

WIFE AND MOTHER PROMISED DEATH

Mrs. Valentine Heinz Lays Serious Charge Against Her Husband.

ASKS DECREE OF DIVORCE

Complaint Filed Today Alleges Brutal Treatment and Threats to Kill—Married Ten Years.

Mrs. Valentine Heinz charges her husband, Franz Heinz, with threatening to kill her and her mother, in a complaint for divorce filed this morning in the Third district court. An order was secured from the court upon the filing of the complaint prohibiting Heinz from drawing his wages from the Utah Light & Railroad company, where he is employed, and restraining him from disposing of two pieces of property he owns, which are valued at \$4,000. She asks for \$100 attorney's fees and \$50 a month temporary alimony.

They were married here on Feb. 21, 1899, and have three children. Within the last year, Mrs. Heinz alleges, her husband has beat her on a number of occasions and threatened to kill her. When her mother interfered last September while he was beating her, Heinz is charged with striking his mother-in-law and threatening to kill her.

RECORD IN DISTRICT COURT.

Judge George G. Armstrong disposed absolutely of 133 cases during the last year in his department of the Third district court. This includes the trial of cases, the defaults and the stipulated judgments besides the naturalization of aliens. During this time Judge Armstrong admitted 39 to citizenship and denied 11 applications.

JUDGMENT FOR LARSON.

A. P. Larson obtained judgment against Fred Ayer and R. M. Pope for \$5,000 in Judge Morris L. Ritchie's court this morning. Larson was engaged to secure the names of persons to a petition to file with the secretary of the interior at Washington, D. C., to grant a hearing of the rights of Pope and Ayer against the Havin Mining company to some hydro carbon claims in Uintah county. Larson succeeded in getting a hearing and then, the complaint alleged that Pope and Ayer refused to pay him.

CALL REGISTRATION CASE.

George Slade, who declared that he was induced to register at the last election illegally under threat by Patrolman Jasper Kast, was arraigned this morning before Judge Thomas D. Lewis and entered a plea of not guilty in the face of an affidavit which he made when he was arrested implicating the police in a wholesale illegal registration scheme. Attorney "Samuel" Armstrong, a patriot of the "American" party, was appointed by the court as Slade's attorney. Armstrong held a conference with his client this morning and then decided to turn the case over to Attorney Aker.

F. G. Morrison, charged with burglary, pleaded guilty this morning. In the information he is accused of entering the premises at 62 west Second south street on Nov. 1, 1909.

Alfred Egan pleaded guilty with breaking into the establishment of Edward Gaby at Fourth North and Second West street was arraigned and entered a plea of not guilty. The information alleges that the crime was committed on Nov. 23, 1909.

AFTER NINE YEARS LITIGATION.

George Naylor, his wife, Hilda Naylor, and other members of the family, were released Thursday from a mortgage held by Joseph M. Jensen et al. Judge C. W. Morse's court. The mortgage was given upon real property to secure the carrying out of an agreement relative to the leasing of certain sheep. Naylor and his wife declared that the terms of the lease had been fulfilled and that they had turned over 4,444 head of sheep to the defendants, but that Jensen and his partners refused to cancel the mortgage. This case has been before the courts for nine years, and it is understood that an appeal will not be prosecuted to the supreme court.

THOUGHT IT WAS A GIFT.

Although John Halff made out a deed to Mrs. Anna A. Gresham, Ind., on Jan. 4, 1904, he filed a suit Thursday in the Third district court to declare the deed void because she did not know she was to buy the property. The property involved is described as part of lot 4, block 14, plat E, Salt Lake City survey.

MULE STARTS A SUIT.

Mike Bojanich, a miner, filed suit Thursday against the Cliff Mining company to recover damages in the sum of \$1,975, when a mule threw some cars off the track, which fell on him. Bojanich's leg was broken and his body bruised. The accident occurred in the mine on Sept. 25, last.

