

Today's Ogden News

TRIAL OF PAYNE IS CONTINUED

Till After Supreme Court Passes
On Other Cases Against
Councilmen.

SHAW INHERITANCE TAX CASE.

Legatees Must Show Cause Why They
Should Not Pay State Tax—Laundry
Sued for \$3,000 Damages.

Ogden, April 4.—The case of J. D. Skene against City Councilman R. B. Payne was called by Judge Howell. The defendant was asked to plead to the accusation, which he did, entering a plea of not guilty and a general denial to the charges of misappropriation of the city's funds. Defendant's attorney, Thos. Maloney then entered a demurrer to the accusation, but the court overruled the same on all the points excepting one as to the fifth paragraph which reads as follows: "that said defendant Robert B. Payne is and has been guilty of refusing and neglecting to perform the official duties pertaining to said office of city councilman," the court sustained the demurrer to the above paragraph, holding that the same fails to state any cause of action. Judge Howell gave it as his opinion that he should not be required at the present time at least to hear the case at bar, as two cases of a similar nature have already been tried, and preparations are being made to appeal both of these cases to the supreme court; and inasmuch as in one case or the other all the points that could possibly be raised in the case against Mr. Payne, will be raised in these cases, it will be taking up the time of the court unnecessarily to hear the case at this time but said Judge Howell, "I do not desire counsel to understand that I wish to shirk any duty that falls to me as judge of this court, but as the representative of the people in this office I feel it my duty to protest against the unnecessary expenditure of time which the trial of this action will incur, as well as the unnecessary expenditure of public funds which will entail." The counsel for both sides consulted together on the court's request and agreed to continue the hearing to April 11, pending developments in the cases that have been tried and are to be appealed. It is therefore not likely that the case against Mr. Payne will be tried until after the supreme court has passed on the case against Councilmen Chambers and Craig.

This morning the hearing of the case of A. J. Stone administrator of the estate of William Manning deceased against the Union Pacific was commenced. The action is brought to recover \$30,000 alleged to be due as damages for the death of Manning, which occurred over a year ago in a wreck

Manager, E. A. Larkin, Telephone 125-K.
466 2nd St.

Advertisements for the Daily Saturday and Semi-Weekly News accepted on the same terms as at the Salt Lake office.

Circulator, John J. McGregor, 226 Wash. Ave., Ind. Tel. 111.
Office with Lambert Paper Co.

Payments for the Daily, Saturday and Semi-Weekly News should be made to the circulation manager made by carrier on the same terms as in Salt Lake.

near Azusa station, on the line of the Union Pacific. A number of depositions have been received to be read in the case. At the request of the defense a special jury venire of 25 jurors was drawn from which to select the jury to hear the case.

INHERITANCE TAX CASE.

The heirs to the estate of the late Ambrose Shaw have been requested by the court to appear before his honor April 21, to show cause why the property should be divided by Mr. Shaw previous to his death to his wife and children should not be appraised as part of the estate, and subject to the inheritance tax. Attorney C. C. Richards will represent the estate in the matter. The hearing of this case will determine whether or not any person a short time previous to his death can dead away any of his property, and thus escape the payment of an inheritance tax on the same.

In the matter of the estate of Emma Grandin et al. minors, petition has been filed by Harold N. Taylor, setting out that he was appointed guardian of the said minors, but desires to be released and asks that Moroni Skene be appointed in his stead.

The divorce suit of Prescilla B. Jackson against Charles V. Jackson was heard by Judge Howell. The couple were married June 17, 1901, and have one child living. It was shown in the hearing that in April, 1902, defendant deserted his wife and child, and has failed to provide for them. The plaintiff was given a decree of divorce, custody of their minor child, and restoration of her maiden name, Prescilla B. Crook.

LAUNDRY SUED FOR \$3,000.

Mabel Richards, by her guardian ad litem, Mary A. Richards, has filed a damage suit in the Second district against the Ogden Steam Laundry to recover \$3,000, alleged to be due for personal injuries. The complaint alleges that on March 8, 1906, the said Mabel Richards was employed by the defendant company to feed the mangle machine, and to load the same; that while engaged in doing the same she was struck by a piece of machinery, which caused plaintiff's right hand, crushing, burning and scalding, and plaintiff's damage in the sum of \$3,000.

CHINAMAN ON TRIAL.

