DESERET EVENING NEWS TUESDAY FEBRUARY 5 1907



E. A. Larkin.

Telephone 138-k.

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246 Wash, Ave. Ind. Tel, 151. Office with Lambert Paper Co.

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1946 Wash, Ave.

company, 20 copies of the session laws of 1907 at \$2 each. Supt. Hanson reported the death of an aged inimate of the poor farm yescasion.

terday. A numerously signed petition was presented asking for the creating of a new road district near the Wasatch

canning factory to be controlled by Wilson, Garland and Taylorville. Treasurer Chambers asked for in-structions as to what steps he should take to recover the taxes on the partake to recover the taxes on the par-sonages of the Catholic and Lutherian church

BURIAL OF MATHIAS GILLIS. Mathias Gillis, the well known con-tractor and builder, who died last Fri-day morning, was laid peacefully to rest in the Mountain View cemetery

FLOODS THREATEN DISASTER. **Rivers** Already Taxing Their Banks

And Much Damage is Feared.

And Much Damage is Feared. Ogden, Feb. 5.—Unless the heavy rains cease for a few days at least giving the water a chance to soak in-to the ground serious damage will result to property in Ogden. Already the Ogden and Weber rivers are very high, taxing the banks in places, and some of the residences, barns and other buildings along the banks are in danger of being swept away if the waters continue to raise as they have done the past 48 hours. The gutters are filled with streams of water and the sewers are all carrying off great streams. Some of the business houses have already taken precautions to prevent the floods from getting into their basements. Near Madison ave-nue and Twenty-eighth street the large guich which for years has been a water way for the surplus water of the bench is now filled to within a few feet of the large dam put across Madson avenue. Should this body of water increase sufficient to flow over the bank a number of houses would be seriously damaged as well as con-siderable property. refusing to hear the case of the state

the bank a number of houses would be seriously damaged as well as con-siderable property. Perhaps the most damage from the heavy storm has occurred in Ogden canyon where several snow and land slides have taken place, carrying many tons of dirt and rock into the roadbed, making travel from Ogden valley to the city impossible. The road supervisors of the valley to-gether with a large force of men and teams were put to work at the head of the canyon to clear away the de-bris from the slides and sheriff Se-bring with his deputies and a force of men are hard at work from the first slide near the old sawmill trying to get the road opened up for travel. The commissioners have great fear of the bridges in Ogden valley being dam-aged or perhaps swept away if the water in the river continues to raise. Every precaution is being taken to prevent further damage. Some of the streets in the lower part of the city are almost like swimming ponds.

was sworn out against the girl, trans-vas sworn out against the girl, trans-ferred the case to the juvenile court, for want of jurisdiction, because of her being under 18 years of age. The ounty attorney filed an application for writ of mandate to compel Judge Murphy to hold the preliminary exam-nation of Miss Rolley. The decision of Indge Howell is sweeping in its effect, making it impossible to punish any person under the age of 18 years with-in the State of Utah for any crime, with a greater punishmant than a commit-ment to the state industrial school, and that power alone is vested in the juve-mile judge. After reviewing the circumstances of the case at issue and the law, Judge Howell says:

JUVENILE COURT

LAW DEFINED

Judge Howell Says it Was In-

tended for the Salvation, Not

ROSE ROLLEY CASE DECISION.

Whatever Their Derelictions or Crimes Juvenile Offenders Can Only be sent to Industrial School.

Ogden, Feb. 5 .- Judge Howell has

rendered an important opinion in the

tase of N. J. Harris, county attorney, gainst Municipal Judge J, D. Murphy,

in which he upholds the defendant in

against Rose Rolley, a girl 17 years of age, who is charged with stealing \$500

from N. O. Ogden company, Judge

Murphy, before whom the complaint

vas sworn out against the girl, trans-

Punishment of Minors.

