

IDAHO HOUSE DEFEATS ABSOLUTE PROHIBITION

Kills Joint Resolution Providing for
Constitutional Amendment Allow-
ing People to Vote on It.

(Special to the "Deseret.")

Boise, Idaho, March 4.—The Idaho House of Representatives today defeated a constitutional amendment providing for the people of the state to vote at the next general election on the question of absolute prohibition by a narrow margin of 2 votes, that is, in securing a two-thirds majority. The bill was a Democratic measure introduced by Representative R. W. Willey, of Boise, who in his opening speech in favor of the measure.

An eloquent and opportune appeal by Representative P. G. Johnston of Blaine county was responsible for turning the sentiment of the house against the Sunday closing law by allowing "dry" saloons, theaters, playhouses or any such places of public amusement, to remain open on Sunday and herein lay the "joker." The words "of any such places of public amusement," Johnston contended would completely invalidate the present law and throw open such places of amusement as the law now compels to be closed. The final vote brought an overwhelming majority against the measure.

The senate brought forward for consideration this morning the Sheep county bill recently passed by the house and conditions laid for a favorable consideration, until passage of the measure through into committee of the whole. Friends of the measure are now very anxious regarding its fate. They fear damaging amendments.

Today ends the regular 60 day session of the legislature, but it will be impossible to complete the work before the end of the week. A concurrent resolution has therefore been signed making Saturday at 5 p. m. the time of adjournment.

ORGAN BUILDER HERE.

C. N. Kimball, of Chicago, listens to his Tabernacle Instrument.

C. N. Kimball, of the well known piano and organ building house in Chicago, arrived yesterday afternoon, from a Pacific coast trip, and stopped over here for the special purpose of hearing the great organ in the tabernacle which was recently completed. A little over eight years ago, the tabernacle organ was rebuilt by the Kimball company, about the only relic of the old instrument left in use being the case, the foundation pedal and a few of the other stops. So it was practically a new organ. Travelers of low and high degree have listened to it with delight, noted artists from both American and European countries have played upon it with marked satisfaction, and the present organist, Prof. J. J. McClellan, has built up out of it a reputation for skill in performance that has easily placed him on a plane with the best performers.

Mr. Kimball said this was his first trip to Salt Lake which he had long been anxious to visit, and regretted his business engagements did not permit of his remaining here longer. However, he hoped to be out this way from Chicago in the summer time when he would be able to stay longer. Mr. Kimball had, therefore, never heard the great instrument, and in consequence was particularly interested in hearing it. So Prof. McClellan gave him a private recital of his morning, and the afternoon program. The D minor Toccata and Fugue of Bach, Battiste's Communion in G, the Andante from "Widows," Fourth Symphony, "Annie Laurie," "I Need Thee Every Hour," (chorus), excerpts from "The Wagner operas, and a "Widow's Tears." The organist was at his best, and the visitor was struck at once. It was noticed that he seemed to be overcome by his feelings, particularly by the "Annie Laurie" and "I Need Thee Every Hour." At the close of the program shook the organist warmly by the hand, saying he had now listened to one of the greatest organs in the world, played by an artist fully capable of handling it.

Mr. Kimball expressed himself as considering more highly than ever in the proportion to enlarge the instrument by the expenditure of at least \$25,000, and he would see to it that the church got more than its money's worth. This enlargement would make the tabernacle organ the largest and most complete in existence. Prof. McClellan escorted the visitor to the church offices where he was introduced to the first president, who received him most cordially, and Mr. Kimball resumed his journey east, his own, feeling that the time was not far distant when the proposed enlargement would be made, and well satisfied with his Salt Lake trip.

TWO BIG PERMITS.

Two building permits amounting to \$12,000 were issued this morning by the city building inspector. One was for the construction of the L. D. S. university gymnasium, which is being constructed at the cost of \$120,000. The other was a permit for the Salt Lake Mining Stock Exchange building, which is being constructed at the cost of \$25,000. There were several small permits taken out during the morning, which increased the amount to \$25,000.

