TO ENVELOP JURY IN DOUBT

How Lawyers Hope to Save Peter Mortensen.

MAY CALL NO WITNESSES

MAKE IT APPEAR THAT OTHERS MAY HAVE KILLED HAY.

THE indications are stronger each day as the trial proceeds, that Peter Mortensen will depend upon the state's witnesses to create a "reasonable doubt," which the jury has sworn to recognize when once it appears. The method of the cross-examination, the nature of the questions asked and the importance attached to some points that appear trivial, all point strongly to the supposition maintained by some, not alone that Mortensen himself will remain off the stand, but that no testimony will be introduced by the defense.

Two or three times since the beginning of the trial the theory of the defense regarding the murder of James R. Hay has seemed apparent from the questions of the defendant's attorneys. Yesterday the straws were more numerous than ever, but were blown in a new direction.

It would not now surprise those who have been in attendance daily to hear the theory advanced that Hay was followed to his home from the office of the Pacific Lumber company by some one who had learned he was to receive the large sum of money from Mortensen; then followed to Mortensen's house, where the parties lay in wait for him, and murdered as he left Mortensen's with the money. The possibilities of such a theory were shown yesterday by the cross-examination of George Ernest Romney, which took up the entire day in court.

Defense Outlining Theory.

The defense drew from Mr. Romney yesterday statements, in substance, as follows: During the conversation between, Romney, Hay and Mortensen at the office about collecting the money that night, the doors of the room were open. It was quitting time and several of the employes probably came into the office. A number of people were around there that evening. Anything said in the room might have been heard outside. Hay made a jocular remark, saying:

"I believe I'll get this money and skip to New York, but I'm afraid Mr. Romney would catch me before I got half way." They all laughed over it. The three started uptown and paused at the Valley House corner. They were still talking about the money.

On the corner named is a saloon and a number of loiterers might have been around, possibly transients who had come from the Oregon Short Line depot.

Hay Was Obedient Employe.

Romney testified that Hay was not a man likely to be persuaded—that he had a mind of his own. He never had disobeyed the instructions of his manager, and he never would, Mr. Romney said, unless some great pressure was brought to bear upon him, and even then it would be doubtful.

This answer was probably to show that Mortensen could not have induced Hay to come after the money that night. Mortensen says that Hay came to him for the money, saying he thought Romney would be worried about it, and that he gave it to him under protest.

Mortensen and Hay were bosom friends and helped each other in business. Mr. Romney said, Mortensen acted very sorrowfully, sympathetic and depressed over Hay's disappearance on Tuesday, as much so as the witness. His remarks at various times might be used with effect: "Poor Jimmy, they've murdered him; they've treated him brutally," he said when the body was discovered. "If anything has happened to Jimmy," he said to Ernest Romney, "I will always feel that I am to blame for it, for paying him that money." His anxiety to find Hay Tuesday morning and all his conversation with Romney that day, it may be said, indicated a guiltless conscience.

No Witnesses For Defense.

So far as known, the defense has not yet subpoenaed any witness. It is not likely that Mrs. Henry Mortensen will go on the stand. Should she do so for the defense, her answers on cross-examination, if along the lines of her depositions now in the hands of the county attorney, would injure the defense. The state will not call her. That much is known.

The cross-examination of George Ernest Romney by Bernard J. Stewart was resumed at 10 a. m. The witness answered many questions regarding the business relations between him and the defendant. He met Mortensen about five years ago and employed him, first as a day laborer, and afterwards as superintendent of important jobs. Their relations were cordial and friendly.

"Did not Hay frequently visit Mortensen in the night time and consult with him about business?"

"I don't know. I never heard so."

His Advice to Mortensen.

Attorney Stewart read a portion of Mr. Romney's testimony at the preliminary examination to show discrepancies. He then asked the witness if it was not true that he (Romney) had advised Mortensen to keep his money under cover, when the defendant first told him that the collection agency was hounding him, and Romney replied that he had. He had always considered it foolish to keep money in a house, however.

"You don't know when Peter Mortensen got the money?"

"No."

"Whether he got it on the morning of Monday and kept it in his house only one day?"

