

SUPREME COURT ON CLYDE CASE

Opinion Holds Secretary of Interior Had Right to Lease Withdrawn Lands.

JUDGMENT IS NOW AFFIRMED.

Action Brought Against Cummings et al. to Recover for Privileges Enjoyed on Disputed Range.

In an opinion handed down today by the supreme court, it is held that the secretary of the interior has a right to lease land for grazing purposes which has been withdrawn from entry while improvements are being made. This decision affirms the lower court in the case of James W. Clyde et al., respondents against John J. Cummings et al., which gave a verdict of \$11,000 in favor of the plaintiffs.

The action was brought to recover \$34.25 for grazing privileges which they claimed were enjoyed by the defendants upon land leased by the plaintiffs from the United States. The land involved constituted the Strawberry valley and its drainage area. The secretary of the interior withdrew the land from entry on March 13, 1907, under the reclamation act in order to begin construction of the Strawberry valley irrigation project.

Later the defendants were asked for stating that the land was to be leased for grazing from June 1 to Dec. 31, 1907. The plaintiffs bid \$10,498 and the defendants a trifle over \$5,000. Under the plaintiffs' lease the defendants grazed several thousand head of sheep at 10 cents per head. When the plaintiffs sought to collect the amount the defendants refused to pay. In appealing the case to the supreme court they asserted that the secretary of the interior had no right to lease the land after it had been withdrawn. The opinion was written by Justice McFahey and concurred in by Chief Justice Straup and Justice Fiske.

JOINS SISTERS IN REFORMATORY

Emil Dentor, 17 years old, was sent to the state industrial school Saturday by Judge Gowans of the juvenile court, on the charge of general incorrigibility. He is the third member of the family who has been sent to the reformatory. According to the court, Emil has been incorrigible for more than a year. He ran away from the detention home and repeatedly disobeyed his mother. The other two members of the family who are in the industrial school are girls.

IN THE FEDERAL COURT.

At today's session of the United States court Judge Marshall set 25 cases for the April term, which will extend until May 26, or later. The first case on the docket is that of Gideon A. Gibbs, who was deputy clerk in the Third district court and who is accused of retaining certain fees.

The hearing of the naturalization cases which were set for April 3, have continued to May 1, on account of Judge Marshall being away from the state. Judge Pace Morris, who is to take Judge Marshall's place will not be here until later in the month, in time to sit when court opens on April 12.

WILL TEST LICENSE CASE.

Unable to collect a city license from the Utah Musical and Drama company, the Christensen and Amund Music company, complaints were filed against the local firms today by the city in the civil division of the city court. The city sued for \$70 for this year's license as provided for by the city ordinance. It is understood that the corporations will carry the suit to the supreme court to test the right of the city to collect a license.

COURT NOTES.

John A. Mellineaux, a laborer, asks for damages in the sum of \$30,000 for personal injuries against Sneathen & Associates. While drilling and blasting through a cement wall on Dec. 12, 1907, Mellineaux set forth that his right hand was torn off and his left hand injured so severely that it had to be amputated. His face was also disfigured.

Frank D. French, who was divorced by his wife, Mary French, last December, has been cited to appear by Judge Morris at 2 o'clock Friday afternoon and given cause why he should not be punished for contempt of court because he failed to pay the alimony for past two months. The court granted \$25 a month to Mrs. French and according to her affidavit he has not paid it for two months.

How Are Your Kidneys?

Liver Wort Kidney Remedy is the best obtainable—gives prompt relief in most disorders of the kidneys and bladder.

Only \$1 a bottle



The Pure Drug Dispensary
112-114
South Main Street

ANNUAL CONVENTION OF CAMERA OPERATORS

Intermountain Photographers to Meet In This City During Second Week of April.

The second annual convention of the Intermountain Photographers' association will be held in this city, April 2-3 next, with the following program:

MONDAY APRIL 2.

Morning Session, 9 a. m.—Opening of Convention hall, payment of dues and applications for membership, hanging exhibits and general reunion and introductions.

Afternoon Session, 3 p. m.—Business session, convention called to order by President L. F. Griffith, address of welcome by Mr. C. W. Brantford, reading of minutes of last convention, roll-call of officers, communications, reports of committees, unfinished business, new business, appointments of judges for competitive exhibits, class 1, class 2 and salon awards, good of the association.

Evening Session, 8 p. m.—Enlarging with bromide and paper, lighting and posing under the Aristo lamp.

TUESDAY, APRIL 3.

Morning session, 9 a. m.—Business session, reading of minutes of previous meeting, communications, reports of committees, election of officers, question box, good of the association, adjournment.

10 a. m.—Skylight demonstrations at the Scott studio by leading operators of the association.

