

HALF MILLION IS INVOLVED

Intricate Problems for Ferry Estate.

Much of the Property in Question Is in Park City.

Testimony Is Being Taken Here for Use in Courts of Michigan.

Intricate legal questions, difficult mathematical problems and over half a million dollars worth of property are involved in the testimony now being taken before Reporter John W. Christy in the United States District court room.

Ever since the death of June the respective attorneys, Henry C. Hall of Colorado Springs and E. B. Critchlow of the Michigan heirs, who are the plaintiffs, and Joseph T. Richards and W. H. Dickson for the defendant, Edward P. Ferry, three well-known citizens of Utah.

Witnesses Examined. Senator Thomas Kearns and George W. Lambourne, secretary of the Anchor Mining company, were the witnesses who were examined yesterday, before the commissioner. On account of the long time that has elapsed since the business transactions being inquired into were made, the testimony taken must necessarily be disconnected and cover a great deal of ground having no apparent direct bearing upon the main issues involved.

Senator Kearns testified concerning the development of the Park City mines in which he is interested, of the formation of the Kearns-Keith company and the claims which went into it. Mr. Lambourne's testimony related mainly to the absorption of the old Anchor company by the Daly-Judge company. Harvey J. Jones, secretary of the Woodside Mining company, was called for examination, but refused to testify on account of his being in the employ of the guardian of Edward P. Ferry, who is the defendant in the case.

Will Take a Week.

It will be fully a week before the taking of testimony in Salt Lake will be concluded and, after that, evidence will be secured in the same manner in California. It is estimated that the testimony in this matter is submitted and examined by the trial court and a decision rendered the case will certainly be carried to the Supreme court of Michigan, so the end of the litigation is in doubt.

The testimony taken here and in California will be introduced before the Probate court of Ottawa county, Mich., in which the brother and sisters of Edward P. Ferry are suing for an accounting and reparation of their father's estate. The complications arise from the effort to trace the profits said to have accrued from the investment of the parental fortune in Park City mines.

Original Ferry Fortune.

William M. Ferry, a pioneer missionary, died in Grand Haven, Mich., leaving a fortune of about \$200,000. His will directed that it should be divided into equal parts, of which his three sons should receive one quarter each and his three daughters the remaining fourth. Edward P. Ferry was named as executor of the will. The other heirs were Thomas W. and William M. Ferry and Mrs. Jones, Mrs. Hall and Mrs. Eastman.

Thomas W., who was for many years United States senator from Michigan and acting president of the Senate during Grant's administration, was engaged in the lumber business with his brother, Edward P., under the firm name of Ferry & Brother in western Michigan. Edward P. Ferry left his home in 1887 and came West, bringing the undistributed estate of his father. It is contended by the petitioner that with his own money and the credit of the estate he purchased property in California and invested heavily in the Park City mines. His Park City investments became immensely valuable and have created a fortune of more than a million.

Firm Becomes Involved.

In 1883 the firm of Ferry & Brother became involved in outstanding papers, amounting to nearly a million dollars, threatened to be discredited. In this emergency, William M. and the three sisters signed over their shares in their father's estate to save the credit of the firm in which Thomas W. and Richard P. were partners. Bankruptcy was averted chiefly through the earnings of the Park City mines.

In 1892 Edward P. Ferry, who became a prominent man in Utah, was elected to the Territorial Legislature. About the same time his mind failed completely and his business was managed by his sons and brothers. The estate apparent in 1890 that his mind would never be restored and W. V. Rice was appointed as administrator of his estate. The Michigan heirs in 1903 applied to the court in that state for the appointment of a new executor for their father's will and also demanded an accounting and the distribution of the property. They claimed not only the original sum committed to the care of Edward P. Ferry, but the profits accruing from the investments in which it had been used.

