

# Today's Ogden News

## SERIOUS CHARGES AGAINST J. H. KURTZ

Taxed With Attempting to Wreck Sanitarium Company While Its Manager.

### A SPECIAL JURY VENIRE

Called to Get Jurors for Walker Hearing—Three More to be Had—Order of Eagles Elects Officers.

Ogden, Dec. 5.—The suit filed last October by J. H. Kurtz against the Ogden Sanitarium company, in which he asked for a receiver, has caused a great amount of uneasiness among the stockholders. Kurtz asked for a judgment of \$16,000 alleged to be due him from the company. Judge Howell appointed Stapholep Kuchler receiver, and he has been collecting the resort ever since.

The defendants and stockholders have been quietly investigating the case, and through their attorney, John C. Davis, have now filed an answer to the complaint. After denying the charge that the company is insolvent the answer reads as follows:

"That on or about the day of October, 1906, the plaintiff, J. H. Kurtz, was elected and appointed president and general manager of the Ogden Sanitarium company.

"That at the time said Kurtz was appointed as such president and general manager, it was agreed and understood that he should conduct the affairs of said company in a careful and economical manner, and that he should make a full accounting of all moneys received by him as such general manager.

"That said Kurtz acted as president

Manager, E. A. Larkin, Telephone 123-14.

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and general manager of said company up to the time of the filing of the complaint in this action, and up to the time of the appointment of the receiver by this court.

"That the said Kurtz, instead of conducting the affairs of said company in a careful and economical manner, has extravagantly and wastefully conducted the affairs, and has spent large sums of money, without the consent of the board of directors, and without the knowledge of the board of directors, and the said Kurtz has failed and refused to give to said board of directors an accounting of his stewardship, although the said Kurtz has received since the 1st day of March, 1907, to the 18th day of October, 1907, large sums of money, to-wit, between \$15,000 and \$25,000.

"That the said Kurtz, instead of paying the current expenses of said company, has appropriated the money to his own use.

"That the said Kurtz has only called one meeting of the board of directors, and that was for the purpose of having said board give to himself a promissory note, which he claimed was for moneys expended by him.

"That during the year 1907, said Kurtz has failed, neglected and refused to call a meeting of the board of directors, or to make any statement of the moneys that have come to his hands as president and general manager of the Ogden Sanitarium company, and for the purpose of cheating and defrauding the creditors and stockholders of said company, with the exception of himself.

"That the said Kurtz has failed and neglected to pay the current expenses of said company, and has appropriated the moneys to his own use for the purpose of bankrupting said defendant company, and for the purpose of cheating and defrauding the creditors and stockholders of said company, with the exception of himself.

"That after the receiver was appointed, at the expense of this plaintiff, the vice president and secretary of the Ogden Canyon Sanitarium company called a meeting of the board of directors,

and asked the said Kurtz to render an accounting of all moneys received by him, which the said Kurtz refused to do, and there to do, and refused to participate in the meeting of the said board of directors, saying that it was illegally called, and at the same time refused, as president of said company, to call a meeting of said board of directors."

### SPECIAL JURY VENIRE

Summoned to Select Jurors in Walker Murder Trial.

Ogden, Dec. 5.—The jury venire of 100 names drawn from which to select a jury of 12 men to hear the murder charge against Fred S. Walker, has been exhausted and Judge Howell last evening had a special venire of 25 names drawn which were served last evening and the jurors appeared in court this morning.

Out of the 100 names drawn first, 85 were examined and nine were sworn in to the case, leaving three more to select. Only one juror was secured yesterday. Most of the venire were excused on the ground of actual bias, they having formed an opinion either of the guilt or innocence of the defendant which could not be removed without considerable testimony, most of these had formed and expressed an opinion from reading the newspaper accounts of the alleged murder of Dr. Beers, the inquest and preliminary hearing. Several jurymen were excused because of being opposed to capital punishment. A number of the jurors were excused because of being prejudiced against any one who would enter into the privacy of a man's home and break up his family, and it is on this particular point the defense hopes to make a good showing, as they intend proving that Beers did destroy the home of Walker by his intimacy with Mrs. Walker, and that it was on his refusal to leave her alone and his admissions that he had been criminally intimate with her that Walker in the heat of passion beat him so severely that the injuries proved fatal.

