

# UTAH LAKE RISES TO DANGER POINT

Nine Inches Above Compromise Is the Report Received from Pumping Station.

COMMISSION TO VISIT SCENE.

Are Anxious to Remedy Condition, But Method Is Not Known—To Investigate Dam Destruction.

A meeting of the Utah lake commission was held yesterday afternoon in the office of the Salt Lake City paper company to consider the present high level of the lake waters and its effect on low lying farm lands in Utah county.

Those present at the meeting were: E. W. Miller, chairman of the commission; Joseph E. Crook, of Spanish Fork; A. B. Anderson, of Lehi; J. G. M. Barnes, of Farmington; A. P. Doremus, of Salt Lake City; and George C. T. Bennett, secretary. It was stated that William Knight, who is in charge of the pumping station at the lake, reported the lake nine inches above the compromise level, and still rising.

Speaking of the matter today, Bishop Miller said that he would not be surprised if the water rises eight inches above the compromise point. The present rise is working an injury to many of the low-lying farms in Utah county. What it will do when it reaches the greatest height can only be conjectured. The commission is desirous of doing something to relieve the situation if possible, but no plan was suggested at the meeting Saturday.

The commission also took up the matter of the blowing out of the Lanes dam, which is said to have been an obstruction by the people of Utah county. The further consideration of that act was postponed until May 5, when the commission will meet at the point in Jordan narrows where the dam was blown out, at which time the condition of the lake will also be gone into more thoroughly.

## ECHEETA, WYO., POSTMASTER.

(Special to the "News.") Washington, D. C., April 18.—Joseph H. Baxter has been appointed postmaster at Echeeta, Crook county, Wyo., vice C. Hunter, resigned.

## NEW NAME IS MIDVALE.

Bingham Junction Gets Permission From Commissioners for Change.

Fifty residents of Bingham Junction met with the county commissioners this morning and presented the petition asking that they be allowed to incorporate Bingham Junction and the surrounding country as a city of the third class. The commissioners gave their consent providing the incorporation was carried on according to the statute. It is stated that they have the required number of taxpayers and that the petition will be given to the city. Arrangements will be made to hold the election next month.

## TALKS TO PRISONERS.

"Mother" E. R. Wheaton Addresses The Erving and Unfortunate.

Elizabeth Rider Wheaton, known all over the United States as "Mother" Wheaton, and loved wherever she goes because of her kind and gentle nature, conducted Sunday services for the city prisoners in Judge Bowman's court room Sunday afternoon. The unfortunate are to her "son" or "daughter," and for thirty-seven years she has labored among the half-wild and in prisons, distributing sunshine and hope for those whose future looked black as night.

Yesterday's services began at 2 o'clock, and for two hours the prisoners listened with keen interest to the truths expounded by the good little woman. "Mother" Wheaton is 65 years of age, her hair white, but her voice strong, though somewhat hoarse. That she possesses a most remarkable insight to the weakness of human nature was forcibly shown in her talk yesterday afternoon, and many a hardened offender found his eyes dimmed with tears when she spoke of a better life and the satisfaction that comes of right living. She related some of the experiences she has had in prisons in various parts of the country and made a deep impression upon her hearers.

## OUTLET SEWER MUDDLE.

Mayor Brannford met with the city engineer, L. T. Kelsey and H. G. McMillan, the chairman of the board of public works, this morning to discuss the outlet sewer muddle. It was decided to take over the work and complete it under his contract, there being about \$5,000 still due on the contract price. This amount will amply cover the work. It is proposed to re-construct the pipe where it runs under the Oregon Short Line tracks and place an outlet along the line at Intervale. Under this arrangement it is possible that the work will be completed within a month.

## FEDERAL COURT.

Judge John A. Marshall was on the bench this morning in the United States district court, after his return from Oklahoma where he tried the case of ex-Governor Haskell. The following business was transacted:

In the case of A. J. Juchetta vs. the Boston C. M. Mining company the case was dismissed, the appointment of the parties in the suit, and the plaintiff is to pay the costs. The plaintiff sued for damages on account of injuries received by a prominent claimant.

