MORTENSEN CASE AT STANDSTILL

Run Out of Talesmen and More Venires Issued.

BUT HALF THE JURY SECURED

FATHER AND BROTHER OF PRISONER COME FROM THE WEST.

THERE are still only six jurors confronting Peter Mortensen. All day the attorneys engaged in a fruitless endeavor to add to the number, and at 4 o'clock in the afternoon, the special venire of fifty names returned in the morning having been exhausted, Judge Morse adjourned court for want of talesmen. One hundred new names have been drawn and the struggle will be renewed Monday morning.

Since last Monday there have been 240 names drawn from the jury box, and of this vast number, only six have proved serviceable in the trial of Peter Mortensen. A few have failed to pass the statutory qualifications, a number have been excused under legal exemptions, and some have not been found by the sheriff. But the tremendous majority have been disqualified by the fact that they have settled and fixed opinions as to Peter Mortensen's guilt or innocence.

Mortensen has listened day after day to their statements, and he has not derived any comfort from the same. The attorneys believe now that it will be impossible to get the twelfth juror until the end of next week.

At the present rate, there will be three times as many names drawn as in any other case in the history of the state. District Attorney Eichnor thinks the number will not fall below 500.

Mortensen's Father in Court.

Peter Mortensen's gray-haired father was in court yesterday with his son, Jesse, Peter's youngest brother, 18 years of age. The elder Mortensen's coming was a complete surprise to the defendant, and a happy one. The old man could not remain at his home, Oakland, Cal., he said, while his son was in trouble, so he concluded to attend the trial.

The meeting between father and son was cordial, but nothing of a sentimental nature occurred. The father expressed to the newspaper men his belief in the innocence of the accused, but beyond that had no comment to make on the case. A simple handshake was the greeting between Mr. Mortensen and James Sharp.

The man who came nearest to getting on the jury yesterday was George Wareing, a salesman in the shoe department of Z. C. M. I. He is probably the first juryman to exhibit an attitude distinctly favorable to the defendant. He had no opinion of the case, he said. He had known Peter Mortensen about eighteen years, having first met him in Ogden, where Mortensen was his regular customer in the shoe business. Their friendly relations had been continued in Salt Lake, and the talesman knew of nothing in the life of the accused man that would cause him to believe ill of him.

Stewart Wanted the Juror.

Mr. Wareing answered all the questions of the defense satisfactorily, and Mr. Eichnor struggled for an hour before he found ground upon which to challenge. He succeeded in excusing Wareing for cause by mixing him up on the subject of circumstantial evidence, the talesman finally saying that he would not vote for murder in the first degree if the evidence was wholly circumstantial. The defendant fought against Wareing's removal, and noted an exception when Judge Morse ordered it.

Albert T. Fletcher, a carpenter and contractor, purchased lumber of James R. Hay not longer than two weeks before his death. He was indebted to the Pacific Lumber company in the sum of $325. The defense challenged on the ground of implied bias and the state did not resist.

James B. Davis had reached the conclusion that if there was enough evidence to convict, Mortensen was guilty; if not, he was innocent, a declaration which caused considerable merriment. He had differed with his wife on the subject, he said, Mrs. Davis having contended that Mortensen was guilty, while he had entertained a doubt. Davis did not believe in the Sharp revelation, although he testified that he was a member of the Church of Jesus Christ of Latter-day Saints.

Would Require Evidence.

"It would require lots of evidence to convince me that he is guilty," was his final declaration. He was excused for his views on circumstantial evidence, which were not satisfactory to the state.

Leo P. Marix passed the examination of the defense and was being counted on as an ideal juror, when he declared that he did not believe in capital punishment. That settled him.

The following talesmen were excused during the day for implied bias, each of them holding an unqualified opinion as to the guilt or innocence of the accused: L. A. Amsden, Francis Kate, W. B. Sprague, Joseph M. Bidwell, W. J. Rhodes, Louis Cohn, Richard G. Winter, James M. Wardrop, L. M. Earl, W. H. Hamilton, J. H. Lovendale, Levi M. North, Thomas G. Allen, J. A. Fritsch, Louis B. Hills, Albert T. Fletcher, James B. Davis, Thomas Homer, Jacob Moritz, J. H. Poulton, Edward T. Ashton, Matthew G. Allen.

