BAILEY GOES ON WITNESS STAND

Gives History of His Life Up to the Time of Election to the Senate.

DENIES ALL CHARGES MADE

FACTS CONCERNING GIBBS LAND DEAL.

Austin, Tex., Feb. 19.—Senator Joseph W. Bailey, testifying today before the legislative investigating committee, denied the truth of the charges preferred against him by Representative Cocke regarding his alleged relations with the Waters-Pierce Oil company.

Mr. Bailey reviewed his life's history until his election to the United States senate in 1901.

He said he met David R. Francis of Missouri in 1891, when Roger Q. Mills was a candidate for the speakership of the house. He cultivated the acquaintance of Governor Francis and his associates, among them members of the Missouri delegation, hoping thereby to advance Mr. Mills' interests. He had formed a close friendship for Governor Francis, and never passed through St. Louis without stopping to see him.

Sibley an Honorable Man.

In reply to the charge that he (Bailey) had been in a deal with a brother of Governor Francis and other persons, Joseph Sibley among them, in the Gibbs ranch transaction, Senator Bailey said that he had first known Mr. Sibley in 1892, and that he was then, as he is now, a delightful, clean and honorable man.

Mr. Bailey said he had no intention at first of purchasing the ranch, but that Mr. Gibbs had told him about the land and said he wanted to sell a quarter each to Governor Bob Taylor of Tennessee, Senator Charles A. Culberson of Texas and to himself (Bailey), and keep a quarter. He told Mr. Gibbs that only Senator Culberson was financially able to purchase the land, but at Mr. Gibbs' solicitation he went to look at the land and was greatly pleased with it. He later held several conversations with Governor Francis about going into a deal for its purchase, learned about Mr. Francis' lands in Texas, and told him that he might be able to turn this land for him in the deal.

Secured Option on Land.

Senator Bailey said that he secured an option on the property, which he later closed with the understanding that the deal would not be consummated until after his campaign for senator had closed.

Later Governor Francis transferred his Pecos county lands to Mr. Gibbs and the Gibbs property was transferred to Governor Francis, who had furnished the greater part of the purchase price by putting in these lands. There was due to Mr. Gibbs above his mortgages and the Pecos county lands about $5,620, of which he paid $4,000 obtained from the Red River National bank of Gainesville, and the remainder was paid to Mr. Gibbs out of the sale of the crops.

There was also a debt of $10,000 on the cattle, and later he negotiated with the help of Governor Francis a loan of $15,000 from a St. Louis bank, with which he paid debts of $10,000 and $4,000 owed to Texas banks.

Mr. Bailey explained that after he had been charged with receiving the Pecos county lands as a fee from the Waters-Pierce Oil company, he had determined to relieve Governor Francis of any further embarrassment and persuaded Gibbs to deed the land back to Francis.

Made $30,000 on Deal.

Mr. Bailey said that he made about $30,000 on the deal and would have made more could he have held the land, but, not having the money, and the political differences arising, he preferred to sell. Governor Francis, he added, never discussed any legislation with him or sought his aid for any measure except the World's fair appropriation. He had never known of any legislation before congress in which Francis was interested, directly or indirectly, except as a good citizen or Democrat, nor was he connected with or interested in any Texas legislation. He said Francis had never mentioned H. C. Pierce except through the letter of introduction.

Francis and a man named Cobbs, said Mr. Bailey, had asked his support for the World's fair appropriation, and he told them they were wasting breath as he was unalterably opposed to appropriating public money for such purposes. He said he thought he had been paired when the proposition for the $5,000,000 appropriation came up. When the matter was considered a second time he was in the senate and he had opposed it and almost defeated it, offending his St. Louis friends, who had thought he would support it because a provision relative to shipment of cattle from below the line had been made a part of the bill.

MINE SOLD FOR $150,000.

(Special to The Herald.)

Rhyolite, Nev., Feb. 19.—The Paymall and Bradshaw properties were sold tonight by the Rhyolite Mining & Brokerage company for $150,000, cash. Philadelphia interests were the purchasers. There are eight claims. Schwab's agent is in town buying heavily in the Lee district.

SCHOOL TEACHER and Coffee Drinking.

Many good people are loth to give up coffee, even though they admit that it does them harm, because they fear that nothing else in the way of a hot beverage will satisfy them. A school teacher says:

"I always enjoyed coffee for breakfast. The day seemed lost without it. But in time I began to experience bad results from its use. I grew very nervous and lost flesh and finally was prostrated by a complete nervous breakdown. Then I was compelled to abandon the use of coffee.

"I adopted Postum Food Coffee as my hot beverage at breakfast. Have been using it for more than two years. My health is restored and I am able to take an interest in life once more.