NEW INCORPORATIONS.

The Chaffey Reduction company filed its articles of incorporation today in the county clerk's office. It is capitalized for \$15,000, divided into shares of \$1 each. The purpose of the company is to lease or dump and carry on a general ore reducing business. The company's headquarters will be in Salt Lake City. M. R. Evans is president, M. P. Darrow, vice-president and James Christensen, secretary and treasurer.

Articles of incorporation were filed today in the county clerk's office by the Hore Realty company. The capital-

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BRUTAL MURDER ON COMMERCIAL

(Continued from page one.)

noise as though there were a struggle. A man sleeping in the next room stated that he heard the man laughing and talking and then there was a slight sound as though some one were running, but he did not hear any groans, blows or the falling of the body. The dead man's head was battered almost to a pulp and his clothing and body soaked in blood. The bed clothes were strewn over the beds and floor, chairs overturned and articles scattered about the room.

The police are at work on the case and are trying to locate the man called Boston Joe and also Mann who rented the room. But little is known of the dead man. Cards and letters found on him showed that he was a painter and paper hanger and his letters were sent to the address stated. Barnett, hailed from Payson, where he had two children, his wife died some time ago.

The police declare that the "entire county will be searched in an effort to find the two men. Great Shannon sent out 15 men in all directions this afternoon to prosecute this search.

UNIVERSITY NEWS

Fred R. Smith, the noted lecturer, will address the students of the University at 11:30 a. m. tomorrow.

Manager Ralph Hartley has sent a contract to the Oregon University for the debate to take place in the Salt Lake theater on the 26th inst. The names of Parley L. Williams and ex-governor Heber M. Wells have been sent along also for the Oregon University to select one of the judges.

The University debaters will probably discuss some phase of the tariff question with the Colorado college in April.

The French section of the modern language class was held at the University at 4 p. m. today. The program consisted of a sketch of the life of Racine by Margaret Watson, a solo by Emma Pemberton, and also one by Maude Ritter, with readings from Racine by Chosuke Okubo.

SOCIAL AND PERSONAL

Mr. and Mrs. R. L. Tracy entertained at a dinner last evening in honor of their niece, Miss Louise Stubbfield of Nashville, Tenn., and Miss Winslow of California. The rooms were decorated in American Beauty roses and covers were laid for 15 guests.

Mrs. W. M. McCrea was hostess at a pretty luncheon yesterday, given in honor of Mrs. M. C. McCrea, the decorations being in white and heliotrope and covers laid for a half dozen.

Mrs. A. W. James was one of yesterday's hostesses, entertaining a bridge tea, with three tables played, the rooms decorated in violets, and bunches of violets awarded the prize winners. The affair was the first in a series.

The Utopia club was entertained yesterday by Mrs. Matthew Cullen, the prizes going to S. H. Pinkerton, Mrs. E. M. Bell, Mrs. H. C. Hoffman and Mrs. A. E. Hutchinson.

Mr. and Mrs. William Neugent Williams have issued invitations for a reception at their home Friday evening, March 5, in honor of Gov. and Mrs. William Spry and members of the senate.

Mrs. H. G. Williams will entertain at a luncheon at her apartment in the Bradford Saturday in honor of Mrs. Dorsey Ash of Berkeley, Cal.

Yesterday Miss Blanche Tate and Charles G. Billings were married, the ceremony being performed at 4 p. m. by Judge George Armstrong. The rooms were effectively decorated and a wedding dinner served after which Mr. and Mrs. Billings left for a trip to Los Angeles. The bride's gown was of white lace over silk and the going away gown pale green cloth. They will be at home in April at 167 M street.

Miss Beth Critchlow entertains her Card club tomorrow.

Mrs. W. M. Hunt entertained at luncheon yesterday, covers being laid for a half dozen.

