

## HORSEWHIPPED THE PLAINTIFF

Mrs. Linnie Nielson Accuses Her  
Husband of Gross Cruelty and  
Threatening to Kill.

HAS MADE HER LIFE A BURDEN

Sensational Charges Made in Com-  
plaint for Divorce Filed in the  
Third District Court.

Mrs. Linnie Nielson charges her husband, Joseph S. Nielson, with extreme cruelty in a complaint for divorce filed in the third district court this morning. For the last year he had made life a burden for her, she declares, by beating her, threatening to kill her and humiliating her in various ways. By their joint effort they have accumulated considerable property, she sets forth. They own real estate in Salt Lake, valued at \$2,000, a mortgage on a piece of property for \$200, a blacksmith shop in Stockton, Tooele county and he has \$1,000 in cash in the Zion's Savings Bank. She asks for a division of the property and a restraining order was granted prohibiting him from disposing of any of it.

They were married in Salt Lake on March 13, 1907, and there are no children. In setting forth her allegations, she says that Nielson horse-whipped her in their barn in the rear of their house at 58 West Fourth South street. He also threatened to shoot her about a month ago and since that time she has not lived with him.

In a complaint alleging cruelty, Mrs. Lena Krause Smith seeks a divorce from W. E. Smith. On July 13, 1909, he compelled her to leave their house and he packed up her clothes and sent them to the home of her mother where she is now staying. Before this he struck her on several occasions, knocking her down and injuring her. They have one child, a daughter, Gladys, 2 years old, and Mrs. Smith asks for her custody. They were married here on Sept. 17, 1906.

**BANCHOFF ON INSPECTION.**  
W. H. Banchoff, vice president and general manager of the Oregon Short Line, and James E. Dunn, superintendent of motive power and machinery, left this morning for a tour of inspection of the Idaho and Montana division of the road.

**FRAUD CHARGED.**  
Isaac Brockbank and Wife Accuse W. S. Bailey of Swearing Falsely.

In a suit filed yesterday in the Third district court, Isaac Brockbank and his wife charge William S. Bailey with fraud and swearing falsely to an affidavit in an effort to secure judgment against them for \$2,425 which was barred by the statutes of limitation. The original action was commenced in the Third district court on Nov. 9, 1902. The complaint brought by Brockbank, yesterday alleges that Bailey declared that they had both been served with a summons and upon his affidavit judgment was entered in default of the defendant. Brockbank asks the court to restrain Bailey from proceeding further against them on the judgment. It is alleged that the summons was never served upon them. Brockbank says that he and his wife have lived in Holladay for years and that Bailey knew their place of residence. They asked the court to set aside the judgment.

**JUDGE HENDERSON'S ESTATE.**  
Will Shows It to Consist of \$10,000 in Cash and Realty.

The will of the late Judge Henry P. Henderson, who died here on June 5 last, was filed yesterday afternoon in the probate division of the Third district court. It was accompanied by the petition of his widow, Mrs. Josephine T. Henderson, asking that she be appointed executrix as provided in the will. The estate consists of real and personal property in this state and Michigan, which is valued at \$40,000. The estate consists of a farm of about 30 acres in Ingham county, Michigan, which is valued at \$12,000; a house in Detroit, valued at \$10,000; a sister of the testator, together with \$2,000 in cash. The residue goes to Mrs. Henderson. The will was executed on Dec. 5, 1905.

**PETITION DENIED.**

Mrs. Bertha L. Pickard, wife of William L. Pickard, one of the heirs under the will of Mrs. Elizabeth A. Pickard, was prohibited yesterday by Judge Lewis from making a distribution of the property, which is valued at \$12,000. Her petition for a distribution was denied and it was decided by the

**Makesy's**  
156 Main St.

**Friday and Saturday  
Special**

Beautiful Dress and Tailored hats in various models in braids, Milans, Chips and Tuscan, each one artistically trimmed.

Reduced from \$10.00, \$12.50 and \$14.50 values, for Friday and Saturday only—

**\$5.00**

## Sego Fountain Pen 95 cts

It's not much to pay for a Fountain Pen, but you'll find the Sego will give you excellent service—it's guaranteed. Z. C. M. I. sole distributors.



