# Today's Ogden News

### OGDEN RIVER ON RAMPAGE

Leaves Regular Channel and Flows in Old Waterway—Dams And Bridges Washed Out.

FLOOD WATERS RECEDING.

Sugar Factory Closes Down Temporarily Owing to Flood Conditions-Runaway on Washington Ave.

Ogden, Feb. 7.-Ogden river, for a distance of nearly a mile, has left the channel through which it has been flowing for years, and is now flowing swiftly through the old channel which it occupied in the sixtles. The dam to the south of the Sanitarium which went out entirely Tuesday night, permitted the river to run west for about a quarter of a mile around the Sanitarium properties and what is known as Windy Point, and thence west to a point due orth of the top of the dugway, where again takes the regular channel. Some of the land in the Sorensen farm has been submerged. The large timbers from the bridges washed out are best from the bridges washed out are best from the bridges washed out are bowlying in the meadows below Windy Point. In a few places in the canyon the river washed away part of the readway, but repairs have been made so that Ogden canyon is again open for trevel, but the canyon cannot be reached over the dugway road, as there is no bridge over the river at Windy point, and a portion of the road is washed out, so that all travel to Ogden from the canyon has to come around by Sixteenth street. The county commissioners and city officials have held a consultation and decided to reconstruct the dam at the Sanitarium as soon as the river recedes sufficiently. struct the dam at the Sanitarium as soon as the river recedes sufficiently, so that teams and men can be put to work. The steel bridge which dropped into the river bed at the mouth of the canyon, it is believed, can be replaced on abutments without being taken to pieces. In the past 35 hours the river has receeded between two and three

inent Citizen of Huntington Lays

vas prominent in the upbuilding of that | streets.

BEAVER CITY.

FUNERAL OF MRS. STONEY. Handcart Veteran Answers Final Summons-Dry Farm Proposition.

essive funeral services were held on a 2nd of February, in the Beaver cest ward meetinghouse, over the ortal remains of Mrs. Sarah Jakeman oney, who departed this life Jan. of paralysis, after five days illness. rs. Stoney was born in Shoulded

I paralysis, after five days filness. Stoney was born in Sheffield, shire, England, Aug. 10, 1836, and a little over 70 years old. She married to Robert Stoney, Dec. 21, and in 1860 she and her husband their native land and came to crossing the plains in a handcompany, enduring many of the tions incident to that mode of . In 1865 they came to Beaver, the family have resided since. Stoney was of a kindly disposition, larg herself with self-denying after the interest of her family, diways willing to render assistant others whenever opportunity ed. She was highly esteemed by to knew her. She was the mothless the stone of the family, the stone of the

E. A. Larkin.

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

Circulator, John J. McGregor. Ind. Tel, 151. 2345 Wash, Ave. Office with Lambert Paper Co. Payments for the dly, Saturday and Semi-Weekly News should be made to the director. Delivery made by carrier on the same terms as in Salt Lake.

done from the high water. The residents of Riverside and Park avenues, who deserted their homes because of the water flooding the same, are now beginning to move back into their places, and in a few days with the warm sun the water will dry up.

SUGAR FACTORY CLOSED.

Temporary Suspension Due to Floods Making Roads Impassable.

Ogden, Feb. 7 .-- The Amalgamated Ogden, Feb. 7.—The Amalgamated Sugar company has been forced to close down before the season's run was completed on account of the management being unable to get about 1,000 tons of beets from different parts of the county to the factory. The beets were piled at various places during the time that cars were short they ing the time that cars were short, they were being hauled to the factory by teams, but because of the heavy roads, due to the floods, teams could no longer pull the loads and it was decided to close down the factory for a few days until the roads dry up. Every day the sugar beets are out they are loosing in sugar producing qualities. The loss to the company will be considerable this year on account of being unable to get the tycount of being unable to get the tu-bers delivered to the factory in De-

Ada M. Draper has filed a divorce suit in the district court against Chas. W. Draper, making serious charges against him. According to the allegations of the complaint they were married at Ogden, Oct. 25, 1900, that two children are living as issue of said marriage. She charges that defendant has been guilty of habitual drunkenness and of unfaithfulness. She asks for a decree of divorce, custody of the children and such other relief as the court may deem just.

