

WILL NOT FINISH PAVING CONTRACT

S. Birch Proposes to Ask Board
of Public Works to Re-
lease Him.

PROPERTY OWNERS COMPLAIN

Contractor Moran Ordered to Go
Ahead on West Temple so as to
Bring Test Case.

It is very probable that S. Birch, who had the contract for the construction of concrete sidewalks in this city last year, will refuse to complete his contract and will ask the board of public works to release him. He has nearly 20 miles of walks yet to be completed under his contract mostly in the district bounded by Third and Sixth avenues and A and S streets. The board has known of Birch's intention to throw up his contract for some time but it suddenly discovered at the meeting last night that the city council had not been notified of the contractor's intention.

The matter was brought up by several complaints being received from property owners in the district effected asking that the walks be completed. The communications stated that the grading was done a year ago and the walks have been in a most deplorable condition all winter and no action has been taken this year to complete them. The proposition will probably be submitted to the council Monday night.

POLES MUST GO.

City Engineer Kelsey was authorized to notify the various companies to remove their poles from the center of Second South street within 30 days, so that the street paving would not be interfered with. It was stated that the city was to blame for the telephone poles not being removed because the city has its police and fire alarm wires on those poles and has not yet placed them underground.

WILL TEST SCRIP LAW.

Contractor Moran was ordered to go ahead with the paving of West Temple street from Fourth to Fifth South street. This step was taken in order to test the new scrip law passed by the recent legislature. The action will be started as soon as Moran starts to break the ground and be carried to the supreme court for a final test.

BIDS ON CREMATORY.

Only one bid was received for constructing the addition to the city crematory. It was submitted by the Dixon Engineering and Construction company of Toledo, O. The amount of the bid was \$2,750, which is below the estimate of the cost as figured by the city engineer. The bid was accepted and the board will recommend the approval of the contract by the city council.

O. S. L. GRADE TOO HIGH.

The members of the streets committee of the city council, accompanied by City Engineer Kelsey and Chief Engineer Ashton of the Short Line, made a trip of inspection to First South and Fourth West streets yesterday afternoon for the purpose of investigating the complaints that the company had placed its new tracks about four feet above the grade of the street. This was found to be a fact but the company had been given to understand that the grade used by its engineers had been established by a former city engineer and was legal. It was agreed that the grade should be reduced to the level of the street and the engineer and the company engineer will decide upon a satisfactory grade which will be approved by the council.

You're to be the judge; we leave it to you to decide all we want is your verdict—Will Hollister's Rocky Mountain Tea make you well and keep you well? That's fair, Tea or Tablets, 35 cents—Z. M. L. Drug Dept., 121-123 Main Street.

UTAH-IDAHO EXCURSION.

Invasion of Boise on the Part of the Commercial Club.

The Commercial club Utah-Idaho excursion will leave this city at 10 p. m., May 19, and travel for one week, returning on the 26th inst. The excursionists will visit 20 towns, stopping over at each place from one hour to one day. Heavy invitations have been received from every Idaho town on the itinerary so that a warm welcome is assured. The train will include three standard Pullmans, one tourist sleeper, one day coach, one diner, one baggage car, and a special engine. The idea of the trip is to give Utah merchants personally acquainted with Idaho business men, with a view to encouraging and advancing trade relations. At the same time, social and scenic opportunities and features are not to be neglected. During this month, the Portland Commercial club will conduct a similar excursion from Oregon, and in June, the Omaha Commercial club will do the same thing. Merchants east and west appear to be reaching out for the Idaho trade.

EXCURSIONS FORTH.

May 25th, 30th, June 3rd, 7th, 12th and 14th, 1907.

Via O. S. L. and P. D. Lines. Greatly reduced rates to Denver, Omaha, Chicago, Kansas City, St. Louis and many other points. For rates and further particulars see any O. S. L. agent. City Ticket Office 201 Main Street.

One carload of 4 Columbus Electric Stomachs to arrive at the premises of the C. W. & M. Co. the ensuing week; three are already sold.

CLARENCE MACKAY COMING.

President of the Postal Telegraph Company Due to Arrive Today.

