THE CONTRACTOR



day with requisition papers. The hearing on the writ of habeas corpus is set before Judge Armstrong for to-morrow morning at 10 c'clock.

## The Highest Tribunal.

Occupied Attention of Judge.

Judge Marshall's court was yester

**BLOWS OUT BRAINS** 

IN A WINE ROOM

Despondent because of financial

roubles, and believed to be suffering

from an attack of temporary derange

ment, Otto R. Bahns, a cigar maker,

ommitted suicide at 6 o'clock last

vening by blowing out his brains

with a revolver. The rash act was

committed in a wine room at the Ocean bar, 210 State street.

A number of persons saw Bahns walk into the saloon and go to one of the wine rooms. A moment later they were startled by a revolver shot and

In the case of the United States against P. C. Scorup. Judge Marshall yesterday sustained the demurrer of defendant, and the case will now be carried by the district attorney to the Supreme court of the United States. The question of the possession of the infant daughter of Ethel Burt Hummel was heard before Judge Armstrong this morning in the district court when Mrs. Hummel's petition for a writ of habeas Supreme court of the United States. Scorup is charged with unlawfully pasturing his sheep on the Fish Lake forest reserve, and the demurrer was to the effect that action should have been brought, if at all, by indictment by the grand jury. Similar to the case was that of J. E. Magleby, which will not be heard until the outcome of the Scorup suit is determined. corpus against Dr. S. M. Chandler to compet him to produce the child in court so that the right of possession to it might be determined .was up for hear-The evidence showed that the child was taken from St. Mark's hospital two days after its birth and that it was given to a couple residing outside FEDERAL COURT. of Salt Lake City, and its present whereabouts is not known by either Dr. Consideration of Cases in Bankruptcy

Chandler or Mrs. Hummel. Dr. Chand-Judge Marshall's court was yester-day given over for the most part to a consideration of cases in bankruptey. Discharges were made in the following cases: George McGonagle of Ogden, Edward C. Buffington of Salt Lake, John Gray of Bingnam Junction, Jo-seph Hair of Salt Lake, Charles Peter-son of Sopherville, Stephen W. Tucker of Salt Lake, W. W. Miller of Sandy, O. H. Schade of Salt Lake, Frank Arima of-Salt Lake. Petitions in bankruptey were ad-indicated, and the cases referred to Referee Charles Baldwin, as follows: Thomas J. Thompson of Salt Lake, Harry A. McCollen of Salt Lake, Arnev L. Hanson of Murray, John P. Hosler of Salt Lake, tester Jordan of Ogden, Moses Garside of Salt Lake and Richard Anderson of Salt Lake and Richard Anderson of Cagden. With the latter, went also the cases of Adam M. Little and Andrew Myerhoff, whose petitions were filed vesterday. Both reside in Salt Lake, Little being a car-penter, while Myerhoff is an engineer. J. A. Tilbury must show cause on Sep-tember 2, why his petition should not be dismissed, for the non-payment of costs. led filed a motion to quash the will o habeas corpus and it was granted by Judge Armstrong. Hence the child will remain in the custody of its foster par-ents for the present at least and Mrs. Hummeli will be deprived of its cus-

HABEAS CORPUS QUASHED.

Judge Armstrong Grants Motion After

Brief Arguments by Counsel-

Mother in Court Today.

# tody. MRS. HUMMEL'S STORY.

2

tody. MRS. HUMMEL'S STORY. Mrs. Hummel was in court this morning, accompanied by her mother. Mrs. S. A. Burt, and was the first witness radied to the stand. She admitted that a few days prior to the birth of the child she told Dr. Chandler that she would not be able to care for it and asked him to find a home for it. The over seriously and she did so and again made the request that he find a place for it. Two days after it was born she and took the baby away and since that time she has been unable to find any trace of it. She declared that she had no deside to keep the child until four days after its birth when her mother her to have the child returned. She then told her mother that she desired to secure possession of the child and urged her to that the note of the same of the she has heren unable to find any trace of it. She declared that she heap that this was a number of days after her to have the child returned. She then told her mother that she desired that this was a number of days after wards that the child was born on May and that it itsappeared on Any II. She had inquired as to its whereabouts on several occasions but had learned to that the child was born on the she the had inquired as to its whereabouts on the secure possession of the child and learned that this was a number of days after wards that it is happeared on a way it. She had inquired as to its whereabouts on these scorptis was file. DR. CHANDLER CALLED.