BISHOP SCANLAN ON VACATION.

Bishop Scanlan has found it necessary to take another Arizona trip, on account of his health. The countless cares and worries attendant upon the great work of building the Catholic cathedral have made inroads on the bishop's health, and the fact that he is advancing in years makes it incumbent on him to have special regard for his health.

Dayton Drug Company
Cor. 2nd. So. and State.
Phones 552.

Fine Box Stationery to close

We have too large a supply of this line on hand, and we wish to close it out before inventory. It's a splendid quality white linen paper, ruled or unruled.

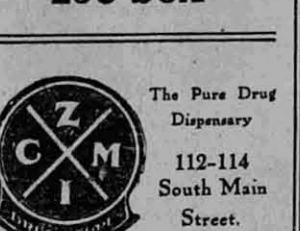
Excellent 35c and 40c values; this week, while they last, the box

25c
Godbe-Pitts Drug Co.
Phone 140.
Cor. Main and 1st So.

How Is Your Cold?

Still hanging on? Get a box of Compound Quinine Laxative Tablets. They'll relieve you, only.

25c box



ROGERS HAS RESIGNED.

Deputy City Attorney to Devote Time To Private Practice.

Edgar A. Rogers, assistant city attorney, who has had charge of the prosecutions in the criminal division of the city court in city cases, has sent his resignation to the city attorney, and it is to take effect next week. The resignation has been accepted but just who will succeed Mr. Rogers in the important duties is not known as yet. There are five or six applicants for the position.

Mr. Rogers stated this morning that he resigned because his private practice was growing to such an extent that he could not devote the time necessary to the office and, also, because the city attorney insists that his assistant at police headquarters must spend at least two hours of each morning at headquarters.

Mr. Rogers stated that he would devote his entire time to his private practice after leaving office.

Mr. Rogers is one of the most prominent young attorneys of the city. He graduated from Cornell university in the class of '05 and passed the New York Bar examination with high honors. Since he has handled the work of the police court he has made an enviable record and it will be with regret that the department sees him leave.

PERFECT PROTECTION FOR \$2.50

We have Safe Deposit Boxes for rent in our absolutely Fire and Burglar Proof vaults of sufficient size to hold a large number of papers and documents which may be rented for \$2.50 a year.

It is usually the unexpected that happens. You can never know when your home may require the attention of the fire department. Friends can carry out the furniture but only you can save your personal papers of value. If you keep them in a safe deposit box in our fire and burglar proof vaults, you can know they are safe, not only from fire but also theft or loss.

UTAH SAVINGS & TRUST CO.
NO. 35 MAIN STREET.
IN THE BUSINESS HEART.

GOVERNOR ENTERTAINED.

Senator and Mrs. Reed Smoot Give Dinner to Gubernatorial Party.

(Special to The News.)
Washington, Dec. 30.—Gov. and Mrs. William Spry, the Misses Spry, State Senator and Mrs. Henry Gardner, and Miss Lucy Var. Cott were entertained last night at dinner by Senator and Mrs. Reed Smoot. They arrived late in the afternoon from New York, where they have been since the launching and naming of the United States battleship Utah.

If President Taft returns to Washington tomorrow, it is possible that Senator Smoot and Gov. Spry will meet with the chief executive. Senator Smoot and Gov. Spry are on their way to California to have some lands restored to the public domain which had been withdrawn because it was believed they contained petroleum and other mineral.

WAITING FOR RAILROAD.

Pres. Smart Says Eastern Utah People Have High Hopes.

William Smart, president of the Vernal state, in town this week. The hopes of the people are high now or so before they may have the long-wished-for railroad connections with Salt Lake. The survey of the Moffat road bisects the territory, and its advent would open up a vast amount of rich agricultural and mineral lands therabouts, and afford quick communication with the outside world.

COMMERCIAL CLUB BOOM.

Twelve Hundred Membership Mark Is Reached by Noon Today.