"My whole family, children and all, drink Postum Food Coffee, and we all thrive and keep healthy on it. It is to us a delightful drink, delicious and tempting, and with none of the harmful effects that usually followed the use of coffee. The choicest brands of Java and Mocha, offered free, would not tempt us to quit the use of Postum Food Coffee." Name given by Postum Co., Battle Creek, Mich. "There's a reason." Read the little book, "The Road to Wellville," in packages.

ONE JUROR HAD HEART TROUBLE

Another Talesman Quickly Sworn in and the Trial of Hermann Proceeded.

OPENING STATEMENT MADE

FORMER SENATOR SIMON ON THE STAND.

Washington, Feb. 19.—Another delay occured today in the trial of Representative Binger Hermann of Oregon on a charge of the destruction of public records, before Justice Stafford. It was announced that one of the jurors was ill of heart trouble, and probably would be unable to sit further. Under the laws of the district in criminal cases, it is not possible to proceed with only eleven jurors in the box and, if insisted upon, the a discharge of the entire panel.
a discharge of the entire panel.

It was agreed that the eleven jurors already impaneled should be allowed to remain while the one vacancy was being filled. A special panel of talesmen was ordered.

Juror Quickly Secured.

This afternoon Dennis Brown, the second juror examined, was accepted as the twelfth juror. The jury was sworn and Assistant District Attorney Adkins made the opening statement for the government, it being necessary to begin the trial again. His statement was identical with the one made to the jury several days ago in which he detailed the allegations against the defendant concerning the alleged destruction of thirty-five letters and press copy books constituting a part of the records of the general land office.

In opening for the defense, Attorney Worthington also practically repeated his original statement to the jury.

Former Senator on Stand.

By agreement former United States Senator Joseph Simon and William G. Steele, both of Portland, Oregon, were the first witnesses called, they having made urgent pleas to be heard and discharged. Each identified letters in the possession of the government written them by Mr. Hermann while land commissioner and sent to them in "franked" envelopes. Other similar letters will be filed by them with the clerk of the court. To this the defense consented when the prosecution announced that all were absolutely innocent of any taint of wrongdoing on the part of Mr. Hermann, and Justice Stafford had said after the statement by the prosecution he would permit no question of a different nature to be raised concerning the letters.

Mr. Simon said he was one of Mr. Hermann's counsel in the Oregon preceeding against Mr. Hermann, and that Mr. Hermann's reputation was excellent there.

Private Copybooks.

Dr. Henry S. Reger of West Virginia, a former stenographer for Mr. Hermann in the land office, said Mr. Hermann had about fifty press copy letter books in his private office which were considered private copybooks, although accessible to him and others in the general land office. Mr. Hermann had the letters written or dictated by him copied in these books. He had a large correspondence, particularly with parties in Oregon and in the west.

When Mr. Hermann was not at the office, the witness said, no letters were copied in these private books.

DECISION NOT YET REACHED

W. J. Oliver Will Know March 1 Whether or Not He Gets Panama Canal Contract.

Washington, Feb. 19.—The president told a number of contractors who are associated with W. J. Oliver in his bid for the construction of the Panama canal that a decision in the matter would not be reached before March 1. What will probably be the final conference preliminary to the decision was held today with a number of contractors associated with Mr. Oliver. Secretary Taft said that no conclusion had been reached today.

Those at the conference included, in addition to the president, Secretary Taft, Chairman Shonts and Counsel of the Isthmian Canal Commission Rogers, the following contractors and others associated with Mr. Oliver: Patrick F. Walsh of Davenport, P. J. Brennan of this city, Robert Russell of Lynchburg, R. A. Chester of the Commercial National bank of this city, and L. C. Gunter of Knoxville, Tenn.

All of them were questioned by the president and his advisers as to their experience and as to the other qualifications to do the work which they contract to do. All the contractors associated with Mr. Oliver have now been interviewed by the president except the dredgemen. It has not been determined whether or not they will be asked to come to Washington.

POINT OF ORDER HELD GOOD

Increased Pay for Postoffice Clerks and Carriers Out of Appropriation Bill.

Washington, Feb. 19.—After passing a number of bills under unanimous consent today, the house resumed consideration of the postoffice appropriation bill. During the general debate, which terminated at 4 o'clock, speeches were made by Messrs. Gillespie of Texas, Murphy of Missouri, Robinson of Arkansas, Padgett of Tennessee, Lloyd of Missouri, Steenerson of Minnesota, Finley of South Carolina and Stafford of Wisconsin.