Mr. and Mrs. Lester Freed will entertain at a dinner tomorrow in honor of Miss Fern Scott of Montana.

Mrs. Will Ellerbeck entertained her sewing club yesterday.

The College club will meet this evening with Miss Prosser and Miss LaSalle at 445 south West Temple street.

Mrs. John E. Busby will entertain at a 600 party at her home this afternoon.

Mrs. S. D. Evans will entertain at bridge this afternoon for Mrs. Dorsey Ash of Berkeley, Cal.

The Sewing club will be entertained this afternoon by Mrs. Ellwood S. Brown.

COURT NEWS.

COULD NOT PLEAD GUILTY.

Prisoner in Judge Lewis' Court Finds Himself in Peculiar Mixup.

Trying to plead guilty and being denied the privilege was the experience of Elmer Lane in the district court this afternoon. Lane is charged with interfering with an officer, Policeman Lyon, and this afternoon was arraigned before Judge Lewis he pleaded guilty. He was telling the court, during his plea for leniency, just how the affair took place. When Atty. Leachman jumped to his feet and informed the court that the prisoner at bar was dabbling with truth with reckless abandon and right there Lane struck a snag. His plea of guilty was withdrawn and a plea of not guilty entered for him. Then his trial will proceed.

Lane and a partner, M. R. Murphy, were indicted in December, when Lyon placed Murphy under arrest. Lane rushed to his assistance, knocking the law's brave defender down to the floor. Then Lyon, recovering his equilibrium and billy club at one and the same time pursued Lane, effecting his arrest, charging him with the offense for which he is answering this afternoon.

OLD WILL IS FOUND.

After being dead thirty-four years, the will of Mrs. Janet Terdie was found a few days ago and today a petition was filed by Clinton L. Moon

who is no relation to her, for papers of administration. When Mrs. Terdie died on Jan. 20, 1875, she left a will but it could not be found by her husband, Louis Terdie, to whom her estate was bequeathed. The witnesses to the will filed affidavits in a petition filed years ago by Louis Terdie for letters of administration. It was granted him and he sold an interest in the estate which consisted of lot 4, block 23, plat A, to Moon. Since then Terdie died and left the estate unsettled. Among the will, which had been searched for so long. The will bequeathed the entire estate to him. He died leaving no relatives, and Moon, who has an interest in the property, asks that the estate be settled and that he be given a clear title to his property.

WIFE DESERTED HIM.

John Jones brought suit for divorce against Mrs. Henrietta Jones yesterday in the Third district court on the grounds of desertion. They were married in Buenos Aires, Colo., on Jan. 24, 1893. Since Dec. 30, 1907, he declares that his wife has refused to live with him, and that she left his house without cause or reason.

MOVES FOR NEW TRIAL.

A motion for a new trial in the case of R. D. Gammon, who was convicted of embezzlement while an employee of the Third Detective Service company, was filed yesterday in the Third district court. The motion will be argued on March 22, when Gammon comes before the court to be sentenced.

WANTS HER MAIDEN NAME.

Mrs. Sophia Melton brought an action in the Third district court yesterday to obtain a divorce from Harry L. Melton on the grounds of desertion. They were married here on Feb. 22, 1907. A short time after the wedding, Mrs. Melton declares that her husband failed to provide for her and later lived apart from her without any cause or reason. She asks the court to restore her to her maiden name, Sophia Johnson, and grant her attorney's fees and costs of the suit.

A SARTHOAL BUNGLER.

When the case of M. J. Murphy, a clerk, who filed suit against Max Daniels, a tailor, to recover the price of a suit which he declares is an ill fit, was called yesterday in Judge Whitaker's court, Murphy admitted the suit which caused him so much displeasure. He showed the court the poor manner in which the clothes fit him and after the testimony was concluded the case was dismissed. Murphy said he had no fault to find with the tailor's work, but that the clothes which will sooth his feelings, and in all probability the case will be dismissed.