"I don't know when he got it. He said he had been accumulating it for several weeks. I only asked him why he didn't bring us the money. He said he was ready to pay us if we would send for the money that night."

"Now, isn't it true that Mortensen said he had the money at his house and that you could get it that night or in the morning?"

"No, sir; he said that night; nothing was said about the next morning at that time."

"You are positive about that?"

"Absolutely."

"Then what was said?"

Collection of the Money.

"The three of us agreed that the money should be collected the following morning."

The transcript was again brought out and Mr. Stewart went after the witness vigorously, drawing from him the statement that he had borrowed the transcript at Mr. Eichnor's suggestion and read over parts of it, including his own testimony. He then said he had talked with Eichnor about the case three or four times since the preliminary, about his testimony.

"Didn't Mr. Eichnor tell you to take the book home and look over your testimony?"

"He said I could do so."

"Was James Sharp not corrected your testimony and told you you made some mistakes?"

"He suggested that about one item."

"Are you sure that Mortensen suggested that Hay write out the receipt there in the office?"

"Yes."

"When you struck a balance, you told Jimmy it was $3,907, and he started at once to write the receipt. Did he not?"

"No; I didn't tell him the amount at all."

Money and the Receipt.

"Then you were wrong a moment ago, when you said you gave him the amount and he started to write the receipt at once?"

"No; if you'll let me explain"—

"I don't want any explanation.

"Did you not tell him to write a receipt?"

"I did not."

The witness struggled to get in his explanation, but could not, except an assertion that after he gave Hay the amount fifteen minutes elapsed before the receipt was written, and that it was written finally at Mortensen's request, or suggestion.

"You know, do you not, that James R. Hay would never deliver a note or receipt before he had received the money?"

"Yes, I do."

Why Note Was Canceled.

The examination turned to Romney's reasons for canceling promissory notes in addition to delivering them, Mr. Romney maintaining that it was a matter of protection to both parties.

He was asked if he had ever known Hay to disobey his instructions, and replied that he had not.

"Do you believe he went to Mortensen's house that night, contrary to your instructions?"

"My best judgment would be that he did not."

"You do not believe that possible?"

"Not unless some great pressure was brought to bear on him."

"He wasn't a man easily led?"

"No, he had a mind of his own."

Disappearance of Hay.

Romney then testified concerning the events of the morning following Hay's disappearance, his conversation by telephone and, later at the office with Mortensen. The latter, he said, was sorrowful, sympathetic and depressed, apparently, as though he had lost a beloved friend.

The circumstances of the visit to Forest Dale were next gone into. On the return to town, Mrs. Hay transferred to another car line, and Mortensen tenderly lifted one of Hay's children to the car.

Before adjournment, the defense asked Mr. Romney to let them have the account books of the Pacific Lumber company from August to December last year. The request was granted.

Mr. Romney was still on the stand when court adjourned.

TRADE CONDITIONS GOOD.

Dun's Review Reports Salt Lake in Healthy State.

The commercial aspect in Salt Lake is thus given in last week's issue of Dun's Review:

"The trade situation in general is in a healthy condition, and the prospects for a good summer business are quite encouraging. Agricultural matters look well, and the acreage of sugar beets will show a large increase over former years. Jobbing business is good on the whole, and dealers report activity in hardware, drugs, furniture and paints, and very fair orders in dry goods, notions, clothing, shoes and groceries. Retail trade is fairly good, and collections improve somewhat. A steady demand is reported for money, and rates are firm, though bank deposits hold up well."

Sales of Home Places.

For a stated consideration of $8,500, Hattie W. Yard has sold to Samuel Weitz her home on the north side of Second South street a short distance west of Seventh East street. The home occupies 40x125 feet of ground.

A warranty deed was filed for record yesterday conveying from Elmira Shearman to J. William Edmunds, for a consideration of $3,500, 165x165 feet of ground facing on Fifth and S streets.

Bank Clearings Larger.

Yesterday's bank clearings were $23,641 more than the total of the corresponding day a year ago, when the amount was $574,060.

Real Estate Transfers.