### EAGLES ELECT OFFICERS.

For the coming year the fraternal order of Eagles, Ogden unit No. 118 has elected the following officers: Worthy president, Dr. N. D. Ester; worthy vice president, A. C. Pellico; worthy chairman, Leon Browning; secretary, D. T. Tracy; treasurer, Paul Stecher; trustees, W. D. Blosser, A. B. Wright, Joseph Bawmeister; aerio physician, Dr. H. R. Forbes; inside guard, Thomas Grimes; outside guard, Gilbert Porter; past president, Thomas C. Morris. The newly elected officers will be installed the first business meeting in January, 1908.

ing roles of the proceedings of the meeting.

### JURY VENIRE FOR 1908.

N. Ralph Moore and Joseph E. Cardon, jury commissioners of Cache county, have selected the following names for jurors for the year 1908 and they were filed yesterday with the county clerk.

Avon—Samuel Bankhead, Ole Olsen, Jr. Benson—Paul Cardon, Ezra Hicks, College—John Schick, Charles O. Dunn, John C. Dowdle. Clarkston—David Sparks, Peter Barson, John H. Dahle, John Ravsten, Joseph H. Archibald, John Butters, James M. Coffey. Coville—John S. Allen. Greenville—Olf Cronquist, Andrew Nymman, N. W. Crookston. Hyde Park—Fred Ballam, Charles G. Hyde, George S. Dulnes, Moses Mikkelsen, George Z. Lamb, Horace E. Haney, Frank Pollett. Hyrum—George A. Anderson, W. R. DeWitt, A. A. Allen, Jr., Richard A. Eliason, Hyrum Hall, Jr., Edwin J. Hawa, Joseph Hulise, Ira Williams, W. C. Parkinson, N. A. Jeppesen, David A. Jensen, Eli Bradley, Willard H. Isradsen, Iver Nielsen, John Midgley, John Jensen, Henry Ames, Joseph J. Hall, Wells McBride, Jr., Oscar Liljenquist, William S. Brown. Logan—A. A. Bixl, John E. Carlisle, Stephen Halstone, A. H. Mitchell, James H. Brown, Harry Fauld, W. E. Jensen, A. H. Palmer, Daniel P. Callister, M. H. Parnes, Joseph Hawkins, Albert Jenkins, Geo. Dunbar, William J. Hill, Frank Harris, Noah Larsen, Richard A. Ballantyne, H. H. Hawkes, Ralph H. Smith, W. W. Hull, H. W. Kimball, Harry Worley, William Andrews, J. A. Birdson, C. C. Cressall, Alexander Lewis, D. B. Roberts, John H. Wilson, C. H. Baker, Joseph E. Cowley, L. C. Farr, Nels A. Pearson, Richard Yates, J. W. Crawford, T. LeRoy Cardon, Robert Davidson, Isaac Elwell, William H. Howell, David Jenkins, Louis D. Boudreau, W. R. Davis, Frank Earl, Ed. Edwards, Thomas Irvine, B. M. Lewis, H. T. Benson, H. H. Danielson, A. Jorgensen, George Cole, John E. Everett, R. Murdoch, Jr., George A. Bell, R. Leo Campbell, Ed. Hansen, Joseph Newbold, John W. Barrett, Ezra T. Lloyd, John A.

Persons whose diet is composed of most wholesome foods are comparatively free from disease and are active mentally and physically.

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is wholesome, nourishing, and cleanly. Made from the whole wheat berry.

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Richmond—Andrew B. Allen, Herschel Bullen, Thomas Griffin, Chas. Z. Harris, Parley N. Nelson, W. K. Burnham, Geo. E. Doty, W. H. Hendricks, Wm. Merrill, Henry Bair, Jorgan Johnson, James L. Sheldahl, Newell Bullen, W. H. Lewis, Jr., Henry T. Plant, August Schow. Smithfield—Claus Anderson, T. Chambers, Jr., George Douglas, Nels O. Grellekov, Thomas Hilyard, Joseph Hill, P. P. Bingham, Geo. Done, James Forrester, John P. Green, Geo. Hines, Wm. L. Wian, Thomas C. Roberts, S. P. Ewing, James B. Lake, Newton Woodruff, James Melkie, John Hammer, Sylvester Coleman, Sylvester Low, Jr., Ralph T. Merrill, Samuel Keston, Jr. Roskelley—John Bingham, Wm. P. Dopy. Wellsville—Alex. W. Archibald, Thomas S. Bradshaw, Frank Gunnell, Archie E. Hill, James A. Leishman, Leonard Leachway, Geo. Bradshaw, Walter L. Glenn, Thomas A. Kerr, Richard Branchley, Jos. R. Brown, Wm. H. Darley, Samuel P. Hall, David W. Jones, Heber Mangham, James Allen, Wm. L. Baxter, James R. Cooper, Wm. H. Hoskins, Wm. A. Lea. Wheeler—Isaac J. Allen, Wm. P. Glover, A. H. Brower, Geo. E. Wheeler.

