

# Today's Ogden News

## SUIT TO ANNUL WATER FRANCHISE

Real Estate Association Files Action and Obtains Temporary Restraining Order.

## CONTEMPT CASE DISMISSED.

Judge Maughan Quashes Information Against Dist. Atty. Halverson.—Divorcee Goes to Jail.

Ogden, Aug. 10.—J. J. Brummitt, an active member of the Ogden Real Estate Association, is plaintiff in an action filed last evening in the second district court against the Ogden Waterworks company, Ogden City, Florence O'Neill Stanford, city auditor and Robert A. Moyes, city treasurer, and Judge J. A. Howell signed a temporary restraining order restraining the defendants from taking any further steps in the granting to the waterworks company of a 30 years franchise or in the issuing to them a \$10,000 city warrant in full payment of all litigation between Ogden City and the waterworks company, also hydrant rentals.

The complaint recites the rules of the city council, which provide that any ordinance must be passed by the council on three readings, and that one week shall elapse between each reading, also that it shall be referred to a committee who must report on the same before such an ordinance passes its second reading. These rules, it is alleged in the complaint, were violated by the council in passing the ordinance, another rule is that no appropriation of money by ordinance or otherwise belonging to the city shall be made until the same has been referred to a committee of the council and reported on, which it is alleged was not done in appropriating the \$10,000 to the waterworks company in full payment of all claims it holds against Ogden City.

The complaint further sets forth that on July 29, 1906, the council suspended its rules on a vote of 7 to 2 and passed the ordinance granting to the Waterworks company a franchise which is attached to the complaint and marked exhibit A, and that in consideration of the granting of the franchise the Ogden City Auditor signed an agreement, a copy of which is also made part of the complaint, and marked plaintiff's exhibit B, agreeing to dismiss all suits pending against the city and judgments rendered amounting to \$41,000 for the sum of \$10,000. That the passing of said ordinance is in "direct violation of the rules of the council, as it was never referred to a committee of the council, that it is wholly void and contrary to the laws and constitution of the state.

The complaint also sets forth that in consideration of things to be done by the Waterworks company as set forth in the ordinance, including the water rates there fixed, and as the inducement for the passage and acceptance of the franchise Ogden City thereby attempted to lease and dispose of valuable water rights owned by the Ogden City of Ogden river. Weber county, state of Utah, heretofore used for supplying Ogden City and its inhabitants with potable waters, which the complaint charges is in violation of the constitution of the State of Utah. Wherefore plaintiff prays that the court decree the alleged ordinance, proposition and resolutions void and of no effect and asks for permanent restraining order restraining the payment of the \$10,000 to the Waterworks company.

**CONTEMPT CASES DISMISSED.**

Judge Maughan Quashes Information Against Dist. Atty. Halverson.

Ogden, Aug. 10.—The contempt proceedings brought by Henry Wessler against District Attorney George Halverson, wherein the plaintiff charged that Mr. Halverson failed to perform his duties in not filing an information in the district court against Joseph Kendall, charging him with the murder of his wife, within 30 days after the defendant was bound over to answer to the charge to the district court, came on for hearing on the motion of

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the defendant that the information be quashed. Attorney J. N. Kimball represented Mr. Halverson and R. S. Parnsworth the complainant. It was clearly shown in the argument that Mr. Halverson had filed an information against Kendall, while not in 30 days after his having been bound over, in due time, however, and he was given a trial, convicted of the crime and is now serving a 15 years' sentence in the state prison. Judge W. W. Maughan of Logan granted the motion to dismiss and stated in passing on the case that when the information against Kendall was filed, the requirements of the law were complied with and the court had no jurisdiction in the premises whatever.

James A. Blair will serve a term of five days in the county jail as punishment for contempt of court in failing to pay alimony to his divorced wife, Katherine Blair, as was decreed by the court at the time the divorce was granted.

The case of Penfield against the Union Pacific, suit to recover damages for personal injuries, was continued until Monday on account of one of the witnesses being unable to be present on account of illness in his family.

The contempt cases against Glasman et al were continued to Aug. 14.