This morning shortly before noon the 1,200 mark had been reached in the matter of members and applications for membership at the Commercial club and it is putting its shoulders to the wheel in the effort to pass upon something like 500 applications. There are a number who will not come up for consideration this afternoon as the rules provide that each candidate must have his name posted at least five days.

OLEOMARGARINE GETS AN WINNING

Hoisting of Price of Butter Gives The Substitute a Big Boost.

INCREASE TWENTY PER CENT

Sales Show Advance All Along the Line—One Dealer Places Big Order in East.

Inquiry along market row this morning, develops an interesting condition of affairs in the butter controversy. Retailers say the creamery men affect to laugh at the present furor, and tell them "It's the price fixed by the trust, or nothing." "Pay it and take it, or don't pay it, and let it alone," seems to be the slogan of the creamery men at present. But what it will be within the next five or six days remains to be seen. Retailers, and commission houses not dependent upon the trust, all continue to side with the higher priced article being put up in packages the same as creamery butter. Dealers along the row agree that hoisting butter to 45 cents is the biggest kind of a boost for the oleomargarine market. "People," they say, "are getting over their shyness of oleo. What comes into this market is good clean stuff. Purchasers know what they are getting for it is branded, and there is no attempt to deceive. Oleo is a good deal better than the cheaper brands of butter, and we are selling a lot of it."

INCREASE IN SALES.

One dealer declared today, that his sales of oleomargarine had increased 20 per cent in the last three days. In one store buyers were crowding in, asking for it. Prices for this butter substitute range from 25 to 30 cents, the higher priced article being put up in packages the same as creamery butter. There was not one retailer along the row but who expressed sympathy with the consumer and antipathy to the creamery trust. In fact, there seemed to be a general readiness to throw out butter entirely and substitute oleomargarine. One dealer said he had just ordered a big consignment from the eastern packing houses, and had just about run out of all the stock he had on hand.

An interesting incident occurred at Martini's grocery. The head salesman placed a butter brick from a Salt Lake creamery on the scales; it fell short of the legal weight. He placed a brick of Ogden butter on the scale and it weighed 17 ounces. There does not appear to be any colored oleo on the market, the color being of a light cream tint. Both the state food commissioner and the state chemist say the pure stock is just as good as butter as a food product. The efforts of the women about town in the ring-out movement seems to be gaining, as local dealers report a steady falling off in the butter trade.

RECORD IN MONEY ORDERS.

Postoffice Sends \$50,000 to Foreign Lands During Xmas Rush.

The business of the money order department of the Salt Lake postoffice for the holiday season has broken all records by large margins. In approximate amount the money which was sent to foreign lands was \$50,000. All of this was sent from two to three weeks before Christmas.

During the last 10 days there has been paid out at the windows of the department \$46,381, and during the same period something like \$22,000 has been sent to other cities in this country. The balance against Salt Lake, including the foreign business, is something in the neighborhood of \$24,000.

"The business has exceeded by long odds that of any previous year," said Orwell Williams, head of the money order department, and he said that he had received from the surrounding Utah country the same conditions prevail. The great prosperity of the holiday duty has been undoubtedly had much to do with this condition.

IDAHO POSTMASTERS.

(Special to The News.)
Washington, D. C., Dec. 31.—Edith H. Thompson has been appointed postmaster at Quartzburg, Boise county, Idaho, vice W. Spaine, deceased.

U. S. CENSUS BUREAU SENDS OUT CIRCULARS

Pay Is Not Large but the Work Is Worth Doing Well—Examinations Feb. 5.

The U. S. census bureau sends out the following circular which is released today, as coming from the supervisors of the various districts:

"The census will be taken, not by the census bureau officers or the supervisors, but by the enumerators. They are the ones who come in contact with the people and get the facts. It is left to every single enumerator does his whole and proper duty there can not be a correct census. There can not be any greater scientific value to the country than accurate statistics as the basis of a study of the existing conditions regarding our population, agriculture, manufactures, and mines and quarries.