The hearing of the case against Lee, a Chinaman charged with making improper approaches to a white girl, was commenced at 3 o'clock yesterday afternoon before Judge Murphy. A 16-year-old girl named Walker, who lives near the corner of Lincoln avenue and Twenty-fifth street, testified that she attended the night school at Smith's business college. Several nights when

returning home Lee followed her, and on the night of April 1 approached her and offered her money to go to room with him, and followed her right to the door of her home. His actions so frightened the girl that the police were notified and placed the ceiling under arrest. The young lady's testimony was corroborated by other witnesses. The further hearing of the case was continued until this morning in order to get an interpreter for the child.

MARRIED AT FARMINGTON.

Another of Ogden's fair daughters, Miss Virginia Houtz, and George W. Green of Garland surprised their many friends by stealing quietly away to Farmington, Utah's favored spot for cupid and love. The ceremony, it is stated, was performed Monday. The contracting parties are both popular. The bride is daughter of Mr. and Mrs. John S. Houtz, and one of Ogden's most talented and charming young ladies and a leader in social circles. The groom is a prominent young business man of Box-

elder county. They have a host of friends, who will extend congratulations and best wishes.

TWO COUPLES WED.

The county clerk granted marriage licenses to the following couples: Aaron A. Farr, 25, and Miss Alice C. Waterfall, 21, both of West Weber, Weber county.

Joseph L. Lewis, 21, and Miss Mary E. White, 18, both of Warren, Weber county. They were married at the county clerk's office by Elder E. P. Brown.

BRIEFS AND PERSONALS.

The fire department was called out last evening to the home of H. C. Tavey on Twenty-second street, where one of the chimneys had caught on fire. The blaze was soon extinguished and no damage was done.

The infant babe of W. D. Brown, manager of the Pacific Express company, died yesterday.

F. A. Larson and wife have come to California to spend a month sight seeing.

At the Grand opera house tonight, "Piff, Paff, Pout" will be played to a large house.

Mrs. Elizabeth A. Smith has gone to Pueblo to spend the summer.

Arthur Jenkins, the suspected safe cracker, was taken to Brigham City last evening by Sheriff Josephson.

Swamp-Root, the famous kidney remedy, is being sold by the Yoke-Murphy wrestling club, which takes place Thursday night at the Grand opera house, have been extended.

PROVO DEPARTMENT

The "News" is Delivered by Carrier in Provo at Seventy-Five Cents Per Month. R. J. Dugdale, Agent.

COMMERCIAL CLUB BUSY.

Utah County Affairs—Wedding Chimes—Garden City News.

Special Correspondence.

Provo, April 4.—The Provo Commercial club met last evening, when the following business was transacted: R. R. Irvine, Jr., and Alex. Hendquist were appointed a committee to confer with other commercial clubs in the county, in relation to free telephone communication between the clubs of the different towns.

The club decided to give a guarantee to the railroad to run excursions to Provo on April 13, the day of the county horse fair. By so doing the rates will be \$1 from Eureka and \$1.25 from Salt Lake.

It was also decided to entertain exhibitors at the fair in the club rooms, on the evening of April 12, and to give a ball at the Mozart pavilion on the evening of the 13th, and possibly a concert in the tabernacle.

Joseph T. Farrer, George E. Howe and John Saxey were appointed a committee to investigate matters connected with the establishment of a bass hatchery in the county.

The following committee was appointed to confer with the water users of Provo and Utah county for the purpose of making preparations to prevent damage from floods which are expected to occur this spring: E. J. Ward, George S. Taylor and J. E. Van Wagenen.

Vice President Roylance was authorized to present the protest of the club to the Provo city council against sheep being permitted to graze on the watershed of the city.

Funeral services over the remains of John J. W. Warner will be held at the residence, 125 West First South street, Thursday, at 2 o'clock. Rev. S. H. Goodwin of the Congregational church and Rev. R. H. Johnson of the Methodist church will conduct the services.

GARDEN CITY NOTES.

The joint teachers institute will meet in Eureka on the 21st, and not on the 14th, as previously announced.

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WEDDING CHIMES.

