

J. S. MALONE HELD IN \$5,000 BONDS

On Charge of Assault With Intent
To Commit Murder Upon
Nels Paulson.

TAKEN TO THE COUNTY JAIL.

Asks for Statutory Time in Which to
Plead—May Enter Demurrer
To the Complaint.

Unmoved and betraying no emotion other than the occasional flitting shadow of regret which clouded his expression of deep interest in the formal proceedings, J. S. Malone this morning listened to the reading of the lengthy complaint charging him under two counts with the crimes of assault with intent to commit murder and assault with a deadly weapon, committed upon Nels Paulson on the night of April 8.

No plea was entered to the charges, however, C. B. Diehl, as counsel for the defendant, taking the statutory time of 24 hours in which to plead. After the reading of the complaint and arguments by the defendant's counsel and Asst. County Atty. Bowman, the court fixed Malone's bonds in the sum of \$5,000.

Following the court proceedings, Mr. Malone was taken to the county jail by Deputy Sheriff Andy Smith, while his attorneys, C. B. Diehl and A. J. Weber began the preparation of the bond which will secure his release from custody this afternoon.

COMPROMISE BOND.
The interest in this morning's proceedings lay in the fixing of the amount of bond. The amount designated by the court was in the nature of a compromise and adjustment of the wide divergence of opinion between the prosecution and the defendant's counsel. The latter argued that a bond in the sum of \$2,500 would be sufficient, while Asst. County Atty. Bowman expressed the belief that in view of the nature of the charge the bond should not be less than \$10,000.

In arguing for the smaller amount, Atty. Diehl, after suggesting that the case was not quite so serious as it might seem from the reading of the complaint, dwelt at length on the defendant's wide acquaintance and good reputation throughout the entire county. The purpose of a bond, he said, was simply to insure the appearance of the defendant when required, and he thought \$2,500 would be sufficient in this case. He informed the court that it would also be difficult for the defendant at this time to provide any much greater amount.

In answer to Mr. Diehl, Asst. County Atty. Bowman stated that from the evidence received in the county attorney's office the assault upon Nels Paulson by Malone had been committed with the intent to commit murder, and thought that under such circumstances the bond should be at least \$10,000.

LINE OF DEFENSE.
Judge A. J. Weber in his argument for a lesser amount, gave an indication that the line of defense against the charges will be temporary insanity or irresponsibility. Replying to Mr. Bowman's reference as to the intent to commit murder he said:
"While this is probably not the proper place or time to say it, yet, while there may have been an assault committed I think we can show that the defendant was in such a condition at the time that there could be no intent."

It was impossible, Mr. Weber said further, that Malone could furnish a \$10,000 bond at this time.

At the conclusion of the arguments Judge Bowman stated that there was such a wide difference between the opinions of the counsel that he would divide the amount and set the sum at \$5,000.

In asking for the statutory time in which to plead Mr. Diehl informed the court that a demurrer might be entered to the complaint at this time, but if such is not done the defendant will enter his plea tomorrow morning.

After the adjournment of court Malone was in a cheery mood at the prospect of his early release under bonds. He has been confined in the city jail since the night of April 8, when he shot Paulson. He shows little ill-effects from the strain of the confinement, but his relief and enjoyment in the return to the outdoor air was plainly shown in his features and bracing of the shoulders as he stepped out of the police station to the street while being taken to the county jail.

CRIMINAL MATTERS.

Roy Stillbaugh, alias John Winston, was acquitted of grand larceny yesterday afternoon by a jury in Judge Lewis' court after several hours of de-

liberation. Stillbaugh was accused of stealing \$25 from Elmer Rogers, a laborer at Garfield, while the latter was under the influence of liquor.

Henry Herndon was discharged and the case of assault with a deadly weapon, displayed on the witness stand, District Attorney Fred C. Lofthouse yesterday afternoon. Herndon used a knife to protect himself against two men in a saloon in Bingham.

SHEARN WILL FILED.

Byrum Williams, 37 years old, the sole heir of George Shearn, who died in Bingham Junction on April 21, 1939, died the will of the deceased yesterday in the probate division of the Third district court and asked that George Saxton be appointed administrator. Shearn's estate amounts to \$5,000 in real estate, and \$199 worth of personal property.

RYAN IS ACQUITTED.

