

The Evening Standard

Published Daily, Except Sundays, by Wm. Glasmann.

A Fearless Independent Newspaper. It Has No Friends to Reward and No Enemies to Punish.

HEAR ALL SIDES

While This Paper Has Strong Republican Predilections It Is Not a Party Organ, and Its News Columns are Fair and Just to All Parties and Creeds.

SHOT WHILE HUNTING.

The accidental killing of William Wayne of Riverdale by Ray Nelson, his young brother-in-law, is one more reminder that these hunting expeditions for large game are accompanied by risks which have brought sorrow to many homes.

The young men were hunting deer near Peterson, working their way through the thick growth of brush in a canyon, when young Nelson, catching sight of what he thought to be a moving deer, fired. That shot brought death to his home.

In Wisconsin there were 33 men killed and 36 wounded during the deer season last year and to guard against a repetition of such dreadful fatalities, the state game warden has this year issued an order that hunters in the mountains must wear a red cap as a distinguishing color.

Every year, in every state where there is wild game of large size these distressing accidents occur and it is high time that some prescribed precaution be taken to make the accidental killing less frequent, if not impossible.

THE BOY SCOUTS OF OGDEN.

The "Boy Scouts" movement has taken hold in Ogden, for which we have to thank those men who are sufficiently interested in boys to go considerably out of their way to offer guidance and wholesome pleasure.

Rev. F. V. Fisher of the Methodist church started out early this morning with a party of young "scouts." By the way, Rev. Fisher is entering into his duties as a moral force in this community with that broadness of spirit which promises to be helpful, not only to those within his church, but beyond his congregation. Such men do much to make a progressive, clean, harmonious community.

The boys are to tramp to a sequestered nook in Ogden canyon, have their camp fire, cook a camp fire meal and play scout games. With older heads, interested in their welfare, to direct them, the youngsters can have a day of real enjoyment and yet, out of the play will come the foundation work of character-building. The boys will be taught self-reliance, duty, discipline, kindness—great factors in making, first, good boys, and finally men of worth.

On Wednesday next there is to be a mass meeting of those interested in the organization and there are few fathers who should not attend with their young boys.

CRIPPEN DIES NOV. 8.

Dr. Hawley H. Crippen must die. The English court of appeals has decided against the American dentist found guilty of murdering his wife.

It is scarcely two months since Crippen was chased across the ocean, captured, taken back to face his accusers, found guilty and sentenced, all in that incredibly short period of time. Americans stand amazed at the swiftness with which English judges and jurors move in that most responsible and serious duty of declaring the life of a human being forfeited.

There is something commendable in this speedy administration of law, yet the average American must feel that the English interpretation of a reasonable doubt and the American conception of such a doubt are far apart. Crippen's whole attitude and his conduct, following the discovery of the evidence of his crime, were self-condemnatory, yet purely circumstantial. The proof of a murder was never fully established. The body found in the Crippen home was not proven to be that of a woman, much less that of Belle Elmore, and still the English judge instructed the jury in a manner to make conviction a certainty. This is all contrary to the American idea of what is required to establish the crime of murder, calling for the putting to death of the accused.

Perhaps there is not a person who read the evidence, who does not lean to the theory that Crippen murdered his wife, but there are few Americans who would have found him guilty of murder in the first degree, because Americans are trained to give to the accused the benefit of the doubt, so as to guard against the possibility of an innocent person suffering a complete miscarriage of justice.

ROOSEVELT IS RIGHT.

Theodore Roosevelt has completely routed Judge Baldwin in their controversy on a point of law and exact justice, although Baldwin is trained in the law and Roosevelt is not.

Roosevelt, in answer to a letter from Judge Baldwin, gives expression to views which should have the widest possible publicity as being progressive, reasonable and just. He says:

"In the Hoxie case you had before you a definite statute, enacted by the congress of the United States, declaring the responsibility of railroads to their employes for negligence. Section 5 of that act provided 'That any contract, rule, regulation or device whatsoever, the purpose or intent of which shall be to enable any common carrier to exempt itself from any liability created by this act, shall, to that extent, be void.'

"In that act congress declared that every employe should have certain new legal rights of compensation for injuries occasioned by the negligence of the railroad itself. In placing this clause which I have quoted in the act congress was, no doubt, influenced by the well known fact that in England an employers' liability act enacted many years ago was made a dead letter by employers insisting that their employes should sign contracts agreeing to waive the benefits of the statute and go without the legal rights which the statute proposed to give them.

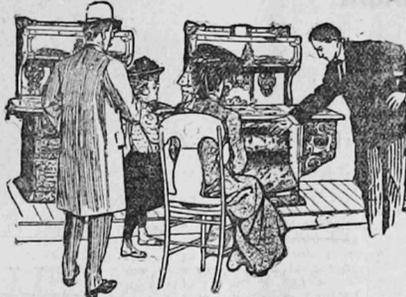
"In the case decided by you which I have criticised, you declared that this clause was unconstitutional as being 'in violation of the fifth amendment to the constitution of the United States as tending to deprive the parties to such a contract of liberty and property without the process of law. You say specifically as to railway employes, 'it denies them, one and all, the liberty of contract which the United States secures to every person within its jurisdiction.'

"Your declaration speaks for itself. In substance it amounts to stating that the employes' right to give up their rights under the law is a thing to be protected and not their right to receive those benefits; that the right to contract to get killed is 'property' of which they cannot be deprived; that the right to get killed comes under the head of 'life, liberty and property,' which the fifth amendment to the

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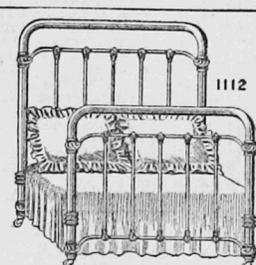


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OGDEN FURNITURE & CARPET CO.