After raviewing the circumstances of the case at issue and the law, Judge Howell says: "The court is, therefore, driven to the wonlie court has jurisdiction over Role Rolley (it being admitted that she to a Rolley (it being admitted that she is under 18 years of age), though she is barged with grand larceny and that the defendant, as a committing magis-trate, could do but as he did--transfer the case against her to the juvenile court." And speaking of the purpose and scope of the juvenile court law, the court quotes from a former decision, in which he says: "Evidently the idea of the legislature was not to provide a special punish-ment for offenders against the law who are minors, but rather was it intended that such offenders. The legislative in-tent was that instead of punish-ment for offenders, and the law, they should be saved from such punish-ment. The salvation rather than the punishment of delinquent children inight have been the tills of the act." There are now confined in the county fail fave or six boys charged with rob-bery and bursiary, to which they have made most startling conferences of their bold criminal workings in Ogden. Most of them are under age, hence un-der the ruling of Judge Howeli the only punishment at the reform school until 21 years of age.

ship-To Publish Financial Report. Ogden, Feb. 5.—The board of county commissioners have received five appli-cations for appointment as fruit tree inspector. A request was also received from C. A. Hickenlooper, of the state board of horticulture, asking that the board postpone its appointment up the board postpone its appointment un-til after Friday as on that day at 2 o'clock in the atternoon he, with an-other member of the state board, will

WEBER COUNTY AFFAIRS. Several Applicants for Tree Inspector-

REUNIONS AND PICNIC.

LEHI.

TRAILING SHEEP TO DESERT.

Third Basketball Game.

other member of the state board, will hold an examination of all applicants, to determine which is the most efficient. The request was granted. The county clerk was instructed to have the 1906 financial report of the county published in pamphlet form at a cost of \$32 for 200 copies. He was also authorized to purchase from the Skelton Publishing

yesterday. The funeral services were held at the St. Joseph's Catholic church, Rev. Father John Ryan conducted the same and preached a beautiful eulogy referring to the deceased as an honest

referring to the deceased as an honest man, a true Christian, progressive busi-nessman, loving husband and father. The Knights of Columbus, Bullders' Exchange and Weber club members at-tended the funeral, also many relatives and friends. The casket was covered with beautiful floral tributes. Besides the music furnished by the ward choir Miss May Conroy sang "Ava Marie."

ANSWERS SUDDEN SUMMONS.

ANSWERS SUDDEN SUMMONS. Francis M. Simer, while sitting in his chair at the family residence, 503 Thirty-first street yesterday morning at 10 o'clock expired before a physician could be summoned and he could be put to bed. Mr. Simer's health had not been good for several weeks past, but hopes of his recovery were enter-tained by his physician and family, hence when the end came it was a great shock to his family and friends. De-ceased was the son of Andrew and Mar-tha A. McKensey Simer, was born in Kentucky, Sept. 20. 1849, making him over 57 years of age. Several of his sons are in other parts of the state. Until they are heard from the time and place of funeral will not be fixed. DAMAGE SUIT FILED.

DAMAGE SUIT FILED.

DAMAGE SUIT FILED. The Utah Light & Railway company has been made defendant in a damage suit brought by Mrs. Kathryn Lacy, to recover \$2,000 alleged to be due for the death of her husband. The com-plaint alleges that James Lacy was employed July 12, 1906, as lineman for the Light company and was working on a pole on Washington avenue and Seventeenth street stringing some wires. That while so working he came in contact with a live wire and was electrocuted. That the said accident was caused by the carclessness and negligence of the company. MUSICALE AT TABERNACLE

MUSICALE AT TABERNACLE.

Considering the inclemency of the weather last evening a fairly good audience assembled at the tabernacle to hear the musicale given by the Og-den tabernacle choir under the direc-tion of Prof. Joseph Ballantyne, as-sisted by Prof. John J. McClellan, or-ganist, and Miss Myrtle Ballinger, so-prano soloist. The program consisted of three choruses by the choir, two solos by Miss Ballinger and nine num-bers on the organ by Prof. McClel-lan. Each number was received with rounds of applause indicating the ap-preciation of the audience. Miss Bal-linger possesses a very sweet soprano voice with good volume, which charm-ed those who were fortunate enough to be present last evening. LICENSED TO WED. Considering the inclemency of the LICENSED TO WED.

Licenses to wed were granted by the county clerk to the following quartet to marry: Robert A. Pyper of Ógden and Miss Cordelia Webb of Salt Lake City. S. G. Torrance, 38, of Denver and Miss May Power, 31, of Portland, Ore-con gon.



will be made to long remember the oc-

casion. A large number of teams have been busy the last few days moving the many hundred tons of beets piled up in North Ogden during the beet har-vest when cars were so hard to get. They have lain on the ground for about two months, and seem to be in fair condition, except on the surface. They were loaded in cars at Five Points and shipped to the factory. A handsome baby girl came to the home of David E. Randall yesterday morning.

morning. We have three cases of whooping cough in town, otherwise health of the people is fairly good. The Ogden-Northwestern engine morning.

CITY COUNCIL IN SESSION.