The Pure Drug  
Dispensary  
112-114  
South Main  
Street

court that the heirs would have to be satisfied with the income of the estate. The will provided that the estate should be divided among the heirs, including the husband and the son of the testator but that they should only receive the income. W. L. Pickard assigned his interest in the estate to his wife and she petitioned for a distribution of the property.

**DETECTIVES IN COURT.**  
P. H. Nutter and Walter Royal, the special agents of the D. & R. G. arrested upon the complaint of two Greeks and charged with robbery, entered their pleas of not guilty before Judge Bowman this morning and will have their preliminary hearings July 28.

**HEAVY GROCERY BILL.**  
W. S. Henderson, president of the Henderson Grocery company, brought an action in the Third district court today to recover a grocery bill. E. P. Manis is named as the defendant and the bill amounts to \$34.25.

**SMELTER FUMES SUIT.**  
Charles F. Sharp brought suit in the Third district court today against the Utah Consolidated Mining and Smelting company to recover \$630 damages alleged to have been done by the smelter smoke to his crops in Murray. A similar suit was also filed by James Brighouse to recover \$2,652.

**STOCK BROKERS SUE.**  
Milton Simon seeks to recover \$337.50 from Eugene Brockbank, stock broker, whom he listed 100 shares of stock of the Rock Island Railroad company for sale. When he delivered the stock to them, the market price was \$3.25 a share. The brokers sold it for \$3.07 a share which netted him a loss of \$337.50. The stock was delivered to the brokers on June 15, 1909, and Simon asks for the difference between the selling price when he listed the stock with them and the price the company sold it for.

## DISTINGUISHED WOMEN WILL BE ENTERTAINED

Committee of Prominent Local Club  
Members and Others to Wel-  
come Them Here.

The distinguished party of women, who as delegates to the big quinquennial meeting of the International Council of Women at Toronto, Canada, from 11 countries, have been attending a good deal of attention, will, according to latest reports, arrive in this city from Seattle at 4:55 this afternoon over the Denver & Rio Grande. It is planned by local representative women to meet these delegates upon their arrival in this city, and take them to Salt Lake where a banquet will be given with covers laid for 300. There are nearly 100 women in the party, and the committee on reception will number nearly that many.

**SPECIAL TRAIN FROM OGDEN.**

10:45 P. M.  
Sunday, July 18th, via Oregon Short Line for benefit of Salt Lake Excur-  
sionists who desire to stay over for  
Hollywood races. Choice of eight other  
trains. Round trip \$1.00.

**NEW INCORPORATIONS.**

The Utah Fruit company of Ogden filed its articles of incorporation yesterday with the secretary of state. It has a capital stock of \$12,000 divided into shares of \$10 each. Scott W. Campbell is president; Richard E. Bennett, vice president; Joseph E. Storvick, secretary and James Storey, treasurer. The company has a tract of land near Crofton where the stockholders will range their sheep.

The Gold Label Liquor company filed its articles of incorporation yesterday with the county clerk. It is capitalized for \$10,000, divided into shares of \$200 each. Joseph Lovitt is president; G. M. Lafferty, vice president; and William Baruch, secretary, treasurer and general manager. The company will open a saloon at 55 east

Today's local book clearings amounted to \$1,201,218.35, as compared with \$809,026.62 for the corresponding day of last year.

**SIX BEST SELLING BOOKS.**  
Record for June.  
According to the lists furnished by leading Book Sellers of the country the six books (fiction) which have sold best in the order of demand during the month are:  
1. The Inner Shrine. Anon. \$1.50.  
2. The Man in Lower Ten. Rinehart. \$1.50.  
3. The White Sister. Crawford. \$1.50.  
4. The 4400 or Fight. Hough. \$1.50.  
5. The Desert News Book Store, 4 Main St.

## Bad Actors Tread Boards At Judge Bowman's Matinee

"Yes, I want to be hung, too."

With this response to the question if he wanted to be sworn and testify on his own behalf, John Roach went farther than the simple desire to let the punishment fit the crime, and at the same time started both the court and its attaches who are supposed to be accustomed to startling surprises. Instead of being hung, however, Roach will rest in the city jail until Monday, when it is expected that the cure will enable him to answer the charge against him intelligently.

