

## OGDEN DEPARTMENT

Manager, E. A. Larkin  
404 1st St. Telephone 124-K.

Advertisements for the Daily, Saturday and Semi-Weekly News accepted on the same terms as at the Salt Lake office.

## DEFINING RIGHTS OF IRRIGATION.

Important Question of the Duty  
of Water Determined by  
Judge Burste.

## BOARD OF EDUCATION MEETS.

Lively Mixup at North Ogden—Con-  
gregationalists Again Without a  
Pastor—Briefs and Personals.

Judge Booth of Provo has been in Ogden during the past week holding court. The case of the Eden Irrigation company has been up before his honor. The suit was brought to secure a permanent restraining order, restraining defendant from interfering with the dam or water of the plaintiff in the north fork of the Ogden river.

The case has been a very complicated one and considerable expert testimony has been taken. The plaintiff just finished the giving of their testimony last evening, after which the defendant moved for a non-suit which was not granted. The hearing was continued until Sept. 10.

The point which the plaintiff endeavored to make is that it takes its water out of the river a considerable distance above where the defendant does that through this water is taken out of the main channel of the river and percolates back into the river again before the place is reached where the Plain City irrigators take out their water, and that the Plain City irrigators get just as much or even more water through this percolation than if the water should be left to run down the main channel of the north fork and sink into the river bed as it does. A number of the leading engineers of the west have substantiated this point by their testimony and measurements they have taken. The court ordered that the water be permitted to run past the Eden irrigation company's dam down the main channel for a period of two weeks when it will be measured at the point where the river joins the Plain City company takes out their canal, and compared with the amount of water at that point when the Eden company's dam is in the channel, the result of this experiment will have much to do with the decision of the court in the case.

## \$200 OR SON'S FREEDOM.

At the time when Jesse J. Rockefeller was arrested on the charge of perjury his bond was fixed at \$200, which his mother furnished, depositing \$200 with the county clerk. Later the court released the defendant on his own recognizance, and it was agreed between the attorneys in the case that the amount of the bond be turned over to defendant and his attorney, George Marsh, jointly. Yesterday afternoon, however, Mrs. Rockefeller appeared before the court and demanded the amount of her bond refunded, claiming that neither the defendant nor Attorney Marsh had any right to it. The court instructed the woman that if she would turn the defendant over to the custody of the sheriff that she could then have her bond money refunded, and the mother is now considering whether to have the \$200 bond refunded or her son to have his liberty.

## LIVELY NORTH OGDEN MIXUP.

Deputy Sheriff Beisner and Sebring had a long dark trip out to North Ogden Thursday night for the purpose of expectedly arresting a young man named Ferguson on the charge of striking an old man named Niles Christensen under the head with a club. Christensen appeared at the sheriff's office Thursday evening and reported that he had been struck by Ferguson. The officers, on arriving at the place found, however, that the trouble had been evidently a free for all fight. The Ferguson had rented a house from Christensen, paying him the rent in advance. Thursday, however, Christensen, it is stated, asked the Ferguson to get out and locked the door of their chicken run, so that the chickens roosted in the trees. When Ferguson returned home in the evening, on finding what Christensen had done, coming to argue the matter with him, when he claims Christensen started after him with a knife, and he, to protect himself, struck Christensen with the pole, and then Mrs. C. I. Grey struck him over the head with a bucket. The daughters, Ethel Orth, Beatrice Parley, told the men that if they wanted any arrests made, they must get warrants for arrest, but this neither party has done.

## TELEPHONES FOR CITY SCHOOLS.

The board of education met in regular meeting last evening. The following teachers were elected on recommendation of the teachers' committee: Myrtle Blackwood, Andrew A. Kerr, Ella Goss, Doris Snow, Mrs. Clara Howard, Mrs. W. M. Mead, Pearl Goodale, Irene Tamasack, Mary Roberts, Eva Moyes, Mary B. Grix, Gladys Douglas, Ethel Orth, Beatrice Parley. The committee also reported that it will make the assignment of teachers during next week.