Two More Venires.

Following are names drawn in the special venires issued at the adjournment of court:

Returnable Monday morning—Stephen R. Ames, George A. Whitaker, Elmer E. Darling, B. A. Ridd, J. J. Farrell, James T. Flashman, Thomas C. Nuttall, Elias J. Day, Egbert F. Roberts, Benjamin T. Lloyd, John H. Back, Clark L. Whitney, Samuel Jenkins, Edward Laird, Richard Howe, Thomas M. Surbaugh, George H. Raybould, Martin Nadel, A. E. Payne, H. F. Burton, W. W. Wilson, Harry H. Husbands, A. P. Ward, Harry T. Duke, M. J. Cheesman, J. D. Kenworthy, George D. Jones, Samuel Rockwood, Charles Park, Benjamin D. Luce, Richard Buchanan, Rudolph Krausch, Enoch Covey, George H. Horne, Mathew T. Lyon, James Buckley, John Adams, William McKee, Joseph R. Valentine, John M. Young, John Bryan, Sidney B. King, Abel J. Flint, James K. Miller, Nephi Vawgry, William Morley, Lester D. Freed, J. H. Burrows, George D. Dean, William Grimsdell, jr.

Returnable Tuesday morning—Byron J. Hartwell, James A. Yates, Albert H. Wagstaff, James Cook, Richard M. Carlisle, Robert Braby, George R. Richardson, John F. Cochrane, Joseph M. Lindsay, Henry G. Ottley, Fred A. Slade, L. E. Hazelgrove, W. A. Sherman, Waldemar H. Peterson, C. E. Beers, Edward Korupkat, Jacob Rufi, S. C. Sudbury, James E. Beveridge, Benjamin Bytheway, Henry Coulam, F. J. Fabian, John W. Fowlks, Oscar Christoferson, Joseph Y. Lyon Witton Ellerbeck, John B. Fagg, James Wheeler, James W. Burbidge, Frank J. Gunnell, U. U. Hiskey, Rolla J. Jack Andrew E. Anderson, Calvin S. Carrington, John A. Coombs, W. P. Noble, Samuel H. Gordon, James Oswald, Oliver R. Meredith, George W. Smith, Charles E. Olson, John P. Johnson, Duncan McVichie, W. D. Gaby, Ralph Guthrie, John F. Butterworth, J. D. C. Hamilton, Joseph A. Busby, Grant N. Moser, O. W. Bridgman.

TOO MUCH LAUDANUM.

Overdose Causes Death of Henry Bills at South Jordan.

An overdose of laudanum resulted in the death Thursday night of Henry Bills, a well known sheepman of Gale, near South Jordan. The man was found in an unconscious condition in his sheep shearing corrals, with six bottles of the drug in his pocket, and it was thought that he had committed suicide, but the general opinion now is that he accidentally took an overdose of the poison.

On last Friday, it is said, Mr. Bills went off on a spree and was found in the corral by the sheepherders when they turned in for the night about 8 o'clock. He was unconscious when found, and expired a few minutes afterward. In his pockets were found the six bottles of laudanum. Two of them were empty, one was about one-third full, two were nearly full and one had not been touched.

According to information secured from those who knew him, Bills has been addicted to the use of liquor for some time, but took the Keely cure a short time ago and quit the habit. When he started again last Friday he began to use laudanum freely, it is said, and it was thought that some trouble had caused him to take his own life.

Deputy Sheriff Busby went to the scene yesterday afternoon for the purpose of investigating the matter, and from all he could learn it was simply a case of accidental overdose. He had been suffering of late with typhoid fever and it left him, it is said, with pains to relieve which he used the laudanum. It is supposed that he was attacked with the pains again, and in his agony took too much of the drug. So far as the deputy could learn there was no cause for suicide, and his family are satisfied that it was an accidental death.

Bills was 33 years of age, and leaves a wife and four children to mourn his loss. He is a brother of Parley Bills, the justice of the peace at South Jordan.

A Few Pointers.