### DR. CHANDLER CALLED.

DR. CHANDLER CALLED. Dr. Chandler was called to the stand in behalf of petitioner but nothing was gained from him because of the ob-jection of his attorney, who stated that it was not shown that Dr. Chandler had possession of the child or that he knew of its whereabouts. He did state that he knew of the baby being taken from the hospital and that he telephoned to the hospital that the persons who de-sired to take it had his consent. The whereabouts of the child was that it was taken to a place in Hazel street to a Mrs. Arthur. Two other women. Mrs. Ensign and Mrs. Lesser, were also present at that place and he could not say which one took the child or where it is now. He related a conversation with Mrs. Hummel in which she said that she wanted her child back as she realized what a disgrace she had brought upon her family and admitted that if she gor in back she would have to hire some-one to take are of it. He informed her

to a Mrs. Arthur. Two other women. Mrs. Ensign and Mrs. Lesser, were also present at that place and he could not say which one took the child or where it is now. He related a conversation with Mrs. Hummel in which she said that she wanted her child back as she realized what a disgrace she had brought upot her family and admitted that if she got it back she would have to hire some-one to take care of it. He informed her that it was too late, as he did not know where the child was. He also declared that an hour after the baby declared that an hour after the baby was born he asked Mrs. Hummel to re-consider her request to give the child away and informed her that the parties who wanted it were waiting for it and that they did not live in Salt Lake City. Even then she insisted on giving it awar.



# GOES TO SUPREME COURT.

Forest Reserve Trespass Case Goes to

The police were called, and it was ound after a short time that he was still breathing. He was taken to the station, where every attention was given him, but no hopes are held out for his recovery. The boy is employed at the A. D. T. offices and comes from Kansas City. He has no home in this city.

parently killed him.

MAYOR IS TRIMMING.

SECOND SOUTH

A Wheel, Dashes Into

Wagon.

James Burleson, an A. D. T. mes-

lided with a delivery wagon belong

ing to Hemenway & Mosher, The

shaft penetrated his chest, and ap-

### Refuses to Approve of Appropriation For Watermaster's Junkciing Trip.

Mayor Thompson today approved all the matters passed upon by the city council last night excepting the appropriation of \$250 to defray the expenses of Supt. of Waterworks Hines to the annual convention of the American Waterworks association which meets in Toronto, Canada, this month. No in Toronto, Canada, this month. No reason is given for the refusal to ap-prove that item but it is presumed that the city's financial condition will not warrant the expense and the ad-ministration is desirous of cutting off all expenses possible so as to make a better showing for the coming election this fall. Consequently the city will this fall. Consequently the city will not be represented this year at the meeting of the waterworks association.

## M'CARTHY "VAGGED.

Doris Hart Did Not Remain to Press Burglary Charge.

John McCarthy, who was arrested and charged with burglarizing the room of Doris Hart, the dashing young woman who hailed from Colorado, was arraigned in Judge Diebi's court yes-terday afternoon. As the fair Doris left town quietly Saturday evening McCarthy was tried upon a complaint of vagrancy instead of upon house-breaking, the original charge. He pleaded guilty and was given until 5 o'clock to make himself scarce in this o'clock to make himself scarce in this locality. He had no sooner heard this locality. He had no sooner heard this verdict than he hied to the hills beyond town and far away.

# HEADED THIS WAY.

### Sheriff Emery on the Lookout for an Eloping Idaho Couple.

A telegram has been received by Sheriff Emery asking him to arrest Robert Jolly and Mary Smith, who are said to have eloped from Rupert, Ida., and are headed this way to get married. It is claimed that Jolly has a wife and children in Rupert and that the girl with when he eloped is not of age. The father of the girl is in pursuit of the couple. The sher-iff has not yet located them but is keep-ing a close watch for them.

### AGREE TO ARBITRATE. Residents of Salt Lake County Reach

Understanding on Smoke Nuisance. A conference was held yesterday after oon between the executive committee representing the residents of Salt Lake alley, and officials of the Am

THE SUMMER GIRL'S CONFECTION CHOICE

# Sweet's Milk Chocolates

DESERET EVENING NEWS TUESDAY JUNE 4 1907

DIPLOMAS FOR

A. C. GRADUATES

Last Time at Big Institu-

tion at Logan.

(Special to the "News.")

