FILES HIS SUIT

county Commissioners Are to be Taken to Court on Tax List Matter.

ALLEGES IRREGULARITIES.

uplaint Recites Method by Which Inter-Mountain Republican Received Tax List Plum.

behalf of Salt Lake county, Job yon, county afforcey, filed suit yesy afternoon against the county mers and their bondsmen in rigird district court to recover \$5,which was paid to the hiter-in Republican without warrant inting the delingum tax notices, see it. contract was awarded se-without bidding, it is held that

illegal.

S. C. Clinton, chairman; John C. y and Walter J. Burton, comwhy, are made the chief Jefendwhile the bondsmen, Lewis 8, and Will L. Ellerbeck for Clinton;
Mackay and E. H. Callister for y, and John R. Smith and Heber er for Burton, are made parties ant in the suit.

complaint does not allege that mount paid for the publication of a lists was excessive but that he id without warrant of law which a the solicitation of bids, and a contract shall be awarded to east responsible bidder. The text complaint, after stating the design and their official positions, is

or about the 5th may of 1909, the said defendants. Clinton, John C. Markay and Burton, setting as the bourd y commissioners of Sait Lake ild. without authority of law, allow, order, and cause to be the allow, order, and cause to be to the Inter-Mountain Republican lay, a corporation of the State ah, publishing a daily newspaper as the Inter-Mountain Republish the city of Salt Lake and the of Utah, a certain claim amountaive thousand seven hundred and y seven dollars and fifty cents (50) for the advertisement and 50) for the advertisement and ation in the Inter-Mountain Re-an aforesald of the delinquent list can arressal of the delitation instruction and property owing taxes to lake county for the year 190s, for riod of 10 days, beginning on or the first Monday in December,

at the said claim of five thousand n hundred and twenty-seven del-and fifty cents (\$5.727.59) was, on bout Jan. 8, 1909, paid to the said r-Mountain Republican company county warrant of Salt Lake coun the sald sum of five thousand sev undred and twenty-seven dollars fifty cents (\$5,727.50), which said ant has prior to the commencement saction been actually paid by the arer of Sait Lake county and the therefor received by the said Mountain Republican company, the payment of the sum of cousand seven bundred and twen-en dollars and fifty cents (\$5,-to the Inter-Mountain Republio) to the Inter-Mountain Republi-company by order and direction of said defendants, James E. Clinton, a C. Mackay and Walter J. Burton, ag as the board of county commis-ers of Salt Lake county, was illegal without authority of law, in this: a prior to the said publication of notice and advertisement of the inquent tax list as aforesaid, no or the publication of the said no-and advertisement had been invit-or received; nor had the contract r received; nor had the contract ne publishing or notices and ad-mements, including the publication advertisement of sold delinquent section 523 of the compiled laws of b. 1907; nor had any contract for publication of said notice and ad-isement of said delinquent tax list made and entered into; nor bad ounty treasurer of Salt Lake counommissioners of said county to ad-ies or publish said delinquent tax in a newspaper having general ciron in said county, as required by a 2620 of the compiled laws of

n 1990, or had said claim or bill of said r-Mountain Republican company not said Sait Lake county for the sum of five thousand seven hunard twenty-seven dollars and fifty s (5,727.50) been passed upon by the sty auditor, all of which facts in paragraph set forth were well we to said defendants, James E. ton, John C. Mackay and Walter J. n on said 8th day of January, 1999, I the plaintiff has duly demanded said defendants the said sum of thousand seven hundred and twen-even dollars and fifty cents 37.50), but no part thereof has been , and there is now due from the miants to the plaintiff the sum of thousand seven huurded and twen-even dollars and lifty cents (\$5. the said 8th day of January, 1909.

SUPREME COURT OPINIONS.

ecision On Appeal in Peterson Case Holds Fraud is Evident.

the case of Joseph S. Peterson and S. Peterson, appellants, against T. B. Budge and David C. Budge ogas, the supreme court handed a decision in which it was held fraud and durens were practised to physicians to secure a deed to property owned by Peterson and the which is allumed in Logar

le ill and under the care of the is in and under the care of the bans, Peterson universal the prop-nvolved, valued at \$7,000, to Drs. and Budge, on Jan. 6, 1806. This ione by threats, it is alleged, to see two overdue mortanges hold. That cher bank of Logan, which sted to \$5,120. Resides this the some owed the physicians \$140. demanded the deeds to the but the physicians failed to

ty and concurred in by Che witraup and Justice Frien.

