

OUR OWN STATE.

The branch office of the Deseret News in Ogden is at No. 465 Twenty-fourth street, where all advertisements and subscriptions will be received. The paper is delivered by carriers in Ogden every evening on the same route as in Salt Lake City.

OGDEN NEWS.

OGDEN, UTAH, SEPT. 24, 1902.

WEBER COUNTY EXHIBITION.

Splendid Opening of Fair—Grand Display of County Products and Manufactures.

Young Burglars Apprehended—Bustled in District Court—Elder H. Foster Returns from England.

Thomas Hunt, who for a long time has been in the toils of the police, has at last been charged with a crime that, if proven on him, will land him in the big prison. On the night of the 14th inst. a young man, W. Davis' place on Twenty-fifth street was burglarized and a number of articles taken. The matter remained a mystery for some time but the police worked quietly on certain clues and at last fastened the crime on Hunt, and a complaint was given to Judge Howell, charged with the crime, and he was arrested yesterday afternoon and turned over to the custody of the sheriff for keeping until he comes up for trial Thursday morning at 10 o'clock.

Hunt has lived in Ogden all his life and is one of the best families in the city, but he has always been the sheep of the family and has never made his parents much worry. He has been a number of times of late convicted of petty larceny, drunkenness and other offenses.

YOUNG BURGULARS CAUGHT.

Monday night some trunks were broken open which were stored in the back of Hyrum and an overcoat, several neckties, three hats and a number of other articles were taken. The matter was reported to the police, and after a short investigation, a complaint was given to Judge Howell, charged with the crime, and he was arrested yesterday afternoon and turned over to the custody of the sheriff for keeping until he comes up for trial Thursday morning at 10 o'clock.

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WEBER COUNTY FAIR OPENING.

The opening of the Weber County fair today at the fair grounds on lower twentieth street was a grand success. Everything was in readiness for the opening and a more beautiful display of county products has never been seen in the city. The exhibits are very attractively arranged, and every article is shown off to good advantage. The display would do credit to a state fair.

The merchants of Ogden have taken a keen interest in the fair and have contributed liberally to its success. The fair is a success and the merchants of Ogden have taken a keen interest in the fair and have contributed liberally to its success.

IN THE DISTRICT COURT.

Judge Rolapp heard the case of Ogden City against T. W. Horn et al., and the complaint sets forth that the city owns certain water rights springing from the Ogden River and that the city is entitled to the water coming from the Ogden River and that the city is entitled to the water coming from the Ogden River.

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the president of the mission gave him an honorable release and advised him to return home. He is somewhat improved but is still very weak.

BRIEFS AND PERSONALS.

Apostle Reed Smoot of Provo was in Ogden yesterday on business. Mrs. Nellie Stevenson went to Salt Lake today to visit for a short time with friends.

Mrs. John Ashby has returned home from a pleasant month's visit at Butte with friends.

Prof. C. D. Schettler, graduate of the German guitar school, will give a grand concert tonight in the Fifth ward hall, assisted by the Ogden Harmony club.

The Women of Woodcraft give a concert this evening in their hall. Refreshments will be served after the concert.

Lincoln Summer Colds. Don't let a cold run at this season. Summer colds are the hardest kind to cure and if neglected may linger along for months. A long siege like this will pull down the strongest constitution. One Minute Cough Cure will break up the attack at once. Safe, sure, acts at once. Cures coughs, colds, croup, bronchitis, throat and lung troubles. The children like it. God's Own Drug Co., Corner First South and Main.

LOGAN.

DEATH OF MRS. H. MERRILL. Native of Nauvoo, Ill.—Succumbs to Paralysis.

Special Correspondence. Logan, Cache Co., Sept. 22.—Mrs. Hyrum Merrill of this city died today of paralysis, aged 56 years. The deceased lady was born in Nauvoo, Ill., on Sept. 14, 1846, and came to Utah in 1853. She was stricken with paralysis for the third time last Friday and never regained consciousness before her death. She had lived in Cache Valley since 1881, and previous to that in Covalle, Utah. She leaves a husband, son, daughter and many relatives and friends. She was an excellent mother, with many kind and loving traits, and her death will be greatly mourned.