President Clarence Mackay of the Postal Telegraph company, with Vice President C. C. Adams and Thomas Carroll of New York will be in this city this afternoon, on route from southern California eastward over the D. & R. G. They will be the guests of Supt. Hawk of this city, and a special organ recital at the tabernacle is being arranged for them.

Spring Humors

It is important to you from every standpoint that you should thoroughly cleanse your blood from all those impure, poisonous and effete matters that have accumulated during the winter.

Do this by taking Hood's Sarsaparilla, and begin now.

You will feel better, look better, eat and sleep better, do your work more easily and satisfactorily, and be in good condition to resist prevalent diseases and to withstand the hot waves of summer which have such a depressing and prostrating effect on the weak, debilitated and run-down.

The secret of the unequalled success of Hood's Sarsaparilla as a remedy for Spring Humors is the fact, proven annually by thousands of grateful people that it thoroughly cleanses the blood, gives strength and tone to every organ and builds up the whole system.

25 Years Experience—Hood's Never Fails.

"I speak from experience of 25 years with Hood's Sarsaparilla in giving my recommendation. For spring humors and as a general blood purifier this medicine never fails. It always does all that is claimed for it, and more. I know it to be good for scrofula, salt rheum, and all similar troubles, and as a general spring medicine I can positively say it has no equal. It gives me genuine satisfaction to say



MRS. J. F. GEE.

these few words in favor of the medicine I have found so reliable in our family." Mrs. J. F. GEE, 50 Gould Street, Stoneham, Mass.

Hood's Sarsaparilla

Will Convince and Cure Where Given a Fair Trial. Buy a Bottle TODAY.

Sarsatabs

To meet the wishes of those who prefer medicine in tablet form, we are now putting up Hood's Sarsaparilla in chocolate tablets called Sarsatabs as well as in the usual liquid form prepared from Hood's Sarsaparilla itself by a process of evaporation and distillation.

and have identical the same curative properties. Sold by druggists or sent promptly by mail on receipt of price, 100 doses one dollar. C. I. HOOD (CO., Lowell, Mass. Guaranteed under the Food and Drugs Act, June 30, 1906, No. 324.

SUMMER STOCK AT THE ORPHEUM

J. H. Garrett Returns From New
York With Contracts for
Splendid Company.

FIRST PRODUCTION MAY 27.

Al Phillips is to be Leading Man—
Fourteen Players Arrive in Salt
Lake on Wednesday.

"The best ever," is a decidedly abused term especially when used in connection with things theatrical, but the directors of the Orpheum Vaudeville company of this city insist that none other can be used when referring to the new stock company which arrives from New York on or about Wednesday to commence rehearsals for the opening of the summer stock season at the Orpheum theater on Monday, May 27.

J. H. Garrett, secretary and treasurer of the corporation, has returned from a very strenuous trip to New York, where the last of the contracts were signed this week, and in an interview this morning outlined the plans for the summer stock campaign.

STRONG COMPANY.

"Last summer was just in the nature of an experiment. This summer we intend to give our clientele a company which Mr. Stewart of the theatrical booking agency of Stewart & Boyer of New York enthusiastically refers to as the finest stock company in America. I need only state that for second man we have signed Nance O'Neill's leading man, and for second lady we have secured Anita Hendrie, who up until this week has been leading woman in the company in which Herschel Mayall has been playing in Cincinnati for some months past. In all the company is comprised of 14, several of whom are 'Broadway people,' the balance being made up of actors and actresses who have made good in the leading repertoire companies of the United States. The members of the Orpheum stock company of last summer.

"We have made arrangements for a series of the best royalty plays and Mr. Al Phillips, the leading man, is bringing the manuscript of six with him. I wired transportation to the various members of the company last night and they should be here by the middle of next week.

"GOOD TIMES FOR ACTORS.

"Times are very good among the theatrical folk on Broadway and it is a case of hurrying up to people their right now. Managers on the lookout for stock stars are bidding one against the other for them. Roy Clements, who was with us last summer, has had his wires out for the past three months and the result is not gratifying. When I stated that we were after Lucia Moore for leading lady I was laughed at, but she kept right after her and now have her signed contract despite all obstacles.