BANK SUES ON NOTE.

The Deseret Savings bank filed suit in the Third district court yesterday to secure judgment against Silas S. Smith for \$25.58 on a promissory note which was executed on Sept. 1, 1906. The note was signed by George E. Smith and Silas S. Smith, but it is alleged that George E. Smith is not a resident of the State of Utah and that the company has been unable to serve him with a summons. For this reason the bank asks that judgment be entered against Silas S. Smith for the full amount of \$25.58. It was due Dec. 1, 1906, and the bank asks for the legal rate of interest and costs of the suit.

FORECLOSURE CASE CALLED.

The case of W. S. McCormick against Marie Levy for the foreclosure of a mortgage on a promissory note was called for trial today in Judge Morse's court. The note was issued on Jan. 30, 1906 for \$5,421.28 and fell due one year later.

LATE LOCALS.

Local Bank Clearings.—Today's local bank clearings amounted to \$935,672.59 as compared with \$509,963.66 for the corresponding day of 1908.

Genealogical Society.—The regular weekly meeting of the Genealogical society will be held tomorrow at the Lion House, at four.

Pres. F. Y. Taylor Better.—President Frank Y. Taylor of Granite stake, who has been ill for a couple of weeks, paid with stomach trouble, is reported to be much better this morning.

Twenty-sixth Ward.—What is billed as a thrilling southern drama of love and romance in four acts will be played by the dramatic club of the Twenty-sixth ward Mutual Improvement association in the ward amusement hall tonight and tomorrow night. "Love You" is the title of the piece. In the cast are the following: Nellie Brown, Henry Dupax, Esther Wilding, Mamie Abbott, Elias Monson, David Jensen, Sherman Sudbury, T. E. Wilding, Frank Housland, James Nease and Alex. Wenless. The affair is at Eighth South street and Jordan avenue, reached over the Poplar Grove car line.

A DISCUSSION.

"Blood Attestment and the Origin of Plural Marriage."

A pamphlet containing over a hundred pages, has just been issued. This brochure contains a discussion on the questions quoted, between Elder Joseph F. Smith, Jr., and Mr. Richard C. Evans, the latter gentleman being second counselor to the present of the "Reorganizers." The questions are entered into exhaustively by both sides, and a great deal of valuable information is given. Elder Joseph F. Smith, Jr. shows by historical data and incontrovertible deductions that the position of his opponent is untenable.

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LIQUOR SHIPMENTS BY EXPRESS COMPANIES

The recent decision of the interstate commerce commission relative to liquor shipments by express companies is of interest to the temperance people of this state. The decision holds that express companies may not be required to accept C. O. D. shipments of liquor and assume the burden of collecting the selling price, plus the express charges, as they do in the case of other commodities. This will tend to abate one of the commonest methods of evading the prohibition laws in small communities. It will have the effect of putting a stop to the custom of shipping intoxicants into a prohibition town addressed to a fictitious consignee and leaving it in the express company's office until called for by some one who is "wise" to the scheme, or until a customer can be found for it. The case arose from the complaint of the Royal Breeding company of Kansas City against the Adams, United States and Wells Fargo Express companies under the clause of the Hepburn law which prohibits undue discrimination against a particular commodity. The express companies had adopted a rule that they no longer would accept such shipments C. O. D. In its decision the commission states that the discrimination against liquor is not undue and upholds the ruling adopted by the express companies. The express companies alleged that the liquor dealers had taken advantage of the C. O. D. plan to send large quantities of intoxicants into prohibition communities without bona fide orders, in many cases to fictitious addresses. On being notified that the shipment had not been called for they would obtain customers by various devices, sometimes employing traveling agents. Under this plan, they claimed, the express offices often became liquor warehouses, which had a demoralizing effect on the employee, involved additional risk of loss from fire or robbery, and frequently involved the companies in litigation with local authorities.

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