The perfect result of months of careful experimenting by skilled Candy makers who have at their command all the assistance of modern candy shop equipment and an unlimited supply of the highest grade materials. The result is a product without an equal in the list of high class chocolates, though some are higher priced. Now, if you have a summer girl you will pay a tribute to her taste and your own good judgment by sending a box of Sweet's Milk Choco-

SWEET CANDY CO., **Manufacturing Confectioners** 

# AMUSEMENTS.

Orpheum—That summer theatricals are destined to have a lively time try-ing to compete with out of door at-tractions was foreshadowed in the size of the Orpheum audience last night, though perhaps the theater opposition had something to do with it. With a play that gave ample returns for an evening spent in witnessing it, the au-dience was not large, but it may pick up rapidly during the week, as word of the company's success passes around. Miss Lucia Moore has greater oppor-tunities in "The Dancing Girl" than in "The Cowboy and the Lady," and she makes the most of them. Her role is written for one who can throw herself into it in a spirit of careless frivolity and abandon, free from all suggestion of serious appreciation of life. Miss Moore does this, and is almost perfect in her delibeation of Drusilla Ives, whose business it is to be wor-shipped and to toy with the hearts of are worshippers. The plot deales with love, an intrigue, Orpheum-That summer theatricals

whose business it is to be wor-shipped and to toy with the hearts of her worshippers. The plot deales with love, an intrigue. a punishment and much consequent invarilizing. The love is for Drusilla, and the moralizing is done at great length by the Duke of Guisebury. In which role Al Phillips is Cast. It is not so pleasant a one as that in which he made his initial appear-ance, for it doesn't just fit the mood of the times which has elminated the moralizing sermon from its list of suc-cesses. Joseph O'Meara as John Chris-tisen made a decided success, gaining a round of hearty applause after his speech declaring his independence from the siren who has kept his attentions in London, when he owed them to his people at home. Joe Green, as the Quaker father of the Dancing Girl made almost the hit of the evening. His acting is of a finished order, and in the scene with his daughter, in which he denounces her, he scores a real tri-umph. The other members of the cast carry their parts well, but their vehicle is a rather heavy one with which to capture an Orpheum audience. The house never has carried a tear-stained reputation, and it will be difficult to fix one upon it. Lighter plays would prob-ably sit better on the crowds who are liable to attend, and six nights a week work is ample for this company, or any other.

WILL OF LATE JUDGE MINER.
Benner X. Smith is Appointed Trustee For Several Bequests.
The will of the late Judge James Å.
Miner, who died on May 22, was filed for probate today in the district court together with the petition of Harriet L. Miner and Benner X. Smith asking that letters testamentary be issued to them as provided in the will. The yalue of the estate is not given in the sum of \$1.000 be given to Eunice E.
WILL OF LATE JUDGE MINER.
Benner X. Smith is Appointed Trustee For Several Bequests.
The will of the late Judge James Å.
Miner, who died on May 22, was filed for probate today in the district court together with the petition of Harriet shoulder and a gun in his should by her in return. Then the daughter of his father's enemy, and is joved by her in return. Then the shoulder in the will provides that the should by her in return. Then the shoulder is should by her in return. Then the shoulder is should by her in return. Then the shoulder is should by her in return. Then the shoulder is should by her in return. Then the shoulder is should by her in return. Then the shoulder is should by her in return. Then the shoulder is should by her in return. Then the shoulder i

Edith Kingsbury, left on Saturday for the east. The party will make an extended tour of the eastern cities and states before returning to Sait Lake. \*\*\*\*\* Mrs. F. O. Webb announces the eg-gagement of her sister, Miss Helena Walsh to Joseph A. Williams, the marriage to take place in the latter part of the present month.

George J. Gibson will represent the Knights of Columbus at the James-town convention to be held in August next. Mr. Gibson will visit New Haven while away, as he is a gradu-Haven while ate of Yale.

Rabbi and Mrs. Charles F. Freund, and daughter leave on Wednesday for a trip east. Rabbi Freund will take a course of post-graduate studios at the University of Chicago, and then attend the sessions of the central con-ference of American Rabbis at Frank-fort, Michigan. Later they will go to Atlantic City for the Jewish Chautau-qua society meetings, returning home early in August.



The marriage of Miss Stella. McIntyre and Captain Robert H. Allen was sol-emnized yesterday at high noon in St. Mark's cathedral being witnessed only by relatives and intimate friends. The flowers were in white and lighted can-dles were on the altar. Mr. Peabody presided at the organ playing the Lo-hergrin march at the entrance of the party, the Mendelssohn "Spring Song" during the ceremony and the march at its close. The bridesmaid, Miss Louise Sullivan came first and then the bride on the arm of her father. Samuel Mc-Intyre, and at the chancel steps they were men by the groom and his best man, Lieut Donald Robinson. Dean Brewster performed the ceremony. The bride wore a handsome going away gown of tan rajah silk with eeru lace

ippines.