"I don't know how to account for it, but Salt Lake seems to have a fascination for the actor folk and one and all expressed themselves as being delighted to get a chance to spend the summer here.

"The Orpheum from this time on will be a 52-weeks-in-the-year proposition, for when the curtain is rung down on Saturday night, May 25, on vaudeville it will be rung up on Monday night, following, on legitimate plays which will be put on through the

summer months, and all the people are signed for this period.

The management of the Orpheum will remain the same with Mr. W. L. Jennings in charge, while for stage director we have secured David Miles, who has directed a number of Beascoe's productions.

THE TROUPE.

The company engaged and finally signed during this week is as follows: Al Phillips, leading man, Broadway actor.

Lucia Moore, leading woman, from New Orleans stock company.

Joseph Green, a Broadway actor.

J. W. Bennett of Nance O'Neill's company.

David Miles, formerly with Nance O'Neill.

Roy Clements of the same company, and one of the favorites of the old Orpheum stock company.

Gus Mortimer, the clever little comedian.

Zelby Roach and Luke Cosgrove, who is now on his way home from Iowa.

Mabel Florence, the popular soprano.

Anita Hendrie of the Cincinnati stock company.

Priscilla Knowles and one or two character women yet to be decided upon.

All of the above, with the exception of Gus Mortimer, have signed up, and Mortimer wrote two weeks ago to say he would be here.

Regarding the future of the Orpheum as a vaudeville proposition, Mr. Garrett reports that Martin Beck, the general manager of the circuit, is most gratified at the way Salt Lake has received his offerings and the local house is booked up for a year ahead with some splendid attractions.

WOODMEN OF THE WORLD

Excursion, Provo, May 8th.

Special train leaves Salt Lake Route depot at 8:45 a. m. \$1.25 round trip.

One 3-ton "Knox" air-cooled waterless truck sold by the C. W. & M. Co. this week, to be used in hauling material for the building of streets in this city.

Marriage Licenses.

The county clerk issued marriage licenses during the past week to the following couples: W. E. Lake, Salt Lake; Lotta M. Caskey, Salt Lake; Peter V. Pedersen, Salt Lake; Margaret Jensen, Salt Lake; Benjamin J. Cornelius, Butte, Mont.; Emma Moore Rowland, Butte, Mont.; Leonard C. Laxton, Salt Lake; Rose Simmons, Colorado Springs, Colo.; Charles M. Benson, Ogden; Harriet P. Yates, Ogden; Harry C. English, Salt Lake; Mamie N. Nelson, Salt Lake; James E. Burton, Negarnee, Mich.; Nellie A. Euben, Ogden; George R. Wild, Salt Lake; Emma Smarr, Salt Lake; George Herbert Wilde, Salt Lake; Nettie Toome, Crofton, Morgan county; Stanley L. Mayer, Salt Lake; Orilla Kearns, Salt Lake; W. L. McNeil, Freedom, Wyo.; Emma Rind, Logan; Andrew Rogers, Snowflake, Ariz.; Sallie Smith, Snowflake, Ariz.; Joseph A. Young, Sterrett, Ida.; Valeria Black, Hinkley, Utah; C. H. Chivers, Salt Lake; Ethel Merwin, Salt Lake; D. B. Foulger, Boxelder county; Essie Evans, Boxelder county; T. S. Walcott, Phenixville, Clara F. Stevens, Salt Lake; Doyle Christensen, Draper; Viola Kelleman, Enderston; Charles Woods, Ogden; S. Edith Shaw, Salt Lake; Bernard Corrigan, Park City; Amy Green, Peterson; James M. Jones, Heber City; Alice Herrocks, Heber City; William A. Wallis, Murray; Esther S. Johnson, Murray; Lynne D. Baird, Salt Lake; Gertrude L. Caudle, Salt Lake; Hugh Stewart, Park City; Mary Hays, Park City; Carl A. Nelson, Pleasant Grove; Nora Nielson, American Fork.

USUAL BURGLARY.

Fellow Walked Into Mrs. Amy J. Smith's Home Last Evening.

