONAL LIVESTOCK delegates next year. The biggest ef-fort to secure the next convention is being made by the Portland (Ore.) del-**GONVENTION**

egation, which apparently is in the lead for the honor. The program today included the fol-

lowing papers: lowing papers: "The Angera Goat Industry in the United States," by Dr. W. C. Balley, California: "Changes in Our Financial System Which Would Benefit Stock-men," by S. R. Flynn, Illinois, and "Our New Markets for Live Stock," by Use General & Thomson Washing-

Hon. George F. Thompson, Washing-ton, D. C. United States Senator William A.

Harris of Kansas took Mr. Francis' place in the program. He told of the possibilities of the live stock exhibit at the exposition and urged the stockmen to use their influence toward making one of the greatest of its kind ever displayed.

mable to be present because of press-ng duties in connection with the fair. Denver was added today to the list

A decision was today received at the | make her final homestead proof, a tand office, in which the secretary of the. necessary requisite to patent In the meantime Special Agent Sow-

E. W. Senior, Mrs. Laker's attorney,