The recent statistics of the number of deaths show that the large majority die with consumption. This disease may commence with an apparently harmless cough, which can be cured instantly by Kemp's Balsam for the Throat and Lungs, which is guaranteed to cure and relieve all cases. Price, 25c and 50c. Trial size free. For sale by Godbe-Pitts Drug company.

Salt Lake Ice Company.

Remember this old, reliable company has pure artificial and Park City natural ice. Tel. 43.
"Red wagons."
J. C. LYNCH, Manager.

Discuss Rathbone's Case.

Washington, May 9.—At the cabinet meeting today the appeal which is being made by Senator Hanna in behalf of a new trial for Estes G. Rathbone, was discussed. The record of the case has not yet reached the White House from the war department, but the president has the matter under consideration and a decision may be reached in a day or two.

TITLE TO BROADWAY

Spencer Clawson Denies That He Obtained it by Unfair Means.

Spencer Clawson yesterday filed in the district court an answer to the action recently instituted against him by George A. Lowe and M. B. Sowles as executors of the will of the late Bolivar Roberts. The executors charge that Mr. Clawson had obtained title to a right of way, known as Broadway, and opening on to First South street, east of Main street, by fraudulent means, the right of way having formerly been owned jointly by the defendant and Mr. Roberts. In his answer Mr. Clawson denies every material allegation in the complaint, and alleges affirmatively that he has paid large sums of money for improving and maintaining the right of way, and defending the title to it, and that plaintiffs have always refused to pay defendant their proportion of these expenditures.

Specifically, the defendant pleads that plaintiffs had full knowledge of the fact that the right of way was taxed in the year 1897, and that they refused to pay their share of the taxes thereon, and in the course of redemption, the defendant, with the knowledge of plaintiffs, obtained a quit claim deed to the property from the purchaser of the tax title.

Mr. Clawson sets up that it would be wholly unjust to him to permit the plaintiffs to have a title to a half interest in Broadway quieted in them until they are required to reimburse him for all moneys paid out on account of the right of way, and to divide the revenues received by plaintiffs on the same account.

The defendant demands that an accounting be made, and that he be given judgment against plaintiffs for whatever may be found due to him, and that thereupon plaintiffs take nothing by their complaint.

Water Suit On.

The condemnation suit of the Salt Lake City Water & Electrical Power company vs. Salt Lake City was taken up before Judge Stewart yesterday afternoon. The company seeks the right to divert the waters of the city canal, about two miles above the power plant, and, after using the water for power purposes, to conduct it back into the canal by means of a flume from the plant across the Jordan river, into the canal at the point where it passes the power plant. This flume was formerly operated in the same way that it is sought to be operated now, but Mayor Thompson tore it out. The company is represented by Lindsay R. Rogers and Judge Hiles, and the city by City Attorney Nye. At the hour of adjournment, the matter had been concluded, with the exception of the reading of a deposition, which will be handed to the court as soon as it can be taken.

Property to Be Sold.

Judge Hall has rendered his decision in the case of J. P. Cahoon & Bro. vs. the Fortune Mining company et al. The finding is in favor of Cahoon & Bro. for $818.78, which is made a lien on the company's property. The court also finds that Moses Marks, a defendant, is entitled to $11,608.79, secured by a mortgage, and the property of the company is ordered sold to satisfy the indebtedness. The property is situated at Bingham.

Decision For Defendants.

Judge Hall has rendered a decision in favor of the defendants, in the old case of Charles Frederick Burt vs. Andrew J. and Ann O. Burt, which was brought in 1894, to recover the possession of certain property. Judge Hall holds that the plaintiff has no interest whatever in the property.

Two Divorces Granted.

Judge Hall granted two divorces yesterday. Sophia D. W. Huefner was granted a decree from F. G. F. Huefner on the grounds of desertion and failure to support, and was granted alimony in the sum of $12 per month, together with eighty acres of land, purchased from the state, and partly paid for. Christina M. Williams was granted a decree from Warren S. Williams on the ground of desertion.