The funeral will be held in the Second ward meeting house Wednesday, Sept. 24, at 1 p. m.

ATTY. GENERAL'S OPINION.

Children Must Attend School in District in Which They Reside or Pay Tuition.

State Law So Interpreted—District Court Hearings—Young Woman Sent to Asylum.

Special Correspondence. Provo, Utah Co., Sept. 24.—The following business was transacted by the board of education last evening: It was decided to close the schools on the week beginning Oct. 5 in order to permit the teachers to attend the State Teachers' Institute, which meets in Salt Lake City during that week.

The following communication from the attorney general, addressed to the clerk, was read:

Salt Lake City, Utah, Sept. 23.—Mr. J. M. Jensen, Provo, Utah, Dear Sir:—Your communication of recent date is duly received and has been submitted to the attorney general of the state. The following is his official opinion:

"Subject: Children must attend school in district where they reside or pay tuition.

"First—Does the fact that a parent or guardian owns property in a district entitle him to send his children to school in that district when that parent or guardian resides and has his children enumerated in another district?

"Second—A resident of — has his children enumerated in every summer and sends them to Provo every winter to attend school. He has a piano assessed in Provo in his name. Can he not be required to pay tuition?"

In reply to the foregoing I beg to refer you to sections 1820 and 1831, R. S. of 1898, which read as follows:

"It shall have power to admit to the schools in the districts, when it can be done without injury or overcrowding such pupils, and shall have power to charge and collect reasonable fees for their tuition. It shall have power to arrange with the board of an adjacent district for sending to such district such pupils, and shall have power to charge and collect reasonable fees for their tuition. It shall have power to arrange with the board of an adjacent district for sending to such district such pupils, and shall have power to charge and collect reasonable fees for their tuition.

"It shall also have power to make proper and needful rules for the admission and distribution of pupils to and among the schools in the district and their transfer from one school to another.

"Every district school shall be open for the admission, free of charge, of all children living in the district over six and under eighteen years of age, and of children within the required age, whose father, mother or guardian is a taxpayer within said district."

These two sections contain all the law bearing upon the question at issue.

Section 1820 makes it very plain that your first question must be answered in the negative and your second question in the affirmative.

Children admitted to the schools of a district other than where they reside can only be so admitted by permission of the trustees of such district and upon the payment by such children of a reasonable fee for their tuition to be fixed by the trustees. This section is certainly in unambiguous and plain language and there can be no misunderstanding respecting its meaning.

Section 1831 is not quite so clear, but construing the two sections together, as we have to do, I think we are warranted in reaching the conclusion that the legislature never intended to permit a parent or guardian to send their children to school in districts other than where they reside by merely paying a small tax on a piece of furniture placed in such district solely for that purpose.

I am therefore of the opinion that

your first question must be answered in the negative and your second question in the affirmative, and it would therefore follow that the opinion of this office, bearing date Sept. 4, 1902, holding that the home of the parents or guardian of children is the home of the children, and that there must be a school in the district where there home is or comply with the provisions of section 1820 R. S. must be affirmed.

Trusting the foregoing will clearly answer the questions submitted, I am, Yours respectfully,

A. C. NELSON, State Superintendent of Public Instruction.

FOURTH DISTRICT COURT.

The suit of Percy A. Black vs the Rocky Mountain Bell Telephone Company for \$20,000 damages for personal injuries is still before Judge Marionaux in the Fourth district court. When the evidence for the plaintiff was in the defense made a motion for a nonsuit, which was overruled, and the defense is now introducing evidence to show that the injury of which Mr. Black complains was caused by the negligence of the company.

Estate of Eliza Ray Jackson, a minor; petition of Lillie Jackson for letters of administration set for hearing Saturday the 11th.

COMMITTED TO ASYLUM.

Mrs. Louise Monnet, the wife of Daniel Monnet, was committed to the asylum after examination as to her sanity before Judge Marionaux by Doctors Aird and Robinson. The patient is 23 years of age and came from Italy about two and a half years ago and has been living near this city. Her insanity is of the acute mania type.

MARRIAGE LICENSES.