## IMPRESSIVE OBITUARIES

**Over Remains of Elder Aaron W. Jackson, Drowned in Wisconsin.**

Ogden, Aug. 10.—Peacefully the remains of Elder Aaron W. Jackson, who was accidentally drowned at Lacrosse, Wis., on Aug. 3, while on a mission, were laid to rest in the family burial plot in the Ogden city cemetery yesterday afternoon, Bishop Edwin T. Woolley officiating at the grave.

That the sympathy of the entire community is extended to the sorrowing parents, and that the young missionary, who was not yet 22 years of age, was beloved by all, was evidenced by the unusually large attendance at the funeral.

## PROVO DEPARTMENT

The "News" is delivered by carrier every night (Sunday excepted) at 75 cents per month. All payments and complaints should be made to R. J. Dagdale, agent for Daily, Saturday and Semi-Weekly News. Orders taken for Church Work. Residence, 724 Fourth North St., Phone Ind. 5.

## MENTAL HOSPITAL AFFAIRS.

State Board of Insanity Meets. County Medicos Combine on Fees.

**Special Correspondence.**

Provo, Aug. 10.—The following business was transacted at the monthly meeting of the state board of insanity held yesterday:

Salaries for July, amounting to \$1,920.45, and current expenses, amounting to \$1,265.12, were appropriated and requisitions made on the state auditor for the amounts.

The following balances were reported on hand Aug. 1 by Treasurer Farrer: General fund, \$1,257.45; improvements and repairs fund, \$5. The following report of the movement of patients was submitted by Medical Supt. Calder:

	Men	Women	Total
In attendance June 30...	175	186	361
Admitted in July...	6	4	10
Under treatment...	181	19	200
Discharged...	5	4	9
Died...	1	1	2
Remaining July 31...	175	185	360

The board spent considerable time inspecting the wards and other departments of the institution, all of which were found in excellent condition.

**UTAH COUNTY MEDICOS.**

There was a good attendance at the regular monthly meeting of the Utah County Medical society, held here yesterday.

Dr. Reynolds of Springville was elected to membership, and Drs. Christian of Beaver, and Hullinger of Vernal, were elected honorary members. The following were nominated for election to membership: Dr. Miner of Nephi,

the funeral services held at the Fourth ward meetinghouse yesterday afternoon at 2 o'clock, and the great wealth of beautiful floral tributes laid upon his resting place.

The ward choir sang the selections, "Wanted on the Other Side," "Cast Thy Burden on the Lord," and "Almost Home." E. F. Toot, with organ, violin and cello accompaniment, sang "A Heart Divine." Orson Griffin sang "Sometime We'll Understand," and Prof. Charles Kent rendered "I Know that My Redeemer Lives."

President German E. Ellsworth of the Northern States mission, and Elder E. H. Hale of Oakley, Ida., who was president of the Wisconsin conference, in which the deceased was laboring, each paid a glowing tribute to his memory as a missionary. He was, they said, energetic and faithful to his every duty, of a sunny disposition, making many friends, and was beloved by the saints. Elders George Reynolds and J. Golden Kimball of Salt Lake City, President C. F. Middleton and Elder D. O. McKay spoke many words of comfort to the relatives and friends. Bishop E. T. Woolley read several of his letters, which breathed a devotion to God's work and Elder Walter A. Kerr read resolutions of respect passed by the Fourth ward Sunday school.

## BAN ON SUNDAY LIQUOR SELLING

Sheriff G. A. Schering has served notice on those holding a license to sell liquor in Ogden canyon at the resorts that no more liquor can be sold on Sunday, and that any one caught violating the law will be vigorously prosecuted. This is the proper step to be taken by the sheriff as heretofore liquor has been dispensed in the canyon on Sunday, some men having become intoxicated and the lives of the hundreds who drive up the canyon and visit the resorts have been endangered at times by fast driving and hasty and careless conduct. The sheriff has two deputies in Ogden canyon every Sunday and holiday and one on week days to see that the laws are complied with and he gives warning that any violators arrested will be shown no leniency.

Prof. Alfred Nelson, who has been laboring in the Scandinavian mission during the past two years and was formerly at the head of the Weber Stake academy commercial department, has returned. He is in excellent spirits and health and speaks very encouragingly of the work being done in the northern lands in preaching the gospel. He has enjoyed his labors very much and feels that a missionary experience is a great blessing.