Utah Patentee Gets Out Useful De-

Special Correspondence.

vice-District Court Business.

Provo, Feb. 5 .- The accompanying

PROVO DEPARTMENT

The "News" is delivery by carrier every night (Sunday excepted) at 75 cents per month. All payments and complaints should be made to R. J. Dugdale, agent for Daily. Saturday and Semi- Weekly News. Orders taken for Church Works. Residence, 372 Fourth North St. 'Phone Ind. 55-M.



considered

nanza in Oil. Special Correspondence.

Garland Big Horn Co., Wayne, Jan. 31. -The secretary of the interior has advertised for contracts to build 185 miles of canal to cover the flat surrounding Garland. The building of this cana will mean the moving of about 900,000 cubic yards of earth, and the reclaiming of several hundred thousand acres of fertile land.

BONANZA IN OIL.

We have three cases of whooping cough in town, otherwise health of the people is fairly good. The Ogden-Northwestern engine that left the track a few days ago, has at last been placed on the track and sent to the roundhouse. No pas-senger service has been had on the line for about 10 days, greatly incon-veniencing the hosts of high school pupils, teachers, and others whose work in Ogden requires daily trips to be made by them. A proposition to store water for

tree inspectors were appointed on rea-ommendation of County Fruit Tree Inspector Fenton: E. H. Davis, Lehi; G. P. Thompson, Springville; C. E. Smith, Benjamin; F. W. Peay, Provo, Their compensation was fixed at \$2 a day for actual services.

MEMMOTT-PETERSON WEDDING.

A Marriage license has been issued to Geo. D. Peterson of Solt Lake and Hattie Memmott of Payson.

FOURTH DISTRICT COURT.

The case of James A. Loveless et al vs Bengt Johnson, Jr., et al: involving title



Chamberlain's Cough Remedy

A Safe Medicine for Children.

In buying a cough medicine for children, never be afraid to buy CHAMBER LAIN'S COUGH REMEDY. There is no danger from it, and relief is always sure to follow. It is intended especially for coughs, colds, croup and whooping cough, and is the best medicine in the world for these diseases. It is not only a certain cure for croup, but, when given as soon as the croupy cough appears, will prevent the attack. Whooping cough is not dangerous when this remedy is given as directed. It contains no opium or other harmful drugs, and may be given as confidently to a baby as to an adult.



corps of his decorating and art stu-dents, visited Springville schools, and left on the black boards of the Wash-ington school some fine pieces of art with crayon; many teachers from the south end of the county also joined in the visit, and spent a pieasant day with the visitors and Springville teachers. A chicken dinner was served in the Second ward meetinghouse to the visitors and general public. SPRINGVILLE. SNOWSLIDE DOES DAMAGE. Light Plant Out of Commission-Teachers' Art Day. ral pul

ty high school, basketball series was played between Lehi and Payson high schools in the Lehi city pavilion. Lehi won by a score of 28 to 13. The Lehi team has received an offer from All Hallows college of Salt Lake City asking the local team to play a game with the All Hallows in Salt Lake, which is considered a high com-pliment. The Heber Land & Livestock com-pany, Ab and M. A. Smith and other sheepmen are moving their sheep from the Uintah reservation through Lehi Last week two grand reunions were held at the Reynolds hall, the Black Hawk Veterans with quite a number from different parts of the state joined in pionic and dance. The Halls also held a grand family reunion. the Uintah reservation through Lehi to the desert. They have had a hard time getting them through on account of so much show in the mountains. Enoch Russon, foreman at the fac-tory, has resigned to go on a mission to England. The employee presented him with \$225 as a token of good will. The tabernacle choir had a most pleasant social in the Commercial club rooms Thursday evening. Tabernacle Choir social-Leht Wins rooms Thursday evening. The infant child of A. E. Fox died today.

COX'S SAFETY SHAFT COUPLER.

cut shows the "Cox's Safety Shaft Cou-pler and anti-Ratile Shaft Supporter," invented and patented by Walter Cox of this city. The cut is self-explana-tory: The loop spring, one end of which presses against the end of the shaft, prevents the shaft from falling



Special Correspondence. Springville, Feb. 4.-Heavy rains and fondburt in Hobblecreek canyon have washed out a section of the electric pow-re plant canal, which will throw the city in darkness for several days, while re-plant canal, which will throw the city in darkness for several days, while re-plant canal, which will throw the city in darkness for several days, while the upwards of \$5,00. There is more moisture in the earth than was ever known in the history of pringville before, from the laste thaw of several days. And still it rains. Muday evening Prof. E. S. Hinckley of the B. Y. U., Frow, addressed the M. I. Moson Bros, quartet gave a number of plections, all of which were much appre-

Special Correspondence.