URISTOL VE. DEENT. in the case of Dr. G. E. Briston ainst Nonh and the Earts Fo Rail-ainst Nonh and the Earts Fo Rail-ainst Nonh and the Earts Fo Rail-ainst Nonh and the supreme court sent bank to the trial court with intertions to set aside the order disersing the railread company on a minimum and parasit firmted, the pulsaut, to amend the return shows the manner of service. Although a round held into the service was settly and emphasized the necessity setfect service in case of a non-situative and emphasized the necessity setfect service in case of a non-situative and emphasized the necessity setfect service in case of a non-situative and emphasized the necessity setfect service in case of a non-situative and emphasized the necessity setfect service in case of a non-situative and control of the ground.

rect was afforded. It was held that the garnishee and a perfect right to object to the service even though appearance had been made.

The original suit was for \$95 on a frontieury note dated Sept. 20, 1907, at Evenston, Wyo., with interest. Garnishment was served on C. P. Warren, general agent of the railroad company of Salt Lake.

SUES TO COLLECT NOTE.

The Ima Consolidated Mining & Smelting company has filed sult in the Third district court against Fred J. Hatton on a promisory note for \$325 with interest amounting to \$100, and attents from amounting to \$25.0 The not was excuted on Dec. 8, 1805 and delivered to W. B. Dougall and afterword assigned to the plaintiff.

SUES FOR LOSS OF A LEG.

Lampros Prountsos seeks to recover 120,000 from the Denver & Rio Grand Western redirend for the loss of his left log which was crushed in an accident, in a suit filed in the Third district court. Prountses was employed by the railrond company and was working user Ruby, Colorado. He attempted to beard a dat ear at the orders of the forenain and the engineer started the cars before he had gained a footing. He was thrown over the car and his leg was caught by the wheel. It was necessary to amputate his limb just above the knee.

SUES TO QUIET TITLE.

Nik Bonomi brought suit this morn-lug in the Third district court to quiet title on a piece of property near Bing-bam Junction against Emanuel Leh-man, his wife and J. Addison Lehman and his wife. The plaintiff asks that the defendants be ordered to appear in court and set forth their claims to the property.

RECOMMENDS DIVORCE.

Heiena Janson was given a divorce from James Jenson yesterday by Judge Armstrong on the ground of crucity on the recommendation of referee, Howard H. King. They were married in Salt Lake June 2, 1908. The evidence showed that Jenson ordered his wife to leave his home and on several occasions struck her with his fist.

VERDICT FOR DEFENDANT.

In the United States district court yesterday, the case of Mary Griffiths against the Garfield Water company was further considered and disposed of by Judge Marshall directing the jury to bring in a verdict for the defendant. Mrs. Griffiths sued to recover damages for the death of her bushand who was killed at Garfield last July.

TWO INDICTMENTS.

TWO INDICTMENTS.

The Federal grand jury concluded its work yesterday afternoon, and was discharged by United States Judge Marshall. The jury has been in session since April 1. during which time seven alleged violations of federal laws were considered, and ludiciments were returned in six cases. Only two of the indictments are made public, that of Charles Schroder, Indicted on the charge of Impersonating a United States yeterinarian and thereby obtaining juoney, and Frank George, who was charged with steading cattle from the Indians on the Unitah poservation.

Other cases known to have been con-

Other cases known to have been con-sidered were those of C. C. Slade, charged with opening United States mail: Harry Thomas, charged with robbing postoffices, and Dan Tsose, the findian boy, charged with murder.

RITNER WILL IS FILED.

Estate Valued at \$3,000 to be Divided Among Score of Heirs.

The will of Broneman B. Bitner, who died April 10, was filed for probate yesterday in the Third district court by Milton Bitner and Breneman H. Bitner, sons, who were maned as executors. Legacies were devised to Martina H. Bitner amounting to \$5,000, and Sarah A. Hitner for \$5,000 in lieu of all dower, and \$1,000 each to two sons. Breneman H. Bitner and Roy H. Bitner, before his death.

his death.

The undivided estate, which amounts to \$2,000, is to be divided among a score of helps living here and in Canada, his daughters, Ellen. Enums and Madeline, are to be supported until they are of age and are then to be given \$50 each. The other helps are each to receive \$1. The calms against the estate are also to be settled out of this amount. The will was dated Feb. 4, 1996.

BABY NOW HAS A HOME.