Shortly after the reading of the postoffice budget was begun Mr. Macon of Arkansas made a point of order against the paragraphs increasing the pay of clerks in first and second-class postoffices and carriers in the city delivery service. A spirited dispute ensued between Mr. Macon and Mr. Fitzgerald of New York, wherein the latter gave notice that he would see that a point of order was made against the section providing for the increase for rural carriers. Mr. Macon refused to abandon his position, and the chair sustained the point of order.

METEOROLOGICAL REPORT.

Yesterday's Record at the Local Office of the Weather Bureau.

Maximum temperature, 52 degrees; minimum temperature, 43 degrees; mean temperature, 42 degrees, which is 8 degrees above normal; accumulated excess of temperature since 1st of month, 233 degrees; accumulated excess of temperature since Jan. 1, 329 degrees. Relative humidity at 6 p. m., 54. Total precipitation from 6 p. m. to 6 p. m., trace; accumulated excess of precipitation since 1st of month, 1.36 inches; accumulated excess of precipitation since Jan. 1, 1.70 inches.

Don't Neglect It

It is a serious mistake to neglect a weak heart. It is such a short step to chronic heart disease. When you notice irregularity of action, occasioning short breath, palpitation, fluttering, pain in chest or difficulty in lying on left side, your heart needs help—a strengthening tonic. There is no better remedy than Dr. Miles' Heart Cure. Its strengthening influence is felt almost at once.

"I have used 10 bottles of Dr. Miles' Heart Cure and can truthfully say it has done me more good than anything I have ever used, and I have tried nearly everything that I know of. The doctor who attended me asked me what I was taking and I told him Dr. Miles Heart Cure, he said it was not going to do me any good, but it did. I have not taken any for a year now, and while there is occasionally a slight symptom of the old trouble, it is not enough for me to continue the use of the medicine. If I should get worse I would know what to do. Take Dr. Miles' Heart Cure as I did before. I consider myself practically cured of my heart trouble."
S. H. DUNNAM, Livingston, Texas.

Dr. Miles' Heart Cure is sold by your druggist, who will guarantee that the first bottle will benefit. If it fails he will refund your money.

Miles Medical Co., Elkhart, Ind

ELECTORS OATH BILL IN IDAHO

Seven Mormons in Lower House of the Legislature Voted for the Measure.

(Special to The Herald.)

Boise, Ida., Feb. 19.—Considering all the circumstances, the vote of the house today on the bill providing for an electors' oath was remarkable. The bill, which originated in the senate and was amended in the house, was passed as amended by a vote or 44 to 5, the five opposing votes being by Mormons, Anderson of Bingham, Grimmett and Redman of Bear Lake, Killpack of Fremont and Stanford of Blaine. Two Mormons were absent, these being Harris of Fremont and Staley of Bannock. The other seven voted for the bill.

Celestial Marriage Added.

As it passed the senate, the proposed oath included only polygamous or plural marriage, practicing or teaching or encouraging of which should constitute a bar to voting. The house added patriarchial and celestial marriage, both of which are specified in the constitutional section on qualifications of electors. Before the bill passed the senate it had been agreed by the Mormons that they would stand for the bill in its senate form, but they desired to have celestial marriage left out, as it related to a belief respecting the future state. Others were inclined to agree with them that it was useless to legislate with respect to such a belief so long as it did not involve unlawful practice on the earth.

Before the bill reached the house the insurrection had occurred, eighteen of the non-Mormon Republicans joining the twelve Democrats and thus securing control of the house. That combination in committee of the whole forced the addition of patriarchal and celestial marriage, and in that form the bill passed the house with more than half the Mormons voting for it.

During the debate, which lasted most of the day, the Mormons explained celestial marriage as a belief. Killpack said he was married celestially and believed in it, but it was simply a belief respecting continuation of the union in the next world. He said he did not know whether the oath would disfranchise the Mormon people, but if it did they would still be found abiding by the law.

An effort at the morning session to indefinitely postpone the Sunday rest bill failed by a vote of 25 to 21.

Free to the Ruptured

Simple Home Cure that Anyone Can Use Without Pain, Danger or Loss of Time from Work

SENT FREE TO ALL

I cure rupture without operation, pain danger or loss of time. When I say cure, I do not mean hold, but a cure that stays cured and does away with trusses for all time.

To convince you and your ruptured friends that my Discovery actually cures I want you to test it without one cent expense to yourself. Remember, I am not trying to sell you a truss, but I offer you an absolute, perfect and permanent cure that means freedom from pain and suffering, a largely increased physical and mental vigor, a fuller enjoyment of life's blessings and years of comfort and satisfaction added to the length of your life.

Don't send any money, simply fill out the coupon below, indicate on the diagram the location of the rupture, and mail it to me. Don't neglect this important matter a single day or continue to be tortured any longer by cheap, ready-made trusses.