In the case of A. Bracken vs. the Garfield Smelting company, settlement was made by agreement between the parties, by the payment of damages in the sum of \$500. The suit was for \$15,000 on account of injuries received by a fall from a ladder, against which it was alleged that the motor of an ore train was carelessly pushed.

E. W. Seider's motion was filed this morning for services in his own behalf, in the case of the United States vs. Dan C. Robinson et al. The hearing on the motion was set for Saturday, April 24, at 10 a. m.

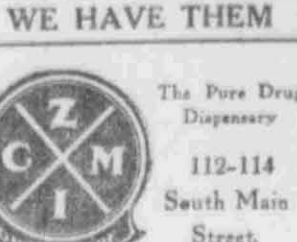
The case of J. H. Freeman vs. the Oregon Short Line railroad company, was continued for the term on the motion of the attorney for the plaintiff. The suit arose from the loss of a number of sheep in a shipment made from Lake Side, Davis county, to Haverly, as the result, it is alleged, of the railway company violating the 24-hour law.

Miss Carrie J. Stewart, formerly with Gray Bros. Co., has accepted a position with Gray Bros. Co. in their department of high end hand tailored ladies' ready-to-wear garments.

# House Cleaning Time Suggests

Instantaneous Bug Killer  
Purox Insecticide  
Ammonia  
Roach Food  
Sulphur Fumigator  
Moth Balls

WE HAVE THEM



The Pure Drug Dispensary

112-114 South Main Street.

# DIVORCE GRANTED MRS. EDITH LYMAN

Third South Saddle Hill Treats Wife Who is a Well Known Christian Scientist.

Because her husband, Herschel B. Lyman, proprietor of a harness and saddlery establishment at 21 east Third South street, stayed out at night and then ill-treated her when he did come home, Mrs. Edith Lyman was granted a divorce this morning by Judge Morse. She was granted \$25 alimony and \$15 a month for the support and education of their 8-year-old daughter.

They were married in Ogden on April 23, 1890. It was shown for the last seven years that Lyman had ill-treated his wife. He is worth about \$10,000, who owns a large real estate and is engaged in his business. Although Lyman gave no testimony in his behalf, he stated in answer that his wife was seldom at home. She is a member of the Christian Scientists church and spent most of her time at meetings and attending to her religious duties. This is said to have caused their separation.

## MISREPRESENTATION CHARGED.

W. L. Grover has brought suit against J. S. Kimball, R. A. Shipman and the Utah National bank to recover \$500 which he says he invested in the Peoples' Coal & Coke company on their representations which he charges were false. He also stated that representations were made to others and that considerable money was invested in a coal mine in Carbon county which the promoters claim had a 30-foot vein of coal. Grover said that he was induced to buy on the statement that the stock would double in 60 days. The Utah National bank was made a party to the suit to refrain it from disposing of the note he had given for the stock.

## DEFENDANT IN THREE SUITS.

The Continental Mines & Smelting company was made the defendant in three suits filed Friday in the Third district court. One of the suits was brought by the Agency company to recover a balance of \$460 alleged to be due on an incident insurance policy taken out by the company in 1906. Another was by Joshua Crowther for wages as bookkeeper which amounted to \$1,200. Thomas Dale, of Kenton, Pa., brought the third suit on a promissory note with interest which amounted to \$1,586.

## VACATION FOR JURY.

No business was transacted this morning by the grand jury owing it to suit to one of the members being compelled to attend to other business. As there is only a full quorum when he is present, the jury was compelled to adjourn until this afternoon, when the murder of the four Indians in the Navajo reservation will probably come up for consideration.

## DISTRICT COURT NOTES.

Mrs. Toranzo McAlee and her three children have brought suit against the Rio Grande Western Railroad company to recover \$25,000 for the death of Geo. W. McAlee, their husband and father, who was killed on Oct. 14, 1908, in a wreck in the Jordan narrows. McAlee was an engineer in the employment of the company and he carried out the orders of the company which resulted in the collision, it is alleged.