ARNOLD-BURCH NUPTIALS. A license to marry was granted Henry E. Burch, 22, and Miss Susa Arnold, 20, both of Ogden City.

LIVELY RUNAWAY. A lively runaway occurred on Washington avenue last evening. A

county for 14 years and also a mem-ber of the town board. He was also city marshal of Huntington.

for the purpose of entering into the

for the purpose of entering into the business of dry farming on an extensive scale, and stock has been subscribed to purchase the necessary implements for the work. The unprecedented wet weather lends confidence to the success of the movement. It is snowing now.

PAVILION FOR BEAVER. At the stake priesthood meeting, held yesterday, steps were taken toward the erection of a pavilion in this city. One thousand dollars was subscribed

Give me the girl with ravishing eyes,
And sweet, red lips;
She is better than mansions of stone,

VERNAL.

Mrs. Hattie T. Snow Meets Painful Ac-

eident-Big Game Bagged,

Special Correspondence.

as a beginning.

PROVO DEPARTMENT

The "News" is delivery by carrier every night (Sunday excepted) at 76 cents per month. All payments and complaints should be made to R. J. Dugdale, agent for Dally, Saturday and Semi-Weekly News, Orders taken for Church Works, Residence, 32 Fourth North St. 'Phone Ind. 95-M.

DEATH OF HYRUM LOVELESS, | country. He was sheriff of Emer

Down Life's Burden at 67.

Special Correspondence.

Provo, Feb. 7.—Hyrum Loveless of Huntington died here yesterday from sense exhaustion, at the age of 67 years. He has been a patient at the state mental hospital for three years. The decased came to Utah with his parents, Mr. and Mrs. John Loveless, in 1852, settling in Payson, He moved from there to Huntington during the early settlement of Castle valley, and was prominent in the upbuilding of that

team of horses attached to a heavy wagon belonging to Thomas Richards, became frightened in front of the Elite cafe, and dashed southward along the avanue, The young man who was holding the horses could not control them and they ran at a furious speed to near Carc's liver sta has speed to near Corey's livery sta-dle where the wagon collided with a delegraph pole badly breaking the wagon. One of the horses was thrown the payement and was quite hadly irt. The driver held to the lines un-the wagon struck the car rails hen he was thrown out and escaped

with a few braises. FUNERAL OF JOSEPH S. STONE. Impressive funeral services over the

mains of Joseph S. Stone were held esterday afternoon at the First ward cetinghouse at 2 o'clock, Bishop D. H. meetinghouse at 2 o'clock, Bishop D. H. Eusign presiding. Appropriate music was furnished by members of the ward choir. The speakers were President C. F. Middleton, Bishops Robert McQuarrie, D. H. Ensign, Elders Jacob Thomas, Richard Douglass, John Pincock, Joseph Belnap and Daniel Stephens, who characterized the deceased as a man of honesty and integrity, faithful to his religious convictions, and a quiet but useful citizen. The attendance at the services was large. Interment took place in the Ogden city cemetery.

LINLICENSED DENTISTEN

UNLICENSED DENTISTRY.

A complaint was sworn to by Dr. Dalrymple, the dentist, charging a fellow
practitioner named H. Stoneceifer, with
practising dentistry within the state
without having first secured the proper
papers certifying to his competency
from the state officials. The case will
be tried by Municipal Judge Murphy,
to test the constitutionality of the law
governing that matter.

BRIEFS AND PERSONALS.

Mr. Cole, an immate of the state industrial school, ran away from the institution last evening.

Tonight "The Virginian" will be played at the Grand Opera House.

The case of the state against Rose Rolley will be called tomorrow morning before Juvenile Judge Patton.

The funeral services over the remains of J. M. Simes will be held tomorrow at 2 o'clock at the Science church on Twenty-fourth street.

Twenty-fourth street.

J. W. Gill and T. L. Andrew, two freight brakemen on the Southern Pacific are under arrest, charged with breaking open a car and stealing therefrom a quantity of clothing.

ACUTE RHEUMATISM.