Why Suffer With Headache

When one dose of Sherman's Headache Cure will rid you of it? They are instantaneous in their effect, and perfectly harmless. Keep a box in the house for emergencies. They cure neuralgia. 25c and 10c a box. For sale by Godbe-Pitts Drug company.

TO UTAH SCHOOL TEACHERS:

The Burlington route announces a round trip rate of one fare plus $2 to Omaha, Chicago, St. Joseph, Kansas City, St. Louis and intermediate points for the Utah teachers' annual excursion.

Tickets on sale June 10, 11 and 12.

Final return limit, Sept. 8.

Thro' tourist sleepers, Salt Lake City to Omaha, Chicago, Kansas City and St. Louis.

Thro' standard sleeper, daily, Salt Lake City to Omaha and Chicago.

For additional information write or call on R. F. Neslen, general agent, Burlington route, No. 79 West Second South street, Salt Lake City, Utah.

American Wall Paper Company.

Charles Bodel, Mgr., 314 State. Tel. 926-K. Wall papers, interior decorating.

CONDUCTOR IS HURT.

Knocked From Street Car by Telephone Pole and Severely Injured.

Leaning from the rear platform of his car, Conductor J. W. Callister of the Warm Springs and Calder's park line was struck by a telephone pole and hurled to the ground, sustaining painful injuries.

Callister's car had just started from the springs on its run into the city last night, and he was attempting to raise the window of the rear platform. Unable to do so from the inside, he descended to the step for the purpose of raising it from the rear. His back was toward the pole which struck him, knocking him to the ground. He was rendered partially unconscious by the collision, and lay stunned until the car was stopped and passengers went to his assistance.

He was removed to his home, 714 East Third South street, where his wounds were dressed by a surgeon. He received a stunning blow on the head and his back was wrenched, beside slight skin bruises. His wounds are painful, but are not regarded as serious.

High Beef
A Benefit

if it teaches you that

Better health
Greater strength
Keener Brain

come from

Grape-Nuts

Try the change and "cut out" meat for breakfast.

Our word for it, you will feel "Fit as a Lord" in a week's time by breakfasting on Grape-Nuts and cream, a little fruit and perhaps one or two soft eggs.

If you ever try this experiment, you will always bless the day of high beef that waked you up.

There's a reason why Grape-Nuts furnishes power to the body and brain. The food contains selected parts of the field grains that furnish phosphate of potash in a natural state that can be assimilated by the human body, this joins with the albumen of food and forms the soft filling of the brain and nerve centers.

Feed skilfully and you can "do things."

The greatest brain workers in America eat Grape-Nuts.

Ask one or two, they'll tell you.

You meat eaters who are ailing in any sort of way might take a valuable hint from the following statement of Chief Chemist Wiley of the Agricultural Department in the Daily Press, from which we give the following extracts:

"There is no doubt of the fact that meat eating is not essential to human life, and that men can be well nourished without resorting to a flesh diet.

"I think the statement may be accepted without question that, as a rule, we eat too much, not only of meat but of all forms of food. The question of limiting the diet is based primarily not on the principle of economy but on the requirements of hygiene.

"At the early breakfasts which Americans are wont to indulge in, that is, a hearty meal before going to their daily work, the omission of meat is to be earnestly advised.

"It is well known that men who are nourished very extensively on certain cereals are capable of the hardest and most enduring labor. Meats are quickly digested, furnish an abundance of energy soon after consumption, but are not retained in the digestive organism long enough to sustain permanent muscular exertion."

You will feel the energy of Grape-Nuts longer than any meal of meat

Remember Grape-Nuts food costs about one cent per meal for each person, and all grocers sell it.

Made at pure food factories of Postum Cereal Co., Ltd., Battle Creek, Mich.

Light, Sweet
Wholesome
Bread, Cake
Delicious Pastry

are more easily, speedily, unfailingly made with

ROYAL
BAKING POWDER

Royal Baking Powder is the greatest of time and labor savers to the pastry cook. Besides, it economizes flour, butter and eggs, and, best of all, makes the food more digestible and healthful.

The "Royal Baker and Pastry Cook"—over 800 practical and valuable cooking receipts—free to every patron. Send full address.

There are cheap baking powders, made from alum, but their astringent and cauterizing qualities add a dangerous element to food.