According to the complaint, Roach obtained a meal at the Newhouse cafe on East Third South street last night, but objected to paying for it, which led to his arrest. His liberty under a \$10 bail gave him the opportunity of seeking stimulants to face the court ordeal, and he appeared in the courtroom in a maudlin way. He clung to the idea of being prevented from paying for the meal by being struck on the jaw by the waiter and cook, but after expressing his startling desire to be hung Judge Bowman ordered him taken to the jail for the sobering process. To make sure that he would be sober on Monday his bail was increased to \$100.

Tom Malloy, a soldier, according to his story, was the victim of cruel circumstances last night. After being battered and knocked down and being stripped of his coat and vest, he came to the station to report the affair only to be arrested on a charge of drunkenness. The court sympathized with his hard luck, or rather excuse, and he was discharged.

Under the promise that he would not miss the next trial, Garfield Dunn was discharged after pleading guilty to having trespassed upon the property of the Salt Lake & Ogden Railway company. Dunn said

## LAKE HAS RISEN FIVE ABOVE ZERO

Level Now Stands at Five Feet and  
Seven Inches and Still  
Climbs Up.

The level of the Great lake has not shrunk any for the last two weeks, notwithstanding the intense heat, thus showing the great rush of water from the watershed into the lake. If there is no shrinkage this summer, it will be one of the most remarkable phenomena in connection with the already many curious features of this peculiar body of water.

The level as recorded today is 5.7 feet above the zero mark. On the same day last year the record was 4.8 feet, on July 15, 1907, it was 3.8 feet, in 1906 the record was 1.2 feet, and in 1905, it was 1.1 of a foot. Thus in four years, the level of the Great lake has risen 4.6 feet. The level ought to be theoretically 11 feet above the zero mark by July 15, 1913. But as the lake rises it spreads out over a great deal of low lands, and hitherto exposed shore space, so that a net rise of nine feet ought to be more nearly the actual rise of level, with an immense increase of area.

## CULMER BARN BURNED.

Bonfire to Burn Rubbish Said to Have  
Been Cause.

A fire broke out at 2:20 this afternoon in the old adobe barn back of the Culmer house, 158 North Main street, which was a mass of flame by the time the department reached the place. The structure was about 40 years old, and was occupied partly by the Rash Roy-lance company for stable purposes, and partly by the Culmer Paint & Glass company which had considerable paint stock stored in the east end. Two horses in the stable were rescued without difficulty.

Boys about the premises claimed the fire was started by a bonfire set to burn up some old rubbish in the immediate vicinity, though some of the neighbors denied this. The intense heat of the day, intensified the heat of the fire, but the firemen appeared to be able to prevent neighboring residences from the flames. The chief difficulty encountered by the department was the stiff grade to the fire. Low water pressure also hampered action.

The regular quarterly conference of Liberty state will convene in the Assembly hall Sunday morning at 10 o'clock and the tabernacle at 2 p. m. There will be no Saturday evening session. Sunday schools of the state will furnish the singing. If possible President Joseph F. Smith will be present to address the Saints. All members of the Church, residing in this state are urged to be in attendance.

## THE CRUCIFIXION.

Did Jesus Really Die Upon the Cross?  
This great question answered in the negative, by his friend, and an eye witness to the TRUTH. Price is but \$1.00.

DESERET NEWS BOOK STORE.

## THE RUSH CONTINUES

Unable to wait on all our friends.

Remember each day we add greater Bargains.

Our \$1.95 Oxfords for ladies are better than \$3.00 grades elsewhere.

**Queen Quality at \$2.95**

are just as good as \$5.00 grades most places.

Our children's and men's summer goods are cut 4% off.

COME TODAY.

**Vincent Shoe Company**

110 MAIN STREET.

auditor's department of the Short Line, left this morning on a two weeks' visit at Rockford, Ill., with Mrs. Oscar C. Keller, formerly Miss Daisy Wolfgang, contralto of the First Presbyterian church of this city.

## NEW LAND BY IRRIGATION.

Thirty million dollars added to the permanent wealth of the nation by emptying water into some newly dug ditches is a trick that has just been turned by Uncle Sam in the west, according to F. H. Newell, director of the reclamation service, who has passed through the city today on his return to Washington from an examination of the government's irrigation projects. The ditches into which the water has been turned this spring are 3,000 miles in length, all told, and if stretched end to end would make it possible to sidetrack the Hudson river and lead it to the ocean through the Golden Gate.

The water to be conveyed through the ramifications of the ditches as they now stand will make fertile 300,000 acres of desert land with a potential yield of \$30 to \$50 a year and a taxable value averaging \$100 an acre.