Deep tearing or wrenching pains, occasioned by getting wet through, worse when at rest, or on first moving the limbs and in cold or damp weather, is cured quickly by Ballard's Snow Liniment. Oscar Oleson, Gibson City, Ill., writes, Feb. 18, 1992: "A year ago I was troubled with a pain in my back. It soon got so bad I could not bend over. One bottle of Ballard's Snow Liniment cured me." Solid by Z. C. M. L. Drug Dept., 112 and 114 South Main Street.

the domestic arts in the Uintah stake academy was leaving the academy building, she slipped on the ice and broke both bones of the left forearm. Dr. Brownfield dressed the fractured arm and Mrs. Snow is getting along very nicely considering the bad frac-ture.

Saturday, Feb. 2, the religion class convention was held at the Vernal wardhouse. Though no member of

wardhouse. Though no member of the general board was present very interesting sessions were held. Sunday, Feb. 3, the Uintah stake Sabbath school convention was held at the Vernal wardhouse. The build-ing was taxed to its utmost capacity with earnest Sunday school workers. Last week Will Oaks and Charley Shinno killed a mountain Ifon at Mr. James Hacking's ranch at the mouth of Ashley gorge. Sunday, Feb. 3, these gentlemen were informed that a lion had visited a camp below Dry flon had visited a camp below Dry fork, so they set out to find Mrs. Lion and easily tracked her in the deep snow to a cave. They drove her from her lair and Will Oaks despatched her. The fine furs will be tanned to adorn some parlor.

HUNTING FOR TROUBLE

"I've lived in California 20 years, and am still hunting for trouble in the way of burns, sores, wounds, boils, cuts, sprains, or a case of piles that Bucklen's Arnica Salve won't quickly cure." Sierra Co. No use hunting, Mr. Walters; it cures or money refunded at Z. C. M. I. DrugDept., 112-114 So. Main St. 25c.

MILFORD. JAP HURT BY ENGINE.

Sunday School Banquet-Conference At Minersville.

Or temples of bricks

For joy and pleasure there will be,
If she takes Rocky Mountain Tea.
Z. C. M. Drug Dept., 112-114 South
Main St. special Correspondence.

Milford, Beaver Co., Feb. 5.—Another accident happened at the San Pedro roundhouse here at 10 a. m. today. A Jap named Miguchi, 17 years old, was riding behind the engine, when the water tank struck him knocking him off, the engine. He was caught between the engine and platform and received bad cuts on the leg and head. Dr. Burton dressed his wounds and left two hours later on No. 8 express with the patient who will be taken care of at the Holy Cross hospital.

be taken care of at the Holy Cross hospital.

Ideal spring weather is appreciated today, even a fire being unnecessary.

There is an epidemic of la grippe here, especially among the railway and mining men, and there are a great many of both classes at work in this vicinity.

Stake conference is to be held at Minersylle next Sunday and Monday. For the Saturday evening previous extensive preparations are being made for a banquet to be given for S. S. officers and workers in Beaver county. Conveyances are being arranged here to take all who can attend over to Minersylle Saturday evening. orded. She was highly esteemed by who knew her. She was the mothof ten children, six sons and four aghters, nine of whom survive her. 49 grand-children, 32 are still live, and two great-grandchildren. DRY FARM PROPOSITION.

A strong company has been formed Special Correspondence.

Vernal, Uintah Co., Feb. 3.—A week ago last Sunday Bishop Lambert of Duchesne ward accompanied by Presidents William H. and Thomas Smart of the Uintah stake, visited Theodore and organized a Sunday school.

Last Monday morning as Mrs. Hattie T. Snow, who teaches sewing and

> BURLEY IDAHO. ACCIDENTAL SHOOTING.

Son of Eugene Emery of Oakley Injured-News Briefs.

Special Correspondence. Burley, Idaho, Jan. 31.—George Chat-burn passed through on his way to his home in Albion. Mr. Chatburn has just came out of the hospital at Sait Lake City, where he has been sick with ap-pendicitis.

came out of the hospital at Sait Lake City, where he has been sick with appendicitis.

Last week several of our citizens took advantage of the cheap rates and have gone to pay a visit to their old homes and visit relatives.

Postmaster C. L. Huight is rejoicing at the arrival of a son which the stork brought last Wednesday.

A. F. Gale, the O. S. L. agent, has taken a lay off to visit his parents and relatives in Michigan. He was accompanied by his wife and son.

The ice men are now busily engaged in laying in a good supply of ice for the coming summer.

The recent thaw is playing havoc with the roads leading out from Burley to the inland towns.