This afternoon Mrs. E. Bonnemort is hostess at a large reception given in honor of her daughter Mrs. Albritton

Mrs. C. G. Plummer gives a luncheon t the country club tomorrow in honor at the country club of Miss Lucy Gaby.

Mrs. L. M. Bailey gave a luncheon yesterday in honor of Mrs. Bell and Mrs. Hapgood, the decorations being done in Japanese idea, and with cher-ry blossoms for the chief flowers. About a dozen guests were present.

This afternoon Miss Lena Levy and This afternoon Miss Lena Levy and Mr. Carl Friedman will be married at the synagogue and an elaborate dinner will follow at the home of the bride's parents. Mr. and Mrs. Morris Levy on Fourth East street.

Mrs. John Groesbeck and Mrs. E. V. McCune gave a luncheon at the home of Mrs. McCune on First street this afernoon

Mrs. Windsor V. Rice was hostess at a delightful tea this afternoon the rooms being beautifully decorated and a large number being present.

The Woman's Republican club met yesterday at the home of Mrs. Starley, the session being chiefly social and in-formal. Reports of the last meeting showed that \$25 was received for the Conven Gract Farm Canyon Crest Farm.

Miss Katherine Dougall and Mrs. H. Bergstrom entertain this afternoon in honor of Miss Beatrice Hyde.

combination of three trust companies whose total resources aggregate the figures given. Officers of the company declined to discuss the pre-side of the company declined to Mr, and Mrs. James Mack of Ogden announce the engagement of their daughter, Wanda, to Foster E. Ward-leigh, the wedding to take place this worth

discuss the proposition at present, but it is stated that tentative negotiations have progressed to a point where the question is receiving serious consid-erations from the three concerns in-terested

CROP DAMAGE EXAGGERATED New York, June 4 .- John W. Gates who has just returned to this city from the southwest, where he had been inspecting his properties says the neen inspecting his properties says the reports of crop damage have been ex-aggerated. The damage to wheat, ac-cording to Mr. Gates, will probably range between 4 and 5 per cent. He says, however, that the cotton crop has been damaged as a result of the unusually heavy rains.

ent of praise for his work as president. The exercises today began with an address by State Supt. of Schools Nel-son, and included in addition, a re-port of the year by President Kerr, and a short personal address. Supt. Nelson called attention of the students to the fact that it is what they can do, and not what honors they have won that will win or lose them position. He closed with a tribute to President Kerr, declaring that he had known him from boyhood, always as a hard worker, and a man fair in his work. "The state is indeed losing one of her best sons," he declared. "and in it her best sons," he declared, "and in it

her best sons," he declared. "and in it Oregon is the gainer." President Kerr presented the diplo-mas, and then said that since this seemed the last time he would have this honer, he felt called upon to make a short personal talk to his students. "I wish to thank the students." he said, "for their loyal support, and also the board of trustees and members of the faculty who have stood loyally by me in my work. The recent legislative act, stopping the courses in engineering he declared to be a blow at the in-stilution. ther

. . .

President Kerr Presides For the

Logan, June 4 .-- Graduates of the

Agricultural college class of 1907 received their diplomas at commencemen exercises held in the college chape at 11 o'clock. President W. J. Kerr at 11 o'clock. President W. J. Kerr, who retires to take up similar work in Oregon next year, presided and af-ter handing over the diplomas to stu-dents entitled to them, he made a per-sonal address, reviewing his seven years as president of the institution, and thanking students, faculty, and regents for their loyal support. At the senior exercises held last night, President Kerr was the recipi-ent of praise for his work as president. The exercises today began with an

# Grand-Of the plays dealing with family strifes and feuds, once so prev-alent in the south, but now, happily, fast dying out, none is more interest-ing or true to the phases of life de-picted, than Hai Reid's "Hearts of the Bue Bidge." which forms the bill at

month. LATE LOCALS.

gown of tan rajan slik with ecru tace trimmings, with hat to match and car-ried a prayer book. Miss Sullivan wore a street dress of navy blue slik and car-ried American Beauty roses. After the ceremony Capt, and Mrs. Allen left for Fort Sheridan but will return here for a short stay before going to the Phil-ipplnes

Mrs. W. H. Alexander gives a bridge tea today at her apartment in the Bransford.

AMERICAN VESSELS

who is here from Montana. Miss Dorothy Bailey will spend the

the International Mercantile Marine ummer in California. company for the year ended Dec. 31

1906, just made public, shows that six steamers, including the American built vessels Maine and Missouri, wer-sold during the year. The company has provided, however, for adding nine steamers to the fleet of a total tennage of 127.530.