## SALT LAKE COUPLE MARRY.

George Bunch, 34, and Miss Cora Munroe, 32, both of Salt Lake City, have received a license to wed and were married in Ogden last evening.

## PAROWAN.

**REALTY TRANSFERS.**

New Steam Thresher Company—Home Dramatics.

**Special Correspondence.**

Parowan, Iron county, Aug. 8.—Mrs. Adelaide J. Rasmussen left here yesterday for Sanpete county, where she intends to make her home in the future. J. H. Hildreth purchased her home and other real estate, the consideration being \$1,000.

J. E. Mortensen has returned from the Big Horn basin, Wyoming, where he has been at work this summer.

L'Aigro Dramatic club, which is composed of home talent, has just returned from a tour through this and neighboring counties, and is now taking a trip in the mountains.

The committee appointed by the city council to look up a suitable site for the electric light plant expect to go on the 15th up the canyon for that purpose.

A new steam thresher has been ordered by W. H. Gurr, Hans J. Mortensen, Jr., S. C. Mortensen and others, and is expected here for this fall's work.

## RICHFIELD.

**ANDERTON DIVORCE SUIT.**

Building Room in Richfield and Wage-Earners Well Paid.

**Special Correspondence.**

Richfield, Sevier Co., Aug. 8.—The case of Matilda Anderton vs. Walter F. Anderton was heard yesterday and to-

in the Airotome here last summer, is back with a big vaudeville attraction which plays in a tent here. Mr. La Reno has completed a profitable tour of Colorado.

Paul, the 11 months' old son of Mr. and Mrs. Vanus Seville of Springville, died here last evening. The child was brought to Provo to undergo an operation at the Provo general hospital for some internal ailment, but died before he was operated on.

Since the disagreement between the butchers and grocers and the Bell Telephone company, which resulted in the

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## FUNERAL OF JAMES P. LOW.

Peculiar Fatality—Horses Stung to Death by Bees.

**Special Correspondence.**

Logan, Cache Co., Aug. 9.—Funeral services over the remains of James P. Low, who died at Paradise, yesterday, were held at Paradise, yesterday. The speakers were Wm. Bishop, I. C. Thoreson, Wm. Humphreys and J. W. Larsen, who were all united in the praise of the life and labors of deceased. A large concourse of people followed the remains to the cemetery, the grave was dedicated by Elder A. S. Williams.

A team belonging to Mr. Thomas Leishman of Wellsville became stalled by the load of wheat yesterday; while people were assisting the team to move the load of wheat an infuriated swarm of black bees owned by a man adjoining the highway, lighted upon the team and men. The horses were so badly stung that they died in a few moments.

## GRANTSVILLE.

**DEMISE OF A PIONEER.**

Orin E. Barrus Succumbs to Stomach Trouble.

**Special Correspondence.**

Grantsville, Tooele Co., Aug. 8.—Richard Palmer and Miss Marantha Ratcliffe were married in Salt Lake last Tuesday by Elder David Smith.

Mr. and Mrs. Hibbard arrived from England last Saturday and are staying at the Ratcliffe home for a short time.

The stock officers of the Primary association attended a stock officers' meeting last Thursday and had a very pleasant time.

A. Fawson has been appointed a delegate to attend the Fourteenth National Irrigation congress at Boise, Ida., Sept. 3 to 8, to represent the Beekeepers' association of the State of Utah.

George R. Judd's steam thresher has commenced knocking out the grain, and a big harvest is on.

Elder Robert Judd will leave here on the 20th inst. on a mission to England. His farewell party will be held in the opera house Friday evening, the 17th inst.

## FUNERAL OF O. E. BARRUS.

The funeral services over the remains of Orin E. Barrus were held in the ward meetinghouse last Saturday. The deceased was born Sept. 14, 1845, in Nauvoo, Ill., and emigrated to Utah with his parents in 1853, and settled in Grantsville, which has been his home up to the time of his death, which took place Aug. 1 of stomach trouble. In 1862 he hauled rock for the Salt Lake temple and in '65 drove oxteam to the Missouri river to help emigrate a company of saints. He left four sons and three daughters to cherish his memory.

The Warm Springs saloon in Grantsville precinct closed its doors for want of patronage. An attempt was made to start up in the city limits, but the council put the license at \$1,200 a year, which scared them out.