George W. Smith and his wife, Me-isso J. Smith, of Kayaville, Davis county, adopted a stx-weeks-old baby boy yesterday, after showing Judge Lewis that they were capable to rear and oducate the child. They named the boy Golden Eavi Smith, and, it is statod, the parentage is unknown. The child was deserted when it was two weeks old.

WANTS \$25,000 FOR A HAND.

James E. Christepsen has brought air in the Third district court against the Clah Gus & Coke com-pany to recover \$25,000 for the loss of his thumb and three fingers on the right hand. While engaged in unload-ing a car of coal at the company's plant on the west side, on Feb. 15. plant on the west stop, of Feb. 18, 1909, he was knocked to the ground in front of the par. He seized the rail and swung himself from underneath the car to excape being crushed. His hand caught under the wheel and was

COURT NOTES.

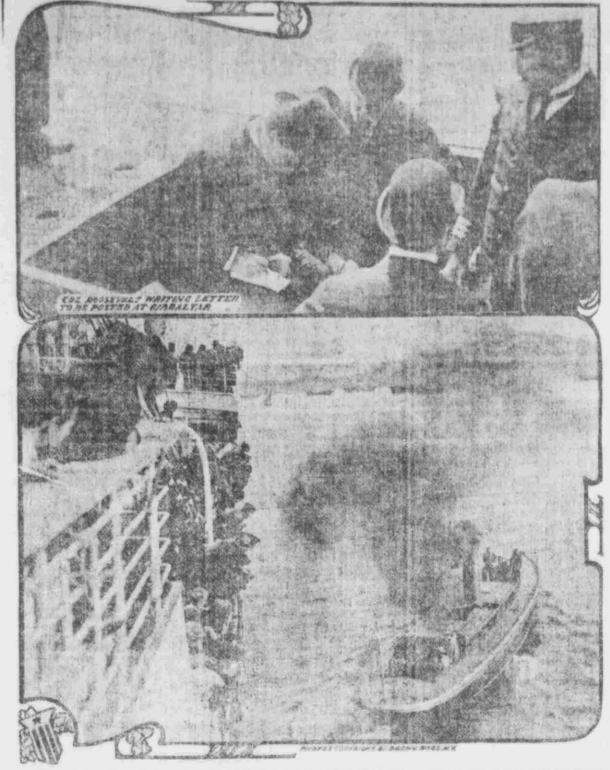
James Horton, R. M. Horton and Marjoric Henderson, doing business as

TURN OVER TIME

When Nature Hints About the Food. When there's no relish to any food and all that one eats doesn't seem to do any good then is the time to make a turn over in the diet, for hat's Natures way or dropping a lint that the food len't the kind required.

Ever read the above letter? A new one appears from time to lime. They are sensine, true, and full of human

FIRST PHOTOGRAPHS OF THE ARRIVAL OF ROOSEVELT PARTY AT GIBRALTAR



Interesting photographs of Colonel Roosevelt's arrival at Gibrultar are the first pictures of the former president to reach America since he salled for his hunting trip in Africa. On his arrival on the Hamburg the American consul. Richard L. Spragus; Thomas R. Genry, the vice consul at Malaga, and a British naval officer went out to the ship to most Colonel Roosevelt. One of the photographs shows how Colonel Roosevelt employed his time while going ashore he wrote a letter to Mrs. Roosevelt, which he posted as soon as the boat reached the pier. The former president and his party were entertained by Sir Frederick Forestier-Walker, governor of Gibrailar, and the other distinguished British officials of the place, as well as by the American consu

he Horton Baking company at Battle and Mrs. Elbridge Thomas, Mr. and

Lillian Bowies seeks a divorce from Herry Bowies on the ground of non-support in a complaint filed yesterday in the district court. They were married July 7, 1896, at Hoboken, N. J., and have no children. For the past four years Mrs. Bowies has supported her-

WHO PRINTS YOUR MISSION-ARY PROGRAMS

To insure high class work you a have then done by THE DESERRY NEWS. We guarantee satisfaction.

The old tithinghouse at 14 north Main tree) was in danger of destruction by fire late yesterday afternoon, and the department was called out twice. The blaze started in John F. Shneck's mil-or shop and was caused by an over-heated stove which set fire to beams. Although the place was not damaged, there was about \$500 worth of furniture intended for the L. D. S. U. gyu-nastum stored in the building. Source, ly had the apparatus returned from the run when a second alarm was turned

While the firemen were at work extinguishing the slight bluze, a man was being shaved in Frank Schmidt's barber shop. When the patren caw a nighten an armed with an ax, rush into the building, he gave went to a yel, and dashed into the street where he remained until all danger was passed.