Marriage licenses have been issued to the following couples: Roy West, of Linden, 21, and Eva Marrott, of Pleasant Grove, 19. Moses Roylance, 23, and Pearl Bate, 22, both of Springville.

DEATH OF TIMOTHY MARTIN.

Timothy Martin, an old resident of Park City, died here yesterday from pulmonary edema. The remains will be shipped to Spokane, Washington, where his wife and two sons, J. M. and John Martin, are living. He was 64 years of age and a native of Ireland. He came to the United States when a young man and has been in the west engaged in mining for many years.

GARDEN CITY NOTES.

Dr. George E. Robinson has now moved to his elegant new house, 257 East Center street.

Judge Booth is holding court in Judge Marionaux's district, while Judge Marionaux is here.

Frank Cunningham, a Truckee saloon man, had a hearing yesterday, before Justice Foote on the charge of criminal salariness, the offense consisting in impugning to Mrs. Cornelia Wing, of Truckee, a want of chastity.

Ed. Richards of Sterling, Sanpete county, a stone cutter and marble worker, is getting out some monumental and tombstone work for local parties. The marble is obtained from Coal Wash, some 20 miles southeast of Panguitch, and is of a beautiful white and pink stone, and some 20 feet across the face, was discovered a few years ago. Mr. Richards is doing some good work with this stone.

DEATH OF SAMUEL HILL.

Samuel Hill, a former well known and highly respected citizen of the town of Huntington and Emery county, died last week at Burns, Wyoming. Mr. Hill was a brother of Mrs. Wm. Howard of Huntington and Mrs. Mabel Behning of Panguitch, and was a son of the late Bishop Hill of the Second ward of Salt Lake City.

PAINFUL ACCIDENTS.

Andrew Miller, a sheep herder in the employ of James Hogan, of Montpelier, Cache Co., was killed yesterday while driving a team near the mill. While driving a bunch of sheep through Straight Canyon en route for the lower desert, the mule he was riding fell in such a manner as to cause the accident. Miller came to town and Dr. Winters removed the body.

Mrs. M. L. Snow of Cleveland met with an accident last week. She was returning from Price and drove up to their gate and stopped the team. One horse became frightened and ran striking a tree near by. Mrs. Snow was thrown out of the vehicle and also two of the children. The mother was slightly bruised and the oldest girl had a head wound. The mother was taken to the hospital and the children were taken to the hospital.

CANNERY'S FIRST SHIPMENT.

The cannery is loading its first car of tomatoes for shipment today. It will go to the Salt Lake market. They expect to load three cars a week from now on. A night shift was run last night in order to catch up with the work.

James Chipman is down from his sheep herd and reports that his flocks are doing well.

John Sundvall has been spending a few days in Kayville and will leave tomorrow morning for Chicago where he is going to study medicine.

LEHI.

DEATH OF MOTHER WHIMPEY. Close of a Beautiful and Useful Career.

Special Correspondence. Lehi, Utah Co., Sept. 23.—Sister Elizabeth Callaway of Lehi, daughter of John Callaway and Charlotte Doel, passed to the great beyond Monday morning last and the funeral services were held yesterday afternoon in the Sego Lily school building. Sister Whimpey has been a resident of Lehi for many years and was a devoted mother and a faithful Christian. She was a member of the Lehi church and was a very active worker in the church. She was a very kind and loving mother and was a very faithful Christian. She was a member of the Lehi church and was a very active worker in the church.

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HYRUM.

STAKE CONFERENCE. Hyrum High School Organized With Two Departments.

Special Correspondence. Hyrum, Cache County, Sept. 22.—The quarterly conference of this Stake was held yesterday and today at Wellsville meeting house.

There were present W. M. Merrill and A. O. Woodruff of the Executive Apostles. Jos. Morrell, president of

Cache Stake, President Parkinson with councilors and a full representation of the High Council and other officers of this Stake and Bishops and members of the various wards.

HYRUM HIGH SCHOOL.

The Hyrum district schools opened this morning with an average attendance. Mr. C. F. Olsen has been engaged by the school board to teach the high school here. It will consist of two departments, one for young people who have completed the district school work and one for young men and women who have not completed said work, but are too old to be admitted to the district school.