Marriage licenses have been issued to the following couples:

Thomas H. McClain, 21, and Flossie A. Barney, 18, both of Palmyra. Edwin M. Hutchings, 20, of Lehi, and Harriet La Verne Lunt, 18, of Provo. James Foster, 24, of Eureka, and Nettie Goodrich, 22, of Garden City. Elias Francom, 22, of Payson, and Eva Carter, 19, of Provo. G. B. Sanborn, 41, and Ida M. Pendray, 40, both of Leadville, Colo.

COUNTY BUSINESS.

The board of county commissioners have ordered a road grader to be used on the county roads.

The following fees collected for March have been reported by county officers: Treasurer, \$2; sheriff, \$41.50; clerk, \$241.99; recorder, \$402.55.

The county treasurer has reported the following state of the funds in his charge:

General Fund—Balance on hand March 1, \$425.53; collected, \$4,348.32; disbursed, \$258.14; balance on hand, April 1, \$4,115.71.

County Schools—On hand March 1, \$91.40; collected, \$248.44; disbursed, \$132.26; balance on hand April 1, \$1,319.64.

State School—On hand March 1, \$94.52; collected, \$94.99; overpaid, 9 cents.

County Superintendent's Contingent Account—On hand March 1, \$2,150.10; disbursed, \$158.89; on hand April 1, \$1,991.21.

Supt. Hales of the county infirmary reported \$158.41 on hand March 1; collected, \$150; disbursed, \$287.93; on hand April 1, \$2,204.48.

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ARE YOUR KIDNEYS WEAK?

Thousands of Men and Women Have Kidney Trouble and Never Suspect It.

To Prove What the Great Kidney Remedy, Swamp-Root, Will Do for YOU, Every Reader of the Deseret News May Have a Sample Bottle Sent Absolutely Free by Mail.

It used to be considered that only urinary and bladder troubles were to be traced to the kidneys, but now modern science proves that nearly all diseases have their beginning in the disorder of these most important organs. Therefore, when your kidneys are weak or out of order, you can understand how quickly your entire body is affected, and how every organ seems to fail to do its duty.

If you are sick or "feel badly" begin taking the great kidney remedy, Dr. Kilmer's Swamp-Root, because as soon as your kidneys begin to get better they will help all the other organs to health. A trial will convince anyone.

I was in a state of health and ran down generally; I was tired, dizzy and suffered with headache most of the time. I did not know that my kidneys were the cause of my trouble, but some-how I felt that they might be, and I began taking Swamp-Root. There is such a pleasant taste to Swamp-Root, and it goes right to the spot and drives disease out of the system. It has cured me, making me stronger and better in every way, and I cheerfully recommend it to all sufferers.

Gratefully yours,

Mrs. A. L. Walker, 321 East Linden St., Atlanta, Ga.

Weak and unhealthy kidneys are responsible for many kinds of diseases, and if permitted to continue much suffering and many fatal results are sure to follow. Kidney trouble irritates the nerves, makes you dizzy, restless, nervous and irritable. Makes you pass water often during the day and obliges you to get up many times during the night. Unhealthy kidneys cause rheumatism, gravel, catarrh of the bladder, pain or dull ache in the back, joints and muscles; make your head ache and back ache, cause indigestion, stomach and liver trouble, you get a yellow, sallow complexion, make you feel as though you will never get better; you may have plenty of ambition, but no strength; get weak and waste away.

The cure for these troubles is Dr. Kilmer's Swamp-Root, the world-famous kidney remedy. In taking Swamp-Root you afford natural help to Nature, for Swamp-Root is the most perfect of all medicines and gentle aid to the kidneys that is known to medical science.

HOW TO FIND OUT

If there is any doubt in your mind as to your condition, take from your urine on rising about four ounces, place it in a glass or bottle and let it stand twenty-four hours. If on examination it is milky or cloudy, if there is a brick-dust settling, or if small particles float about in it, your kidneys are in need of immediate attention.

Swamp-Root is pleasant to take and is used in the leading hospitals, recommended by physicians in their private practice, and is taken by doctors themselves who have kidney ailments, because they recognize it as the greatest and most successful remedy for kidney, liver and bladder troubles.

Special Note.

So successful is Swamp-Root in promptly curing even the most distressing cases of kidney, liver or bladder troubles, that to prove its wonderful merits you may have a sample bottle and a book of information, both sent absolutely free by mail. The book contains many of the thousands upon thousands of testimonial letters received from known that our readers are advised to send for a sample bottle. In sending your address to Dr. Kilmer & Co., Binghamton, N. Y., be sure to say you read this generous offer in the Salt Lake City Daily Deseret News.