Many sufferers from nasal catarrh say they got splendid results by using an atomizer. For their benefit we prepare Ely's Liquid Cream Haim. Except that it is liquid it is in all respects like the healing, helpful, pain-allaying Cream Halm that the public has been familiar with for years. No coenies nor other dangerous drug in it. The soothing spray is a remedy that retleyes at once. All druggists, ibc. including spraying tube, or mailed by Ely Bros. M. Warren Street, New York.

NEW INCORPORATIONS.

The Parker-Warrer Lumber age pany of Tooele City, Twoele count.4 has filed its articles of incorporation with the secretary of state. It

that's Nature's way of dropping a lab thirt the food lan't the kind required oursed.

"For a number of years I followed railroad work, much of it being office work of a trying latter.

"You a number of years I followed railroad work, much of it being office work of a trying latter.

"You a number of years I followed railroad work much of it being office work of a trying latter.

"Ateal times were our business part of the day Editing of a trying latter.

"Ateal times were our business part of the day Editing of the common previous to the departure of the country of the c

Mountain, Nav., secured a verdict for Mrs. L. A. Evans. Mr. and Mrs. 82.01 \$8,035 against C. W. Burge in Judge Park, Mr. and Mrs. Wallace M. Brans-ford, Mr. and Mrs. Raccoc M. Brandea. Was brought on a promissory note. Dr. and Mrs. W. L. Ellerbeck, Mr. and Mrs. C. R. Aloy, Mr. and Mrs. F. E. McGurrin, Dr. and Mrs. A. C. Whevy, Mr. and Mrs. J. Rogers, Mr. and Mrs. W. D. Foster and Mrs. Park.

Mrs. John E. Woodward and Mrs. Judge entertain at a lunchesm this afternoon followed by bridge.

Society is out in force this afternoon at the Colonial where the university girls are giving a performance for the benefit of their building. Hoxes have been taken by Mr. Auerbach, Frank Knox, W. S. McCornick, Mrs. W. Mont Perry, Mrs. W. M. Bransford, Co. F. M. Sterett and John P. Cahoon, The on Cummings and Mrs. C. S. Kinney

Yesterday the Wasaten Literary club ield their annual election, choosing the oflowing officers, nearly all of whom were re-elected. Mrs. E. Hauxhurst, wesident; Mrs. W. A. Wright, vice president; Mrs. Searis, recording secretary; Mrs. Earl Dunshee, assistant secretary; Mrs. Charles Spooner, cor ummings, tressurer

Capt. and Mrs. H. B. Thompson and daughter, Miss Cale, have arrived at Fort Douglas from Arizona and will be members of the garrison there during he stay of the regiment.

Many tables have been engaged for the bridge ten to be given at Rowland hall tomorrow for the benefit of the orphans' Home:

Mrs. Nelson Story who has been clatting triends in the city left post night for her home at Bezeman, Mont.

Mrs. David Dunbar who has agon be winter with her sister in Indians will return the first of May.

Mr. and Mrs. W. E. Lake witt give a duncing party at their home next ruesday night.

Mrs. C. F. Pinkerton entertains at a Kensington on Saturday in honor of Mrs. Charles H. Gulon of Omaha, Neb. The Post Bridge club mot with Mrs.

Edwin Butcher preterday and priso were was by Mrs. Upham and Mrs Purviance.

Mrs. F. S. Bazeum and Miss Louise Baseom receive informally this after-noon previous to the departure of Miss Baseom for her bone in North

Saltair, Saturday, April 24. Dane

That Z. C. M. I. Was First Depart ment Store in America, Brought Out at Ad Club Meeting

At last evening's meeting at the Com percial club, R. W. Everett, advertising nanager of the Walker Bros. company read a paper on advertising applied to the requirements of the modern dopartment store, a topic that formed the hasis of discussion for the evening. Among other speakers were Henry J. Haiton, advertising manager of the Z. C. M. I. C. E. Wood, business manager of the Tribune, and J. W. Waldron, manager of the Waldron distributing agency. Mr. Everett said the department store originated in 1879 in Chicago, as the result of an industrial exhibition. However, Mr. Halton brought out the fact that the Z. C. M. I. antedated this by eight years, the institution bringing its various departments together under one roof in 1871.

Mr. Everett held that customers should be shown what the store had for sale and should be given some idea of what they wanted so they might basis of discussion for the evening.

sements in the most attractive man-re possible.