Last night about 8:45 a. m. a daring burglar entered the home of Mrs. Amy J. Smith, 123 west North Temple street. The fellow saw the door slightly open and concluded there was a chance to make a rich haul. He quickly entered, but when he saw Mrs. Smith and her daughters he fled before a description of him could be secured. Mrs. Smith is the mother of Frank Morgan Smith at police headquarters.

PROFESSOR FINDS OLD MAP OF STARS

Head of Mathematics Department
of University Locates
Unique Chart of the Skies.

HAS INTERESTING HISTORY.

It is thought to have been brought
to Utah in the Early Fifties for
Use of Orson Pratt.

A find of interesting historical value has been made at the University of Utah, in the shape of a globe of the skies showing the position of the stars and constellations, and what gives it special value is that its appearance in Utah marked the beginning of an effort towards higher education. It was in the early fifties when Orson Pratt, who conducted an astronomical observatory in the little adobe building in the southeast corner of the Temple square, brought the sphere to the state, and a little later that it is thought to have been given to the university at the beginning of its career.

The globe was located by Prof. Gibson of the mathematics department in the attic of Library building. Mr. Gibson, while on an exploring expedition to the upper regions of the building in search of valuables discovered this sphere and feeling rewarded returned to the lower regions of the edifice to engage the custodian and his assistants to resurrect the celestial sphere from its grave of dust.

Upon being brought down to earth it was found necessary to take it outside of the building and hoist it through a window to get it into Prof. Gibson's office where it will now occupy a conspicuous place.

Very few new living are able to give any of the history of this old sphere but it was found that it was brought to Utah some time in the fifties with several other pieces of valuable scientific apparatus which were imported from England.

The general impression is that it was given to the University of Deseret through the instrumentality of Orson Pratt.

It is a large sphere about three feet in diameter on which are shown all of the stars and planets. Every star is shown in size corresponding to its magnitude and all of the constellations are arranged so as to show the significance of their various names.

RELIEF CARGO BLESSED.

Unique and Impressive Services Mark
Departure of Transport Buford.

News of the departure from San Francisco harbor of the transport Buford, carrying relief supplies from the United States to the famine stricken districts of China, states that the ceremonies incident to the event were of the most unique and impressive nature. The boat contained among other supplies, the 28 carloads of flour shipped from Minneapolis over the lines of the Northwestern and Union Pacific, and after the ceremonies the Buford swung out into the bay and sailed away with the cheers and hurrahs of the populace. Among the passengers was the delegation of congressmen and their wives, who are going to visit Honolulu. Preceding the sailing ceremony, lasting almost two hours, were conducted on the pier and after the singing of "My Country, 'Tis of Thee," Bishop Nichols blessed the cargo.

The service began with the hymn "Jesus Shall Reign," followed by reading the hymn "We Give Thee but Thine Own," prayer, the hymn "Roll on, Thou Mighty Ocean," and address by Dr. T. Morgan, Benjamin Dr. Wheeler, Bishop Nichols, Gay, Gillett and ex-Mayor James D. Pheasant.

At the conclusion of the last address Bishop Nichols blessed the cargo and the services closed with the singing of the "Doxology" and the Benediction. Representatives of the Red Cross and other charitable organizations attended the services, as did distinguished passengers and their wives. As the Buford swung out into the stream the whistles on every craft in the harbor were blown. The crowds on the pier and incoming and outgoing ferry boats cheered and flags were waved.

COURT GRANTS SEVEN DIVORCES

Judge Morse Had a Very Busy
Time of it Yesterday
Afternoon.

MRS. MAGERL SECURES HERS.

Usual Tales of Marital Woes Re-
hearsed Before His Honor—
Two Cases Continued.