"All persons, unless specifically disqualified, are entitled to apply to take the test. Only those under 18 years of age and over 70, and those who have not become citizens of the United States, are barred. Otherwise, all persons, regardless of sex and political affiliations, are eligible. It is left to my judgment whether it is wise to appoint women in my district. They can do the work, I have no doubt, especially in the case of the census director. There were a good many employed all over the country in the twelfth census.

"The time for closing the consideration of applications is Jan. 25. Those received after that date will have to be ignored. Applications should be addressed in writing to me at this office and not to the census director. I will send inquirers the necessary form and instructions concerning it. Afterward I will send those on the list, prior to the test, a set of directions for filling out the test papers. This will enable everyone to come well prepared. Nothing could be fairer or better calculated to insure a satisfactory applicant passing the test.

"The test itself need not deter anyone. Any person with common sense

HOUSES STARVING IN THE SUBURBS

Deputy Game Warden Bingley Finds Twenty-Two Dead On Redwood Road.

WALKING BUNDLES OF BONES

Many More Staggering About in Frozen Pastures—Police Notified And Hay Will Be Sent Out.

Twenty-two horses, dead from starvation, were found this afternoon by Deputy Game Warden William Bingley on Redwood road between Twelfth and Thirteenth south streets. The horses were strewn all along the road and it was quite apparent to Bingley that they had died of starvation, for the pastures were frozen and little water was to be found where the horses could even drink. The condition of the ground showed plainly that the unfortunate animals must have suffered intense pains in their last hours, as the ground was strewn with hair and bloodstained where the horses had rolled over and over many times in their last struggle. Warden Bingley declares that the eight horses of the worst he has ever seen in a long experience.

In addition to the horses found dead, there are as many more in the vicinity who are still alive but evidently suffering both for lack of water and food. Their bones almost pierce their hide, and upon seeing Bingley they made their way towards him as best they could, evidently believing him to be someone who had come to look after them. Some of the unfortunate animals fell to the ground while trying to reach the water, and Bingley has been matter up with the city humane officer, Dr. Kendall, although the horses are outside the city limits, the police believing that humane considerations should be given to the animals of the law in a case of the kind.

It is stated that food will be sent out to the starving animals as soon as possible and the cost charged against the owner of the horses or of the pasture. It is also stated that prosecution will follow.

BUILDING RECORD FOR YEAR.

Over Eight Million Dollars Represented in Building Permits Issued.

Building Inspector A. B. Hirth has closed his books for the year and his figures show that in the year 1,235 permits have been issued for building work, valued at \$8,077,320. This is a gain over last year of over 70 per cent. The largest building permit issued was for \$1,200,000, involving 1,600,000 cubic feet of work, and this year having seen 200 more buildings erected or started than last year and at a great advance in cost.

LOAN SHARK MEETS HIS FIRST WATERLOO

Judge Morse Decides That When Usurious Interest Is Charged the Debtor Need Not Pay.

When usurious interest is charged by a "loan shark" in Utah, the debtor has recourse in the courts and need not pay it. This decision was reached Thursday by Judge C. W. Morse in the case of J. H. Haynes against D. H. Tolman and the Rio Grande Railway company, enjoining the railroad company from paying to Tolman the cost of the buildings reaching the magnificent total of \$8,077,320. This is a gain over last year of over 70 per cent.

Haynes borrowed \$33 and in three months paid \$36 on it. Tolman declared that he had owed him \$20 on a note given when the railroad loan was made. Tolman filed suit against Haynes when he refused to pay the \$20 and gave him wages at the Rio Grande Railway company. Haynes was discharged when the garnishment was levied. Then Tolman filed suit against Tolman and obtained an injunction restraining the railroad company from paying his wages to Tolman. Judge Morse held by his decision that Haynes was not bound to pay for the loan declaring the note void and assessing the costs, \$21.50 against Tolman.