## HYRUM.

**Well Attended Priesthood Meeting in Hyrum Stake.**

**Special Correspondence.**

Hyrum, Cache Co., Aug. 8.—The priesthood meeting held here last Saturday was well attended by representative elders from all the wards, and the remarks made by President Wm. C. Parkinson on the occasion were very timely. Elders Oscar Barrett and H. B. Nielsen, who had returned from a two years' mission to Sweden, and a two and one-half years' mission to Norway respectively, gave very favorable reports.

The following elders were sustained as home missionaries: Isaac Sorenson, Oscar Barrett, Daniel Stuart, Geo. J. Haslam, Michael Johnson, Nephi Sorenson, P. O. Hansen, Nichol Jorgensen, H. B. Nielsen, H. B. Nielsen, John B. Woodward.

Carl Johan Clawson and Emanuel Andersen were sustained for ordination of high priest and elder respectively.

## MANASSA, COL.

**STAKE CONFERENCE.**

Rainy Season Helps Crop and Range Conditions—Politics.

**Special Correspondence.**

Manassa, Conejos Co., Colo., Aug. 7.—The quarterly conference of the San Luis stake was held in Manassa, Aug. 4 and 5. Elders Reed Smoot and Joseph W. McMurrin were in attendance. On Saturday, after the close of the afternoon meeting, the visitors and some of the residents entered carriages and drove to Eastdale, 20 miles, where at 8 p. m., a meeting was held and the new meetinghouse at that place was dedicated. They returned next morning in time for the Sunday school session at 10 a. m. In the afternoon the stake house was crowded to its utmost capacity, many of the citizens of the surrounding settlements coming to hear Elder Smoot.

On Monday the Relief society conference was held. Medames Cannon and Barker from Salt Lake City were in attendance and gave timely instructions about the lines of Relief society work and proper training of children.

**RAINY SEASON.**

All through July this country has been blessed with abundant rains and as a result the crops and the range are

# "The Paris" SATURDAY!

**The Big Shopping Day.**

**SENSATIONAL MILLINERY CLEAN-UP!**

One lot STRAW SHAPES, all this season's styles; values up to \$1.00. Your choice ..... 10c

ONE LOT MILAN CHIP AND LEIGHORN SHAPES; values up to \$2.00. Choice ..... 35c

ONE LOT LADIES' AND MISSES' READY-TO-WEAR HATS values up to \$3.50. Choice at ..... 48c

75 LADIES' TRIMMED HATS; values up to \$4.00. Your Choice ..... 98c

150 LADIES' TRIMMED HATS; values up to \$6.00. Your Choice ..... \$1.95

100 PATTERNS HATS; values up to \$15.00. Your Choice ..... \$3.95

**1000 Bunches Flowers**

All imaginable colors and varieties; worth up to \$1.00. Your choice, the bunch ..... 25c

**White Washable Linen Suits**

This is made up in an extra good quality of linen; comes in the jaunty Eton jacket, the skirt circular or pleated, all white or white with blue trimmings, fully worth \$5.00; at this final ..... \$1.98

**Washable Gingham Petticoats**

Come in the light and dark colors, striped, plain and checks, colors, pink, blue and gray.

One lot that formerly sold as high as \$1.00, and ..... 48c

One lot that formerly sold for \$1.50 and up. Final clean up ..... 79c

**Clean-Up on Children's Dresses**

One lot of CHILDREN'S WASHABLE GINGHAM DRESSES ..... 39c

One lot of CHILDREN'S WASHABLE GINGHAM DRESSES ..... 49c

One lot of CHILDREN'S WASHABLE GINGHAM DRESSES ..... 69c

One lot of CHILDREN'S WASHABLE GINGHAM DRESSES ..... 98c

Worth one-half more at this sale

ONE LOT OF GINGHAM DRESSES, worth up to ..... \$1.19

ONE LOT OF GINGHAM DRESSES, worth up to ..... \$2.49

ONE LOT OF WHITE LAWN DRESSES, nicely made up, at half regular prices.