Ann M. Cannon to Fanny E. O. Spencer, part of block 9, Forest Dale	$ 300
Salt Lake City to William Birleigh, lot 1, block 19, plat G	2
Eliza A. Polk to John E. Hill, jr., lots 51 to 56, block 5, etc., Highland park	750
Amos S. Gabbott to Addison Cain, lots 2, block 3, Gabbott's addition	200
Maria Laker to Samuel Vadner, 453 feet by 6 rods southeast from 10 rod south, 10 feet east of northwest corner lot 6, block 41, plat B	450
Samuel Vadner to Emma Norton, 28 feet by 6 rods southeast from northwest corner lot 6, block 41, plat B	270
Emma R. Wilson to Alfred Betts, lot 2, block 6, Arlington Heights	500
Ruth W. Crutcher to Henry L. Stein, lots 4 to 6, block 1, Belmont addition	450
Josephine Christiansen to Frederick Bell, lots 21 and 25, block 3, Golden park	150
Thomas A. Howard to Joseph P. Newman, part of section 3, township 2 south, range 1 east	1,500
Joseph P. Newman to Thomas A. Howard, part of section 3, township 2 south, range 1 east	315
M. A. Dey to J. J. Corum et al., trustee, 99x29½ feet southwest from 75 feet west of northeast corner lot 6, block 48, plat B	2,300
Sedenia T. Dunford to Charles L. Hamilton, 8x2 rods southwest from 8 rods west of northeast corner lot 8, block 39, plat B	2,200
Hattie W. Yard to Samuel Weitz, 125x80 feet northwest from 45 feet west of southeast corner lot 1, block 33, plat B	6,500

Hot Weather Weakness.

If you feel fagged out, listless and lacking in energy, you are perhaps suffering from the debilitating effects of summer weather. These symptoms indicate that a tonic is needed that will create a healthy appetite, make digestion perfect, regulate the bowels and impart natural activity to the liver. This Herbine will do; it is a tonic, laxative and restorative. H. J. Freegard, Propr. Grand View hotel, Cheney, Kan., writes: "I have used Herbine for the last twelve years, and nothing on earth can beat it. It was recommended to me by Dr. Newton, Newton, Kan." 50c at Z. C. M. I. Drug Dept.

The Great Midseason Sale

At the Paris Millinery Co. now on. Biggest bargains of the year.

Spotlessly clean is what the ladies say of Saltair.

Saltair beach trains now start from the Oregon Short Line depot, Third West and South Temple streets.

YOUR FAITH will be as strong as ours if you try

Shiloh's Consumption Cure and ours is so strong we guarantee a cure or refund money, and we send you free trial bottle if you write for it. SHILOH'S costs 25 cents and will cure Consumption, Pneumonia, Bronchitis and all Lung Troubles. Will cure a cough or cold in a day, and thus prevent serious results. It has been doing these things for 58 years. S. C. WELLS & Co., Le Roy, N. Y.

Karl's Clover Root Tea corrects the Stomach

POPULAR YOUNG COUPLE ARE MARRIED IN OGDEN.

MISS VEDA LITTLEFIELD and Mr. Warren L. Wattis, both of Ogden, were married in that city last evening at the home of the bride's parents, Mr. and Mrs. W. D. Littlefield, 458 Twenty-seventh street.

The bride was attended by her cousin, Miss Inez Farr, while the best man was Mr. F. M. Whipple. The ceremony was performed by Bishop Robert McQuarrie. After the wedding supper Mr. and Mrs. Wattis left for a month's tour of California.

The wedding was a quiet one, only immediate relatives being present. The Littlefield home was very prettily decorated for the occasion. The parlor decorations were yellow roses and smilax in masses and clusters; the dining room was adorned with roses with mirror effects.

The bride's gown was cream voile with lace and ribbon trimmings. She carried a shower of bride's roses. Miss Farr's gown was of pink nun's veiling with cream lace and ribbon trimmings. She carried a bouquet of pink and cream roses. Before the ceremony Mendelssohn's wedding march was played by Miss Lottie and Miss Louise Williams on violin and piano.

Mr. Wattis has for several years been in charge of The Herald's Ogden bureau and has made an enviable reputation as an able and enterprising newspaper man. He has also been a contributor to eastern magazines and weeklies, one of his most notable stories having won a prize of $1,000 offered by the Youth's Companion.