Dr. Kilmer & Co., Binghamton, N. Y.

being given by him before the students of the Brigham Young university.

Soil basket experiments are under way in the agricultural department of the Brigham Young university. Soil is placed in upright baskets, fertilizers applied and seeds planted. The growth of the seeds enables the students to determine the comparative value of the fertilizers.

R. R. Irvine is confined to his home from an attack of rheumatism; he is somewhat improved.

Murray Twelves has returned from St. Louis where he has been studying electricity.

F. D. French and Joe Quinn are down from Salt Lake today on business connected with the Big Four Advertising company.

Mr. H. H. Cluff of this city, one of the directors of the Josepa Agricultural and Stock company, has been advised that arrangements have been made for sending the mail for the Josepa colony by stage from Grantsville to a point 15 miles from Josepa, where a messenger from Josepa will meet the stage and receive the mail.

Mr. Cluff is of the opinion that the mail will be carried weekly. Heretofore the colony has had to send to Grantsville, 30 miles, for the mail.

Postmaster Lawrence of Spanish Fork was doing business in Provo yesterday.

Examination of eighth grade pupils of the public schools will be held in Spanish Fork, for the south end of the county, May 11, and in American Fork, for the north end of the county, May 12.

A Common Sense Talk.

AS we get health and happiness from the sunshine, so do we get strength from the woods and fields as Nature furnishes it to us. Just as mould thrives in darkness, so does disease. If all the animal kingdom, including human beings, lived out in the good air and in the sunshine, close to Nature, without taking foul air into their lungs and improper food into their stomachs, the percentage of sickness in this world would be reduced to a minimum—but civilization has brought its ills to mankind, and to correct these ills we must go to Nature for the remedy. We advise nothing but what is right when we recommend to you a medicine which is purely vegetable and made from native medicinal roots found in the depths of our American forests. It is a medicine the makers of which are not afraid to tell you of its composition. We recommend Dr. Pierce's Golden Medical Discovery for a run-down system in all cases of impaired vitality, and we give you a few extracts from well-known and recognized medical authorities in regard to the ingredients contained in this medicine, which can confidently be depended upon for the most positive curative action in all weak states of the stomach accompanied with distressing indigestion or dyspepsia.

This medicine takes its name from Golden Seal root (Hydrastis Canadensis), which is one of its principal ingredients.

We take up each ingredient of the "Golden Medical Discovery" and quote our authorities for its use under the headings of Golden Seal root, Queen's root, Stone root, Black Cherrybark, Bloodroot, Mandrake root and chemically pure Glycerine.

World's Dispensary Medical Association, Prop's, Buffalo, N.Y.

GOLDEN SEAL ROOT

(Hydrastis Canadensis).

Dr. Roberts Bartholow, Jefferson Medical College of Philadelphia, a recognized authority on *Materia Medica and Therapeutics*, says of Hydrastis (Golden Seal): "Very useful as a stomachic tonic (stomach tonic) and in atonic dyspepsia. Cures gastric catarrh (catarrh of stomach) and headaches accompanying same. In catarrh of the gall duct and jaundice, it is of especial utility. Constipation, dependent upon different deficient secretions, with hard and dry stools, may be overcome by the remedy. Chronic catarrh of the intestines, even if it has proceeded to ulceration, is remarkably benefited by Hydrastis."

From "Organic Medicines," by Grover Coe, M.D., of New York, we extract the following: "Hydrastis (Golden Seal) exercises an especial influence over mucous surfaces. Opens the liver it acts with equal certainty and efficacy. As a choagogue (liver invigorator), it has few equals. In affections of the spleen, and abdominal viscera generally, it is an efficient and reliable remedy. Also in scrofula, glandular diseases generally, cutaneous eruptions, indigestion, debility, diarrhoea and dysentery, constipation, piles and all morbid and critical discharges."

The foregoing certainly are wonderfully strong endorsements of one of Dr. Pierce's chief ingredients used in his "Golden Medical Discovery."

QUEEN'S ROOT (Stillingia Sylvatica).

Prof. John King, M.D., says: "An alterative (blood-purifier) unsurpassed by few if any other of the known alteratives; most successful in skin and scrofulous affections. Beneficial in bronchitis—permanently cures bronchitis—relieves irritations—an important cough remedy—coughs of years' standing being cured. Aids in blood-making and nutrition, and may be taken without harm for long periods."