The Rocky Mountain Bell Telephone company proposed to the board that it will place a telephone in each of the large city school buildings at a cost of \$2 per month. The board, on Sept. 2, 1904, only for the board and teachers of the schools and to be attached to a special board of education rooms. The matter was taken under advisement, and will be no doubt be acted upon favorably. G. M. Ottinger asked the co-operation of the board in helping to make the month's exhibit to be given here this month a success, which the board assured him he will have.

## WITHOUT A PASTOR.

The congregation of the First Congregational church is in a quandary over the lack of a pastor. Rev. Edward J. Riddings notified the board of trustees

that he would accept another call and would not return from Chicago, where he went some time ago to spend his vacation. A general meeting of the church was held last evening, at which the resignation of former Pastor Riddings was accepted. The resignation was accepted and Mr. Riddings' work highly commended.

Then came a matter which caused considerable friction and argument. A motion was made that Rev. E. J. Goshen be requested to occupy the pulpit in the evening of each Sunday until a permanent pastor could be secured. Part of the congregation favored this plan, while another portion was in favor of going ahead with the business of securing a pastor without depending on Salt Lake or Mr. Goshen for anything. The motion was voted down and the meeting broke up before any plan for securing a pastor had been adopted. Another meeting will be held in the near future.

## GLOVE THIEVES ARRESTED.

Harry Hills, Thomas Admire and Charles Ashton were arrested last night by Capt. Brown, Detective Pender and Sgt. Chambers, charged with grand larceny. The men are alleged to have stolen a crate of silk and woolen gloves from the rear of Fred M. Nye's clothing store on Thursday night last.

## DEATH OF MRS. RUSHMER.

Mrs. John T. Rushmer, wife of the well known optician, and one of Ogden's leading ladies, died this morning at the general hospital, as the result of an operation performed yesterday. The lady was thought to be getting along very nicely and her demise is therefore a severe shock to her many friends. She was about 33 years of age and for a number of years has been organist at the Methodist church in this city. She leaves a husband and one child. The funeral has not yet been arranged.

## IDENTITY OF DEAD MAN.

The young man who was killed on the Ogden-Luich cut-off several days ago, was Alexander Havinian, a Yale graduate from Newark, N. J. This information was contained in a telegram from Yale college. He only recently came to this country is Koptel Vozon of Newark, who has ordered his remains sent to that city for interment.

ROY GRIFIN, David Edmond, John Scott and Howard Beckett were taken before Judge Rolapp this morning to answer to the charge of stealing \$20 from the home of Mrs. Kate Van Dyke. The lady was severely reprimanded by the judge, and the two former sentenced to the reform school. Later, however, sentence was suspended during good behavior. The other two were discharged from custody.

## BRIEFS AND PERSONALS.

The Weber county fair will have some fine horse races at the fair grounds Monday afternoon. Miss Kathryn M. Jay, of St. Mary's, Ohio, reached Ogden yesterday and will be the guest of Mrs. Hollingsworth and some of her friends. The Y. M. C. A. excursion to Brigham City Monday promises to be a grand success. Mrs. Charles D. Golding, of Houston, Texas, is visiting with her sister, Mrs. Van Allen in Ogden. G. H. Isiah, who has been in the employ of Scofield & Sons company in their clerical department has resigned his position, to manage the Western Steam laundry. The Teton home dramatic association returned home from a delightful eastern trip. They visited the world's fair.

## EUREKA.

## SHOCKING SUICIDE.

Lee Hoagland Takes His Own Life in a Fit of Despondency.