Much of the disputed fortune is still invested in mining stocks. The estate includes 15,000 shares of Silver King, 20,000 shares of Kearns-Keith and 20,000 in various other mines and in banks. While the plaintiffs have set no value on their claims, the testimony already taken before the commissioner shows that the usufruct on what they assert to have been their original shares of the estate, raises their claims to something over a half million dollars. It is contended by Edward P. Ferry's guardian at item, David D. Erwin of Muskegon, Mich., that at the time of the failure of Ferry & Brother in 1883, in Michigan, where the firm was conducting lumber business under the management of Thomas W. Ferry, and said failure being occasioned very largely by stock speculations of the Senator, in which the firm name was used by him, a large indebtedness accrued, and at that time to insure its payment, Edward P. Ferry transferred all of his own property as executor, but belonging to the firm, and in addition thereto, received authorizations from the residuary legatees, the petitioners herein, empowering him to use all of the property of the estate, which he then held or might ever hold, as executor for that purpose, and pursuant to said powers, he did subsequently and within the next year or two, transfer all of said property for the payment of said indebtedness.

City and Neighborhood

YESTERDAY'S bank clearings amounted to \$459,831.26, an against \$455,657.93 for the corresponding day last year.

BIDS on the new Federal building for Evanston, Wyo., were made by two Salt Lake firms, the figures of the Campbell Building company having been \$195,200 and those of Oliver Hodgson \$22,758. The lowest bidder was E. Miller, of Minneapolis at \$149,300. The appropriation is \$175,000, of which \$4,000 was secured for securing a site.

SUGAR BEET outlook for Utah and Idaho is excellent, according to Dun's latest report. Acreage in Idaho has been doubled and in Utah has been increased 23 per cent. The water supply is ample and thinning is about completed.

AN AMENDMENT to the articles of incorporation of Zion's Savings Bank and Trust company, increasing the powers of the company to act as security agent, trustee, receiver, guardian, etc., was filed in the office of the County Clerk yesterday.

SOME interest has been shown in a recent discovery of some well preserved bones unearthed at Edgemoor, by some laborers in the lime quarry. The bones are evidently a fossil, and are in line with the accepted idea of the prehistoric life in this basin.

THE funeral services of little Myrtle Evans, the daughter of Mr. and Mrs. Frank Evans, took place Tuesday at 2 o'clock at the home of the family. Bishop Romney officiated and a large number of friends attended.

ON JULY 17 and 18 at Mantl will be held the Scandinavian conference of the Mormon church, which promises to be largely attended. A fine programme has been arranged and special rates will be made on the railroads.

L. H. FIELDING, "the hundred frank man," who has been coming to Salt Lake for the last twelve years, is manager of the Fielding hotel in St. Louis and owns a fine estate. He has his mammoth show room, however.

KNUTSFORD HOTEL.

The one place for comfort and elegance of prices and conveniences in every room; modern in every way.

SALVATION ARMY TO WELCOME STAFF OFFICERS

A welcome meeting will be held at the Salvation Army hall tonight. Staff Captain and Mrs. Dale from Oklahoma will be welcomed by the Salt Lake Salvationists. They are the new divisional leaders of the Salvation Army for Utah and Idaho. There will be an address by the soldiers under the army flag and representative speeches from the different branches of army work in this city. After the meeting ice cream and cake will be served to those who wish to partake of refreshments.

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He Becomes Incompetent.

In 1892 he became incompetent, and subsequently his business was conducted by his business friends until 1900, when his sons were appointed his guardian, and possession of his estate and have since continued to manage it.

The last accounting was made in 1871. From that time until 1883, the time of the failure, twelve years, while all of the facts were living and the facts and circumstances were fresh in the minds of all concerned, no accounting was asked of Edward P. Ferry in this connection, says the defendant. From 1883 to 1892, the time of Mr. Ferry's incapacity, a period of nine years, no such accounting was asked. From 1892 to 1903, a period of eleven years, no accounting was asked from those representing Mr. Ferry and no proceedings were had to that end, thus covering the period of thirty-two years. The business of Mr. Ferry during this time has been extensive and varied. He himself, on account of his mental condition, is in such a position that he is unable to account or explain any of the transactions in connection with this matter.