THE PLACE TO BUY YOUR FURNITURE AND BUY IT RIGHT. HYRUM PINGREE, Mgr.

United States constitution says cannot be taken away without due process of law.

"Congress aimed at giving the railroad employe a substance. You construed the act as giving him a shadow by solemnly declaring that to give him the substance is to take away his property in the shadow.

"The result which you attempted to accomplish in this decision would produce, I am told, a strange anomaly. The United States supreme court has held that public policy would not permit a railroad company to make contracts with shippers of freight, that the railroad company shall not be responsible for its own negligence in transporting that freight. You say that the railroad cannot be forbidden to contract with its employes, that it shall not be responsible for maiming or killing them by negligence.

"I protest that there is no public policy which makes freight more important than human lives, and I criticised your decision because you say that the constitution would not permit protection of the lives of every employe to the same extent to which, without a statute, freight is in the United States protected now."

JURORS MAY READ NEWSPAPERS.

A man's constitutional rights are not necessarily violated because jurymen, trying him on a charge of murder, are allowed to separate and to read newspapers during the trial, it was held in a recent decision by the supreme court of the United States.

The court held similarly in regard to the refusal of a judge to send the jury out of the court room during arguments on the admission of evidence.

Furthermore the court laid down the rule that the act of requiring the accused to put on a coat, alleged to have been worn when the crime was committed, did not amount to "requiring the prisoner to testify against himself."

In announcing the opinion of the court Justice Holmes says the trial judge had gone to the limit in the exercise of his discretion during the trial, but that he had committed no reversible error.

"No doubt the more conservative course," said Justice Holmes, "is to exclude the jury during the consideration of the admissibility of confessions, but there is force in the judge's view that if the juries are fit to play the part assigned to them by our law, they will be able to do what a judge has to do every time he tries a case on the facts without them, and we cannot say that he was wrong in thinking that the men before him were competent for their task."

In regard to the jury separating during the trial, Justice Holmes

said that if the mere opportunity for prejudice and corruption was to raise a presumption that they exist, it would be hard to maintain jury trials.

As to the coat incident, the justice would forbid a jury even to look at a prisoner and compare his features with a photograph.

THE CONSTITUTIONAL AMENDMENTS.

The majority of voters forget to vote on the question of amending the constitution of the state. The amending of the constitution is a serious question and, because the majority of the voters fail to vote, often the constitution is amended by a minority of the people.

At the top of the voting machine will be found separate levers to vote "yes" or "no" on the constitutional amendments, and the voter should not forget this.

Professor Mills, superintendent of the Ogden city schools, has requested the high school students to notify their parents to vote for the first four questions proposed for the amendment of the constitution, but Professor Mills has failed to tell the children to notify their parents that voting "yes" on the first four questions means a difference of 3 mills in the taxes to be assessed on the people's property.

If the four questions are voted "no," then the state taxes will become 5 mills on the dollar, while "yes" will continue the state taxes at 8 mills on the dollar.

It is well enough to make the question plain even when presented by a professor.

The professor says Ogden will get \$7,000 for her high school if she will vote the one-half mill tax, as proposed by the constitutional amendment. Even if that were true, is it not equally true that Ogden people will have to pay that one-half mill tax if the amendments carry?

The total tax roll of Weber county is \$18,500,000. A one-half mill tax on that is \$9,250, so the people would lose on that proposition.

But Ogden would not get \$7,000 out of the high school one-half mill assessment, because the very object of that high school one-half mill assessment or tax is to make Ogden and the other wealthy counties pay for and help maintain the high schools in other parts of the state. High schools, if the one-half mill high school tax passes, will spring up like mushrooms all over the state.

This paper favors the first question, which grants the high school money, but the other amendments should be voted down, except No. 5, on which let the small cities alone vote, as it only affects them.

JUST FOR FUN

He Did the Right Thing.

"I hope it will be a long time before I have such another test applied to my honesty," a downtown merchant remarked as he returned from waiting on a customer.

"What was the trouble?" asked his partner.

"Those near-wool suits. An old fellow came in just now and asked me the price of one.

"Seven dollars," I told him.

"Speak louder," he said, holding his hand behind his ear. So I yelled 'Seven dollars!'

"Eleven dollars! Too much! I'll give you nine!" he replied.

His partner looked at the speaker in alarm.

"You—of course, did the right thing?"

"I guess you can depend on me to do the right thing," was the haughty retort. Then he paused. "You'd better get some dollar bills when you go to the bank," he remarked. "I just gave an old fellow our last one for change!"—Harper's Magazine.

Appreciated the Gift.

The story goes that the Chinese statesman, Li Hung Chang, during his first incumbency at Washington, received from his American friends a gift of two thoroughbred, exceedingly valuable little dogs of one of the best breeds.

The gifters received a note of thanks in which the statesman Li said that owing to impaired health and the strict orders of his physician he had been on a strict diet for some time and was unable to enjoy the dogs but that the members of his legation had enjoyed them very much.—Good Housekeeper.

Something to Hide.

"Some one has discovered that if the hand of a sleeping person is placed in salt water, that person will reveal the secrets of his past life," said the hostess, and the visitor immediately began a hurried search for his hat.

"Where are you going?" she asked in alarm.

"Going home to hide the salt cellar," replied the visitor, who knew something.—Tit-Bits.