R. Bartholow, M.D., L. D., says: "Stillingia has long been in repute as an alterative and employed for scrofula in its various forms. Most satisfactory results have been obtained from its use in syphilitic affections. Recommended in habitual constipation, torpidity of liver, jaundice, piles, ascites (dropsy), due to hepatic (liver) changes or obstructions."

STONE ROOT (Collinsonia Canadensis).

"Alterative, tonic, stimulant. Valuable in laryngitis—'ministers' sore throat." In diseases of stomach and intestines—proves aperient, promotes flow of gastric juices; tonic effect upon organs involved. Good remedy in indigestion, dyspepsia, chronic gastritis, increasing the secretion from kidneys and skin.—American Dispensary.

Edwin M. Hale, M.D., Professor Materia Medica in Hahnemann Medical College of Chicago, says: "There is no doubt of Collinsonia's action on the urinary organs. It has cured disorders supposed to be due to catarrh of the bladder and dropsy from deficient action of the kidneys. Cures irritation of the cardiac (heart) nerves, with rapid, regular or irregular beating. Useful in valvular diseases."

BLACK CHERRYBARK (Prunus Virginiana).

Roberts Bartholow says: "Wild Cherrybark is an excellent stomach tonic; it has long been held in great esteem in domestic practice as a remedy in catarrhal states of the bronchial mucous membrane and in phthisis (consumption)." The sirup is used as an ingredient in cough mixtures.

Professor F. Ellingwood, M.D., of Bennett Medical College, Chicago, says: "The tonic influence of this agent is most markedly apparent when it is administered in disease of the respiratory apparatus (breathing organs) of a subacute (mild) or (lingering) chronic character. It is common remedy for chronic cough, the cough of nervous patients without apparent cause; is popular in the treatment of mild cases of influenza. Palpitation from disturbed condition of the stomach is directly relieved by it."

MANDRAKE ROOT (Podophyllum Peltatum).

"Certain, sure cathartic; leaves bowels in improved condition. A gentle stimulant tonic; improves the appetite. Particularly valuable in dyspepsia, gastric and intestinal catarrh. Beneficial in some affections of bladder."—American Dispensary.

"Recommended in biliousness with marked inactivity of the liver, sallow skin and conjunctiva (eyes), constipation, dry stools and bloated bowels, highly colored urine containing uric acid, or urates in great excess. Is given in jaundice, gall-stones, piles; is an alterative in phlebotomy (bloodletting) conditions, in skin diseases and in scrofula and syphilis."—F. Ellingwood, M.D.

BLOODROOT (Sanguinaria Canadensis).

"Stimulates digestive organs, increases action of heart and arteries—stimulant and tonic. Very valuable as a cough remedy—acts as a sedative—further valuable as an alterative."—American Dispensary.

"Overcomes congestion of the lungs, after severe cold in the chest from exposure. Given in bronchial coughs, in membranous croup. It equalizes the circulation of the entire system, inducing warmth in the skin and in the extremities. It will assist in overcoming hepatization (solidification) of lung structure and restoring normal tone and normal functional action."—F. Ellingwood, M.D., of Bennett Med. Col.

"Has most frequently been employed in incipient phthisis, bronchitis, influenza, pneumonia, croup, asthma, diphtheria, in scarlatina, dyspnoea (short breath), dyspepsia, hydrothorax (dropsy of the chest) and jaundice."—Edwin M. Hale, M.D.

"Its most important therapeutic effects are witnessed in diseases of the respiratory (breathing) organs. Used in croup, in functional anasarca (swelling of menes), chronic nasal catarrh and nasal polyp."—R. Bartholow, M.D.

GLYCERINE.

The United States Dispensary says of Glycerine: "When given internally it is laxative, and it has also been suggested as a substitute for cod-liver oil in phthisis (consumption)." * * *

"The solvent and preservative properties as well as agreeable taste and permanent consistence of glycerine, render it very useful as a menstruum (a solvent) in pharmacy."

Prof. Finley Ellingwood, M.D., of Bennett Medical College, Chicago, says of Glycerine: "For internal use, Glycerine is antiseptic, laxative and nutritive, taking the place of cod-liver oil to a large extent with children in the latter particular. This fact is denied, but is capable of demonstration."