Commenting on the sale of the American-built Messels, the report

McDonald expects

to install within the

next week or two

the most up-to-date

Chocolate - making

machinery on the

Up-to-date machinery is as necessary as modern business methods.

And before the latter can be system-atically inaugurated, expert department heads are essential.

New machinery, skilled specialists, and the latest way of doing things, are characteristic of McDonald.

And it follows naturally that the out-put is correspondingly first-class.

For instance McDonald's Dutch Cho-colates are fairly leaping into popular-

In this city nearly every call is for Dutch Chocolates.

In the east the demand is growing.

Every mall brings letters of inquiry.

Hundreds of the orders are from ter-itories uncovered by traveling men. Why all this?

McDonald's Dutch Chocolates are un

There's imitation, but imitation nece-ly accentuates the superior quality, makes more appreciable the rare de-liciousnes of Dutch Chocolates.

They are heralding McDonald's name broadcast.

And yet they are popular priced-30 cents and 60 cents-to the annoyance of competition, which would'nt mind so much if the prices were only higher.

ARE AT A DISADVANTAGE.

New York, June 4 .- The report of

They are in a class to themselves.

They are sweeping the country.

Taxing McDonald's capacity.

So in all western cities.

pproached.

market.

says: "Your directors felt that as the co-"Your directors felt that as the rost of operating under the American flag was so much greater, and the steam-ers were at such a disadvantage in foreign trade, they should avail them-selves of an opportunity which pre-sented itself to dispose of the Maine and Missouri. These vessels have, therefore, been sold at a very satisfac-tory price and a steamer of suitable type ordered for the Atlantic-Trans-port line. New York-London passen-ger and cargo service."

### BIG BANK MERGER.

Ex-Secy. Shaw May Head One of Fifty Million Dollars. New York, June 4.—Former Seev, of the Treasury Leslie M. Shaw may head a \$50,000,000 banking morger. Reports are current in the financial district, according to the Times today, that the newly organized Carnegle Trust company of which Mr. Shaw is the head, will be the nucleus of a combination of three trust companies.

DOES NOT KNOW WHERE IT IS.

DOES NOT KNOW WHERE IT IS. The was asked by Atty. N. V. Jones if he did not give Mis. Hummel chloro-form, and replied that he did. He was then asked if she had recovered suffi-ciently from it within an hour to know what she was doing, to which he replied that it would be too late to reconsider the matter after the child was gone. The doctor admitted that he had given his consent to the child being laken avay but insisted that he had not communicated with the partles who took it since then and did not know where it was. He was asked if he had not withheld all information he had not withheld all information he had not exit he objection. The motion to quash the writ was then argued briefly by the autorneys and was granted by the court. Mrs. Hummel will probably dovote her tima to finding where the child is, so that proceedings may be brought against the proper partles to recover t. C. Claude Hummel, an employe of the child, but as he had not lived with his sten size the's marriage last January, be know hothing whatover about the case. Mrs. Hummel was formerly a stenographer in the employ of the R. G.



reached its destination. Justice Dana T. Smith was summoned and ordered the body removed to O'Donnell's un-dertaking parlors. It is not likely that an inquest will be held. Bahns came here last spring and worked as a cigar maker. He went to San Francisco but returned a few weeks ago and has been living with his wife and two small children at 273 west Second North street. Since re-turning from the coast he has been unable to secure steady employment nable to secure steady employment nd this preyad upon his mind until e became despondent. In the dead man's clothing was mable

In the dead man's clothing was found a card showing that he joined the Cigar Makers' union of Des Moines in 1889, and it was also learned that he was a member of the Woodmen of the World. Officials of the two or-ganizations were notified and after identifying the body took charge of the funeral arrangements. Bahns was about 40 years of age.

# FORGED NAME OF MOTHER.

### J. J. Duke, Jr., in Jail Charged With Passing a Bogus Check.

Deputy Sheriff Ike Emery last night arrested J. J. Duke, Jr., upon the charge of forgery and placed him in the county jail. Duke is charged with forging the and Duke is charged with forging the a check for \$25, which he cashed at Gard-ner's store on May 29. He was arrested in the Cooper roominghouse, and was intoxicated at the time. The check was drawn on the Deseret National hank. Duke is a married man and comes from a good family.



There are no "ties that bind," except the ones we sell you. 25c to \$3 and worth more.