Eureka, Utah, Sept. 2.—Lee Hoagland, a well known and employed of the Eagle and Blue Bell mine, shot himself through the head this afternoon inflicting a deadly wound, at the residence of Axel Lundquist, where he was rooming. The man had been under the influence of liquor for several days and was apparently brooding over some secret trouble. His brother, Frank Hoagland, was killed at Park City this week and this fact seemed to weigh heavily on his mind. Hoagland was about 35 years of age and was unmarried. Letters and papers found on his person showed that he was in good standing in the Masonic, Odd Fellows and Knights of Pythias orders. Hoagland died from the effects of his wound at 6 o'clock this evening. Mayor James D. Stack has resigned his position as station agent at this place for the San Pedro railway and has purchased the coal business of Councilman John A. Burrows, to which he will devote his entire time. Mr. Stack had held the position as agent here for the past 12 years and given entire satisfaction. Mr. Burrows will go to Heber City where he will purchase a ranch. Fire destroyed the photograph gallery of Daniels & Craven on Main street Sunday morning. It is supposed the fire was started from an over heated stove. The loss was about \$750.

## BRIGHAM CITY.

## PEACH DAY SEPT. 15.

Stake Conference—Suburban Railway Franchise—Teachers' Institute.

Brigham City, Boxelder County, Aug. 31.—The quarterly conference of the Boxelder Stake of Zion was held in the tabernacle, this city, on the 28th and 29th insts. Pres. Charles Kelly presiding. There was a good representation of high councilmen and other stake officers and large congregations in attendance. The visitors were Elders Rudger Clawson, John W. McMurtree, Geo. F. Gibbs, and Louis A. Kelch. Our city council today granted a 100-year franchise, to Mr. Mahler of Cleveland, Ohio, to run an electric railroad through the city.

On Monday, Sept. 5, there will be an excursion from Ogden to Brigham when about 1,000 people will visit our town. A special train will be run from Ogden.

## TEA

We should gain by brewing our tea with more care and taking more time to enjoy it.

## A GOOD RECIPE

A Good Bread recipe—and a short one—with a positive money back guarantee.

## HUSLER'S FLOUR.

Ogden in the morning and will return after the dance at night. A good program has been arranged, and an enjoyable time is anticipated.

## PEACH DAY SEPT. 15.

Arrangements are being made to have a "Peach day" in this city on Sept. 15, when peaches and other fruit will be served free to all comers. Excursion trains will be run from Salt Lake City and other points south and north, and it is expected that thousands will avail themselves of the opportunity of sampling our fruit. Numerous committees have been appointed, and every effort will be put forth to make "Peach day" one of the grandest affairs in the history of Brigham City.

## TEACHERS' INSTITUTE.

County Teachers' Institute will be held in the Central school building, Monday, Sept. 5, at 10 o'clock. At that time, Prof. Moshall Hall and Miss Peterson of Logan, will be the instructors.

Double orchestra, continuous dancing, Saltair, Labor Day, 30 trains.

## HYRUM.

## MRS. WM. C. NIELSEN DEAD.

Stake Conference at Millville Sept. 25 and 26—Bountiful Harvest.

Special Correspondence. Hyrum, Cache Co., Sept. 1.—Martha Ann Jensen Nielsen, wife of Wm. C. Nielsen, died Aug. 30 of consumption, having been sick since April. Deceased was born July 2, 1875 at Hyrum; married in the Lager town 16 years ago. She leaves her husband, three children, eight, six and three years old respectively, also her mother three brothers, three sisters, and many other relatives who are sorely grieved at the departure of the beloved one. Funeral services over the remains will be held at the stake building tomorrow.

In response to a message from box B, Elder Christian Jensen is preparing to leave on the 1st of March next, for a mission to Scandinavia. The quarterly conference of the stake will be held at Millville on the 25th and 26th inst.

## SMALL BOYS IN COURT.

ROY GRIFIN, David Edmond, John Scott and Howard Beckett were taken before Judge Rolapp this morning to answer to the charge of stealing \$20 from the home of Mrs. Kate Van Dyke. The lady was severely reprimanded by the judge, and the two former sentenced to the reform school. Later, however, sentence was suspended during good behavior. The other two were discharged from custody.