A large number of teams from Heyburn can be seen passing through town on their way to Oakley and Marion for hay of which they are laying in a good supply, while it is cheap, and before the roads are so bad that travel will be impossible.

Work is being pushed as rapidly as pos-

possible.

Work is being pushed as rapidly as possible on the laterals on the north side of the river in order that the people may be able to obtain water for this year's

A. H. Derbyshire, ex-county attorney, has gone to American Fails to locate
At a meeting of the settlers association of the Minidoka, on this side of the river, B. C. Edwards, Frank Riblett and L. H. Sweetser were appointed members of the executive committee.

ACCIDENTAL SHOOTING.

Word was received here today that



young son of Eugene Emery of Oakley had accidentally shot himself while our hunting in Goose Creek canyon yesterday. The lad was accompanied by his younger brother and was out locking for covotes at Wm. Grey's ranch, when the gon, which is a large caliber, in some manner was discharged, At this writing further particulars could not be obtained.

MEN PAST SIXTY IN DANGER. years of age suffer from kidney and bladder disorders, usually enlargement of prostate gland. This is both painful and dangerous, and Foley's Kidney Cure should be taken at the first sign of danger, as it corrects irregularities and nager and many old men of this disease. Mr. Hodney Burnett, Rock Port, Mo., writes: "I suffered with enlarged prostate gland and kidney trouble for years and after taking two bottles of Foley's Kidney Cure I feel better than I have for twenty years although I am now 91 years old." For sale by F. J. Hill Drug Co.

Salt Lake has long felt the need of a permanent exhibit of the state's re-sources and products. The Utah Cham-ber of Commerce, 56-58 west Third South, has supplied the want, it. Free admission.

INDEPENDENCE, IDA. ATTEMPTED POISONING.

Mr. C. Rasmussen Has Narrow Escape For His Life.

Special Correspondence.

Independence, Bingham Co., Ida., Feb. 2.—The people of this place were shocked to learn of an attempted murder by poisoning on Jan, 15 of C. Rasmussen, an esteemed citizen of this der by poisoning on Jan, 15 of C. Rasmussen, an esteemed citizen of this
ward, who is nearly 60 years of age, and
who has lived at home alone ever since
the death of his wife. The night before the poisoning a friend stayed all
right with Mr. Rasmussen, and both
left together before noon, leaving a key
in the door and turning the same as
was the owner's custom when he expected to return soon. Mr. Rasmussen
returned in the afternoon and found the
door partly open, but saw nothing else
out of place. He prepared and ate his
supper of pancakes and coffee, then
cleared away the dishes and sat down
to read, when he was seized with convulsions: then all his muscles relaxed
and his book fell from his hands; then
he went blind for a few moments. When
he became conscious of the fact that
something serious was the matter he
went to the door and called for help,
with all the power he had. A neighbor
who lived just across the road responded to the call at once, and in a few
moments Mr. Thomason and Eishopa Arwho lived just across the road responded to the call at once, and in a few moments Mr. Thomason and Bishop Anderson also came, and oil and milk were promptly administered, and Mr. Rasmussen was soon out of danger. For breakfast he made some more pancakes of the dough remaining from the previous evening, but feeling suspicious threw them out, scraping all the dough from the pan and throwing it out doors when two of the neighbor's dogs ate the same and were poisoned and died, one of them never reaching home. After closely examining the house, it was found a choice coffee cup was crushed and a suit of new underwear was miss-

Suspicion points to two different per-sons as the perpetrators of the dastard-ly deed, but nothing definite can be traced to them.

and a suit of new underwear was miss-

Mr. Rasmussen has been a target for some evil person for some time past and has been meddled with before.

#### WESTERN MARKET LETTER.

Special Correspondence.