C. R. Stone has filed an action against the Carlsbad and Anson company today to recover \$1,000 which he claims he alleges, on an advertising scheme to sell pianos. Under an agreement he was to receive 5 per cent of the cash sales. He says that he paid the amount to about \$40,000, and that all he received for his work was \$300. The court is also asked to make an order allowing him to investigate the books of the company to ascertain the amount of cash that was taken in during the advertising scheme.

Mrs. Violet Grimm and her four children have filed suit against the Utah Light & Railway company to recover \$30,000 for the death of Henry Grimm, her husband, who was run over and killed on Jan. 12, 1899, at Second South and Main streets. It is alleged that the company was careless and negligent in starting the car before he could board it.

Silver Brothers' Iron Works has brought suit against the Salt Lake Beach company to recover \$230.35 for work and material. The company also asks for interest and attorney's fees.

Mrs. Ella Ringwood Henderson was granted a divorce from Harry Clifton Henderson by Judge Morse Saturday on the recommendation of N. H. Tanner, referee. The testimony showed that Henderson had neglected to support his wife.

Mrs. N. Jeannette Calhoun filed the will of her husband, William W. Calhoun, who died in Los Angeles on March 10, last. Said will, said she is named as the sole executrix and her to his estate which consisted of \$750 worth of personal effects. At one time Calhoun was an extensive owner in the Continental-Eureka mine and other valuable properties.

Mrs. Mae Middleton seeks a divorce from Charles A. Middleton on the grounds of desertion in a complaint filed Saturday in the Third district court. They were married in Salt Lake on Aug. 9, 1905, and have a daughter 3 years old. Mrs. Middleton asks for alimony and the custody of the child.

R. H. Barnes filed suit Saturday in the Third district court against H. N. Barnes on a promissory note. The note was executed at Salt Lake on Sept. 9, 1908, in favor of R. H. Barnes of Los Angeles and assigned to Barnes.

## MILK WILL BE DISCUSSED.

There will be a special public meeting of the City Health board at the Public Library on Tuesday, April 27, at 8 p. m. The subject will be "The Milk Supply." The public is invited by President James E. Talmage to attend.

# FLOODS CHECKED BY COOL WEATHER

Damage, However, Has Been Done, Though Danger Is Not Past.

ALL STREAMS ARE VERY HIGH

Greatest Havoc Has Been Wrought In Southeastern Section—Aerial Storage as a Precaution.

Floods from overflowing creeks and canals are doing great damage in the outlying districts of the city, the warm weather of the last few days having released the torrents in the hills to an extent that the creeks and canals have been unable to cope with. Parley's creek is on the worst rampage it has been known to assume for many years.

Underfoot, creek is almost as bad, though about the same for the conduct of the creek may develop at any time. City creek is likely to assume dangerous proportions within the next day or two, for it is always about one week or 10 days later in thawing at the headwaters than the other canyons. The canyons are all swollen above normal and danger from floods prevails in all parts of the city where creeks and canals are found.

Yesterday the basement of the Presbyterian church was filled with four feet of water and the streets in all directions leading to the edifice were overflowing with water. The ditches are inadequate to carry away the surplus and in the low places deep ponds were the rule. Traffic is seriously interfered with, lawns and flower beds have been washed out and the condition is most trying for the residents of the lower portions of the city in the eastern section.

## PARLEY'S CREEK BOOMING.

Parley's creek is booming. At the mouth of the canyon, the water is in constant danger of being washed out. Saturday a switch at the Hamberger quarry on the Rio Grande was washed out and the creek property in a precarious position in many points of the canyon. A bridge near the waterworks was almost washed out during the same period and to prevent accidents it was removed by the city. Water Commissioner Frank Matthews.

The greater portion of this damage is being done outside of the city proper, but it is feared that the water in the city is interested by reason of the location of points in its water system. In the city itself, however, conditions are bad. In many places the water is backing up eastward from Jordan river almost to First West street.

## PROPERTY IN AERIAL STORAGE.

On the west side a queer method of placing property where it cannot be damaged is revealed. Property owners have contracted platforms on top of timbers and trees and have placed there all goods of value that would be injured in the water. At some places baled hay is placed on these platforms eight to 10 feet above the ground. Household goods have been taken from cellars and basements and similarly placed. Stacked roofs and even the roofs of houses are piled high with goods of every description.