HARRY LAUDER NOT YET BOOKED IN SALT LAKE

Up to the time of going to press no positive word had been received from William Morris, manager of Harry Lauder, as to where the famous vaudeville artist will appear in this city. The presiding bishop's office received a telegram offering to modify the program in any respect to make it satisfactory and agreeing that only Mr. Lauder himself and the Marimba band would appear. A firm but respectful answer was returned that the tabernacle could not be secured under any circumstances for the entertainment, as it had been booked under misinformation.

The expectation is that Mr. Vion, advance manager of the company, will arrive from Los Angeles today or tomorrow to obtain another house. The management of the tabernacle takes no stock in the lurid dispatches printed in a sensational morning paper to the effect that Mr. Morris' eastern representative threatens to sue for an injunction, as a competent legal authority says that there would be no chance to obtain an injunction in such an issue.

MAYOR VETOES CONTRACT.

Forestry Agreement Not Satisfactory To Him—Suggests Modification.

Mayor John S. Bransford vetoed the contract this morning approved by the council between the forestry department and the city for the protection of the watershed of Parley's canyon and City Creek because it was unfavorable to Salt Lake City. In making his objections to the contract he says that it provides that the city shall turn over to the department for 10 years the lands owned by the city which come within the Wasatch forest reserve. It gives

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the government the absolute control and regulation of the land and the city is not allowed to make any suggestion whatever. The department will patrol the land with rangers and patrolmen but the city, the contract states, will have to bear the expense.

The government will plant trees on the land but Mayor Bransford remarks that the city will also have to pay for this and have nothing to say about it. The contract also prohibits anybody from prospecting on the lands or developing mines. This is already prohibited by the mayor says with a great deal of force. He believes that the contract should be modified to a great extent before it is entered into with the government.

EDUCATORS LEAVE CITY.

Speakers Before Teachers' Institute Much Appreciated.

Dr. Thomas M. Ballet, dean of the school of pedagogy of the University of New York, who delivered several interesting addresses before the state teachers' convention held in this city recently, left today over the Denver & Rio Grande for his home in New York. Before leaving Dr. Ballet expressed his pleasure at being invited to address the teachers of Utah, whom he designated as having an exceptionally intelligent body of men and women. That his addresses were thoroughly appreciated by the teachers is apparent on every hand, because of the large number of the subjects handled his suggestions were full of meat for the assembled teachers. Miss Ada Van Stone Harris, assistant superintendent of the Rochester schools, who also addressed the teachers, had left for the east on an earlier train, and Dr. Suzzalo departed for Idaho, where he has under him some of the best of the state's teachers in this city. The visiting teachers left for their homes yesterday afternoon and evening, some of them arriving in the city until this morning before taking their departure. In the opinion of many leading educators, the recent convention was the most successful of the 15 annual sessions which have been held.

DEATH OF GEORGE WISCOMB.

Well Known Man and Early Comer to State Dead of Paralysis.

George A. Wiscomb died this morning at his home in this city, 278 D street, of paralysis. The funeral services will be conducted at the family residence Sunday at 3 o'clock with interment in City cemetery. Friends are invited to attend the funeral. Wiscomb was a native of England, where he was born in Sussex, Aug. 1, 1841. In 1865 he married Elizabeth Pink and the two came to Utah in 1870. Wiscomb was a journeyman from Fort Benton to this city by ox team. Of the immediate family there are surviving Mary Wiscomb, Walter J. Morris, Mrs. E. W. Brown, W. Wiscomb and the mother, Jane C. Wiscomb, who is 84 years of age. The following children survive with their mother: Mrs. A. H. Burt, W. G. Arthur, George A. Jr. and Mrs. Josephine Pedersen. For many years Mr. Wiscomb has been employed at the M. I. and William Jennings & Sons and for 15 years he was with Cunningham & Sons as manager of the retail grocery department.