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## ROCK ISLAND INTO ST. LOUIS.

New Line Makes It Possible to Go  
Right Through Without  
Change.

An Advantage Which is Only Enjoyed by One Other Railroad  
Entering the Mound City.

The recent completion of the new line of the Rock Island system between Kansas City and St. Louis is proving to be a great drawing card for that road in the handling of world's fair traffic from the west. Passengers going from Utah and Colorado points can now go through without change of cars and get off at the main entrance to the fair grounds; not being obliged to first land at the union passenger station and take other conveyances to the site of the big show. This is an advantage only enjoyed by one other railroad entering St. Louis, and it is one that is making an immense headway in the traveling public. This is especially true with those going to the exposition city who are pressed for time, and who prefer to stop on or near the grounds, rather than go to some of the up-town hotels.

It was the privilege of a representative of the Deseret News to be aboard the first regular passenger train that passed over the stretch of track that closed the gap of 31 miles between Kansas City and Pleasant Hill, Mo. Notwithstanding the newness of the roadbed, the schedule was followed closely and the world's fair was reached on time. The distance between Kansas City and St. Louis is 297 miles. From Belle, a station 105 miles out from St. Louis, westward, the road is made of scrub oak and in evidence, besides trees of the hickory and walnut varieties. The view of the river, and an occasional craft is interesting for one coming from the mountain sections and announces the near approach to the Mississippi.

The trip through Missouri is not devoid of picturesque. After spending a day crossing the great plains of Kansas and through the vast cornfields it is somewhat of a relief to get among the wooded hills which follow along the course of the "Big Muddy." The change is indeed refreshing. All along great forests of scrub oak are in evidence, besides trees of the hickory and walnut varieties. The view of the river, and an occasional craft is interesting for one coming from the mountain sections and announces the near approach to the Mississippi.

The late acquisition of the C. & E. I. gives the Rock Island system a direct route to Chicago from the exposition city. With its gorgeously equipped trains the Rock Island is setting its standard of national pride to and from the west and southwest.

## O. R. C. ENTERTAINMENT.

Women's Auxiliary Gives a Banquet and Concert to Visitors.

The women's auxiliary of the Order of Railway Conductors gave a banquet and entertainment last evening at the Pythian hall, on East Temple street. Among the guests were members of the Ogden and Pocatello lodges and E. B. Garrison of Cedar Rapids, assistant grand chief conductor. The entertainment was most enjoyable affair. At the close Mrs. H. Moore of Toledo, grand president and guest of honor, was presented with a silk umbrella by the women of district 26. Mrs. Leary Montgomery acted as chairman of the evening and announced the program, which consisted of vocal solos by the Misses Kathleen Fitzpatrick and Ann Walsh and Louis Halsett, readings by Mrs. Montgomery and Miss Florence Haverorn, violin solo by Master Edward Kilpatrick, piano solos by the Misses Louise, Holger and Nettie Shields, piano duets by the Misses Edna and Dale Haverorn, and the Misses Margaret and Sylvia Cahoon.

## WESTERN PACIFIC.

## To Enter Salt Lake Over the R. G. W. Fourth West Tracks.

The San Francisco Chronicle prints a story regarding the Western Pacific.

The first dance given by the ward committee was held in the opera house Aug. 18. From this date the ward committee will be held every two weeks. The committee has gone to considerable expense in arranging the interior of the opera house to attract and accommodate the young people of the ward.

The Highland boy smelter was visited last Saturday by a company of young ladies, accompanied by Master Mechanic, Master of the Highland boy mine at Bingham canyon. They came down from Bingham on horseback.

Mrs. E. Carlson gave birth to twins—a boy and a girl—on the morning of Aug. 29.

Orson and Heber Sanders are erecting a two-story brick building at Bingham Junction, where they intend to conduct a butcher shop.

Charles Caldwell has returned from a visit to Idaho.

Peter Kosmas and Julia Quistberg of Bingham Junction have been granted a marriage license.