Every precaution has been taken by city and county officials. The banks of the canals and streets are being kept until it is thought that unless the water rises to a much greater height than in former years the channels will be able to carry it. Low bridges have been removed and raised or dams placed with. The collection of brush and rubbish under these bridges last year was the cause of the greater part of the trouble, and this source being removed it is thought that as soon as the necessity arises the flow will now be unobstructed.

## BUSINESS AND REALTY.

The full list of the bids made on the Commercial club building is as follows: Black & Lister, Salt Lake, \$122,000; Whitney, Stoen & Co., New York, \$121,925—both of these including the plumbing and heating; A. J. Macdonald, Salt Lake, \$108,375, based on the use of Salt Lake material in manufacturing the same based on an open market; \$108,200; Palmer Building company, Salt Lake, \$108,400; R. H. Whiston, Salt Lake, \$108,550; Cullen Construction company, \$104,683; James Stewart, \$103,529; plumbing, heating and gas fitting; Green & Reeve, Salt Lake, \$117,660.

Today's local bank clearing amounted to \$1,507,942.38 as compared with \$1,212,364.44 for the corresponding day of last year.

The real estate transfers today, bear the record of the week by Salt Lake county to R. A. Corvair for \$15,339 of 40 acres of land along the foothills, north end of the state prison. The tract has been cut in two, and is likely to be platted. There is a steady movement southeast of this city in the way of settlement, as but in a few years the entire measure will be covered with buildings. The high tax in this city is proving a strong factor in this suburban development.

Eleven building permits were issued today. They call for an expenditure of \$15,400. Seven are for dwelling houses and four for additions.

# FOSSIL WASHOUT DESTROYS TRACK

Traffic Between Portland and Granger is Badly Crippled.

TROUBLE EAST OF OGDEN.

Superintendent Whitney Has Force at Work in Endeavor to Prevent Damage by Floods.

Ogden, April 18.—As a result of a disastrous washout near Fossil, a little station 46 miles west of Granger on the Idaho division of the Oregon Short Line, all passenger trains between Portland and Granger are now being detoured through Ogden and sent from this city north to Pocatello.

The first washout occurred Saturday night and was of minor importance, the opinion prevailing that a few hours would suffice to put the track in condition for service again, but a second washout occurred last night and between two and three hundred feet of track was washed away. It was found that the track was washed away in a sanitary condition. He has given them until May 5 to complete with his orders. He also visited the hotels in Ogden on Friday and found that two of the places were selling milk below the standard. Samples of milk were taken at the depot in Ogden which had been shipped in from the country. It was found that several shipments had been watered and skimmed. The shippers of the milk were notified and will be prosecuted for a second violation of the state law.

A similar condition obtains at many points on the Union Pacific between Ogden and Green River where high water traffic are expected this spring, but Superintendent Whitney has placed special track forces all along the threatened districts and is taking every precaution possible against the floods from mountain districts.

## JUMPS UNDER TRAIN.

Unknown Tramp Meets Tragic Death At McCammon.

Word was received at the general offices of the Oregon Short Line this morning of the killing of an unidentified tramp by the engine of train No. 2 northbound at McCammon, last night. The man was not riding the bars, but was seen to deliberately run in front of the moving train. His body was crushed and he was instantly killed. When the body was picked up it was found that there was no letter nor other means of identifying him, except that he seemed to be a man of about 40 years of age, of medium build, and was wearing a dark coat and light trousers. The body was turned over to Dr. Hooper at McCammon, who called Coroner Howard of Hancock county, and an inquest will be held this afternoon.

## ASPHALT KING DEAD.

New York, April 18.—Amel Lorenza Barber, head of the Barber Asphalt Paving company, died early today at Ardsley Park. Mr. Barber returned from California, where he had been for his health, only two weeks ago and shortly afterward was stricken with pneumonia.

## SIX CHECKS LOST—HERMAN GUSTAFSON.

Mr. Gustafson, of the Commercial club building, has lost six checks for a total of \$1,000. He has reported the loss to the police and is offering a reward for their return.