**Special Clean-Up List**

One lot India Linon Corset Slips that formerly sold for 65c— colors pink and blue, at this final sale ..... 39c

One lot of Jap Silk Corset Slips that formerly sold for \$2.25— colors pink, blue, white, black and lavender—at ..... 98c

One lot White Eton Jackets—plain white or white with blue trimmings—to close out at this sale ..... 49c

**Big Special in Wrappers**

ONE LOT WRAPPERS will go on sale ..... 48c

ONE LOT DARK COLORED WRAPPERS, three different styles to select from, values as high as \$1.50, at this Final Sale ..... 79c

ONE LOT OF WRAPPERS, nicely made up, extra full and wide, sold at \$1.75 and \$2.00, at this Final Clean up ..... \$1.19

ONE LOT GOOD QUALITY PERCALE and GINGHAM, formerly sold for \$2.00 and \$2.25, at this ..... \$1.39

ONE LOT WRAPPERS, formerly sold at \$2.50, at this Final for ..... \$1.49

ONE LOT WRAPPERS, a regular, to close out at ..... \$1.98

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When Shipment is Made, please NOTIFY US PROMPTLY, and if Public Sampler is Preferred, designate which one; also designate one assayer.

**IS NOW IN THE MARKET For All Kinds of Lead and Copper Ores at PRICES FAVORABLE TO SHIPPERS.**

A Look at the Goods and a Glance at the Reduced Prices Will Convince the Skeptical That it is

# Seldom Such Values as These

Are offered either here or elsewhere. When this store inaugurated this Clearance event the one object was to clean up all summer goods; the price was cut to a point where no man who appreciated the value of saving the most, could afford to neglect the opportunity to supply himself with enough for the present and for the future, if he was not exceedingly well equipped with good clothes; the response to this move was even better than our fondest hopes, and the result is that our summer lines are being closed out and hundreds are using the money saved for other purposes. You are offered the chance of choosing any suit of mixed goods in the house for \$10. The longer you wait the more undesirable the selection.

**Any Suit in the House TENDOLLARS**

**MEN'S PANTS. Pronounced Savings Here.**

A man makes no mistake by having ready a few pairs of extra pants. They may be of valuable use at a time least expected. You can afford several extras at the following reduced prices:

Gardner \$2.50 values, now	\$1.65
Gardner \$3.00 values, now	\$2.25
Gardner \$3.50 values, now	\$2.50
Gardner \$4.00 values, now	\$3.00
Gardner \$5.00 values, now	\$3.75
Gardner \$6.00 values, now	\$4.50
Gardner \$7.50 values, now	\$5.75

**Any Suit in the House Ten Dollars**

**LITTLE MEN'S SUITS. Proportionate Savings Here**

We have included every Summer Suit in the Boys' Department except blues and blacks. They are the latest styles and most beautiful patterns and were more than ordinary value at the Gardner regular prices—

Gardner regular \$2.50 Suits	\$1.85
Gardner regular \$3.00 Suits	\$2.25
Gardner regular \$3.50 Suits	\$2.50
Gardner regular \$4.00 Suits	\$3.00
Gardner regular \$5.00 Suits	\$3.75
Gardner regular \$6.00 Suits	\$4.50
Gardner regular \$7.50 Suits	\$5.75

**A Chance for Young Men. Never Greater Values Than These.**

Every Young Men's Suit in mixed patterns in the store has been included in this sacrifice. The latest patterns and most stylish cuts for the young man, embracing single and double-breasted, with and without vent—decidedly best quality—and note the reductions:

Gardner \$5.00 values, now	\$3.75
Gardner \$6.00 values, now	\$4.50
Gardner \$7.50 values, now	\$5.75
Gardner \$10.00 values, now	\$7.00
All \$12, \$15, \$18, \$20 and \$22.50 Suits except blues and blacks, your choice	\$10.00

**SHIRT SAVINGS. Some Big Values Here.**

We can't help calling your attention to our Soft Shirts, the famous Wilson Bros' make, with cuffs attached and to wear with white collars, that have been sold regularly at \$1.50. They are reduced for this sale to \$1.

Best dollar Soft Shirts, including many of the season's most popular patterns, with attached collars, go in this sale at 75c.

Gardner 10 Soft Shirts, in many fancy patterns, with and without collars attached, have been reduced during this sale to 50c.

**ONE PRICE J.P. GARDNER 136-138 MAIN ST. THE QUALITY STORE**

A very special bargain in our 50c ties, going now at 25c.