LATE LOCALS.

For aviation week at Los Angeles, which occurs Jan. 5 to 10, the Salt Lake club will run an excursion from Salt Lake City.

Annual Sunday School Party—The annual Sunday school party for the children of the Seventeenth ward Sunday school will be held tomorrow afternoon in the city hall amusement hall, beginning at 2 o'clock.

M. I. A. Programs—In order to insure publication in Saturday's News the choir committees of joint programs for Sunday, Jan. 2, and the various wards should see that their program the city editor not later than 9:30 tomorrow.

Lake Rising—The level of the great lake is 5.7 feet above the zero line, as compared with 2.4 feet, one year ago, a gain of 2.3 feet. The rise in the last two weeks is 1 of a foot. The lowest level was .5 of a foot below zero in 1903, a rise of 6.5 feet since that time.

Miss Wells, a Patient—Miss Bertha Wells, nurse at the Groves L. D. hospital, and daughter of John Wells, superintendent of the institution, was the victim of a sudden attack of appendicitis yesterday and an immediate operation was performed. The patient today is doing nicely, and should soon be on her feet again. This is Miss Wells' sixth attack.

Handsome Art Calendars—The News is in receipt of three very handsome calendars, one from the Nephli Plaster and Mfg. company picturing a scene in Yellowstone, another from Elias Morris & Sons Co., showing a English Fishing village, and the third from Pontion-Madsen-Owen Co., with a view of the Bright Angel Trail in Grand canyon. All are reproductions of Moran's famous paintings are all done in beautiful colored effects.

Kenneth C. Kerr, district passenger agent of the Salt Lake Road, has returned from Provo, where he completed the details of the excursion from the Garden city to Denver for the big apple show, which takes place in the Colorado metropolis on Jan. 5. The Provo apple growers have arranged to take an exhibit to Denver which they think will capture the prize, and will distribute samples of the Utah county fruit all along the line.

PERSONALS.

Willard Done has gone to Smithfield to attend the funeral of his cousin, Mrs. T. H. Chambers.

James H. Cannon of Boise is visiting with relatives in this city for a few days.

Dancing at Conservatory Hall.—Dance the old year out and New Year in Dancing tonight, 68, P. O. Place.

LEGAL BLANKS.

Of every character and description, arranged from the best legal forms, and brought strictly up to date.

A full supply always on hand at the Deseret News Book Store.

TRUSTEES, PRINCIPALS AND TEACHERS

You are welcome to our Book Store during your stay in the city. Our stock of educational and miscellaneous books is large and complete. School desks, furniture, maps, globes, and general school stationery of the best quality, call and see us.

DESERET NEWS BOOK STORE

The Leading Book Concern.
6 Main Street.

WEATHER REPORT.

Rain or Snow Tonight or Saturday.

TODAY'S TEMPERATURES.
6 a.m. 28
7 a.m. 28
8 a.m. 28
9 a.m. 28
10 a.m. 28
11 a.m. 28
12 noon 28
1 p.m. 28

YESTERDAY'S RECORD.
Highest 30
Lowest 13

FUNERAL NOTICE.

The funeral of Edward Michael, member of the James B. McKean post, will be held at O'Donnell's chapel Sunday at 1:30 p. m. under auspices of the post with service at 31. City. The deceased was sergeant in B company, Seventh United States regulars, during the war of the Rebellion.

The funeral of E. C. Wareski will be held at the Murray First ward meetinghouse at 12 noon Sunday. Friends desiring to take the last look at the face of the departed are requested to call at the residence, east Seventeenth south, at between the hours of 10 and 11:30 a. m.

The funeral of Chas. Plant will be held Sunday at 12 noon in the Seventh ward chapel. Friends invited.

DIED.

BARTON.—At 116 west Eighth South street, stock, 30 years of diphtheria. Robert E. Jr., son of Robert E. and Annie Ramussen Barton, aged 3 years.

The funeral services for the