Judge Morse had a very busy time yesterday afternoon during his weekly divorce hearing and when he adjourned court he had granted seven divorces, and continued two cases and had heard several motions for temporary alimony in other divorce actions. Perhaps the most sensational case heard yesterday was that of Lena L. Magerl against James E. Magerl. The ground for the divorce was cruelty and the particular act complained of by Mrs. Magerl occurred on the night of Feb. 26 last when the defendant came home and threatened to kill his wife and beat her and called her vile names. Mrs. Magerl testified to all these acts but very wisely failed to state the reason for her husband's attack upon her, which, according to evidence brought out in a criminal action heard in the police court some time ago, was because he came home drunk and unexpectedly found J. A. Peebles in his wife's room. Magerl and Peebles had a fight in which the former was beat over the head with a revolver. Peebles and Mrs. Magerl were afterwards charged with criminal conduct and Peebles was bound over to the district court but the case against the woman was dismissed. Since that time Peebles has jumped his bond and a verdict is out for his arrest. Mrs. Magerl had a woman friend in court yesterday to corroborate her testimony in regard to the cruelty and she was granted a divorce, her husband not contesting the case at all.

DR. PAYNE TESTIFIED.

Minnie Broadbent was divorced from John P. Broadbent on the ground of failure to support. Dr. E. S. Payne, the notorious woman doctor, appeared as a witness in plaintiff's behalf and corroborated her story in regard to the failure of the husband to support her.

DRUNKEN HUSBAND.

Habitual drunkenness and non-support are the grounds upon which Gertrude Wilkinson was divorced from James M. Wilkinson. The woman testified that her husband came home drunk on frequent occasions and that one time he choked her. He had never provided her with proper clothing. Her father corroborated her story and stated that he had bailed his son-in-law out of the city jail several times after he had been arrested for drunkenness.

FAILED TO SUPPORT.

Luella Lease testified that her husband, Elmer Lease, had failed to support her and their child and she had been compelled to secure employment in a local department store to make a living. She was granted a divorce and the custody of their child.

CRUELTY ALLEGED.

Cruelty is the cause of Ellen Allesen being divorced from Alfred Allesen, a photographer. She said that her husband beat her and called her vile and abusive names. She was granted a divorce, the custody of their child and \$10 per month as alimony.

SAME OLD STORY.

Della Werrett was granted a divorce from David Werrett from Bingham canyon on the ground of failure to support.

Ruby V. Bigham was very positive that her husband, Frank H. Bigham, had failed to support her, but she neglected to have another witness to corroborate her testimony in court, hence Judge Morse continued the case until next week to allow her to have the witness in court. George R. East wanted a divorce from Ruby East on the ground of desertion, but he, too, failed to have enough evidence to support his allegation, so the case was continued until next Friday.

FULL BLOWN BREWER.

Charles Baumann was before the court to show cause why he should not be punished for contempt for failing to pay his divorce costs. Myrtle Baumann, alimony as heretofore ordered, Baumann told the court that he is now a brewer and would be better able to pay alimony. He also informed the court that he had married again and had to support wife number two and a baby. His second wife was an interested spectator in the court room during the proceedings. The court continued the matter for a week to give Baumann an opportunity to earn some more money.

Judge Powell was ordered by the court to pay his wife \$10 per month temporary alimony pending the hearing of her divorce complaint.

AMOS NON-SUITED.

Judge Ritchie Grants Defendant's Motion in False Imprisonment Case.

Judge Ritchie has granted defendant's motion for a non-suit in the case of Robert Amos against E. H. Rudy. Like dismissed the case. The motion for non-suit was made at the conclusion of the evidence for the plaintiff and after the jury had been listening to the testimony for the past two days. The action was brought to recover damages in the sum of \$10,000 for the alleged false imprisonment of the defendant Rudy. It was alleged that Rudy had Amos arrested on the charge of embezzling \$45 which he obtained from the sale of cows belonging to Rudy. After being held in jail for a day and a half the case against him was dismissed. He then fled suit against Rudy for damages but Judge Ritchie held that he had failed to prove his case so granted the non-suit.

DAMAGE SUIT FOR \$20,000.

A personal injury suit brought by Daniel Conley against the Continental Mines and Smelter company, on trial in the federal court, has been postponed until May 13, when the taking of evidence will be resumed. Conley claims to have been injured through the use of a defective ore car, and seeks to recover \$20,000 in damages for his loss. The trial has been in progress for several days.

CRUELTY ALLEGED.

Action for Divorce Filed in District Court by Minnie Rowland.