ROYAL BAKING POWDER CO., 100 WILLIAM ST., NEW YORK.

STATE NEWS

WOMAN IS ON TRIAL

Mrs. Southwell Being Tried at Provo on Charge of Attempted Murder.

Provo, May 9.—The trial of Mrs. Lola A. Southwell, charged with assault with a deadly weapon with intent to kill, by shooting John Smith at Colton on March 31, was commenced this morning in the Fourth district court. District Attorney Hatch and M. M. Warner appeared for the state. Mr. Warner was employed by Hyrum Smith, who swore to the complaint, and who is a brother of John Smith, the man who was shot, and was afterward appointed by the court at the request of District Attorney Hatch. Judge Powers and Attorney Lippman represented the defendant.

Mrs. Southwell appeared in court neatly attired. She seemed more composed and in better physical condition than at the time of the preliminary examination. She maintained a modest, resigned demeanor during the examination of the jurors, often shading her downcast eyes by her hand and generally resting her face on her hand. Her husband is attending the trial. She is a comely woman of about 30 years of age, the wife of W. R. Southwell, a section foreman at Colton. John Smith, the man who was shot, is about 27 years of age. He is in the saloon business with his brother, Hyrum, at Colton. He was married about a week before the shooting and his wife was expected to come to Colton to live about the time the shooting occurred, Mr. Smith having already returned from American Fork, where he was married. On the 31st Mr. Smith was in the store of his aunt, Mrs. J. V. Smith. Mrs. Southwell came into the store, walked toward Smith and shot at him three times, one shot taking effect in the abdomen. He has recovered from the effects of the shooting. Mrs. Southwell has given as a reason for the shooting, since her arrest, that improper relations had existed between herself and Smith for about two years; that they had agreed that she should obtain a divorce from her husband and that Smith and she would then be married; that Smith, instead of standing by this agreement, married another woman, and when Mrs. Southwell learned that, and brooding over his deception and his intention to bring his wife to Colton to live, she became so wrought up that she tried to kill him.

Mr. Smith denies that any improper relations existed between Mrs. Southwell and himself, and professes to know no reason for the assault.

The husband of Mrs. Southwell had no suspicion of any impropriety between Mrs. Southwell and Mr. Smith. He has stood by his wife since the shooting and believes her story.

The following is the jury secured to try the case: Eugene Bone, Lehi; Oliver Swensen, Spanish Fork; Martin D. Bushman, Lehi; Howard Scott, Provo; W. E. Clark, Pleasant Grove; W. T. James, Spanish Fork; J. C. Baker, Lehi, T. E. Diamond, Spanish Fork.

In the statement of the case by District Attorney Hatch he stated the facts briefly, as previously reported at the time of the preliminary examination, and in addition stated that it would be proven that Mrs. Southwell had sent to Browning Bros., Ogden, for a revolver a few days before the day of the shooting.

John Smith, the man who was shot, was the first witness. He testified to being in Mrs. J. V. Smith's store at Colton on March 31. He was getting a piece of cheese, and defendant entered the store and fired three shots at him. One of them took effect in his abdomen. He showed the jury where one bullet entered his clothes and its course. No words were spoken by defendant or himself at the time of the shooting.

The witness was subjected to a searching cross-examination by Judge Powers. Witness had spent some years in Vernal and Judge Powers was anxious to know whether witness had an intimate acquaintance with Mat Warner and William Wall, and witness said he knew them pretty well, but had been engaged in no enterprise with them. He had been in Colton for about three years and loafed part of the time. He then "went to work at the same old job."

"And what was that?"

"Watching the games when they were playing for drinks."

"O, your were superintendening the gambling department?"

"No, sir; I just looked after the games."

This work witness said was most of the work he had done. He had been acquainted with Mrs. Southwell for about two years. He came to Colton on March 30, after being in American Fork to get married. He denied that, so far as he knew, there was any reason or excuse for Mrs. Southwell's shooting at him. She had made threats but there were no reasons for making any threats. He had given her no cause for threatening or shooting.

"Then, if there was no reason, the act was like that of a crazy woman, was it not?"