Richard For Vadauese

172 SOUTH MAIN STREET.

valley. and officials of the American Smelting & Refining company, relative to the damages from smelter smoke to var-icus farms in the smoke belt. At this conference it was agreed to arbitrate the question of past damages, instead of mak-ing this item a subject for litigation in the courts. A previous agreement had been entered into by which the plant should be allowed to confine operating provided it reduce its sulphur ores to a minimum, erect hag houses, and eliminate as far as possible arsenic particles from its smoke output. Under this new agree-ment, J. E. Carlisle was chosen an arbiter to fix the amount of damages, by the farmers; A. F. Doremus, by the smelter; and State Senator Barnes of Davis coun-ty, by these two, as a third parity. The committee acted with the signed approval of 489 plaintiffs in the recent suit to close the smelter by injunction.

TEACHERS FOR NEXT YEAR. Board of Education Wrestles With

> The board of education will meet to light, and it is expected that the important question of hiring teachers for next year, together with the salaries which

they are to receive, will come up for final settlement. The teaching forces are somewhat restive under the continued de-lay on the matter of announcing to them whether they will be retained for next year or not. The quest

That Problem Tonight.

year or not. The question of text books will also come up tonight, and it is probable that these will be decided upon. Hundreds of books have been submitted, and these are receiving careful reviews with a view of making selections. The bond issue, which has been authorized, is being delayed in issuance, as the board members do not like the condition of the money market.



Homer C. Edwards Brutally Attacked By Two Murderous Thugs.

By Two Murderous Thugs. Between 12:30 and 1 o'clock this morn-ing Homer C. Ewards of 1719 south Main etreet, was beaten and robbed by two murderous thugs on First West between First South and South Temple streets and was relieved of 360 and a bady's gold watch. Edwards was welking down First West street when suddenly two men made a visious attack upon him. One of the thugs knocked him down with a blow in the face, and the other kicked him in the abdomen. Edwards was unconscious as a result of the brutal treatment, and it was full half an hour before he revived. He then notified the police and officers were detailed on the case. Edwards was unable to give much of a description of the thugs as their attack was so sudden he did not get a good look at them.

DELEGATES NAMED.

Governor Cutler Appoints Representatives for Public Lands Convention.

The official list of delegates from this state to the public lands convention to be held in Denver from June 15 to 29, has be beid in Denver from June is to 29, has been made up by Gov. Cutler and follows in full: A. A. Sweet Wm. J. Lynch, John Henry Smith and T. C. Callister of Sait Lake county; John R. Barnes and William Blood of Davis county; Reed Smoot of Utah county; T. C. Winn and Charles H. Grace of Juab county; W. D. Candland of Sanpete county; Wm. B. Thain of Cache county; Henry N. Hayes of Sevier county.



June 5th. via Oregon Short Line. Greatly reduced rates to northern Utah and Idaho points. See agents for rates and further particulars. City Ticket Office, 201 Main Street,

petition. The will provides that the sum of \$1.000 be given to Eunice E. Laberteaux of Portland, Ore., a sister of testator: \$7,000 to Benner X. Smith as trustee, for the use of Margaret McClure, a granddaughter: \$7,000 to Benner X. Smith trustee, for Marion McQueen, a granddaughter. These be-quests are to be paid when the former reaches the age of 23 years and the latter 21 years. To Mabel I. Smith is bequeathed the sum of \$5,000 and to Benner X. Smith as trustee for Mrs. Smith the sum of \$20,000 to be invested and paid to her on Jan. 1, 1015 together with the profits from said investment. and paid to her on Jan. 1, 1915 logether with the profits from said investment. All of the rest of the property real and personal owned by testator is be-queathed to his widow. Harriet L. Miller. The petition for the probate of the will is set for hearing before Judge Armonstrong on Saturday, June 15, 1907.

stitution.

CADETS ANNIHILATED.

### Sham Battle Yesterday Resulted in Victory for Capt. Moreton's Platoons.

Captain William C. Webb yesterday aftmoon sent his warriors of the High School cadet corps out to the hills for a fight. When they came in later, tired