Suits and overcoats at half price. Daniels, 57 West Second South. Our \$1.00 guaranteed razor is best in city. Full line of strops and razor hones. State street Hardware, 252 South State.

### LEHI.

#### OLD FOLKS' DAY.

Banquet, Program and Ball Make Happy Time for Veterans. Special Correspondence. Lehi, Utah Co., Dec. 5.—The old folks of Lehi were most royally entertained in the City pavilion yesterday. At 1 p. m. about 250 sat down to long tables set with the bounties of local industry. The banquet the following interesting program was rendered: Singing by old folks' choir; remarks were made by Messrs. Chas. R. Savage and George Margetts of St. George, speech of welcome by Wm. E. Southwick; response by President A. J. Evans; remarks by Chairman Wagstaff of the state committee, and Mark Austin. The speeches were interspersed by a reading from Francis Child, and songs by Bishop Lewis, Miss Greenwood, Geo. Margetts and the choir. Candy, nuts, sandwiches and cake were then passed around. Prizes were awarded as follows: Most popular old lady in Lehi, Rebecca Standing; oldest men, Isaac Fox and James Holm, aged 91; oldest lady having largest living family, Charlotte Gough, having 11; oldest lady who crossed the plains by handcart, Mary Ann Bell; prizes for oldest lady who had never quarreled with her husband, and oldest man whistler over 70 were not called for. All present had a most enjoyable time. In the evening a grand ball was given in the pavilion, which was largely attended.

### MONROE.

Opening of Pavilion—Schools Give Public Entertainment. Special Correspondence. Monroe, Sevier Co., Dec. 5.—The new pavilion opened on Thanksgiving night for its first time. Visitors from many settlements of the county came to the opening, about 350 dance tickets were sold and it is estimated that about 1,000 people were present. Roller skating is engaged in every night at the pavilion and in many cases to the vexation of parents, who fear that the young people will forsake more intellectual pursuits. The electric power company has its wire here and expects the motor to arrive in a few days. Everything being in readiness it is expected the plant will be in running order shortly.

Last week the public school gave a very creditable free entertainment, all classes taking part, closing with a laughable farce by members of the high school. The old theater hall was crowded to its utmost.

### ST. GEORGE.

HAYING IN DIXIE IN DECEMBER. Ball Game Contests—Peace Meeting On Thanksgiving. Special Correspondence. St. George, Washington Co., Dec. 4.—There has been no rain for several weeks. The streets are therefore dry and dusty. Beautiful sunny days and cool nights, with light frost, have prevailed since the second week in November. The novel sight of hay making in December has been a feature of the present week. The last crop is now harvested. There are now strong indications of a rainstorm.

The potato crop in Pine valley, from which place St. George draws most of its supply, is very light this fall, owing to the late wet spring.

Thanksgiving day was quite generally observed in St. George. A peace meeting was held at 10:30 a. m. A feature of the afternoon festivities was a match game of ball between Woodward high school students and a team from the Branch Normal at Cedar City. The Woodward lads were mostly young and unskilled players and fell an easy prey to the well trained Cedar team. The more mature town boys felt to avenge the defeat of the school boys, and challenged the visitors to another game the following day, but being out of practice they too, were beaten, but by the small margin of one tally.

On Thursday evening the girls of Woodward high school prepared a fine repast in the school building for the faculty and students of their grade and the visitors from Cedar City. The wife of State Supt. of Sunday Schools George B. Miles, presented him with a fine 11 pound baby boy Nov. 24, 1907.

In the life sketch of Conrad Kleinman, our correspondent stated that his first wife was buried at Mesa, Ariz. This was an error. She died and was buried in Tooele county, and the remains of Mr. Kleinman were taken there, after the funeral at St. George, and buried by the side of his wife.

ONLY ONE "BROMO QUININE" That is LAXATIVE BROMO QUININE. Look for the signature of E. W. GROVE. Used the World over to Cure a Cold in One Day. 25c.

### CIRCLEVILLE.

#### OLD FOLKS BANQUET.

Knights Family, Pioneers, Rock New Home—Teachers Institute. Special Correspondence.

Circleville, Platte Co., Dec. 3.—Yesterday the aged people of Circleville were entertained in the Hotel society home. A sumptuous dinner was served at 1:30 p. m., and 23 out of 45 invited guests partook; their ages ranged from 55 to 83 years. An hour and a half was then spent in speaking, readings, songs, and music, young ladies furnishing the music and most of the singing; and at 4 o'clock, when the parting hour came, all expressed themselves as having had "the best time in their lives."