Fifty Years the Standard

PRICE'S CREAM BAKING POWDER

A Cream of Tartar Powder
Made From Grapes
NO ALUM

of cruelty and failure to support. They were married at Springville, Utah, on March 12, 1902, and have two children. It is alleged that from Jan. 1, 1904, to about Jan. 1, 1906, the defendant continually used vile and abusive language towards plaintiff and she could stand it no longer and was compelled to leave him.

AWARDED \$1,500 DAMAGES.

In the case of Fred Cook against the United States Smelting company, which was tried in Judge Ritchie's court, the jury late yesterday afternoon returned a verdict in favor of plaintiff for \$1,500. Cook sued to recover damages in the sum of \$10,000 for personal injuries received by falling from a defective trestle while in the employ of defendant company.

ALLEGES CRUELTY.

Maud A. Sernon Seeks to Sever Bonds
Of Matrimony After Five Years.

Cruelty and non-support are the allegations made by Maud A. Sernon against her husband, J. A. Sernon, in a complaint for divorce filed in the district court. It is alleged that the parties were married at Farmington on Aug. 17, 1903, and have one child. On Dec. 24, 1903, plaintiff claims that her husband struck and beat her with his fists and otherwise abused her. He also ordered her to take her things and go home to her mother. For months thereafter she has past she alleges that he has failed to support her and she has been compelled to do work as a domestic to make a living. They have a home valued at \$2,000 on which there is yet due \$1,993.30. Mrs. Sernon asks that she be allowed alimony in the sum of \$25.00 per week, and for \$15 per month in addition to that for the care of the child of which she asks the custody.

COURT NOTES.

Suit for divorce has been filed in the district court by Sarah M. Wisner against Joseph Smith Wisner on the ground of failure to support. They were married in this city on Oct. 1, 1900, and have two children, of whom plaintiff asks the custody.

Judgment by default has been entered in the district court in favor of plaintiff in the case of the Pacific Lumber company against Ned Nelson for the sum of \$32.34 and interest and \$11.20 costs. The action was brought to recover the above amount for lumber and building material sold to defendant by plaintiff.

SALT LAKE THEATRE.

GEORGE D. PYPER, Manager.

TONIGHT LAST TIME.

THE AUGUSTIN DAILY MUSICAL COMPANY.

In the spectacular musical comedy.

THE CINGALEE.

By the original company of 75 people. Prices, 50c to \$1.50. Matinee, 50c to \$1. Next Attraction—Monday, Tuesday and Wednesday matinee, Wednesday matinee, MRS. LESLIE CARTER in "Di Harry". Prices 50c to \$2.00.

LYRIC THEATRE

Sullivan & Conside, Props.

GREATER VAUDEVILLE.

Week Commencing Saturday Matinee, May 4, 1907.

Kelly & Reno.

Seamon-Chatman & Rogers.

Sam Ida Kelly, Mudge & Moore, Eddie Dolan, Leon Le Chantiers The Lyricists.

Evenings: 2 Complete performances, 7:30 and 9:15. Matinee daily except Sunday.

Read "The Lyric Habit."

Auditorium Rink!

RICHARDS STREET.

ROLLER SKATING.

Open Daily, Mornings, 10 to 12. Afternoons, 2 to 5. Evenings, 7:30 to 10:30.

Ladies admitted free at all sessions. Gents, afternoons 10 cents; evenings 15c. Skates 25c.

Music by Held's Band.

We teach you to skate.

Can Now Fill Orders Promptly

CENTRAL COAL & COKE CO.

"At the Sign of the Peacock." Phones 2600. 38 S. Main.

PIANOS.

High grade and medium, easy payments, one price only, cash, packages, estimates on piano repairing without cost. New and used pianos and uprights. NEW YORK WESTERN PIANO CO. No. 61 Market St., near Postoffice.

ARTICLES OF INCORPORATION.

Horse and Mule Company.—The Standard Horse & Mule company of Grantsville, Tooele county, has filed a with the secretary of state. The capital stock of the company is \$30,000, divided into shares of the par value of \$50 each. J. L. Wrathall is president; J. P. Wrathall, secretary; Alex Johnson, treasurer. The company will raise horses and mules and owns 300 head of animals and some grazing land in Tooele county.

ORDER