"We are beginning to reap the harvest of the big works that have been building for several years," said Mr. Newell. "The ditches opened to water this spring represent the biggest extension of the irrigation systems of our projects to date."

"Wealth that is added by the development of new farm lands has a more substantial value than that developed in any other way," continued the reclamation director. "The discovery of a gold mine or an oil well means that the newly found wealth will be taken out

of the ground, and perhaps spent abroad. Following the advent of new farm lands, new communities spring up populated with an intelligent democracy that politically represents a vast gain to the nation. What is accomplished by government irrigation is added to by private enterprises that are encouraged along with ours.

"The government has picked out the hardest tasks, like the building of the Gunnison tunnel and the Roosevelt dam, both of which will be finished this year, and encourages private capital to build the easier works."—Chicago Evening Post.

## LEGAL BLANKS.

Of every character and description, arranged from the best legal forms, and brought strictly up to date. A full supply always on hand at the Deseret News Book Store.

## DIED.

WEIGHT—In this city, on July 15, 1909, Elias C. Weight, age 82 years and 20 days. Funeral services will be held from the residence, 1302 South Eleventh East, today (Friday), July 16, at 4 p. m. Interment in Mt. Olive cemetery.

SPENCER—Eliza Ward Spencer, at 425 South State street, June 15, 1909. Funeral services will be held from the residence, 1302 South Eleventh East, today (Friday), July 16, at 4 p. m. Interment in Mt. Olive cemetery.

R. E. Evans, Florist, 36 S. Main St. Floral designs a specialty. Phone 961.

## "The Paris."

Store Open Until 10 P. M.

The Paris is the Store for Saturday SHOPPING

Every Department of the Great Establishment offers special Inducements.

A Beautiful Summer Suit \$4.95

JACKET AND SKIRT—Made of an extra good quality material the jacket long semi fitting effect, the skirt the gored model and extra full—the entire suit effectively trimmed with heavy insertion. Colors—Pink, Blue, Lavender, White, Tan. All sizes.

Mid-Summer Millinery Meets Another Reduction

Saturday the Prices will be so low that the Department is sure to be crowded. Read the low pricing for the day.

An immense assortment of Ladies' Trimmed hats regular \$7.50 and \$8.00 hats. All colors. Extra special for the day \$2.95

Beautiful showing of ladies' trimmed hats values up to \$10.00. Saturday special at \$3.95

\$12.00 and 15.00 Millinery at \$4.95

Beautifully trimmed in the season's latest and most approved style—these hats will be sold Saturday while they last at the above price.

An Extra Special Sale of Women's Hose 3 Pair for \$1.00

Regular Price 50c the pair, they are the silk lisle, absolutely fast black, reinforced heels and toes. All sizes.

\$1.25 Ladies Vests 75c

Fine lisle vests, low neck and sleeveless; fancy hand crochet yoke, colors Pink, Blue and White.

The Little Ones at Home.

Bring them down tomorrow and fit them out with a pretty dress; we are selling them from One-Third to One-Half Off.

An assortment of children's dresses in lawns and percale and gingham, regular \$1.00 and \$1.25 values. A good assortment of styles and colors. Saturday at 59c

Children's dress from One-Third to One-Half. Gingham, Percale, Calico; dozens of styles to choose from.

One lot at .29c One lot at .69c One lot at \$1.19  
One lot at .39c One lot at .98c One lot at \$1.59

Petticoats Special 79c

Made of Percale in fancy checks and stripe with deep tucked and embroidered flounce, sold regularly at \$1.00 and \$1.25—Saturday all day special, at the above price.

A Sale of Night Dresses

At 65c A regular \$1.00 value; nicely trimmed; made of a good quality of the soft, fine material. Extra full and long. All sizes.

At 75c A regular \$1.25 value; embroidery trimmed. Made of extra fine material. Sizes from 15 to 17.

At 85c A regular \$1.25 value; embroidery trimmed. Made of extra fine material. Sizes from 15 to 17.

75c White Muslin Petticoats Saturday, 49c

Muslin Gowns 69c Extra good quality material, trimmed with hemstitched tucks and embroidery. All sizes.

Muslin Drawers 50c Quality at 29c Soft, fine material, trimmed with hemstitched tucks, lace and embroidery.