Many Have Died.

Many of those most familiar with his business affairs have died. Three firms in various parts of the country have destroyed his books, papers and documents and it is contended by those who represent him that the petitioners or any of them felt themselves entitled to an accounting, that request should have been made when Mr. Ferry was in a condition to do so himself and the evidence was available. It is contended that, were Mr. Ferry in a position to manage his own affairs, instead of the court finding any sum to be due petitioners several times the amount which would be found to be due Edward P. Ferry.

Following the disposition of the case now on trial more litigation is in prospect, resulting from the death of Thomas W. Ferry, which occurred in 1896. He died intestate and left no lineal heirs and hence his surviving brothers and sisters claim the property which would have come to them had the Ferry estate been distributed according to their ideas before his death.

FIRST FOURTH OF JULY AT NEWHOUSE

With much demonstration and amid the noise of cannon and giant blasts, the stars and stripes were unfurled for the first time in the town of Newhouse on July 4. It was the first celebration in the thriving little new camp and nothing was spared to make the day one to be long remembered. The day opened with speeches by the prominent citizens of the place, Joseph Dederichs acting as master of ceremonies. The afternoon was devoted to a baseball game and other athletic contests and in the evening there was a grand ball and dance. There was soda water and cigars for those not too modest to indulge.

The assembled miners made repeated demands for a speech and Joseph Dederichs took his place on the temporary platform.

His refusal to speak at the ratification is wholly a physical defect. A dentist recently extracted some of his teeth. He now talks like an old grandmother. Any one can get the better of him in an argument these times. His lips have not become accustomed to the change and he wouldn't take the platform and run the risk of being considered faint-hearted for a farm.

But he has not lost his "hollering ability," and the Judge will take a front seat as a rooster for any man who carries off the nomination.

Attorney V. App. one of Ogden's best known Republicans, is in the city to receive treatment for his eyes.

United States Judge John A. Marshall has gone to California to spend the summer with his family.

Jesse M. Smith, sheep inspector, one of Utah's rustling Republicans and State senator from the Republican party, has come to Montana on a business trip.

EX-Representative William Spry of Grand County, may become the Republican candidate for United States Senator for the First Senatorial district. Box Elder county had the last Senator and it is said the nomination is conceded this time to Tooele county.

There are nine State Senators to elect next fall, and nine hold overs. The hold overs, by districts are: Second—A. G. Barber, Democrat, Logan; Fourth—David McKay, Republican, Huntsville; Sixth—Simon Bomberger, Democrat, Salt Lake; William N. Williams, Republican, Salt Lake; Seventh—C. E. Looze, Republican, Provo; Henry Gardner, Republican, Spanish Fork; Ninth—John H. Johnson, Republican, Mantl; Eleventh—A. B. Lewis, Republican, Frisco; Twelfth—Harden Bennion, Democrat, Vernal.

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In his reply Senator Fairbanks says: "It would give me great pleasure to visit Utah if it is possible to do so. I can not yet say what my plans will be, but when they are made out I will be glad to bear in mind your suggestion."

Dr. C. M. Wilson and Fred Rashband of Summit county may become candidates for the Republican nomination for Senator for the Fifth district, comprising of Summit and Wasatch. It is likely that Wasatch county may have several candidates for Senator also.

The only names mentioned at this time are President J. M. Smart and former President Abraham Hatch, both of Heber City.

Treasurer James Don and Assessor Peter Martin of Summit county, who are candidates for reelection, are candidates for renomination. They are the only Republicans who stemmed the Democratic tide two years ago and their friends say they are much too clever to not have on the ticket again this year.

William Archibald of Parleys park and James A. Knight of Francis are Republican candidates for County Commissioner.

