

Today's Ogden News

DAMAGE SUIT COMPROMISED.

Mrs. Julia Kennedy Accepts \$2,000
From R. G. W. for Death
Of Husband.

HEARINGS IN DISTRICT COURT.

Buster Brown in a Runaway—Enlarging
Trackage in Railroad Yards—
Wedding Bells.

Ogden, Utah, Nov. 3.—Miss Julia Kennedy, administratrix of the estate of Francis Kennedy, deceased, through her attorney, Andrew Horvath, has filed a complaint in the Second district court against the Idaho Grande Western Railway company, also a petition for authority to compromise the action. The complaint alleges that Sept. 9, 1905, and for a long time previous thereto, Francis Kennedy, now deceased, was in the employ of the defendant company as section hand, and while working on the section in this city on the date mentioned, the defendant company permitted one of its passenger trains to run at a rate of 60 miles per hour, striking Mr. Kennedy and hand car on which he was riding, killing Mr. Kennedy. Wherefore damages in the sum of \$2,500 were prayed for. Mrs. Kennedy petitioned the court for permission to compromise the suit for \$2,000, which order was granted by the court, and the \$2,000 was paid over by the railroad company to plaintiff.

DISTRICT COURT CASES.

W. R. Swan Given Additional Time to Prepare Appeal.
When W. R. Swan, through his attorney, moved for a stay of execution in the case of the state against him, he filed an affidavit of incompetency, setting forth that he was without funds with which to pay for the preparing of a transcript of the evidence in the case, which must be filed with the supreme court on the appeal, and asked that the court have the transcript made at the expense of the state, which was so ordered. On account of the illness of court stenographer Barker, the transcript has not been made, and 20 days' additional time was given in which to prepare and file bill of exceptions.
It may be that another affidavit will be filed in the case, setting forth that Swan is not without funds, but is nighty visiting the cases throughout the city, spending sums of money.
In the case of John McCullough against Mary McCullough, motion for a new trial has been filed.
The case of George A. Fuller against Matthew Burnett, suit brought for damages alleged to be due because of water running upon plaintiff's land, through defendant changing course of water ditch, and for permanent restraining order, has been settled out of court and case dismissed at plaintiff's request.
Notice of appeal from the judgment of the district court to the supreme court has been filed in the case of Ed. E. Stone against the Ogden Pucking Co., in which judgment was entered in favor of the plaintiff for \$250.
In the case of M. Hous against Lee Hickey, suit over title to certain water, decided in favor of defendant, the plaintiff has filed notice of appeal.
TO FILL IN RAILROAD YARDS.
The Utah Construction company who is making the road bed for the Oregon Short Line cut-off between Thirtieth

Manager, E. A. Larkin,
408 2nd St.,
Telephone 128-16.
Advertisements for the Daily, Saturday and Semi-Weekly News accepted on the same terms as at the Salt Lake office.
Circulator, John J. McGregor,
224 Wash. Ave., Ind. Tel. 151.
Office with Lambert Paper Co.
Payments for the Daily, Saturday and Semi-Weekly News should be made to the circulator. Delivery made by carrier on the same terms as in Salt Lake.

assistance and picked him up. The fall had only just stunned him slightly from which he soon recovered and was able to appear at the Grand Opera House last evening, and pleased the audience.
The horse was not found for several hours.

WEDDING BELLS.

Marriage license was granted to Richard Cottle and Mrs. Carrie Wade, both residents of Hooper, of lawful age.

BRIEFS AND PERSONALS.

W. D. Zeller, the engraver at Lewis' jewelry store, went under an operation at the Ogden general hospital for appendicitis. He is making satisfactory recovery.

Mrs. George Allen has been called east because of the serious illness of her mother.

George H. Martson has resigned as treasurer of the Ogden 20,000 club.

The Rock Salt company did not hold its meeting yesterday to decide on whether to build a roadway or not, but will hold one Monday.

Probation Officer Jacobs is recovering slowly from his recent illness.

Tonight the Republicans hold a rally at Southside hall at Five Points.

"The Star Show Girls" will be presented tonight at the Grand Opera House, Haverley's Mastodon Minstrels will give their engagement Saturday night and night.

O. O. Heffner, the horse dealer, was tried before Judge Murphy and a jury yesterday afternoon on the charges of assaulting Mike McCreary. The jury after deliberating on the evidence for an hour, returned to the court room stating they could not agree.

PROVO DEPARTMENT.

The "News" is delivered by carrier in Provo at 75 cents per month. R. J. Dugdale, Agent.

SHOCKING DEATH ON THE RAIL.

George S. Haskell Hit by a Passenger Train and Killed.

Special Correspondence.
Provo, Utah, Nov. 3.—George S. Haskell, who has operated a small saw mill in Spanish Fork canyon for several years, was instantly killed on the railroad track near Thistle, yesterday forenoon.