REGISTRARS FOR FALL ELECTION

Appointments Are Announced by County Commissioners.

IN SIXTY-EIGHT DISTRICTS

OTHERS TO BE NAMED WHEN POLITICAL COMMITTEES ACT.

THE county commissioners have announced the appointment of registrars for the fall election in sixty-eight of the ninety election districts in the county, and will complete the list as soon as the recommendations are sent in by the political committees. The appointments to date are as follows:

No. 1—Mrs. W. W. Gee (D.), 1446 South Thirteenth East.

No. 2—George E. Hill (D.), 1003 East Eighth South Street.

No. 3—Reigo Hawkins (D.), 729 Wellington court.

No. 4—Emma Iverson (D.), 319 East Seventh South.

No. 5—Joanna G. Angell (D.), Gregory court.

No. 6—Rudolph Alff (R.), 15 East Fifth South.

No. 7—Mrs. Milando Pratt (D.), corner State and Sixth South streets.

No. 8—Frederick Barrow (D.), 452 East Fifth South street.

No. 9—David Bernhisel (R.), 363 South Sixth East.

No. 10—Stephen L. Moyle (D.), 323 South Seventh East.

No. 11—E. J. Swaner (R.), 318 South Tenth East street.

No. 12—David H. Rause, (R.), 615 South Second West street.

No. 14—A. W. Parratt (D.), 523 West Sixth South street.

No. 15—F. Walkingshaw (D.), 1528 Indiana avenue.

No. 16—Henry F. Heath (R.), 870 Cannon street.

No. 17—Thomas W. Green (D.), 434 West Fifth South street.

No. 18—Thomas Winters (D.), 474 South Second West.

No. 19—Jennie A. Froiseth (R.), 20 West Sixth South street.

No. 20—Emily Fox (R.), 137 West Third South street.

No. 21—Douglas Ferguson (D.), 123 West Seventh South street.

No. 23—D. B. Hoover (D.), 201 West Second South street.

No. 24—L. C. Johnson (D.), 404 West Third South street.

No. 25—Ben G. Guiver (D.), 666 West First South street.

No. 26—Mary B. Howells (D.), 62 South Sixth West street.

No. 27—Mrs. E. H. Fowler (D.), 98 Apple street.

No. 29—R. S. Sleater (D.), 107 Pear street.

No. 31—E. J. D. Roundy (D.), 422 West First North.

No. 32—Euphenia Morris (D.), 773 West First North street.

No. 33—Brigham Haslam (D.), 331 North Sixth West street.

No. 34—Nellie Druce Pugsley (D.), 329 West Fourth North street.

No. 35—Brigham Rill (D.), 664 West Fourth North street.

No. 36—James Stacey (D.), near Beck's hot springs.

No. 37—Minnie H. James (D.), 130 Third street.

No. 38—Parthenia K. Parry (D.), 41 East North Temple.

No. 39—Mrs. John A. Maynes (D.), 185 C street.

No. 40—Joseph C. Sharp (R.), 369 Fourth street.

No. 41—Harry T. Ball (D.), 603 Fifth street.

No. 42—Orson Allen (D.), 830 First street.

No. 43—John A. De Valley (R.), 1133 First street.

No. 45—Jennie Pratt (R.), 252 South Ninth East street.

No. 47—Peter Nanses (R.), 267 Seventh East street.

No. 48—Christopher Diehl (R.), 435 East Third South street.

No. 50—Charles O. Farnsworth (R.), 47 East First South street.

No. 51—John E. Busby (R.), Floral avenue.

No. 55 (East Mill Creek)—Joseph E. Morris (R.), East Mill Creek.

No. 56 (Mill Creek)—Thomas B. Jackson (R.), Mill Creek.

No. 57 (Mill Creek)—Nellie F. Shurtliff (R.), Mill Creek.

No. 58 (Mill Creek)—Parley R. Harmon (R.), Mill Creek.

No. 61 (Murray)—George T. Brown (R.), Murray.

No. 62 (Big Cottonwood)—James Neilson (R.), Halliday.

No. 63 (Silver)—T. J. Lemon (R.), Argenta.