Leonard Ryan, ex-convict, was found not guilty of attempted burglary yesterday afternoon by a jury in Judge Lewis' court. He was charged with attempting to enter the residence of H. W. Reed at 777 East First South street. The jury was out several hours before a verdict was returned.

TOO LATE WITH APPEAL.

In the case of the Warnock Insurance company, appellants, against the Peterson Real Estate & Investment company, the supreme court handed down a decision yesterday afternoon dismissing the appeal on account of lack of jurisdiction. It was held that the appeal was not filed within the required time, and that the lower court erred in allowing the appellants to amend their appeal. The opinion was written by Justice Frick and concurred in by Chief Justice Straup and Justice McCarty.

NEW TRIAL IS GRANTED.

Motion of Railroad Company in Joseph Howell Case.

Judge Ritchie granted a new trial to the defendants yesterday afternoon in the case of Joseph Howell against the San Pedro, Los Angeles & Salt Lake railroad. Howell obtained a verdict last January for \$2,475 for personal injuries. Howell was riding on a work train which went through a trestle near Caliente. The question of whether the company should be held to as strict a degree of accountability under these conditions entered into the case.

TO RECOVER ON NOTES.

The Consolidated Wagon & Machine company filed suit against Heber Benson yesterday afternoon in the Third district court to recover \$1,832 on three promissory notes. The company also asks for \$300 attorney fees and interest from the date the notes were executed.

THREE MONTHS SUFFICIENT.

After three months of married life, Mrs. Jessie Hilderbrand died, and against Harry Hilderbrand this morning in the Third district court for divorce on the grounds of cruelty and desertion. Within two weeks after they were married, Hilderbrand, it is alleged, struck his wife in the face with his fist. Then he ordered her out of his house a few days later. When she refused to go, he left and has not returned her since that time. They were married in Salt Lake on Feb. 1, 1938. Mrs. Hilderbrand asks for the restoration of her maiden name, Jessie Hartman.

UNCLE SAM'S WANT ADS.

The United States government is in need of a game law clerk in the bureau of biological survey, department of agriculture. An examination for this position will be held on June 2, and the salary has been fixed at \$1,500 per year. Applicants for this position should have a knowledge of game laws, and should have had some experience in game protection and the administration of game laws.

The United States civil service commission also announces an examination on May 19, 1939, to secure eligibles from which to make certification to fill at least one vacancy in the position of apprentice plate cleaner, \$500 per annum, bureau of engraving and printing, Washington, D. C., and vacancies requiring similar qualifications as they may occur in the positions of apprentice plate cleaner, transferer, and engraver in that bureau.

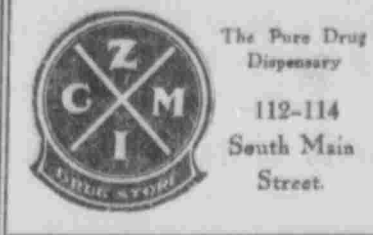
As the commission has experienced considerable difficulty in securing sufficient eligibles for these positions, qualified persons are urged to enter this examination. Applicants for this position must have had theoretical and practical training in a mechanical character in metal work, such as is usually acquired in manual training schools or similar institutions or in occupations that give training in the handling of tools and machinery requiring great precision and accuracy in measuring the adjustment. Applicants whose training has been acquired in schools must furnish certificates from the school authorities showing the character of the work done and the proficiency attained by the student. Other applicants must furnish vouchers of employers as to their attainments acquired in private establishments.

Competitors will be furnished drawing paper, but must supply themselves with drawing boards not less than 15 inches square, ink, triangles, scales,

No More Vermin

Purox Insecticide completely exterminates insect life and their eggs—kills bed bugs, roaches, fleas, lice, red ants, mosquitoes, flies, moths, etc.

25c and 50c a Bottle



The Pure Drug Dispensary
112-114
South Main
Street.

HOTEL PROJECT FAVORED.

Subscriptions for Stock for Building Upper Main Structure Gratifying.

John C. Carter stated today that subscriptions for stock in the new Utah Hotel company, which is to build the mammoth structure at the head of Main street, are coming along in a very gratifying manner. He did not care to give actual figures for publication, but stated that things are in such good shape, as regards funds, that he expects that the articles of incorporation will be filed next week. Several large firms have voted money for the project. Meetings are being held this afternoon which will further augment the amount of money which the company is expected to pay one-tenth of the amount when the articles are filed. The balance is expected for, not to exceed one-tenth each month.