"I don't know about that. I don't know what her reasons were."

"You can't surmise any reason for her shooting."

"No, sir."

"Now, don't you know that is false?"

"No, sir."

"Don't you know that her reasons for the shooting were the relations that had existed between you?"

"No, sir."

Smith denied having had any improper relations with her, denied meeting her after dark and denied having written her letters. Upon being pressed to give the reason which he supposed actuated Mrs. Southwell, he said he supposed it was jealousy. He would not have known that if he had not read it in the newspapers. But at one time, in his brother's house, in the presence of witnesses Mrs. Southwell had said she loved him, and if he did not marry her he should not marry anyone else.

On objection from the state the court made a ruling that as the question of threats had not been gone into in the examination in chief, the defense could not go into the question on cross-examination. A number of question as to meeting Mrs. Southwell and speaking to her alone he denied.

Other witnesses who were present at the shooting testified as they had done in the preliminary examination.

The jury in the case of the state vs. W. H. Kershaw was out an hour and a half and returned a verdict of guilty. Monday morning at 10 o'clock was set for sentence.

W. S. Tanner et al. vs. Joseph Findlayson et al.; defendants given till May 17 in which to file motion for a new trial.

Mrs. Olive Smith, wife of Hyrum Smith, testified that Mrs. Southwell had told her about a week before Christmas, 1901, that John Smith had wanted her to go away with him; she had at that time referred to John as a —— —— ——. A day or two after she had said to witness that if she told Hyrum Smith or John Smith she (Mrs. Southwell) would lay witness out. At another time Mrs. Southwell told witness that she was going to Kansas and leave her baby with her mother, and then she was coming back, and if some one did not do what was right some one would be dead, and Hyrum Smith would have to buy a coffin. In another conversation a short time before the shooting Mrs. Southwell asked witness if John had gone to get married. Witness said she did not known; he had said he was going for that purpose. She then said if he married another woman she would kill him, as, if she could not have him, no other woman should.

The defense admitted that Mrs. Southwell had sent to Browning Bros. of Ogden for a .38-calibre Smith & Wesson revolver, which came down to Colton on March 30, and was delivered to W. R. Southwell.

Orrin E. A. Elmer, the constable, testified that defendant said in jail after her arrest that Smith had ruined her and now that she was going away he came back to dance around before her. If he had not done this, Mrs. Southwell said, there would have been no trouble. He had not heard Mrs. Southwell use any profane or vile language. In this he contridicted Justice Cardell, who had testified to Mrs. Southwell's using profane and vile expressions in speaking of Mr. Smith.

Santaquin Mining company vs. High Roller Mining company; forty days' additional time given in which to file bill of exceptions.

ACCIDENTS IN SEVIER.

Two Children Injured—Richfield Teachers Engaged.

Richfield, May 9.—As the result of being run over by a buggy, the 7-year-old son of Mr. and Mrs. O. C. Andreason of Monroe is in a precarious condition. The little fellow was in a big crowd of school children, when Mrs. Alvin Hunt drove up, and as the children scampered out of the way, the Andreason boy fell and was run over. One rib was broken and the boy was rendered unconscious for several hours.

The 8-year-old son of Mr. and Mrs. F. M. Dorrity was rendered unconscious for several hours a few days ago by a kick from a cow. The boy was thrown against a wall with such force that concussion of the brain was caused.

Teachers for the Richfield public schools have already been engaged for next year, as follows: Frank K. Seegmiller, High school and principal; W. W. Morrison, eighth grade and High school assistant; Lester Quist, seventh grade; Sophia Goldbranson, fifth grade; Belle Gardner, fourth grade; Emma Christensen, third grade; Ruby Wright, second grade; Sadie Seegmiller, first grade; Clay Allred, beginners' grade. Additional room being necessary, the High school and eighth grade will occupy the old school building.