No. 67 (Sandy)—Carl Larsen (R.), Sandy.

No. 70 (Little Cottonwood)—Fritz Reich (R.), Alta.

No. 72 (Draper)—Thomas Vaudrey, jr., (R.), Draper.

No. 73 (Bluff Dale)—Alma H. West (R.), Bluff Dale.

No. 74 (Herriman)—Robert O. Freeman (R.), Herriman.

No. 75 (Riverton)—S. L. Howard (R.), Riverton.

No. 76 (South Jordan)—Albert Mabey (R.), South Jordan.

No. 77 (West Jordan)—Joseph J. Williams (R.), West Jordan.

No. 78 (West Jordan)—Albert Clover (R.), West Jordan.

No. 79 (North Jordan)—Willard Pixton (R.), Taylorsville.

No. 81 (Bingham)—William J. Strickley (R.), Bingham canyon.

No. 82 (Bingham)—Charles H. Brink (R.), Bingham canyon.

No. 85 (Granger)—Edwin Y. Bolton (R.), Granger.

No. 89 (Sugar)—Anna Nicholls (R.), 1725 Eighth East, between Eleventh and Twelfth South streets.

No. 90 (Bingham)—A. S. Green (R.), Bingham canyon.

Districts in which vacancies now exist are as follows: Nos. 13, 22, 28, 30, 44, 46, 52, all in the city; 53 and 54 (Farmers'), 59, 60 (Murray), 64 (Mountain Dell, 65 (Butler), 66 (Union), 68 (Sandy), 69 (Granite), 71 (Crescent), 80 (Bingham), 83 (Pleasant Green), 84 (Hunter), 87 (Forest Dale), 88 (Sugar). Appointments for these vacancies, it is expected, will be made on Thursday of this week.

A Dark and Muddy Complexion

Does not become a neat woman. Lane's Tea will cure constipation, clear up the skin, sharpen the appetite and make you look and feel like a new person. It acts gently upon the stomach, liver and bowels. For sale by Godbe-Pitts Drug company.

ANNUAL EASTBOUND EXCURSION.

June, 10, 11 and 12.

The Denver & Rio Grande and Rio Grande Western railways offer the following round-trip rates from Salt Lake City. Open to everybody:

Denver, Colorado Springs and Pueblo	$29 00
Omaha, Kansas City, Sioux City, St. Joseph	$32 00
St Louis	$39 50
St. Paul and Minneapolis	$38 75
Chicago	$44 50

Corresponding low rates to intermediate points. Tickets good to Sept 8. For further information call on I. A. Benton, Dooly block, or any agent.

The nobbiest suits for fit and style in the state. See Gordon, the tailor, Dooly block.

TEACHERS' EXCURSIONS EAST.

Via the Oregon Short Line and Union Pacific.

June 10, 11 and 12, to Chicago, St. Louis, St. Paul, Missouri river points and many other cities at a trifle more than half rates; tickets good returning until Sept. 8.

Reduced rates will also be made from June 23 to Sept. 11, with low rate excursions at intervals.

For more complete information call at City Ticket Office, 201 Main street.

SAN FRANCISCO EXCURSION.

Thursday, June 12, 1902—Round Trip Only $31.50.

Oregon Short Line train leaving Salt Lake at 9:45 a. m., and Southern Pacific train No. 5. Pullman sleeper Salt Lake to San Francisco through without change. Limit returning, Sept. 8. Call at city ticket office, 201 Main street.

PROVO EXCURSION.

Wednesday, Via Oregon Short Line.

With Salt Lake Opera company. Round trip only $1.25. Special train at 5 p. m. and special returning.

WORK OF LIBRARY BOARD.

Holds Its Monthly Meeting and Transacts Routine Business.

The free public library board held its regular monthly meeting yesterday, but did nothing aside from the usual routine. Fines were reported to the amount of $41.16, and bills were approved aggregating $816.55. The secretary's annual report to the mayor and city council was read and approved, and will be presented within a week or two. It appears from this report that 133,516 books were used during the past year, and that there were 140,625 visitors to the library.