Mr. James I. Knight was the oldest gentleman in the party, with his wife. They are about the oldest settlers in this place, having lived here 35 years and are also pioneers of Utah. Today, they with their children, now grown, take leave of their old home, to seek another in the northern part of the state.

In the evening a married folks' ball was given in the amusement hall, which was well attended, and an enjoyable time spent.

### TEACHERS' INSTITUTE.

Last Saturday, a teachers' institute was held here in the district school house, for the teachers of Platte county. State Supt. A. C. Nelson and Dr. Thomas of the A. C. U. were in attendance, together with the county superintendent. There was a good representation of teachers present.

### A MAN'S BEST FRIEND

Is his pair of military hair brushes. We would like to show you our assortment of solid bristles in Ebony, Sallow and Cocoa Bala, with splendid bristles; prices to suit every purse. F. J. HILL DRUG CO., "The Nurse Substitutor."

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### THE DESERET NEWS.

Winter Course in the Beaver Branch of the Brigham Young University.

The Beaver Branch of the Brigham Young University begins its winter course December 2nd. It continues until March 30th. This course is open with a view to accommodating young men and women who are not able to enter school at the beginning of the year. Those completing this course will be granted one semester's credit. The subjects offered are: The common branches, high school studies; also courses in Ironwork, Domestic Science, Domestic Art and Agriculture. The tuition for the winter course is \$6.00, plus \$1.50 library fee. In addition to the above courses, special instruction will be given in Education, Art, Book-keeping, and Stenography. Board and lodgings can be had for \$2.50 to \$3.50 a week. If you wish further information, concerning the work, please write the principal of the institution. Yours Respectfully, J. E. HICKMAN, Principal.

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### LECTURE BY B. H. ROBERTS.

#### Wedding Permits—Little Victim of Typhoid—News Briefs

Special Correspondence. Provo, Dec. 5.—The address on "Education From a Mormon Standpoint," given at the stake tabernacle last night by Elder B. H. Roberts, was listened to by an appreciative audience, the tabernacle being well filled. The music was supplied by the B. Y. university. President G. H. Brintnall presiding.

Charles Smith, aged 50, of Clinton, Pa., upon examination by Drs. Westwood and Alfred, was adjudged insane and committed to the state mental hospital.

### WEDDING PERMITS.

The following couples were granted permission to wed by County Clerk Wm. D. Brown and Melissa Kerby at Provo.

Curia A. Madson of Provo, and Ruby A. Ben of Knightsville.

John Parker of American Fork, and Jane C. Larson of Lehi.

The Baptist Young People's union of Provo began a series of interesting discussions on religious subjects last night. They will continue for the rest of the week at 7 o'clock in the Baptist church.

### VICTIM OF TYPHOID.

At the Provo general hospital, after suffering five weeks with typhoid fever, the 12-year-old son of Emil Lund, died. Mr. Lund, who resides in Salt Lake, buried his boy four years ago, and left the boy to his grandparents, Mr. and Mrs. Elmer Hawling.

The county commissioners met and transacted the usual routine business paying the monthly claims.

The receipts donated by Eldred's skating rink to the treasury of the State Teachers' association finance committee amounted to \$52.25.

The stake presidency announce that Elder D. M. McAllister, chief of the Salt Lake temple, will be present at the stake priesthood meeting Saturday, Dec. 7, at 2 o'clock, and the subject, "How to Keep and Collect Family Records," and other genealogical information will be treated by him.

Malheur, a pedler, was fined \$5 for not conforming with the new license law.

Floyd Olson was fined \$3 for disturbing the peace, and Roy Hardy \$5 for riding upon moving trains.

### LOGAN.

#### JURY VENIRE FOR 1908.

#### Session of City Council—Lawrence-Christensen Nuptials.

#### Special Correspondence.

Logan, Dec. 5.—Orry Christensen of Richmond and Miss Violet Lawrence of San Joaquin California, were married yesterday by precinct justice, William Brancham.

### CITY COUNCIL SESSION.

The city council held a rather busy session last night, it being the regular monthly meeting. A great number of bills were passed upon among which was the judgment against Logan City by the district court in favor of Charles Maughan for \$500, awarded for injuries he received from a fall from his buggy by colling in contact with a guy wire. The report of the city treasurer was received and filed. The newly elected mayor, recorder and councilmen were all in attendance taking

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