Apostle Rudger Clawson and President Joseph W. McMurrin of Salt Lake have returned from a trip into Wayne county. One of the main objects of their trip was to examine the canal project which had been undertaken by the residents of Torrey, and which, with the settlement, was in danger of becoming abandoned because of lack of means to complete the canal. The officials soon reached the conclusion that it was to the interest of the church to assist this enterprise, and will recommend that this assistance be given. About 3,000 acres of extra fine soil will be brought under cultivation by water from this canal. As fine peaches as are grown in Utah have been raised there. The canal will be eight miles long, when completed, and the heaviest work has already been done. Between $2,000 and $3,000 have been expended, and the officials say they never saw as much work accomplished with the same expenditure.

BOX ELDER COURT SETTINGS.

Brigham City, May 8.—Judge Hart held court here and called the jury for May 13. The following setting of cases was made:

State of Utah vs. Richard Howard, May 13; state vs. William E. Teague, May 16; state vs. Harmon Granger et al., May 13; E. A. Valentine vs. Oregon Short Line railway, May 15; Joseph Hunsaker vs. Oregon Short Line railway, May 15; Blanche Campbell vs. Century Gold Mining & Milling company, May 23; M. A. O'Brien vs. the Consolidated Mining & Smelting company et al., May 17; H. C. Baker vs. Charles Branel, May 17; M. J. Sanders vs. Oregon Short Line Railway company, May 29; William Morgan vs. Oregon Short Line Railway company, May 23; J. H. Bott vs. Oregon Short Line Railway company, May 19; J. T. Rohde vs. James McGregor, May 27; Call vs. Johnson, May 27; Black vs. Black, hearing on motion, May 28; Toltec Ranch company vs. William Johnson et al., June 2; Moroni Jensen vs. Central Pacific company and D. P. Tarpey, June 2; Toltec Ranch company vs. Box Elder county, June 3; Amos Phillips vs. D. M. Weybright, June 4; Frank M. Snow vs. E. H. Jones, June 6; Toltec Ranch company vs. Handy & Cooke, preliminary matter, June 3; Western Loan & Savings company vs. Berg et al., June 5; Ester Culmer Rice Pons vs. Harris, June 4.

TO KILL GRASSHOPPERS.

Agricultural Department Will Supply Fungus Germs.

Richfield, May 8.—In reply to an inquiry from the county clerk, the agricultural department at Washington has notified the clerk that the fungus germ used to inoculate grasshoppers and spread havoc among the pest can be obtained upon application, from the department. It is preferred to send this fungus to individuals, rather than to one section to be distributed, as the department wants to keep track of the various persons supplied with the germ and to get a report from them as to the result of their experiments. The department will be glad to send some of the fungus to all who may apply for it.

M. N. Ross, at one time an operator on Gold mountain and part owner of the Trapper's Pride mine, has decided to locate in Richfield and has purchased the Peter Jensen property, used until recently as a hotel. He has also secured an option on a tract of farming land belonging to Mr. Jensen.

Several deaths of babes have occurred throughout the county during the past week. Joseph Hendricksen, John Henry Paine and A. K. Hansen, all of Glenwood, have each lost one. Mr. Payne is absent on a mission. The little boy of J. C. Poulsen, whose wife died a few months ago, has followed its mother.

At the annual meeting of the stockholders of the Richfield Commercial & Savings bank, held this week, the officers were re-elected as follows: Hans Tuft, president; J. A. Ross, vice president; N. S. Neilson of Mt. Pleasant, Guy Lewis and E. E. Hoffmann, other directors. A semi-annual dividend was declared and $1,000 added to the reserve.

CACHE'S ASSESSMENT.

Valuation of County Shows Considerable Increase.

Logan, May 9.—Assessor W. W. Jones gave out his report for the year 1902 today. It contains the following figures:

Acreage assessed	327,837
Value of acreage	$1,800,397
Value of city lots	1,234,043
Value of improvements	1,022,257
Number of horses	6,369
Value of horses	$ 194,555
Number of cattle	16,626
Value of cattle	334,183
Number of sheep	39,115
Value of sheep	$ 89,963
Number of swine	3,412
Value of swine	$ 11,274
Colonies of bees	1,174
Value of bees	$ 2,522
Merchandise	233,515
Machinery	255,428
Solvent credits, etc.	132,769
Money	1,469
Personal property not otherwise enumerated	184,383
Total value personal property	1,419,752
Mortgages	98,321
Total assessment	5,654,772

This is a total increase over last year of $439,496. The increase is chiefly on machinery and personal property, the sugar factory and new Hercules electric plant contributing a large portion of it. The total acreage shows an increase over last year's report of 14,000 acres, but the total value of the acreage is $10,000 less than last year.