My remarkable offer is the fairest ever made and should be taken advantage of immediately by all rupture sufferers.

Free Treatment Coupon

Mark on the diagram the location of the rupture, answer the questions and mail this to
Dr. W. S. RICE, 359 Main Street, Adams, N. Y.

Age.....
Time Ruptured?.....
Does Rupture pain?.....
Do you wear a truss?.....
Name.....
Address.....

Phones, Independent—227; Bell, EXCHANGE 22. Call all departments.

Walker's Store

A tremendous consignment of go-carts and baby buggies.

The largest number and finest assortment ever shipped to any one house in Salt Lake.

Every kind, from the plainest little "knock-abouts" to the most elaborate willow-woven affairs with cushion tires.

The conditions of the transaction enable us to offer them at wonderfully reasonable figures.

These few illustrations and prices will enable you to judge for yourself—the values are very conservatively estimated, and the mark-downs are so drastic as to cause great surprise to those versed in the values of these goods.

Sale starts Wednesday morning in the "Busy Basement."

This one, worth $17.00, mark-down price **$12.50**

A little beauty of woven willow, Strong steel frame, very compact and light fitted with dainty ruffled parasol. Well worth $17.00, yours at $12.50.

This one, worth $10.00, mark-down price **$7.00**

Here is a splendid chance. Very neat and stylish, yet inexpensive. A go-cart no one need feel ashamed of. Rigid steel frame and pretty ruffled parasol. Great value at $10.00. An exceeding bargain at $7.00.

A few more we have not room to illustrate. Come and see them.

A great value at $8.70. The mark-down price **$7.00**

A hummer at $9.60. You'll be surprised to see priced at **$7.50**

A fine value at $11.00, now we offer at **$9.00**

Splendid $20.00 go-cart will go at just... **$16.50**

Another worth $22.25, very special at **$18.50**

This one worth $17.25. Mark-down price **$12.50**

A beauty too, made with extra large sides in ornamental willow weave. Strong steel frame; a go-cart possessing great strength and durability, fitted with fine parasol. A bargain in every sense of the word at $12.50.

This one worth $15.00.. Mark-down price **$11.00**

Here's a dandy. Very plain, but of best quality willow, finely woven. Adjustable steel frame. Fitted with handsome ruffled parasol. Though worth $15.00 anywhere, we offer this go-cart at $11.00.

These, too, will be shown during the sale:

A fine $31.00 go-cart to go at **$25.00**

A dandy at $15.00. Now we ask only **$12.00**

Superb $12.60 value is this. Yours at **$10.00**

No better made at $14.80, and you only pay **$12.00**

An unapproachable value at $19.40. We offer at **$16.00**

We can't mention half of them. Just come down Wednesday and see for yourselves. If you've ever priced go-carts elsewhere these offers, will prove doubly appealing.

This one worth $42.70, mark-down price—

$31.00

One of the handsomest go-carts. Very elegant design in woven willow. Extra strong steel frame. Cushion tires. Very elaborately trimmed parasol. A veritable beauty, and only $31.00.

This one worth $27.00, mark-down price—

$21.00

A little black beauty, highly polished and fine leather upholstered. One of the prettiest ones in the lot. Folding top, buggy style. A very superior value at $27. What must it be at $21?

This one worth $19.00, mark-down price—

$14.00

A neat, pretty little go-cart. Very artistic sides of woven willow. Light and easily handled. Pretty ruffled parasol. A very handsome cart for $19.00, and now it's only $14.00.

We must sell these at once, as our basement department is not capacious enough for such a commodious line, hence these offers. They are absolutely unmatchable.

This one worth $33.50, mark-down price—

$24.00

A very handsome, large, commodious buggy. Beautiful rolled edge, willow woven sides. Strongly braced, rigid frame. Fitted with very dainty multi-ruffled parasol. A superb value at $33.50. One of the choicest bargains at $24.00.

This one worth $20.50, mark-down price—

$17.00

One of the gems of the assortment. Very artistic scroll sides of woven willow. Finest steel frame and springs. Large cushion tires. Handsomely trimmed parasol. An all around bargain at $17.00.

This one worth $3.50, mark-down price—

$2.50

Here's the handiest one in the whole stock. Fine veneered back and bottom. Strong steel frame and wheels with rubber tires. Take it anywhere, put it on the back of the car; in fact, it's the one we recommend for hard knocks. And the price, only $2.50.

This one worth $31.00, mark-down price—

$23.00

A large, roomy go-cart with very artistic rolled sides of woven willow. Fine steel frame and springs. Large cushion tires. Very daintily trimmed parasol. A splendid value at $31.00, doubly so at $23.00.