# CHILDREN ATE TOO HEARTILY

Analysis of Forty-Six Samples of Easter Candy Discovers No Poison.

SPOT LIGHT NOW ON OGDEN.

Food Inspector Gives Orders to Clean Up—Off-Color Milk Encountered At Junction City.

After taking the analysis of 46 different samples of Easter candy, Wilford Hanson, state dairy and food inspector, had decided that the cases of reported poisoning of children was from over-eating. State Chemist Herman Harns made the analysis of the samples and reported that all of them were about the standard of purity.

Mr. Hanson has sent several letters to manufacturing companies of Ogden requesting them to clean up their places and put them in a sanitary condition. He has given them until May 5 to complete with his orders. He also visited the hotels in Ogden on Friday and found that two of the places were selling milk below the standard. Samples of milk were taken at the depot in Ogden which had been shipped in from the country. It was found that several shipments had been watered and skimmed. The shippers of the milk were notified and will be prosecuted for a second violation of the state law.

## LATE LOCALS.

Smallpox Case.—N. T. Raymond of 223 West First South was the only victim of smallpox reported today to the city board of health.

Where Is Cella Thomas?—Postmaster Thomas has received an inquiry for Cella Thomas now from Mrs. S. E. Foran, of Burns, Oregon.

Jefferson School Contract.—The board of education will meet at 8 o'clock this afternoon. The meeting has been called to consider the awarding of the contract for the construction of the Jefferson school, which was thrown up by Vander Horst Bros.

G. A. R. Committee Meets.—The regular monthly meeting of the executive committee of the forty-third encampment of the G. A. R. is being held in the office of Executive Director Frank M. Sterrett in the Commercial club block today. Matters of routine business and several authorizations will be made at the meeting, and regular bills allowed.

Paulson Out of Danger.—The condition of Nels Paulson, who was shot by James L. Malone, former world's pool champion, continues to improve and the wounded man is now practically out of danger. He rested well last night and it was reported from the Graves L. D. S. hospital today that his condition was all that could be asked for.

Six Checks Lost.—Herman Gustafson,

residing at 318 west North Temple street, reported to the police this morning that he had lost six checks of the value of nearly \$2,000. Three of the checks were on a Denver bank and aggregated in value \$1,500, and three other checks on a Garfield bank were drawn for \$175.75. The checks were not endorsed and the banks have been notified to take them up if presented for payment.

"Mother" Wheaton Leaves—"Mother" Wheaton, the prison evangelist who has a record of thirty-seven years of service in behalf of prisoners and those living on the sunny side of life, and who conducted religious service at the city jail yesterday, left today for Ogden. From there she will go to Montana and Washington points. "Mother" Wheaton is accompanied by Mrs. Anna Waterman of Pasadena, Cal. Since her sojourn in Salt Lake Mrs. Wheaton has been the guest of J. T. White, 1215 Third avenue.

Folts Located by Police.—Yesterday Chief of Police Barlow received a telegram from Colorado Springs, telling him to try to locate J. Folts and notify the latter that his grandmother was dead at that place. Every effort was made yesterday, after dark and last night to locate Folts but not until this morning were the police successful when they found Mr. Folts at the Collier hotel. He was shown the telegram and will leave at once for Colorado Springs.

## HISTORY IN DETENTION HOME.

Effort Being Made to Secure Valuable Set of Books for Boys.

An effort is being made by a number of people to place in the Utah training school that delightful history written by John R. Musick, "The Real America in Romance," and for that object contributions are requested from all who are desirous to aid in the worthy enterprise. The work consists of 12 volumes in which "romance and authentic history are successfully blended, with reading courses included, arranged by that eminent author, Edward Markham. This history of America, written in a romantic style, will do much to stimulate the patriotic sentiment upon which the detention home is founded. In a place like the detention home its influence is inspiring patriotism and many efforts by way of the lessons contained in its pages instead of the morbid and dangerous excitement induced by the dime novel and kindred classes of literature upon which youth so often feeds, can hardly be estimated, and an effort to place it there must rank as one both of benevolence and patriotism. Contributions for the purpose may be sent to Guarded Brown, in care of the Utah school.