Attorney J. M. Lockhart, one of Park City's most popular young Republicans, was in the city yesterday. He is very enthusiastic over the Republican prospects in Summit county. He says the nomination of Roosevelt and Fairbanks will make Republican success in Utah an absolute certainty.

Mr. Lockhart says there is general satisfaction with the work of the Republican party in Utah in making Park City. That that work practically assures a continuation of general prosperity.

One thing especially that is encouraging is the confidence manifested by men of wealth in their investments. Ordinarily, at the approach of a National campaign, there is a tightening up. Investments are sold and the result of the election is known. But moneyed men are so certain of success this year that they do not hesitate to invest all kinds of money, and when asked about the results of the campaign the answer is almost universal that Roosevelt will win.

When you find a man who says the business men of the East are opposed to Roosevelt, you will learn, on inquiry, that those business men were always Democrats.

James A. Melville of Fillmore, Republican county chairman of Millard county, speaking of the proper time for holding the State convention, says: "My judgment is that the State convention should be held between the 12th of August and 1st of September, for the reason that the State convention should precede the county conventions, and the county conventions should be held before the 15th of September. Many times unsuccessful candidates at the county conventions attribute their defeat to improper methods adopted by party leaders, and it requires the lapse of a certain length of time to heal their wounds. Thus, if there are any objections to any candidate, we have an opportunity to meet them. The campaign need not necessarily open immediately after the ticket is nominated."

Land and Water Commissioner Ben D. Luce says: "The Democrats just took advantage of the absence of the Republican candidates and put up a stand at the corner of Main and Second South, just to have some fun with you Republicans. We knew our Mayor would not object, and that if we didn't pull off the ratification before the

YELLOWSTONE PARK EXCURSION

July 7, Via O. S. L. Round trip from Salt Lake \$49.50. This rate covers all necessary rail and stage transportation, and also hotel expenses beyond Monday for the seven-days' tour. Reservations should be made early, as the party is limited to fifty persons. See agents for full particulars. Ask for beautiful Yellowstone folder.

EXCURSION To Logan

Saturday, July 24, via O. S. L. Round trip \$2.50. Special train leaves S. L. 11 a. m. Special returning leaves Logan 6 p. m. of the 19th.

AMONG THE POLITICIANS

Judge O. W. Powers has declined to speak at the ratification of the nominees of the Democratic National convention. His refusal to appear as one of the drawing cards for that meeting filled the local managers with consternation. Memories of the last State convention flitted through their minds when they learned of the Judge's declination, and there were all sorts of stories started.

But the Judge's heart is not sore. He is by no means disgruntled. He will support the nominee of the St. Louis convention, whoever he may be. The Judge is not a boister. He has lived a great many years. He has enjoyed but a few big political victories. Defeat does not upset him. He is used to it.

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Councilmen got back we'd never have a chance to do so on the streets."

State Committeeman R. H. Jones of Brigham City was here Wednesday morning with the politicians beyond turned home, but will be here Saturday to attend the State committee meeting.

State Statistician Charles De Melroy is the member of the Republican State committee from Utah county, but he recently resigned as county chairman, and Eph Homer of Provo was elected in his stead.

A. W. McCune, who has just returned from Peru, where he has extensive mining interests, says he is not interested in Utah politics this year, and knows nothing of the local conditions beyond the information contained in the news papers. When asked if he would again become a candidate for United States Senator in the event the Democrats carry the next Legislature, he replied, with emphasis: "Not if the court knows it. No, not for a minute."

Mr. McCune made it quite clear that he would not have to do with Utah politics. He declared he would soon return to South America and would not be here during the campaign nor at the time the Legislature would be in session.

It is very much interested, he said, in the Presidential contest in Peru. Jose Pardo, the Civil party candidate for President, is a personal friend of Mr. McCune, and he says Pardo will be successful. The election will be held in August.