Afternoon session, 2 p. m.—Tank development, demonstrated at 2 p. m., negative demonstration, 4 p. m., positive demonstration.

Evening, 7 p. m.—Social at convention hall, 8 p. m., banquet at the Culmen hotel, grand raffle of books and yearly subscriptions to various photographic journals.

WEDNESDAY, APRIL 4.

Morning session, 9 a. m.—Business session, reading of minutes of previous meeting, reports of committees, report of secretary-treasurer, judges' awards of exhibits, good of the association, adjournment, 10 a. m.—Demonstrations by representatives of the Standard, Seed and Hammer companies, at the Scott studio.

Architects Ward & Treganza have completed plans for two \$12,000 residences to be built on First South street between Twelfth and Thirteenth East street; one for Almon Covey, the other for H. F. Covey.

SKYSCRAPER FOR THOMAS KEARNS

He is Figuring on Discounting The Efforts of Samuel Newhouse to Date.

FIFTEEN STORY STRUCTURE.

Proposes to Put Up a Fireproof Block Between First and Second South on Main St.

Not to be outdone by Samuel Newhouse Thomas Kearns is proposing to put up a skyscraper on Main street. Friends of Mr. Kearns are authority for the statement that the proposed structure will place the Boston and Newhouse blocks in the also-ran class. They affirm that the contemplated structure will be at least 11, if not 15 stories in height.

Mr. Newhouse, it is remarked has had too much advertising as a builder and booster for Salt Lake and as Mr. Kearns is still inoculated with the spirit of the senatorial he is going to get into the game and show in the columns of his two papers that he is in the building-up-of-a-metropolitan-city contest now.

The Minneapolis Steel company has been asked to furnish figures on a skyscraper, and a bid on the cement work has already been secured. The site for the building is across the street from the Kearns building on the property owned by Mr. Kearns and now occupied by J. P. Gardner and company and Rose & Kelly.

When called up today Mr. Kearns admitted that he was figuring on erecting a modern fireproof building on the site named, but he would say nothing definite as to the size of the structure. "If the price comes out all right and satisfactory arrangements can be made with the tenants occupying the old buildings a fine business block may be built," he said.

The frontage of the building, according to the plans that have been forwarded to the Minneapolis Steel company, is 120 feet.

BUSINESS AND REALTY

With the five building permits issued today, calling for an expenditure of \$11,000, the total for March has reached the half million mark. The total for March is now \$154,000, and with two months days to run this month it is believed that the permits will amount to \$600,000. The increase of this month over last March is now \$115,000.

The following were the permits issued today:

Ellen E. Julian, brick kitchen, 72 west Seventh South street, \$100.

A. Anderson, two-story, 10-room, brick dwelling, 212-215 east Sixth South street, \$100.

Sarah A. Taylor, one-story, six-room frame dwelling, 1240 Second avenue, \$25,000.

A. E. Russman, two-story, seven-room brick dwelling, 1067 Third avenue, \$5,000.

E. E. Jenkins, two-story, nine-room brick and frame dwelling, 717 East First South, \$8,000.

Architects Ward & Treganza have completed plans for two \$12,000 residences to be built on First South street between Twelfth and Thirteenth East street; one for Almon Covey, the other for H. F. Covey.

LATE LOCALS

Bank Clearings—Today's local bank clearings amounted to \$1,641,598.03 as compared with \$1,723,224.48 for the corresponding day of last year.

Smallpox in Kirkwood Home—Albert Kirkwood of 58 south Twelfth East street was quarantined today in his home suffering from smallpox. He is the only victim reported today to the city board of health.

Where is Fred Decker?—Postmaster A. L. Thomas has received a letter of inquiry from George McLean of Grand Junction, Colo. In regard to the whereabouts of Fred or Frank Decker who, when last heard from, was living at No. 548 east South Temple.

Burial of Lillian Prater—Lillian, the daughter of Mr. and Mrs. W. J. Prater of Diamondville, Wyo., died last week and was buried here Saturday. The parents desire to express thanks to friends who assisted during the illness and burial of the little one.

SHEEP SHEARING BEGINS.

Work Starts at Loggreen on the Salt Lake Route Today.

Sheep shearing began this morning at Loggreen, on the Salt Lake Route.

The woolmen of the country surrounding the station have cooperated and built a substantial corral at that point and will shear a million pounds of wool this season which is said to be just enough to fill a 100-ton ship.

Frank Knox has gone to San Francisco to meet his wife and daughter and will spend today with them.

Colonial—“Trilby” is the offering of the Willard Mack company at the Colonial all this week with the usual matinees.

Grand—“At Cripple Creek,” a stirring melodrama, is the offering at the Grand this week.