Kansas "ity Stock Yards, Feb. 4.—
Bad storn, yesterday and today covering Kansas and the west and northwest, will no doubt restrict cattle receipts this week, although there is a fair run of cattle today, 11,000 head. The market is strong to 10 higher today, buoyed up somewhat by the prospective light receipts for the next few days, and values may be fictitiously inflated before the week is over should marketing be seriously hampered, as now seems be seriously hampered, as now seems likely. The market closed last week stronger, cows and helfers showing most strength, and butcher stuff is like-

wise selling best today. Fed steers sell mainly at \$4.85 to \$5.80, numerous good to choice lots at \$6 to \$6.50, cows \$3 to \$4.50, heifers \$3.25 to \$4.75, bulls \$3 to \$4.50, tesckers \$3.40 to \$4.60, feeders \$3.75 to \$4.80, a few choice high bred 1,100 feeders lately at \$5 to \$5.25. Of course, receipts from the range country are very limited, but all kinds, whether fed or stock grades are selling most advanor stock grades, are selling most advan-tageously. Recent heavy cattle losses in the northwest will have an import-ant bearing on beef cattle prices later in the year, and is already acting as an incentive toward purchases of stock cattle on the markets. Mutton supplies are fairly liberal, but continue to run less than at this time

ast year. The market remained steady on good stuff last we k, but medium and common grades shaded downwards. Supply is 6,000 head today, market steady and active, bulk of lambs, sellsteady and active, bulk of lambs, selling at \$7.25 to \$7.50. Light lambs were in disfavor first of last week, but are now in better demand, 64 pound lambs selling at \$7.40 today, and prime lambs would likely reach \$7.65, equal to the top last week. Yearlings sold today at \$6.50, about like recent sales, wethers worth \$5.40 to \$5.75, ewes \$4.75 to \$5.20, fair to good ewes around \$5.

PIRATING FOLEY'S HONEY AND TAR.

Foley & Co., Chicago, originated Honey and Tar as a throat and lung remedy, and on account of the great merit and popularity of Foley's Honey and Tar many initiations are offered for the genuine. These worthless imitations have similar sounding names. Beware of them. The genuine Foley's Honey and Tar is it, 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.

WE DO JOB PRINTING and the kind of job printing that everybody wants who wants good work. The Desert News.

## FEERJARY TERM OF SUPREME COURT

Clerk Griffith Makes up the Calendar for the Ensuing Month.

ARRAY OF APPEALS ON LIST.

Thirty-six Cases to Occupy the Attention of the Bench During the Next Three Weeks.

Clerk Griffith of the supreme court has made up the calendar for the February term of court which begins next Monday morning at 10 o'clock. The calendar is as follows:

The State of Utah, respondent, vs. William J. James, appellant, Feb. 11. State ex rel, Jacob Peart et al, plaintiff, vs. Third judicial court, Hon. D. Lewis, judge, defendant, Feb. 11. In re-application of Thomas Marioneaux for a writ of mandate against state board of examiners, Feb. 11. Frank Owens, appellant, vs. San Pedro, Los Angeles & Salt Lake Raiiway company, respondent, Feb. 12.

John S. Houtz, appellant, vs. Union Pacific Railway company, respondent, Feb. 12. A. G. Fell, respondent, vs. Union

Pacific Railway company, appellant, Feb. 12. Salt Lake investment company, respondent, vs. Jesse M. Fox, appellant,

Lars Christensen, appellant, vs. Oscar Beebe, sheriff of Emery county, respondent, Feb. 13.

respondent, Feb. 13.
J. P. O'Neill, appellant, vs. Ogden
Aerie No. 118, Fraternal Order of
Eagles et al, respondents, Feb. 13.
Cora Birdsall, an incompetent, by
Isaac Birdsall, appellant, vs. J. E.
Leavitt, et al, respondents, Feb. 13.
Michael O'Laughlin, respondent, vs.
Union Pacific Railway company, appellant, Feb. 14.
W. B. Call, respondent, vs. Union
Pacific Railway company.

Pacific Railway company, appellant, Feb. 14. Christine Pugmire, respondent, vs.

Oregon Short Line Rallway company, appellant, Feb. 15. San Pedro, Los Angeles & Salt Lake Railroad company, appellant, vs. board of education of Salt Lake City,

board of education of Salt Lake City, respondent, Fab. 15.

John G. Felt, respondent, vs. Salt Lake City, appellant, Feb. 15.

Eugenia Kimball et al, respondents, vs. Salt Lake City, appellant, Feb. 18.

D. B. Hempstead, respondent, vs. Salt Lake City, appellant, Feb. 18.

Catherine D. E. Wilson, respondent, vs. Salt Lake City, appellant, Feb. 18. vs. R. K. Wilson, Jr., et al, appellants, Feb. 18. William Geddes, et al, appellants,

'Best of the good ones" HEWLETT'S Three Crown Colfees.