AMERICAN FORK NEWS.

American Fork, May 8.—Complaints are coming in from the outskirts of town about the dead sheep dropped by the flocks going through. A good many of the flocks going through are very poor and weak. Out of one flock there were between twenty and thirty that gave out and had to be left.

Erastus Greene and Miss Emily Adamson were united in marriage last evening. President Kelley of the Box Elder stake officiated. A large number of friends and relatives were present at the reception.

The one case of smallpox which we had here is well. No other cases have developed.

The Rev. Mr. Blackman, pastor of the Presbyterian church at this place, has removed with his family to the state of Washington to take charge of another church there. The church here is now without a pastor.

N. G. Merrill, the agent for the Rio Grande Western at this place, is taking a lay-off for a couple of weeks, his place being filled by R. A. Green, late of Bingham Junction.

Mayor J. J. Jackson and several other prominent citizens from here were over to Provo yesterday to testify to the character of William Kershaw, who is being tried there.

BRIGHAM CITY PERSONALS.

Brigham City, May 9.—D. P. Tarpey was in Brigham the first of the week.

E. H. Jones of Kelton spent a few days in Brigham on legal business.

H. C. Baker of the Garfield mine came up from Ogden Thursday.

Jesse W. Hoopes, principal of the High school, and City Marshal J. L. Robinette have been very sick for some time past, but are reported to be getting along favorably.

Mr. Cohn of San Francisco, proprietor of the Brigham City Liquor company, is spending a few days in the City of Homes.

Mrs. Rudolph Kaiser and little boy left for San Francisco, her former home, last Saturday.

Rudolph Kaiser has sold his restaurant and will go into business at Dewey.

H. E. Bowring, after a severe illness, is able to be around again.

The Sideboard saloon was closed Saturday last and the proprietor, Al Richins, opened up in more commodious quarters in his new building on Forest street this week. It is now the Elk saloon.

MT. PLEASANT NOTES.

Mt. Pleasant, May 9.—Dr. William P. Winters, who has been a practicing physician here for years, has gone to Castle Dale, where he will devote his time to practicing his profession and managing his extensive mercantile interests there.

Mrs. Guy C. Wilson and Mrs. Elizabeth Hurst of Mexico are in Fairview at present visiting old-time friends. They were formerly residents of that place.

Fred Christiansen and Lorina Brady of Fairview celebrated their wedding, which took place last week, with a grand ball in that city last evening.

PROVO NEWS NOTES.

Provo, May 9.—The Provo schools had an outing to the lake yesterday and enjoyed boating and outdoor sports.

Thomas Sumner has accepted a position as dyer in the Willamette woolen mills at Eugene, Ore. He will leave for Oregon early next week.

Judge Marioneaux is in the city. He will hear the case of the Lily Mining company vs. Ralph Kellogg tomorrow.

Row Over Babe.

Logan, May 9.—The Poppleton case, in which Mrs. Poppleton charged her husband and mother-in-law with assaulting her, came up before Justice Smith and a jury last evening, and after a long trial a verdict of not guilty was rendered. The trouble originated over the custody of a 4-year-old child, which both parents claim. They are living apart, and the father has the child. The mother has sued out a writ of habeas corpus, and the father has filed a petition asking to be appointed guardian of the child. The matter comes up before Judge Hart in the morning.

A Cup of Lane's Tea at Night

Moves the bowels next day, and its continued use will cure habitual constipation, sick headache and indigestion. It will do you more good, and cost you less money than any other medicine on earth. Your druggist will refund you the purchase price if you are not satisfied. Price 25c and 50c a package. For sale by Godbe-Pitts Drug company.

DINING CAR SERVICE

Leaving Salt Lake.

Patrons of the Oregon Short Line and Union Pacific taking the 6 p. m. train for points east should bear in mind that dinner is served in dining cars immediately upon departure of the train from Salt Lake.