CROWD WATCHES THIEF ESCAPE.

A sneak thief robbed Chin Chin, former mayor of Chinatown, of \$38 this morning and made good his escape in spite of the fact that Chin ran after the man calling for his arrest while a good sized crowd watched the proceeding with manifest curiosity. Interest, but not much alarm, was expressed by his home in Plum alley, saw a man leave his front door. As the former mayor lay in sight, the unbidden visitor started a sprint down the alley toward second South street. A good sized crowd watched the man make his getaway, but failed to heed the cry voiced with profound gusto by the pursuing Confucian. The police were notified and were soon on the scene gaining all particulars of the escape. They will pick up a man with a light suit and a pair of tan shoes if they happen to run on to him.

THEIR ACT TAKING WELL.

Piano Trinity is Well Received in Butte at the Orpheum.

"The Piano Trinity," composed of three Salt Lake boys, D. Roy Anderson, Thomas C. Hand, Jr., and P. Hardie Meakin—who recently started on a tour of the Orpheum circuit, is meeting with great success.

They played in Butte last week, the papers of that city giving words of praise for their work. The Butte Miner said:
"Then again another musical number, a little out of the ordinary, is the Piano Trinity. These three boys, three young men; their work is decidedly creditable and the originality of their act is not the only thing to make it a good feature for they play nicely together."

The Butte News also had a splendid little notice, as follows:
"Meakin, Hand and Anderson, the Piano Trinity, have a number that not only is original, but is carried through in such perfect manner as to make it delightful."

The Salt Lake Route announces special sale dates for certain accounts, Chicago, St. Louis, Missouri river, etc. from all stations in Utah except Salt Lake City. Tickets good on Los Angeles Limited, the finest train in the west. Also \$30 round trip to Los Angeles. Write for rates, dates and limitations to any agent of the Salt Lake Route, or K. C. Kerr, D. P. A., Salt Lake City.

FUNERAL OF ALVA DIBBLE.

Service Conducted in Twentieth Ward Chapel With Large Attendance.

The funeral of Alva P. Dibble, who was injured in a mine at Bingham recently, was held yesterday afternoon in the Twentieth ward. George P. Gibbs, of the ward bishopric took charge of the services, and there were present a good attendance of friends, and many floral tributes were sent to the extent in which the deceased was held by members of the ward and others. Music was furnished by a quartet and Miss Strecker, who sang the solo "Sing me to sleep."

The speakers were Myron E. Crandall and Bishop George Romney. Mr. Crandall referred very feelingly to his associations with the Dibble family in Springfield, and to their integrity. He also spoke of the good work that had been done by Alva Dibble, grandfather of the deceased, in the early days of the Church, and closed by offering words of comfort to the bereaved ones.

Bishop Romney also referred to his associations with Alva Dibble in Nauvoo, after expressing himself as being pleased to present at the funeral to say a few words, although he had only just reached the city from Price. He spoke consolingly to the widow and exhorted those present to live that they might be permitted to join their loved ones on the other side.

HURLED IN THE AIR.

Miners Escape Injury After Explosion Of Heavy Blasts.

After being literally hurled in the air by the terrific force of a dynamite blast, Pete Panot and James Barnard, two Italian laborers of the Utah Copper mine at Bingham, are alive, and stranger still, without serious injury. The accident occurred yesterday morning on the third level of the surface workings of the mine. Two crews, one consisting of Panot and Barnard, were loading large drill holes in close proximity. Each hole was being charged with 500 pounds of the explosive. The other crew gave the usual warning when the fuse was lighted, but Panot and Barnard thought

SUPE FLUOUS HAIR

Doctors Say There Is a Harmless, Safe and Sure Way to Remove It.

Dr. Starbuck Says—I feel Justified in Making the Assertion That It Is the Only Successful Method of Removing Hair.

Every woman who is afflicted with superfluous hair should know that there is one proper and logical method of getting rid of this annoying and embarrassing disfigurement. The best authorities in the medical profession are unanimous in their opinion that hair should be removed by electrolysis. It is a purely scientific principle and totally different from the paste and powder methods which are advertised so extensively in the newspapers. The method by which it removes hair should not be classified or compared with that of the false hair treatments which are advertised so extensively in the newspapers.

Don't forget, after you have used the De Miraculo it will be harder to remove the hair. Remember, De Miraculo is the only method for removing hair which is endorsed by physicians, surgeons, dermatologists, medical journals and prominent magazines.