Beware of the Knife. No profession has advanced more rapidly of late than surgery, but it should not be used except where absolutely necessary. In cases of piles for example, it is seldom necessary to use the knife. Hyrum Stake cures quickly and permanently. Unequalled for cuts, burns, bruises, wounds, skin disease. Accept no counterfeits. "I was troubled with bleeding piles that I was in a bad mood and sure." Says J. C. Phillips, Paris, Ill. "DoWitt's" which Hazel Salve cured me in a short time." Soothers and heals. God's Own Drug Co., corner First South and Main.

CASTLE DALE.

EMERY STAKE ACADEMY. Lawrence Schools—Death of Samuel Hill—Painful Accidents.

Special Correspondence. Castle Dale, Emery Co., Sept. 20.—The Emery Stake academy reopened with impressive ceremonies on Monday, but with a rather light attendance, which will no doubt rapidly increase as soon as the autumn work on the farms is completed. Silas Harris is the principal and he has an able corps of assistants. Since the day of the last term many improvements to the building have been made notably the addition of four large windows at the east end of the building, the completion of the balcony and the partial painting and repainting of the woodwork.

Orangeville schools open Monday with five departments, in five rooms under five teachers. The new school house is being thoroughly fixed up for the commencement day. Dr. Foster Cluff is to be principal this year, and he will be assisted by Frank Cunningham, of Fairview, Sanpete county; Miss Ada Page of Orangeville, Miss Charlotte Burdick of Mona, Juab county, and another lady teacher from Salt Lake City.

Ed. Richards of Sterling, Sanpete county, a stone cutter and marble worker, is getting out some monumental and tombstone work for local parties. The marble is obtained from Coal Wash, some 20 miles southeast of Panguitch, and is of a beautiful white and pink stone, and some 20 feet across the face, was discovered a few years ago. Mr. Richards is doing some good work with this stone.

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Mr. R. S. Spence, died in this city on Monday evening.

A call has been issued for the Democratic county convention to be held in the opera house at Montpelier, Idaho, at 10:30 o'clock a. m., September 29, 1902.

PARIS, IDAHO.

THE LUCY GATES CONCERT. Delightful and Artistic Success—Drouth Broken—Fiddling Academy Special Correspondence.

Paris, Bear Lake Co., Sept. 20.—Miss Emma Lucy Gates gave a concert here in the stake tabernacle last night partly for the benefit of the stake choir. It was a most delightful occasion, one never to be forgotten by those whose good fortune it was to be present. The audience was in ecstasies over the fair and gifted artist. Every number received most hearty applause as also did the talented piano solo of Master Gates. The stake choir rendered two numbers under the direction of its popular and talented leader, Elder J. N. Shepherd, whose untiring efforts in behalf of the choir is so much appreciated.

The long season of drouth is at last broken by a beautiful downfall of rain this morning which we hope will be enough to bring up the fall grain. On Monday next the 22nd inst., the Fielding academy will open its doors to the large body of students anxiously awaiting that event.

POCATELLO, IDAHO.

BANNOCK REPUBLICANS. Meet in Convention and Nominate Pull County Ticket.

Special Correspondence. Pocatello, Idaho, Sept. 22.—The Republicans of Bannock county held their convention today and after hours of discussing an wide-ruling which ended in considerable dissenting between some of the city and country delegates, placed the following ticket in the field:

State Senator—J. J. Duckworth. Representative—J. P. Hunt and Denmark Jensen. Sheriff—George Griffith. Auditor—Earle C. White. Assessor and Tax Collector—Nathan Barlow.

Probate Judge—T. A. Johnston. County Attorney—J. J. Guheen. Treasurer—H. C. Gorton. Superintendent of Schools—Nellie Condon.

Commissioners—District No. 1, George T. Hyde; District No. 2, H. Larkins; District No. 3, J. T. Lohr. Coroner—Dr. J. H. Bean. Surveyor—Oscar Sonnenkalb.

Mr. Duckworth, the nominee for state senator, is at present foreman of the Oregon Short Line blacksmith shop at this place. He is well known in Salt Lake, having for several years held a similar position with the Short Line in that city.