Former Senator Ferdinand Alder of Mantl is in the city talking politics in the Senate from 1882 to 1892. He has lived at Mantl since 1892. He has succeeded in the Senate by C. P. Larsen, the present hold-over Senator from the Ninth district.

Sanpete has a great crop outlook in Sanpete this year," the Senator remarked; "in fact, it is the best prospect in ten years. The wheat crop this year will be greater than last, and last year's crop was the greatest in seven years."

"Nearly every town in the county has one or more candidates for county office. This certainly indicates a healthy condition of the Republicans of Sanpete. They all feel that a great victory will be made at the Legislature. The dates from Sanpete so far announced are: Henry Kearns, William Metcalf and Henry Robbins of Gunnison, Peter Lyngren of Mantl, E. C. Jensen of Mt. Pleasant, N. B. Johnson of Cannonville and James Clawson of Spring City."

Judge W. D. Livington, the Republican nominee for the Seventh Judicial district bench, will be in the city today. He spent last night with relatives in Provo.

The Democratic county committee have erected a platform on the corner of Second South and Main streets for their meeting to ratify the nominees of the St. Louis convention. The meeting will be held tomorrow night, or possibly tonight, if the candidates for the Legislature will be in the city. The following reception committee has been appointed: W. H. Dale, chairman; O. W. Powers, P. W. Sloan, Henry C. Lund, Ray C. Colt, George P. Blair, James C. Leary and A. J. Weber.

Hon. L. W. Shurtliff of Ogden was in the city Wednesday.

Hon. Reuben G. Miller of Price, who represented Carbon county in the Legislature during the session of 1899, transacted business here Wednesday and talked over political matters with friends. Mr. Miller is a well-known stockman and one of southern Utah's best Republicans.

Manager George D. Pyper of the Salt Lake theater has returned from the East, having been on his usual trip to the Rialto for the purpose of booking engagements for the coming season. He has a very attractive lot of stars to give the Salt Lake public during the winter. Mr. Pyper was at Jennings' farm last evening with a large number of members of the Authors' club.

A party of German tourists arrived at the Knutsford yesterday en route to the Pacific coast and back via the Yellowstone. The party includes Mrs. Reincke, Mr. Mack, Miss Bolter, Mr. Mollineux, Dr. Hermsdorf, Mr. Perring and E. F. Knechtke. They are enjoying themselves in this city.

David Calder and daughters have gone to the St. Louis exposition.

Judge L. W. Shurtliff was down from Ogden yesterday, having just returned from the St. Louis exposition. As one of the Utah commissioners he takes a great interest in the Utah exhibit which, he says, stands well with other state exhibits.

Joseph Howell of Cache, a son of Representative Howell, is home from Columbia college, New York, having completed the sophomore year in mining. He will get a practical education this summer in the Central Nevada mine at Tropic where he has a position, but will return to college in the fall.

Joseph Baumgarten leaves today for Chicago, New York and St. Louis on a business trip.

DESPONDENT SWAIN TAKES STRYCHNINE

By Dint of Hard Work Physician Saves the Life of Ralph Green.

Crazed with drink, to which he had been driven through a quarrel with his sweetheart, "Ralph Green, a boiler-maker's helper, took two doses of strychnine early yesterday morning.

Green, who is about 23 years of age, came here from Douglas, Ariz., last week to see his girl, whom he had not seen for six months. Evidently he found that absence had made the heart grow fonder of someone else, and after a quarrel he took to spending his money around the saloons. About midnight on Tuesday night, he went to a friend's room with a large bottle of the poison. He took one dose, but finding that it did not work quickly enough he swallowed another larger one.

At this juncture his friends found him, and to prevent him taking any more the police were notified. At 7 o'clock he was taken to the city jail and Dr. C. M. Benedict was summoned. By dint of the hardest work and using every resource, the young man was saved. In Green's own words: "I took the second dose of the stuff and didn't know anything more until I found the doctor working with me."