TEACHERS ART DAY.

Special Correspondence. Saturday, Feb. 2, Prof. Eastmond, art Lehi, Utah Co., Feb. 2.-Friday eve-

You Will Like It

> As the solling mowball that grows with every insing volume with each succeeding revolution, has been the history of Ghirardelli's Ground Chocolate, for over fifty years. Year after year the demand for it has increased by greater and still greater bounds, necessitating frequent increase in factory capacity.

> That's evidence conclusive that the poculiarly rich flavor, which is processed by the Ghirardelli process of preparation, pleases, and that's why we say you will like it.



Mrs. N. G. Whipple is quite sick. PARK CITY.

Funeral of . Frank McPelin-Local Dramatics for S. S. Benefit.

Special Correspondence.

Park City, Summit Co., Feb. 1.—One of the largest funerals ever held in Park City was held yesterday, in the Catholic church, over the remains of Mr. Frank McPolin, who died Monday morning, at his home, after a lingering illness of miners' consumption. The L. D. S. Dramatic association is rehearsing under the direction of M. M Duke for the purpose of giving a per-formance in the near future for the benefit of the Sunday school.

LAYTON.

RELIEF SOCIETY BALL.

For Benefit of New Meetinghouse Nets \$500-Morgan-Nalder Nuptials.

Special Correspondence.

Layton, Davis Co., Feb. 2 .- Among the Layton, Davis Co., Feb. 2.—Among the best buildings in Davis county is the unfinished Layton meetinghouse. The Relief society wants to see it completed and with this idea in view the society gave a party on the evening of Jan. 31, that netted the building fund close around \$500. A good program was giv-en, a bounteons lunch (not luncheon) was served and dancing was liberally indulged in. There were fully 500 pres-ent. A free dance was given the chil-dren the next afternoon. MORGAN-NALDER NUPTIALS.

Miss Lizzle Morgan and Fred Nalder were married at the home of the bride's parents, Jan. 24. The reception was at-tended by about 200 friends and rela-

tives. The consolidated management gave a free dance in its new building last Monday night.

NORTH OGDEN. LOCAL DRAMATICS.

Traffic Restored on Ogden-Northwestern Ry .- Beet Harvest Completed.

Special Correspondence. Special Correspondence. North Ogden, Weber Co., Feb. 2.— The drama presented by local talent for the benefit of the Sunday school, was in every way a success, and was a credit to those taking part. The immediate descendants of Mrs. Eliza Brown met with her Wednesday to honor her 60th birthday anniver-sary. She was the recipient of a hand-some present, through which, and the congratulations showered upon, she

building, declares it the best coupling ever invented. Mr. Cox is now negoti-ating with one of the largest carriage manufacturing companies in the Unit-ed States for the sale of his patent.

COUNCIL SESSION.

Councilman Knudsen was appointed a member of all the committees of which his predecessor. Councilman Poulton, was a member, by President Booth, at last evening's council ses-

Booth, at last evening's council ses-sion. The Merrill Lumber company pre-sented a statement of extra expenses the company was under on account of changes made by the city in the waterworks extension. The increase was \$\$10.68. Referred to the com-mittee on waterworks, and the com-pany authorized to go on with the work.

work. City Engineer Pack reported that the Merrill company had now laid 6,600 feet of pipe and expected to have the work completed by March 1. UTAH COUNTY BUSINESS.

At the meeting of the county com-missioners, held yesterday, the follow-ing amounts were reported on hand, in the several funds, Feb. 1, by County Treasurer Johnson:

County superintendent's contin-..... 14.00 gent The following fees were reported col-lected in January;





TAR. Foley & Co., Chicago, originated Honey and Tar ss a throat and lung remedy, and on account of the great merit and popularity of Foley's Honey and Tar many initations are offered for the genu-ine. These worthless initations have sim-ilar sounding names. Beware of them. The genuine Foley's Honey and Tar is in a yellow package. Ask for it and refuse any substitute. It is the best remedy for coughs and colds. For sale by F. J. Hill Drug Co.

Treasurer 34.50 The following deputy county fruit All printing specially attended to at the Descret News Office. Estimates promptly furnished. Rush orders a specialty.