The Freshest Coffee Sold Your Grocer-Everybody's Grocer Sells It.



Complexions Look Clear and Refined

TOWNSEND'S ENAMEL CREAM

nstantly Imparts Clearness, Bril-ncy, Freshness and a Penri-like PRICE 50 CENTS.

free sample the same at SCHRAMM'S

WHERE THE CARS STOP.

ManZan Reaches the spot. Stops pain. The Great Pile Remedy. Put up in tubes with rectal nozzle, 50 cents.

lant, Feb. 19.

Lars C. Peterson, respondent, vs. Bullion-Beck & Champion Mining company, appellant, Feb. 19.

Allee J. Kirk, respondent, vs. Salt Lake City, appellant, Feb. 20.

A. I. Stone, administrator of the estate of Willium Murray, deceased, respondent, vs. Union Pacific Rallway company, appellant, Feb. 20.

A. I. Stone, administrator of the estate of James H. Winslow, deceased, respondent, vs. Union Pacific Rallway company, appellant, Feb. 20.

company, appellant, Feb. 20.
Charles A. Jones, appellant, vs. Ogden City, et al. respondents, Feb. 21.
John E. Meyers, respondent, vs.
East Branch irrigation company, appellant, Feb. 21.

peilant, Feb. 21.

Walter Bryant, respondent, vs. Mark
Kunkel et al. appellants, Feb. 21.

Charles Gilmor, appellant, vs. Salt
Lake City, respondent, Feb. 25.
Sarah J. Beinap, appellant, vs. J. G.
Widdison, et al. respondents, Feb. 25.
Wasatch Orchard company, respondent, vs. Morgan Candy company, appellant, Feb. 25.

J. R. Roberts, appellant, vs. M. P.
Braffet, respondent, Feb. 26.

Mrs. S. M. Riddle, et al, respondent,
vs. B. R. Quinn, appellant, Feb. 26.
P. J. Donovan, appellant, vs. A.
Hanauer, Jr., trustee, respondent, Feb. 26.

Nellie Teakle, administratrix, vs. San Pedro, Los Angeles & Salt Lake Railroad company, respondent, Feb.

C. D. Rogers et al, appellants, vs. Rio Grando Western Railway company, respondent, Feb. 27.
J. D. Skeen, appellant, vs. Thomas E. Browning, respondent, Feb. 27.
J. S. Richards, appellant, vs. J. F. Smith, trustee in trust, etc, respondent, Feb. 28.

NO JURISDICTION.

Supreme Court Denies Petition for Rehearing in Dolly McCashland Case.

The supreme court has danied the pe-The supreme court has danied the petition for a rehearing in the case of Dolly McCashland, appellant, vs. P. S. Keogh and E. S. Wright, and held that the supreme court has no jurisdiction in a case originating in the city court and appealed from the district court, where the amount of the judgment in the district court does not amount to \$100 exclusive of costs. Judgment was renclusive of costs. Judgment was renclusive of costs. Judgment was ren-dered in the city court in favor of plaintiff for about \$200, but the de-tendants appealed to the district court, where a decision was rendered in their Plaintiff appealed to the su-

preme court.

The court in its opinion holds that it has no jurisdiction in the appeal for the reason that the judgment in the district court does not amount to \$100, and hence the appeal is dismissed. The opinion was written by Justice Frick and concurred in by Chief Justice McCarty and Justice Straup. Carty and Justice Straup.

MECHANIC'S LIEN LAW.

Supreme Court Holds it Does Not Apply to Homesteads.

The mechanic's lien law of this state unconstitutional in so far as it re-ates to lien's on homesteads. So declared the supreme court yesterday afternoon in its opinion in the case of the Volker-Scoweroft Lumber company against Mary F. Vance and Irving smelter.

vs. North Ogden Irrigation company, ot al, respondents, Feb. 19.

Don Farnsworth, respondent, vs. Union Pacific Coal company, appellants, The opinion of the court was written by Justice Straup and concurred in by Chief Justice Mediant, Feb. 19.

and concurred in by Chief Justice McCarty and Justice Frick and it holds
that where property is claimed as exempt as the homestead of the party
claiming the exemption it can not be
sold to satisfy a mechanic's lien and
that the statute in so far as it pertains to liens on homesteads is in confilet with the constitution and is therefore void. It is suggested in the opinion that the legislature should amend
the statute and make it conform to
the constitution of the state.