The following letter shows the opinion of the home officer on the matter. To Whom It May Concern—This is to certify that I have spent some time in investigating the work entitled "The Real America in Romance," by John R. Musick, and am of the opinion that there can be no finer set of books for the education and development of just such boys as those whom we have in the Utah Training school, and would be delighted to have this work in our institution.

Very respectfully,  
GARIBOLDI BROWN,  
Chief Probation Officer and Utah Training School.

## PERSONALS.

Postmaster A. L. Thomas has gone to Boston and New York in company with Hon. Samuel Nowhouse. There is said to be no significance to their departure together.

P. S. Eustis, passenger traffic manager of the Chicago, Burlington & Quincy railroad, will arrive in Salt Lake tomorrow in his private car. Mr. Eustis and party have been touring the Pacific coast and are now en route to Chicago on the return trip.

# THE STARTUP BOYS

Shipped the first UTAH CANDY to Los Angeles, St. Louis, Chicago, and the coast country eight years ago. Quality alone has made it possible for the Startup Candy Co. to market their products in all the centers of commerce of America and Mexico.

Sweetly thine,

STARTUP CANDY CO.  
Provo "The Candy City."

DIED.

MEREDITH.—At 861 west South Temple street, April 17, 1909, of old age, Catherine Davis Meredith, wife of John Meredith, born April 13, 1821, in South Wales, Wales. Funeral services will be held Monday at 1 p. m. from the residence of Joseph H. Taylor, 11 South West Temple street. Interment in city cemetery.

GIBBERT.—In this city, April 17, of old age, Pauline Gibbert, the 4-year-old daughter of Mr. and Mrs. W. W. Gibbert, at 1 p. m. from the residence of Joseph H. Taylor, 11 South West Temple street. Interment in city cemetery.

FOLEY.—In this city, April 17, of old age, C. Foley, aged 82 years. Funeral services were held from Ogden at 4 p. m. Interment Calvary cemetery.

BUSH.—In this city, April 15, of old age, Squire W. Bush, in his seventy-ninth year, Native or New York state, died at 1 p. m. from the funeral chapel of Joseph H. Taylor, 11 South West Temple street. Interment in city cemetery.

HOPFENBERG.—At Salt Lake City, April 18, from general illness, Elsie Hopfenberg, born in Bavaria, Germany. Notice of funeral later.

DAVIS.—At the residence, 260 Fuller avenue, April 17, from pneumonia, Helen A. Davis, the 16-month-old daughter of Daniel and Mrs. A. Meyerhoff Davis. Funeral services will be held from the residence of Daniel and Mrs. A. Meyerhoff Davis, 260 Fuller avenue, at 1 p. m., Tuesday, April 19. Friends invited to attend. Interment in the city cemetery.

BLACK—Arnold A. P., of pneumo-nia, at residence, 1090 Lash street, of 25 years, aged 1 year, 8 months, son of Mr. and Mrs. Frank Black. Funeral at Cannon ward chapel Wednesday at 10 a. m.

R. E. Evans, Florist, 26 S. Main St. Floral designs a specialty. Phone 961.

## WANTED.

A CABINET MAKER. Call THE Standard Furniture Co. No. 7 and 9 Main St. Tel.

## Union Dental Co.

Are now permanently located in their new and handsomely equipped rooms, 212 MAIN STREET.

Remember us. WE TREAT YOU RIGHT. Painless Extraction of Teeth or no pay.

# Sale of 200 Sample Suits At Z. C. M. I.

Suits for Junior Misses and Little Women, regular \$16.50 to \$21.00 values, your choice \$10.50



This is a manufacturer's clean-up lot of suits. We were fortunate to obtain them at a price. You are to receive the benefit of the purchase. All of them are this season's new and fashionable models, fabrics, and colorings—all new goods. A splendid opportunity for Girls and Little Women to obtain a stylish, seasonable suit for \$10.50

No Exchanges. No Approvals. Alterations Extra.



OUR DRUG DEPT. IS AT 112-114 SOUTH MAIN ST.