Considering the amount of strychnine taken, his recovery was wonderful. Green was naturally very sick all yesterday, but about 9 o'clock in the evening he said good-bye to his friends and told them that he was going down to Scottfield, where he hoped to find work. A brother of his is down there and has promised to look after him.

"I've had enough now," said he, before leaving. "This has taught me a good lesson not to make a fool of myself again, especially over a girl."

Much curiosity was expressed as to the identity of the girl who was the cause of all the trouble, and they were many desirous of seeing the photograph which Green still treasures in his pocket. But, very creditably to himself, he refused to give any hint as to the name or to show any sign of the picture.

He had quite recovered from the effects of the poison when he left the jail, although he still felt rather sick. Friends of his who have known him for some time say that he has always shown good sense hitherto and has been a steady young fellow.

"The end of the grasshopper war in Sanpete is now in sight," said former State Senator Alder of Mantl yesterday. "I doubt if the people can have any conception of what we have been up against down our way."

"Up to today Sanpete county officers had received and paid for twenty-two tons of grasshoppers, with one quarter to hear from. We will capture and destroy fully thirty tons before the work of extermination has ended. The county and State now pays a bounty of 1 cent a pound for grasshoppers. We have paid out \$40 to date. Last year the bounty was \$1 a bushel. The people captured and the officers paid for 5000 bushels.

The pests have practically all been exterminated, except in a strip one mile wide by four miles long, about three miles west of Ephraim. War will be made on the grasshoppers until none remain.

The systematic and determined effort of our people to rid the State of the pest deserves commendation everywhere. Not only is Sanpete benefited, but the State at large is. If the pests were permitted to propagate during a season undisturbed, they would sweep the State. No one has an idea what a nuisance grasshoppers are who has not seen their destroying work. They are worse than a prairie fire, and when they get full headway are harder to check."

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STORM SHORT CIRCUITS WIRES

High Tension Wires to North Struck.

Wind Blows a Gale at Salt Lake and Waves Run High.

Rain Comes Down in Torrents on the Lake, but Dwindles to a Sprinkle in the City.

Salt Lake was struck by the full force of an electrical storm early last evening, and as a result the streets of the city were in darkness for half an hour and the citizens were deprived of services for the same length of time. The storm seemed to come from the west and north and was nearly spent by the time it had reached the city. A bolt of lightning struck the high-tension wires of the Utah Light and Railway company somewhere between here and Ogden, causing a short circuit. At Salt Lake the storm was terrific, being one of the worst experienced at the resort since it opened.

Power Is Cut Off. It was shortly after 8 o'clock last night when the lights in the city flickered and suddenly went out. The power was also cut off from the trolley wires and the electric cars were at a standstill. The high-tension wires of the light company were struck between here and Ogden, and although the power was off on the cars and the area for about thirty minutes, no damage was done and the trouble was soon corrected.

Anticipating something of this kind, the management of the light company had steam up in their reserve boilers when the first flashes of lightning appeared, and when the transmission lines were short-circuited they had their steam plant working. The incandescent lights were out only a few minutes.

While the street lights were dark and the cars were not running the hack-drivers did a rushing business. A slight rain set in and people caught down town, with no means of telling when the cars would resume operations, were averse to digging up the price asked by the hackmen. Others flocked into the drug stores and waited until the street cars were again running.

Violent Storm on Lake. At Salt Lake the storm was violent; the wind blew a veritable gale, the heavens resounded with thunderous volleys and were gashed in zig-zag streaks by the lightning flashes. The rain came down in torrents and the waves rolled high on the lake. Bathers were compelled to hang about the pavilion in the sand, fearing that they might be carried away and stranded if caught too far out. The majority of those who were in the water repaired to their bath-rooms and donned their clothing. The storm was a wild one, but in its wildness there was a fascination that could not be resisted,