Mr. Waldron spoke of the relative ame of newspaper advertising. A. D. lociuire inculred as to the effect of ewspaper advertising and the prop-ration of copy and was answered by Ir. Wood who spoke of some of the diffi-nties which newspaper men had in axing the copy presented by adver-lacts set in the proper matther. "You annot make your copy too good for not make your copy too good for

Charles R. Brazier, founder of the set advertising agency in Utah, said sere are two prime factors in the connect of an advertising agency—first to rite the advertising agency—first would ring the results, and, second, to find a medium that would reach the natral patrons of the concern, adversed.

"The Pake Advertiser" will be dis-

OHIO CLUB ORGANIZED.

The Ohio Clais of Ctah was organized

tat evening by former residents of the huckeys state, in the rooms of the Com-nercial club. The foliosing officers were chosen: President, Dr. J. d. Snibert jue president. Mrs. C. E. Allen; serre-ary, J. W. Hutchigson, treasurer, J. H. cale.

Accounty committee Meatames Gimto, Zehring, Steele, Sincider, French,
or, Payle and Mainy, and Miss AnHeider.

Beognd meeting of the club will be
I max Tuesday evening. The clubta off with a large and increasing
nierable.

WILLARD MACK ILL.

r. was reported this morning from by Mrs. Clarence Warnack and Mrs. I. C. Snew and Mrs. T. A. Flood.

Mrs. J. C. Snew and Mrs. N. T. Krk.

Mrs. J. C. Snew and Mrs. N. T. Krk.

Mrs. J. C. Snew and Mrs. N. T. Krk.

Invitations have been leaned to a pomestic science tea on Friday. April 25, from a until 5 o'clock in the Kinder-stand support being served after the bridge game. These present were Mr.

Invitations have been leaned to a pomestic science tea on Friday. April 25, from a until 5 o'clock in the Kinder-standard for complications arise it is bridge game. These present were Mr.

KEITH-O'BRIEN

How would you like your initial stamped in gold on Fine Stationery?

Prima lawer is an excellent quality of linen finished paper, with envelopes to match, packed in a quire boxes.

As a feature for 4 days only we will stamp your initial in gold on a quire of Prima lawn tree of charge.

Fancy Beltings Just Arrived

We are showing a5 patterns in reds, navy, browns, ans., greens, taupe, black and white, 2c, 3c, and 5c an

Our New Bandeaus Are Here

Very popular this season, 25c to \$12.45. New showing of large ball hair pins in shell and

A shipment of jer handeaus has reached the store.

Half Price for Place Cards

For Thursday, Friday and Saturday we will sell place

cards at half price. Large assortment: 2c to 15c each.

New Line of Fountain Pens Do You Own One?

We show two kinds which we believe are the best made. A fountain pen, improved as it is today, is a

New Shipment of Toys and Games.

It Is Not Too Early for Hammocks

Come and make selection from a new stock. Several new styles are shown. They are on the floor below, where prices are lowered to draw trade to that part of the store.

We carry Reliable Sprinkling hose and priced attractively.

Have you joined the Sewing Machine

WALL PAPER SALE.

20 per cent off on all cash sales. W. A. Duvall, 110 West 2d So.



Never before have Tans and colored Footwear been in such strong de-mand. The colors must be right. however. Tan of the right shade and the right colorings in other

Some of the new shades are the chocolate and wine colors. They're very rich and handsome The short vamp gives the shoo a very drinty appearance.

THE NEW OXPORDS, THES AND PUMPS ARE THE PAVORITE MODELS AND WE SHOW UNUSUALLY FINE CREATIONS.

\$2.50, \$3.00 \$3.50 to \$4.00

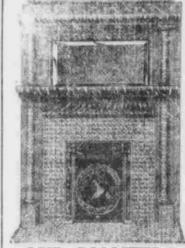
Moderate prices, you'll say, for so much Shoe luxury.

Christenson

We couldn't improve the soda so we improved the fountain. We borrowed the ad., but it's appropriate.

New fountain open today.

Where the cars stop.



OUR MANTELS Are artistic in appearance, honest in construction, dis-

tinctive in style-placed in your home complete from . \$50 up Many people have been dissatis-fied with selections made from a catalog.

Elias Morris & Sons Company, Opp. South Gate Temple Block.

All those who are

Against The Black Hand

and in favor of cleanliness send in your coal orders.

Western Fuel Co.

(Critchlow, Fischer & Kittle) Cable address "Wesfuco." Phones 719. 73 Main Street.

We Flay, Sing and Sell Music Beesley Music Co. 46 Main Street.