Y. L. M. I. A. MEETING

A meeting of general and state officers of the Y. L. M. I. A. will be held Wednesday, April 1, at 10 a. m., in the Eighteenth ward chapel, corner of 1st and Second streets. All interested are invited.

CHARLES B. HANFORD opens his engagement Thursday night in “The Winter’s Tale,” “Much Ado About Nothing” and “Othello” will be the other Shakespeare plays presented.

Orpheum—Another good bill is the feature at the Orpheum this week headed by Israel Zangwill's much-discussed playlet, “The Never, Never Land.”

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MARIAH R. TINGEY,

President

ANN M. CANNON,

Secretary

AMUSEMENTS

Theater—the sale of seats for “The Burgle,” the offering of the Salt Lake Press club which will hold the boards for Wednesday matinee and night performances, opened this morning with indications of a packed house.

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STARTUP CANDY CO.

From “The Candy City.”

MANAGER HUSTON GOING TO OGDEN

Helena, Mont., March 29.—Manager Jack Huston of the Helena Baseball club will leave here the first of next week for Ogden, Utah, where the Helena League team will train and where he expects to arrange for hotel accommodations and exhibition games. His team will report at April 10, and will immediately begin active practice. The Helena team will train at Nampa, Idaho, and will open the season at Idaho. The Helena manager has practically completed his team.

JUDGE SETS ASIDE LOCAL OPTION ELECTION

Boone, Va., March 29.—Judge Walter P. Staples in the corporation court of Boone today set aside the local option election held here on March 10. The election was voted out by a majority of 56 votes. The saloons would have closed tomorrow had the election been declared valid. Boone has 52 saloons, a large brewery and several distilleries and distributing depots. The election is declared null and void on the ground that the tax act as furnished by City Treasurer Davis was illegal.

GANS HAS CONSUMPTION.

Denver, March 29.—The Post today asserts that Joe Gans, former world's champion lightweight pugilist, has developed tuberculosis of the lungs, and that he is in poor condition. Dr. Charles Charlie White is quoted as being responsible for the statement that 15 minutes before Gans went into the ring for his recent battle with James J. Jeffries, the English pugilist, he had such a severe coughing spell that, for a time it was feared he would not be able to enter the ring at all.

S. C. POOLER ASSASSINATED.

Albuquerque, N. M., March 29.—S. C. Pooler, chairman of the Democratic central committee of Taos county, and one of the most prominent Democratic politicians in New Mexico, was assassinated last night. George Potter is under arrest, suspected of the crime. Pooler was shot down as he sat reading by a lamp in the parlor of his home at Taos, his slayer firing through the window.

LONE BANDIT HOLDS UP A.C.B. & Q. TRAIN

Fairfield, Neb., March 28.—An unaided bandit held up the conductor on the Fairchild train of the Chicago, Burlington & Quincy tonight and robbed the passengers. The man, who was masked, boarded the train probably at Clay center and between the two towns placed a revolver at the head of Conductor Barry, compelled him to walk the length of the car and order the passengers to turn over their money. The man escaped.

A NARROW ESCAPE.

When Mr. Hartman returned an hour later than usual, Mrs. Hartman asked him the reason, and his good-natured face was somber and he answered her, "I had a narrow escape from drowning." Hartman then said, "What happened?" asked his wife, as she helped him unwind the knotted scarf from his neck. "Tell me as once," she said. "It was at the ferry that I came late," said Mr. Hartman, "from the blocked cars, and the boat she was just starting when a man he called me out. 'Jump!' he said, and I did. I was about to make as he said. But I reminded myself to be cautious and wait, and in one minute more, Katchen, name a great swimmer, was swimming. Then he took hold of the water, was drowning. Then he said to himself, 'Hans, you were the wise man that you jumped not at first when that man advised,'—Youth's Companion."

WHOLESALE.

MEATS AND POULTRY.

Dressed beef, per pound.....\$1.60
Dressed veal, per pound.....\$1.11
Dressed pork, per pound.....\$0.89
Pork chops, per pound.....\$1.75
Oysters, per dozen.....\$2.20
Oysters, per cwt.....\$2.30
Barley, rolled, per cwt.....\$1.75
Flour, family, per cwt.....\$2.70
Flour, straight grade, per cwt.....\$2.80
Flour, high patent, per cwt.....\$2.90
Bran and shorts, per cwt.....\$1.35
Corn meal, per cwt.....\$2.50

FARM PRODUCTS.

Timothy, per ton.....\$18.00
Alfalfa, per ton.....\$15.00
Wheat, per bushel.....\$2.19
Corn, per ear.....\$1.74
Oats, per