The action was brought in Weber
county to foreciose a lien upon Mrs.
Vance's property to satisfy the claim
of the company for lumber and material
furnished to Peterson, who built the
house for Mrs. Vonce. In her answer
Mrs. Vance claimed that the property
was exempt on the ground that it was
her homestead. The company demurred
to the answer on the ground that it did
not constitute a defense to the complaint filed. The lower court sustained
the demurrer and entered a decree of
foreclosure in favor of the company.

The case was then appealed.

The supreme court holds that the
statute is unconstitutional in so far as

The supreme court holds that the statute is unconstitutional in so far as it relates to liens on homestead property and it also holds that the lower court erred in sustaining the demurrer and the indement and the judgment of the court is there-fore reversed with instructions to over-rule plaintiff's demurrer and proceed with the case in accordance with law.

BEATEN MAN SUES.

Geo. O. Noble Seeks to Recover \$10,000 For Brutal Assault.

George O. Noble has filed suit in the district court against Edward Butterfield to recover damages in the sum of \$10,000 for an assault made upon plaintiff by defendant on May 7, 1908. It is alleged that while plaintiff was on his own premises at Harriman the defendant assaulted him and severely beat and bruised him and wrenched his arms, shoulders and back so that he has been made permanently sick, sore and lame and has suffered great pain and anguish of mind. Plaintiff alleges that defendant is a man weighing about George O. Noble has filed suit in the and anguish of mind. Plaintiff alleges that defendant is a man weighing about 200 pounds, and a man of great physical strength, while he is ald and was unable to defend himself. Ever since the assault he claims that he has been unable to perform any manual labor at all and he asks damages in the suny stated above.

THREW HER INTO SNOW.

stated above.

Alleging that her husband. Peter Oliver, laid violent hands on her and threw her out of the house and into the snow on Jan. 5, 1907, Caroline Oliver asks for a divorce in a complaint filed in the district court. She also alleges that he has frequently used vile and abusive language towards her and has caused her much mental and physical suffering. She asks for a divorce, for the custody of their four children and for allmony. They were married at Forest Dale on July 11, 1909,

AGAINST THE UTAH CON. The jury in the case of Emanuel Lennberg against the Utah Consolidated Mining company, which was tried in Judge Ritchie's court, has returned a verdict in favor of plaintiff for \$297.95. The action was brought to recover damages to plaintiff's farm and crops alleged to have been caused by the smoke and fumes from defendant's smelter.

ESTABLISHED



OUR GREAT SALE OF-MUSLIN UNDERWEAR

> And Everything for Baby Is a Record Breaker!

It's a better Sale and a greater Sale than ever. It's the most complete showing of attractive dependable undergarments and infants wear ever made in this city, marked at prices that insure the greatest savings ever known.

Another GREAT SURPRISE SALE



Commands your attention

Friday from 2 to 5 p.m. In Our

CLOAK DEPT.

We have grouped together all of our runabout walking skirts, worth up to \$5.50; colors, black, blue, and a variety of plaids and mixtures; styles new, nobby and desirable; thus making one grand assortment at one astounding price for two hours only. Friday from 2 to 5 p. m.

Two More Days. BARTON'S SALE!

Friday

Our Excellent, High Class SUITS and OVERCOATS, worth \$18, \$20, \$25 and \$30, are going at just . . .

Late callers will get no chance at them, for they will all go. These SUITS and OVERCOATS will be Bargains to the men who get them. Now is the time to act.

Shirts, Hats, Sweaters, Underwear, etc., etc., AT GREATLY REDUCED PRICES MEN AND BOYS 45-47 MAIN

### Proposition "Persistent success is proof of merit." The fact that for over fifty years the demand for Ghirardelli's Ground Caucolate has been steadily increasing, is convincing evidence of its goodness. On no other ba-

A Self Evident

sis could our present enormous business have been built up. Ghirardelli's Ground Chocolate contains all the natural goodness and nothing else; it is absolutely pure and has a delicacy and richness of flavor that is

Ask Your grocer for it. Be sure that you get it.

Ghirardelli's Ground Chocolate