Details of the accident are very meager here, although probably all the facts immediately connected with it are known. They are that Mr. Haskell was sitting on a tie with his back to the track, as the first section of passenger train No. 5 approached from the east. He was not observed by the train men in time for them to stop the train, which knocked Mr. Haskell down, and the wheels of the engine cut off the upper part of his head. The remains were sent to Provo by the next section of No. 5, which reached here in the afternoon, and taken to Graham & Jones' undertaking parlors, where they are now being held, pending inquiries for friends or relatives of the dead man.

WEDDING BELLS.

Marriage licenses have been issued to the following couples:
John Gleibert, 29, and Luella Whipple, 18, both of Lehi.
Elmer E. Wimberly, 28, of Roseburg, Or., and Myrtle McCochran, 25, of Provo.

Mr. Wimberly and Miss Cochran were married by Rev. S. H. Goodwin.

MOORE DRUG CO. INCORPORATES.
Articles of incorporation of the Moore Drug Co. have been filed with the county clerk. The company is organized to do a general wholesale and retail

drug business in Provo city, with a capital stock of \$5,000.

THE DIETER CASE.

The corpse of a boy which sat in the funeral home over the remains of Daniel Dieter, the 15-year-old boy who died in a tent west of the city from typhoid fever, Wednesday night, returned a verdict containing the following findings:

"That said Daniel Dieter came to his death by typhoid fever and its attendant complications, and that during the last illness of said Daniel Dieter his parents Alvin Dieter and Julia L. Dieter wilfully refused to furnish and said Daniel Dieter, proper and necessary shelter, care and attention." The jurors were John H. McEwan, A. B. Morgan and A. V. Robinson.

As stated in the "News" yesterday, the parents are very indifferent to their condition, so far as doing anything to interfere with disease is concerned. They are living in a tent and take no precaution even of a sanitary nature against the spread of the disease. There are still four children in the family, the eldest probably in years of age, and it would be almost a miracle if they do not come down with the fever, and none of a miracle if they do not die if they take the fever. The county authorities will no doubt take some steps to warn the children even against the wishes of the parents. This will be done if any of the children become ill. Dieter told Sheriff Harmon yesterday when the sheriff informed him that he (the sheriff) would take the children away if they took the fever, that he would protest against having them removed, but he was made to understand that a protest would be of no avail.

GARDEN CITY NOTES.

Mr. and Mrs. Hugh Mooney and four children leave for Scotland Sunday, to be gone several months visiting Mr. Mooney's mother, whom he has not seen for many years.

Walter Cox, Jr., of the Third ward, leaves for Great Britain as a missionary on the 8th.

The Provo Commercial club, which has been trying for months to obtain

TREE TEA



The Pure
Good Tea

Imported and packed only by
M. J. BRANDENSTEIN & CO.,
San Francisco, Cal.

A DISCUSSION.

"Bleed Atonement and the Original Gospel Marriage."

A pamphlet containing over a hundred pages, has just been issued. This brochure contains a discussion on the questions quoted, between Elder Joseph F. Smith, Jr., and Mr. Richard C. Evans, the latter gentleman being second counselor to the president of the "Reorganizers." The questions are entered into exhaustively by both sides and a great deal of valuable information is given. Elder Joseph F. Smith, Jr., shows by historical data and incontrovertible deductions that the position of his opponent is untenable.
Post paid to any address.
DESERET NEWS BOOK STORE,
6 Main Street.

CONFERENCE PROCEEDINGS.

Of the seventy-sixth semi-annual conference of the Church of Jesus Christ of Latter-day Saints, held in the Tabernacle Oct. 27, 28 and 29. All the sermons are printed in full.

The discourse of President Joseph F. Smith and other leading authorities are intensely interesting. A splendid work to mail to friends. The edition is limited. Send in your orders at once.
Post paid to any address.
DESERET NEWS BOOK STORE,
6 Main Street.

MAKE HIS PRAISE GLORIOUS

For Sunday School and Church Music.

We have ordered a large stock of this excellent book containing two hundred ninety-one songs and hymns set to music. Suitable for Sunday Schools and all associations. Following are a few of the gems of the collection:

Count Your Blessings,
Sometimes, Somewhere,
Oh, It is Wonderful,
Singing in the Soul,
If There's Sunshine in Your Heart,
Onward Christian Soldiers,
Nearer My God to Thee,
Lead Kindly Light,
Abide With Me,
I Need Thee Every Hour,
Rock of Ages.

We can sell this book at thirty-five cents per copy if mailed five cents per copy additional for postage; or if purchased in dozen lots, we will prepay the postage on receipt of \$4.50.
DESERET NEWS BOOK STORE,
6 Main Street.

Ladies!

Would you be free from the ills that bring paleness, lassitude and depression? Would you be glad to avoid sick headache, biliousness and constipation?

Would you possess the pink cheeks, the bright eyes, the buoyant spirits that make splendid and attractive womanhood? To be well and happy

Take BEECHAM'S PILLS

They have made thousands of women healthy and strong. For preserving youth and beauty, Beecham's Pills have no equal. They positively remove all irregularities, relieve constipation and are the stepping-stone to health. Compounded entirely of vegetable ingredients, they act mildly on the most delicate constitution and may be taken with absolute safety by maid or mother. Every woman who values her health should take Beecham's Pills.