We will send you absolutely free, in plain sealed envelope, a 24-page booklet containing full information, as well as testimonials of prominent physicians, surgeons, dermatologists, medical journals and the principal magazines. You should read this booklet before you try anything else. It treats the subject exhaustively. Write to the DE MIRACULO CHEMICAL CO., Dept. 300, 1903 Park Avenue, New York. Simply saying you want this booklet, and it will be mailed sealed at once.

They had sufficient time to complete their work. Before the blast went off. They had barely started to run, when the explosion occurred, and they were sent hurtling through the air and caught beneath what seemed an avalanche of rocks and dirt.

When picked up, the men were unconscious, and appeared to be fatally injured. They were badly bruised and lacerated about the head, and it was believed at first that they had sustained several fractures of the limbs and bones, but it was reported from St. Mark's hospital this afternoon that both had escaped serious injury and were recovering rapidly from the effects of the accident.

\$30 CALA. ROUND TRIP \$30.

Via the Salt Lake Route. Good on Los Angeles Limited. Ask for rates, dates and limits at office, 183 South Main street.

JOHANSON IS IMPROVING.

Andrew J. Johanson, of 507 North First West street, an aged employee of the Utah Light & Heat company who was injured Sunday night while alighting from a street car, is recovering satisfactorily from his injuries. The accident in which Mr. Johanson sustained a double fracture of the hip, occurred at the corner of South Temple and Main streets. He was stepping off the platform when the car started forward, throwing him to the pavement. He was removed to the Groves L. D. S. hospital, where he is now being treated.

BUSINESS AND REALTY.

The Kearns building which it is proposed to construct in Main street between First and Second South streets, will have a frontage of 110 feet on Main street and will be 140 feet deep. It has been decided to build it 10 stories high and to make it completely fireproof. The tenants at present occupying the site are J. P. Gardner, Row & Kelly Co., Rivers Bros., and the Salt Lake Photo Supply company. All will vacate their premises before Oct. 1, the date when construction work will begin on the new building. The main entrance will be finished in marble, and the building will be built of steel, brick, cement and terra cotta. The ground floor will consist of several fine stores, but the upper floors will be office rooms entirely. A feature of these rooms is that every room will be fitted with a private vault. The architects are Parkinson & Betts, of Los Angeles, who have designed a number of fine buildings on the coast, including the Alexandria hotel and the Security building in Los Angeles.

Architect A. S. Price has completed plans for a double house, two stories high, with eight rooms on each side, to cost \$12,000, on Second South street, between Seventh and Eighth East streets; also plans for two houses for Edward and A. K. Rogers, Jr., at Tenth South and Ninth East streets, to cost \$2,500.

A movement is on foot to improve the north boulevard on Eleventh avenue by putting in curbing and guttering and grading the sidewalks. Some of the property owners have signified their willingness to contribute to such an object, including Mr. Kinney, one of the largest land owners, who is now in Honolulu.

The St. George Electric company has been organized by a number of Salt Lake men, for the purpose of obtaining and furnishing power for the city of St. George. The officers of the new company are A. H. Ensign, president; George Z. Edwards, vice president; R. J. Evans, secretary and treasurer, and R. E. Stusser, manager. The main office of the company will be in St. George, but the Salt Lake office will be located at 207 D. F. Walker building.

Today's local bank clearings amounted to \$235,732.98, as compared with \$208,944.50 for the corresponding day of last year.

Eighteen building permits were issued this morning. They call for the expenditure of \$36,100.

DEATH OF EDWARD LOUGY.

Well Known and Popular Young Man Dies at Hospital.

Edward A. Lougy, a well known and popular young man, died at the Groves L. D. S. hospital this morning from acute typhoid, having been ill eight days.

Richest Cream

Chopped Pineapple, Cherries and Nuts, and our secret formula of PURE SUGAR POINTANT, all scientifically combined and blended, then coated in very fine Bitter Sweet Chocolate—such is SPARTUP; 40 or 50c anywhere.