School cadet corps out to the hils for a fight. When they came in later, tired and exhausted with muskets smelling from the fire of twonty blank cartridges each, it was to learn from the judges of the sham battle that had it been a case of actual warfare very few of either the attacking or the derending parties would have been left alter. The judges awarded the decision to three blaioons under Capt. Moreton, who defeuded a rocky eminence against an attacking party of five platoons under Capt. Marre Van Cott. The criticism of Van Cott's attack was that he brought his men out from cover at auch short fange that in actual warfare they would have been define the platoons, unet the shift of the before the charge with which he assembled against the en-emy, could have been carried out. More-ton, who, with three platoons, met the attempt to outhank his position by as-sembling his fire from three squade upon the advancing party. has had four years of experience, and is the senior cadet captain. He participated in Capt Claw-son's defense of Farmington canyon last year, when that stronghold was unauc-cessivity ussalled during the Lagoon en-ures yesterday at 1 o'clock, when Capt Moreton led away his three platoons. Haff an hour later Capt Van Cott stones. Haff an hour later Capt Van Cott stone hen as set their blans. The right occurred on after watching the maneuvers of both captaing and receiving reports from them as to their plans. The right occurred on the north bench. In Ref Guich, north on the bill, but these were exposed to a heavy fire heit blans. The right occurred on the north bench. In Fared Cupt. Yan Cott ordered a charge straight up the bill, which also brought on a heavy fire with no cover for his men. Each cadet had been



### TODAY'S TEMPERATURE.

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YESTERDAY'S RECORD.

Highest Lowest 

the leaven of peace and good will be-gins to work, slowly, but none the less surely. The marriage of Bob Reynolds and "Missy" Carter brings about a cessation of active hostilitles, but the old bitterness and hatred still exist between most members of the two households. At length two grandsires are brought face to face over the cra-dle of the babe of "Bob" and "Missy," and the reconciliation is complete, Miss Laura Frankenfield, as "Missy," retain-ed the favorable impression that she had hitberto made upon the patrons ed the favorable impression that she had hitherto made upon the patrons of the house. Louis Conaughy ren-derd a good account of himself in the role of "Bob" Reynolds, and a close second was the work of Kent Bosworth, as the head of the Carter household. All the players had their parts well in hand, and the audience, though not large, was thoroughly appreciative. The same bill goes the remainder of the week, with the usual matinees.

week, with the usual matinees. Lyric—Warm weather and the op-ening of the various resorts did not seem to make much difference to the patrons of the Lyric last night. They go there just the same, and this week enjoy an excellent vaudeville program. The headliner is Albini, the magician, whose work is of high class order. His act is easily the most inter-esting of a good bill. Considerable fun is furnished by Stroad and Thatcher, sketch artists who do a number of novel and interesting things. Another pleasing feature is the monologue stunt of Joe Goodwin. His jokes are new and all of them create a laugh. The singing and duncing of Bessie Allen and the musical act of the Pendletons furnish wholesome entertainment. Leon Le Chartiers has a new Illustrated song and the program closes with hum-orous motion pictures.

PERSONALS.

D. L. and Joseph Fulop left Saturday on a European trip.

Glen Miller has gone to Kansas City n a two weeks' trip.

Mr. and Mrs. J. S. Taylor have re-turned from a two weeks' visit to California.

William Dillingham is the new fireman at the Federal building in place of John Latimer,

Louis Berets and family left today for a year's absence in Belgium, Mr. Berets' former home.

General Supt. Summers of the Bell Telephone company has returned from several weeks' absence in Montana.

Mrs. D. A. Brown and children, and Mrs. Claude McClure have gone to Kansas City, Mo., to spend most of the summer.

J. T. Jakman has gone to James-town to visit the exposition, and at-tond the annual convention of the National Editorial association.

Dr. A. C. Ewing has returned from Chicago after a six weeks' absence. He left Mrs. Ewing convalescent at the Columbus hospital.

Capts. Worrilow and Kinnison of the Twenty-ninth infantry have re-turned from Fort Logan, where they were ordered to attend a court mar-tial

Inspector F. E. Clark of the silite board of health has gone to Logsa and adjacent villages to investigate conditions there that have been complained of.

Mrs. R. E. Little, Mrs. John Ren-sheimer, Miss Lena Moore and Miss

Big Bank Clearings-Today's local bank clearings amounted to \$1,006,-\$17.40 as against \$\$06,001.32 for the same day last year.

Another Spasm Duc-The "Ameri-can" club will take another dish of fried "hierarch" at tonight's meeting, which will be held in the Atlas block. The club exists for the purpose of taking its "Americanism" straight, and stirring up all the bittornes with and stirring up all the bitterness with-in its power. Tonight plans for "American" day at Saltair will be discussed.

Fruit Growers' Meeting—The Fruit Growers' institute will be held in the East Mill Creek ward meetinghouse, Wednesday evening, at 8 o'clock. The meeting is under the ausplees of the state board of horticulture, and the Granite Fruit association. James G. Duffin of Provo, a prominent shipper and grower of Utah county, will de-liver a lecture on handling fruit.