Mrs. E. J. Nielsen of Highland boy has returned from Levan, Utah county. The Murray schools will open on Monday, Sept. 12.

## DAVID M. HAIGH.

## LAWYER.

City Attorney. Office: Waverly Bldg., Murray.

## LOST.

A prominent lady of Murray lost \$1.50 in this way: by paying car fare to Salt Lake for herself and daughter, and buying a hat for \$2.50, which could have been bought for \$1.50 at Mrs. L. D. White's Millinery Store, Murray. Our Fall and Winter Styles are now in.

## Good Clothing Made to Order.

Fall and Winter Styles at JOHN P. WRIGHT'S. Murray, Cleaning and Repairing a Specialty.

which is in line with that appearing in the News at the time of the now famous Fourth West franchise squabble. It says in part: The Western Pacific has also secured a franchise to enter Salt Lake and terminal facilities there through the cooperation of the Rio Grande Western. The franchise granted to the latter corporation by the Salt Lake authorities for the erection of a depot, freight yards and machine shop, to cost \$1,000,000, includes the right to lay a double track north from the proposed depot to Ninth North street. One of these tracks will be laid and occupied. It is now admitted, by the Western Pacific, and the depot, freight yards and machine shops will be jointly used by the two companies, the Western Pacific having agreed to defray its proportion of the cost. The line has been surveyed the way from Salt Lake to San Francisco bay, and it is asserted that owing to the unfriendly action of Harriman toward the Utah Fuel company, grading and track-laying on the Salt Lake and Beckwith Pass section will soon begin in earnest. It is an ill wind, indeed, that blows no good to any one.

## SALT LAKE TO THE FAIR GATES.

Utah Construction Company Gets the Grading of Another 37 Miles.

The Utah Construction company has been awarded the contract for grading the 37 miles of the contract for grading the San Pedro, Los Angeles & Salt Lake road from Las Vegas to Good Springs. This contract does not close up the gap between the east and west ends of the existing grading, as it only includes 37 miles of earthwork and part of this mileage is made by counting double tracks. There will still remain another contract for a short piece of comparative light work ere the gap is closed up.

## Vice President Schlacks Here.

Vice President and General Manager C. H. Schlacks of the Denver & Rio Grande in the city looking over the local railroad situation and going into detail regarding the projected improvements on the Western in Utah.

## Sugar Rate War Over.

Chicago, Sept. 1.—The sugar rate war finally has ended. The Chicago-Missouri river roads gave up the fight a week ago and restored the 37 cent tariff to the Missouri river. The New Orleans lines, however, continued to make 20 cents per ton from New Orleans to Missouri, and of 25 cents to Kansas jobbing points. Notice has just been given that on Sept. 5 the New Orleans lines will restore the sugar rate to 32 cents, and to Kansas jobbing points to 47 cents.

## SPIKE AND RAIL.

Peach day at Brigham City this year will be on Sept. 15.

The new telegraph line on the Frisco branch has been strung into Newhouse.

Monday, Labor day, will be observed as a holiday in the local railroad offices.

H. C. Bush, traffic manager of the Colorado Midland, left for Denver on last night's train.

Gerrit Fort, assistant general passenger agent of the Union Pacific at Omaha, is in Salt Lake today.

John H. Lipsey, contracting freight agent for the Illinois Central at Chicago, was in the city for a few hours today.

Frank Gilmer, district passenger agent of the Rock Island at Detroit, is here with the Kalamazoo Knights Templar.

The Rock Island has 75 per cent of the business on the Knights Templar rush that has been delivered to the Rio Grande.

F. E. Davison, superintendent of the Salt Lake Route, is in the city on his way home from a trip to the world's fair. He is accompanied by Mrs. Davison.

Through palatial trains from Chicago to Los Angeles were promised at the time of the filing of the articles of incorporation of the San Pedro, Los Angeles and Salt Lake here.