STARTUP CANDY CO.
Provo "The Candy City."

days. Decedent was born in Tooele, Feb. 12, 1881, where he resided until 22 years of age, when he answered a call for a mission to the Sandwich Islands. After laboring for four years and two months in the Pacific he returned and came to Salt Lake, where in June, 1907, he married Miss Emma Hamlin who survives him together with their 1-year-old girl. For a time Elder Lougy was assistant superintendent of the Cannon ward Sunday school until he moved to the Twenty-fifth ward, where he was actively engaged in the church's work and was president of the church's quorum and other organizations. As an employee of H. M. Dinwoodey company and elsewhere he was universally liked and respected. The funeral occurs from the Twenty-fifth ward meetinghouse tomorrow afternoon at 2 o'clock, after which his body will be taken to Tooele for interment.

One Aspiring Chemist—One competitor from Salt Lake City took the examination which was completed today in the postoffice for the position of junior chemist in the United States civil service.

Death of T. B. Moore—Patrol Driver George Moore of the police department received word this morning from Park City of the death there of his brother, T. B. Moore, aged 39 years, of Bright's disease. Mr. Moore had been affected with the disease for some time and had been in this city when he returned to his Park City home. He was for some time a resident of Milford, where he was engaged in the livery business.

FUNERAL NOTICE.

Funeral services of Mrs. Ada Blair Hawley will be held from the family residence, 333 East Third South street, at 3 p. m. Thursday. Interment in Mt. Olive.

DIED.

TATE—in this city, April 25, 1939. Agnes Tate, at the family home, 1290 East First South street, aged 81 years. Remains will be shipped from O'Donnell.

LATE LOCALS

Death of Mrs. Johnson—The wife of Police Officer Johnson died this morning from typhoid fever. Arrangements for the funeral are making.

You'll never know what

"BEST"

is until you have eaten

SWEET'S

CREME DE MENTHE

CHERRIES

Covered with Chocolate

Original with Sweet Candy Co.

Forty cents

At all Drug Stores

Cleaning House?

Lots of work and worry isn't? Why not let us do it? Our men are experts and we know they can please you.

We'll take up the carpets; clean or wax the floors; clean the windows and woodwork—in fact take all the work and worry off your shoulders.

Our charges are reasonable and we do the work right.

Phone us when you're ready.

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NATIONAL HOUSE CLEANING CO.

59 East 1st South

Albert Toronto, Mgr. C. L. Price, Asst. Mgr.

Furniture Sale

Beginning Thursday morning at 8 o'clock we will sell our entire stock of stoves, beds, tables, chairs, mattresses, etc., at practically cost, NOTH-RESERVED

EUREKA FURNITURE CO

135 West First South

BED BUGS AND GERMS

Exterminated

Work Guaranteed NO PUBLICITY

All Kinds of Disinfectants and Appliances

WEST DISINFECTING COMPANY

217 SOUTH STATE

Phones, Beil, Main 240; Ind., 237. ASK FOR ESTIMATE.

Prevent Colds

By having a few Gas Heaters placed in your home or office.

No need of burning the furnace these days—just have some

GAS HEATERS

Handy to take the chill off the rooms. They're so quick and convenient, and actually cheaper; this time of year than coal or wood, and, besides, no bother.

Don't wait another day—phone us for information and prices NOW.

Utah Gas & Coke Co.

61-65 MAIN ST. PHONES 4321.

bell & Co's this evening to her former home at Lowman, Ia., for interment. Iowa papers, please copy.

CHICAGO—Al Bingham, Chicago, Utah, April 25, 1939. Bingham died at 11:30 a. m. of Bright's disease, today at 11:30 a. m. Interment in Calvary cemetery.

JAMISON—At her residence in Murray, Utah, April 25, 1939, Mrs. William Jamison, aged 60 years. Funeral at Fraternal hall Thursday at 2 o'clock.

R. E. Evans, Florist, 26 S. Main in

Floral designs a specialty. Phone 561.

Union Dental Co.

Are now permanently located in their new and handsomely equipped rooms.

212 MAIN STREET.

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WE TREAT YOU RIGHT.

Painless Extraction of

Teeth or no pay.

Excursions

TO

EAST & RETURN

FROM

OGDEN & SALT LAKE CITY

TO

MISSOURI RIVER...\$40.00

CHICAGO...\$55.00

ST. LOUIS...\$49.00

ST. PAUL & MINNE-

APOLIS...\$52.00

PEORIA...\$51.10

DATES OF SALE.

June 4-5-11-12-16, July 2-3-23-24,

Aug. 13-14, Sept. 10-11, 1939.

Long limits—Stopovers allowed.

Plenty of other rates to eastern summer resorts.

For further particulars apply to

C. F. WARREN,

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