Mrs. Heber S. Goddard Weds-More Mrs. Heber S. Goddard Weds-More than a week ago Mrs. Heber S. God-Card of this city gave her friends a surprise by quietly becoming united in wedlock to Mr. Stephen Osler, president of the Bank of Nephi. No one knew of the approaching mar-riage, and only a few friends learned of the solemnization until several days after it had occurred. For the present Mr. and Mrs. Osler will make Fait Lake their home.

Charge for Dancing at Saltuir-Many expert roller skaters assembled at the newly completed rink at Saltair last evening to test the floor, and all last evening to test the floor, and all were unhesitating in pronouncing it the best in the state. Mr. Langford, manager of the lake resort, this morning stated that every afternoon dancing would be free to all in the pavilion. At evening balls the admis-sion is 10 cents, but pass out checks may be had at any time to go in and out of the dance hall.

and out of the dance hall. Salt Lake, Will Entertain—At a meeting of the board of directors of the M. and M. association last night, it was decided to reverse the order of the "get acquainted" excursions at an early date, and run them into, in-stead of out of Salt Lake. The secre-lary was authorized to arrange for one at an early date, the plan being to have the Salt Lake association act as host, and entertain the visitors, a trip to several large manufacturing plants being the chief item in the proposed "get sequainted" hospital-ity. Reduced rates will be secured, and it is expected that the excur-sions will be highly successful. George D. Alder's Escape—George

sions will be highly successful. George D. Alder's Escape-George D. Alder is congratulating himself on a narrow escape. He was mowing his lawn last evening, when the cutter caught some obstacle and clogged. Mr. Alder gave the machine a joit and tried to work the obstruction through. Still is clogged. Then Mr. Alder thought it night be worth while to investigate, and to his horror dis-covered at 42 caliber cartridge in the lawn mower. The copper casing was heavily dented by the mower knife, but the percussion cap had escaped contact. Had this been hit, the cart-ridge would have exploded, with very possible damage to Mr. Alder.

## SONS OF REVOLUTION.

Denver, June 4.—The National So-ciety of the Sons of the American Rev-olution today elected Nelson A. Mc-Cleary of Chicago, president general, to succeed C. A. Fugsley of New York.

### GEN. KASSON COMFORTABLE.

Washington, June 4.-Gen. John A. Rasson, who was injured by a foll from a street car last night, passed a fairly comfortable night, and is rest-ing as easily as could be expected in view of the shock to his age. An examination today revealed the fact that his left arm had been broken above the elbow.

# DIED. ROGERS.-Ai Roceeveit, Utali, May 30, 1907, Ruth Page Rogers of palsy; born May 1, 1822, near Newport, Cumberland county, New Jersey; daughter of Daniel and Mary Socwell Page.

R. E. Evans, Forist, 36 S. Main St.

Floral Designs a Specialty, 'Phone 961.



PROBATE AND GUARDIANSHIP NOTICES.

Consult County Clerk or respective signers for further information.

In the District Court of the Third Judicial District, in and for Sait Lake County, State of Utak, In the matter of the estate and guardianship of Edward F. Ferry, Incompetent, Notice.-The peti-tion of the guardians of the person and estate of Edward P. Ferry, incompetent, praying for authority to exchange min-ing stock, has been set for hearing on Saturday, the Lith day of June, 1907, at 10 o'clock a. m., at the County Court House, In the Court Room of said Court, in Sait Lake City, Sait Lake County, Utah. Witness the Clerk of said Court, Mill the seal thereof affixed, this 3rd day of June, A. D. 1997. (Seal) J. U. FLDREDGE, JR., Clerk. By W. H. Farnsworth, Deputy Clerk. Richards, Richardi & Ferry, Attorney's for Petilioner.

for Petitioner. In the Third Judicial District Court, in and for Salt Lake County, State of Utak, Department No. 1. In the matter of the estate of James A. Miner, Deceas-ed. Notice.-The petition of Hurrlet I. Miner and Benner X. Smith, praying for the admission to probate of a corbi-document, purporting to be the last Wh and Testament of James A. Miner, do ceased and for the granting of Lotter Testamentary to Harriet L. Miner and Benner X. Smith, heas been set for hear ing on Saturday, the 15th day, of June A. D. 1907, at 10 oclock a. m. al 't County Court In Salt Lake City, Sa Lake County, Utah. Witness the Clerk of said Court with the seal thereof affixed, this 4th day June, A. D. 1907. (Beal) H. Clerkard, the state Clerk. By W. H. Fariasworth, Teputy, Clerk. Stephens & Smith, Attorneys for Peti-tioner.