The following figures are taken from the statistical report of the librarian: Number of volumes in library on May 1, 18,729; accessioned, 149; discarded, thirty-two; number on hand, 18,846; membership cards issued during month, ninety-two; total membership, June 1, 8,148; books loaned for home use, 4,240; issued in reading rooms, 2,715; days open, twenty-one.

On the first indication of kidney trouble, stop it by taking Foley's Kidney Cure. Johnson-Pratt Drug Co.

Big Ribbon Values

This week at The Paris Millinery Co.'s Midseason Sale.

When it comes to dancing, with all its delights, Saltair is perfection.

Screen doors and fixtures. Burton Coal & Lumber Co. Up-town office, 60 W. 2nd So. Yard, 363 W. 5th So.

FALLING HAIR

Save Your Hair with Shampoos of Cuticura SOAP

And light dressings of CUTICURA OINTMENT, purest of emollient skin cures. This treatment at once stops falling hair, removes crusts, scales, and dandruff, soothes irritated, itching surfaces, stimulates the hair follicles, supplies the roots with energy and nourishment, and makes the hair grow upon a sweet, wholesome, healthy scalp, when all else fails.

Complete Treatment

For Every Humour, $1, consisting of CUTICURA SOAP (25c.), to cleanse the skin of crusts and scales, and soften the thickened cuticle; CUTICURA OINTMENT (50c.), to instantly allay itching, inflammation and irritation, and soothe and heal; and CUTICURA RESOLVENT PILLS (25c.), to cool and cleanse the blood.

CUTICURA RESOLVENT PILLS (Chocolate Coated) are a new, tasteless, odorless, economical substitute for the celebrated liquid CUTICURA RESOLVENT, as well as for all other blood purifiers and humour cures. In screw-cap vials, containing 60 doses, price 25c.

Sold throughout the world. British Depot: 27-28, Charterhouse Sq., London. French Depot: 5 Rue de la Paix, Paris. POTTER DRUG AND CHEM. CORP., Props.

The Weak and the Convalescent

find a positive and rapid restorative in

ANHEUSER-BUSCH'S Malt-Nutrine TRADE MARK. —the "Food-Drink."

This must not be judged by the same standard as alcoholic beverages with "tonic" titles. *Malt-Nutrine* has 14.60% of genuine nutritive extract and less than 2% of alcohol. Is absolutely a non-intoxicant and positively strengthening and invigorating. Doctors prescribe it.

All druggists sell it. Prepared only by

Anheuser-Busch Brewing Ass'n

St. Louis, U. S. A.

Brewers of the famous Budweiser, Michelob, Black & Tan, Faust, Pale-Lager, Anheuser-Standard, Export Pale and Exquisite.

Cut Glass Sale Still On.

The people seem to appreciate our sales by the way they patronize them. We will continue the

20 Per Cent Discount All This Week.

Come early and get the best attention. We still have a few automatic refrigerators, but they are going fast, too.

SCOTT-STREVELL HARDWARE CO.

ESTABLISHED 1864

F. Auerbach & Bro.

ONE PRICE TO ALL. NEVER UNDERSOLD

Special Selling AT Unprecedented Prices.

Thursday, June 5th, from 2 to 5 o'clock.

Cloak Dept. Special.

$3.50 BLACK MOIRE WAISTS, FOR $1.75

We closed out for cash 300 Silk Moreen Waists in black only, two styles, plain tucked and Gibson style, all sizes, 32 to 42, and will sell them on Thursday, from 2 to 5 p. m., at just half manufacturer's price

$1.75

Special for your boy or your girl, or both, Thursday, 2 to 5 o'clock.

Nazareth Waists, 15c

at about half price. Decidedly the best underwaist made, all sizes, 2 to 12 years, on sale for 3 hours only, at each

Every Suit Goes at Cost

Today we Begin

Our Clearing Sale

OF ALL

Imported Gowns, Tailor-made Suits, Silk Waists, Skirts and Wraps, All go at cost.

HAMILTON'S,

'Phone 548. 120 Main St.

The Corner Stone

In the building up of a reputation lies at the base of our success. We started out to produce a superior grade of flour, and our product is known as the highest standard of excellence. The quality never varies.

Husler's Flour

has gained a hold on popular favor accorded to none other on the market. It's the perfection of family flour.

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