Do It Now

Sold Everywhere in Boxes.

10c. and 25c.

ALL LAWYERS ARE GOOD.

Those we use are the best. We have more law suits than all the rest put together. Our 13 years' experience is yours if you consult us. Advice by mail or personally.

Lowest fee \$5.00. All kinds of cases. No exception.



MERCHANTS' PROTECTIVE ASSOCIAT'N,

SCIENTIFIC COLLECTORS OF BAD DEBTS.
Commercial Block, 2nd South St., Salt Lake City, Utah.
FRANCIS G. LUKE, General Manager.
"Some people don't like us."

WALKER BROS. BANKERS.

(Incorporated.)
Established 1835.

Capital \$200,000
Surplus \$50,000

ABSORBED THE SALT LAKE CITY
BRANCH OF WELLS, FARGO
& CO'S BANK.

Safety Deposit Boxes for Rent.
Travelers' Letters of Credit Issued. Avail-
able in All Parts of the World.
We Invite Your Account.

Victor Talking Machines, \$17.50.

\$5.00 Down, \$2.50 a Month. No
Interest.

Daynes & Romney Piano Co.
26-27 E. First South.

Utah Dental Co.

DR. ZIMMERMAN, Mgr.,
234 Main.

BEST RELIABLE DENTISTS IN THE
CITY.
SET OF TEETH (Best Red Rubber) \$5.00
Gold Crowns, 22-k. \$3.50 to \$5.00
Gold Work, Dent. \$3.50 to \$5.00
Gold Fillings, \$1.00 up, others, 50c to 75c
15-YEAR GUARANTEE.
TEETH EXTRACTED WITHOUT PAIN.
Open till 4 P. M.; Sundays, 10 to 2.
Phones, Bell 128-K; Ind. 298.



INTERESTING NEWS!!!

Protection for everybody and a safe feeling for you if you insure your property against fire with the Home Fire Insurance Company of Utah.

Home Fire Insurance
Co. of Utah,
HEBER J. CRANT & CO.,
General Agents,
26-26 So. Main St.



Joseph E. Taylor,
PIONEER UNDERTAKER.

Of Utah. Open day and night. Factory and Warehouses No. 33 E. First South; one and one-half blocks east of Theater.

AT BARTON'S

New Fall specials, large stocks to choose from and the best values for the money in Men's, Boys' and Children's Clothing, Hats and Haberdashery. NOTE THE FOLLOWING SPECIALS. We always have a great run on our specials. Hundreds of buyers know that we sell goods for less than their actual value and will take advantage of these specials. They will go rapidly. We are always at your service.

Men's Underwear.

Large assortment and splendid value at the suit—

98c, \$1.39, \$1.98 and \$2.50.

Men's Hats.

Wonderful values in all sizes at—

\$1.45, \$1.95, \$2.35, \$2.65.

Men's Shirts.

Large assortment, all sizes and best values to be had at—

49, 69c, 98c, \$1.13 and \$1.33.

Men's Hosiery.

Regular 35c values at—

19 cents

Suspenders.

50c kinds at—

39 cents

Men's Sweaters.

Great values—

\$1.50, \$2.50, \$3.00.

Men's Suits and Overcoats!

All the late styles and newest fabrics. Correct in cut, perfectly tailored and correct in every way.

EVERY GARMENT GUARANTEED.

\$10.00 Suits and Overcoats, Special at \$ 7.50
\$12.50 Suits and Overcoats, Special at 9.75
\$15.00 Suits and Overcoats, Special at 11.75
\$16.00 Suits and Overcoats, Special at 12.85
\$18.00 Suits and Overcoats, Special at 14.75
\$20.00 Suits and Overcoats, Special at 16.85
\$22.50 Suits and Overcoats, Special at 18.75
\$25.00 Suits and Overcoats, Special at 19.85

Boys' Knee Pant Suits.

Large assortment in all sizes and best values to be had at—

\$1.95, \$2.75, \$3.55, \$3.95 and \$4.75.

Boys' and Children's Overcoats

Very large stock to choose from at
MONEY SAVING PRICES.

Boys' Knee Pants

50c values at—

39 cents

Stockings.

50c values at—

19 cents

15c values at—

8 1-3 cents

Boys' Sweaters.

Great values at—

\$1.00, \$1.25 and \$1.50.

Boys' Caps.

50c values at—

39 cents

Neckwear for Men and Boys.

50c grades at—

19 cents

50c grades at—

39 cents

Men's Golf Gloves

50c kinds at—

39 cents

75c kinds at—

49 cents

Boys' Golf Gloves, 25c kinds at—

19 cents

YOUR MONEY RETURNED IF NOT
SATISFIED.

BARTON & CO.,

POPULAR CLOTHIERS. 45-47
MAIN STREET.