With the letting of practically the last contract for grading on the Salt Lake Route in Nevada Salt Lake is beginning to figure in the Southern California new spring. The journey will cost less than it does at present to go to San Francisco when meals and Pullman fares are taken into consideration.

Mr. Wilkinson, the gentleman who was nearly strangled to death at Saltair on Thursday, is head of one of the departments of the auditor's office of the Salt Lake and County of Salt Lake. He is now resting at the home of Louis Eddy in this city. Strange to say Mr. Wilkinson owns the house in Cleveland in which Mr. Eddy was born.

Double orchestra, continuous dancing, Saltair, Labor Day, 30 trains.

## REAL ESTATE FOR SALE IN LOGAN AND CACHE VALLEY.

40 acres or more, with good water right, close to Logan City, at \$40 per acre, 25 acres in alfalfa, 30 acres, house and three rooms, good barn, granary, large shed, corrals, etc., all cultivated, price \$2,500, 100 acres, partly improved, water right can be secured under new canal, price \$1,000, 100 acres, apply or write to J. D. Stewart, Logan, Utah.

LEGAL BLANKS, a full supply of all the latest forms at the Deseret News Book store.

## NOTICE.

State of Utah, Department of Board of Pardons, Salt Lake City, Utah, Sept. 3, 1904. Notice is hereby given that the State Board of Pardons will hold a regular session on Thursday, Sept. 8, at 10 o'clock, in the Supreme Court Room, City and County Building, Salt Lake City, Utah. That said meeting said Board will hear application for pardon in the following cases to-wit:

For Fardis-James Meacham, Incest; Zai Graham, Grand Larceny; Nathan F. Hawthorth, Murder.

For Parole—Vito Del Vecchio, Rape; Jesse F. McMillan, Murder.

All persons having any interest therein desiring to be heard, either for or against the granting of said applications respectively, are hereby notified to be present at said meeting.

By Order of the Board, HUBERT M. WELLS, President, M. A. HUBER, Secretary.

## NOTICE OF ASSESSMENT.

The Highland Mining and Milling Company, a corporation. Location of mines, Cache County, Utah. Principal place of business, Salt Lake City, Utah. Notice is hereby given, that at a meeting of the directors of the Highland Mining and Milling Company held Aug. 19th, 1904, a resolution was adopted, to-wit: That a special assessment of \$1.00 per share be levied on all the outstanding capital stock of the corporation, payable on or before Sept. 15th, 1904. Any stock upon which this assessment has not been paid, and which is delinquent as of September 15th, 1904, will be sold at public auction, and advertised for sale at a public auction, to-wit: On October 12th, 1904, at 2 o'clock p.m. at the office of the Secretary and Treasurer, 173 T. St., Salt Lake City, Utah. The delinquent assessment together with the cost of advertising and expense of sale.

J. D. ANDERSON, Secretary, 173 T. St., Salt Lake City, Utah. First publication Aug. 17th, 1904.

## QUEEN OF THE VALLEY ROLLER MILLS.

Highest price paid for good  
wheat.

## DELINQUENT NOTICE.

Burton Milling Company, Principal place of business, 22 East First South Street, Salt Lake City, Utah. Notice is hereby given, that the following described stock in account of assessment No. 2 of \$1.00 per share levied on the 5th day of July, 1904, the several amounts get equalize the names of the respective shareholders as follows:

No. Cert.	Shareholder	Amount
James Squires	2,000	\$2,000.00
John Squires	1,000	1,000.00
A. W. Raybould	500	500.00
F. J. Squires	500	500.00
W. M. Squires	1,000	1,000.00
M. Hurd	500	500.00
J. R. Squires	500	500.00
James Squires	500	500.00
Miller Atkins	500	500.00
J. Johnson	500	500.00
James Squires	1,000	1,000.00
George Hall	500	500.00
J. H. Hurd	500	500.00
J. H. Hurd	500	500.00
E. R. Miller	500	500.00
E. R. Miller	500	