DESERET EVENING NEWS WEDNESDAY MAY 29 1907



Grand Army Veterans Will Assume Charge of Parade and Orpheum Assembly.

LINE OF MARCH IN DETAIL.

It Will Begin at Knutsford and Go West to Main, Finally Disbanding at Theater Corner.

The revised plans for tomorrow's Memorial day exercises have been announced by the Grand Army committees and others in charge. The parade will be participated in by the Grand Army, the Spanish-American war veterans, the Sons of Veterans, and many military and civil organizations.

At the Orpheum theater a meeting will be held following the parade, of which the following program has been

announced: Called to order-H. P. Burns, chair-man of executive committee. Opening remarks-George B. Squires who will preside. Invocation-N. D. Corser, depart-ment chaplain. Song-"America," audience, led by u.S. Ensign.

Ensign. ----"The Brave Sentinel," H. S.

Ensign. Song-Choir from public schools. Address-Mrs. Mury E. Lacey. Solo-"The Flag Without a Stain," Mrs. C. G. Plummer. Address-The Rev. P. A. Simpkin. Solo-"The Soldier's Dream," H. S.

Glee club.

ORDER OF PARADE.

The order of movement was issued by Grand Marshal of the Day H. H. Kinsman Tuesday and is as follows: Platoon of police. Grand marshal and staff, Captain Kinsman, Col. O. F. Davis, Lieutenant Point, Capt. J. Wash Young, aids.

FIRST DIVISION.

Capi. Joseph J. Myers of the Sons of Veterans, marshal; Lieutenant Book-

ey, aid. Twenty-ninth United States infantry, with band. Gov. John C. Cutler and staff.

mounted. First regiment, National Guard of Utah, with band.

SECOND DIVISION.

Capt. A. N. Jarvis, department com-mander Spanish-American War veter-ans, marshal: Thomas E. Jeremy, std.

James B. McKean post, No. 1, G. A. R. George R. Maxwell post, No. 5, G. A. R.

P. E. Connor camp, Sons of Veter-

E. A. Wedgwood camp, Spanish-merican War veterans. Black Hawk Indian War veterans. THIRD DIVISION.

Capt. John S. Stevens of George R. Maxwell post. No. 5, marshal. All Hallows' college cadets with band.

Sait Lake High school cadets, with

Veteran volunteer firemen. Salt Lake fire department.

WHERE TO FORM.

The different divisions will form as In line on the east side of State



Made from cream of tartar derived solely from grapes, the most delicious and healthful of all fruit acids.

AGAIN REFUSES

Chief Sheets.

TRIAL SEEMS IMPOSSIBLE.

Legal Obstructions and Technicalities

Again Serve to Prevent Grafter

Case Going to Jury.

The motion of Dist. Atty. Loof-

bourow for an order requiring him to

file a new information against Chief

of Police Sheets in the place of the

one which was quashed by the court

some few weeks ago, was denied by

Judge Armstrong of the district court

yesterday afternoon. This means that

the only way left for Sheets to be

which have bound together the soldiers, salors and marines who united to sup-press the late rebellion.' What can ald more to assure this result than by cherishing tenderly the memory of our heroic dead, who made their breasts a barricade between our country and its foes? Their soldier lives were the re-veille of freedom to a race in chains, and their deaths the tattoo of rebel-lious tyranny in arms. We should guard their graves with sacred vigi-lance. All that the consecrated wealth and taste of the nation can add to their adornment and security is but a fitting tribute to the memory of her slain defenders. Let no wanton foot tread rudely on such hallowed grounds. Let pleasant paths invite the coming mourners. Let no vandalism or avarlee or neglect, no ravages of time, testify to the present or to the coming gen-erations that we have forgoitten as a people the cost of a free and undivided are in the the cost of a free and undivided are other. JUDGE ARMSTRONG Would Not Allow Filing of New Information in Case of

republic republic, "If other eyes grow dull and other hands slack, and other hearts cold in the solemn trust, ours shall keep it well as long as the light and warmth of life

as long as the light and warmth of life remain to us. "Let us, then, at the time appointed, gather around their sacred remains and garland the passionless mounds above them with the choicest flowers of springtime; let us raise above them the dear old flag they saved from dis-honor; let us in this solemn presence renew our pledges to aid and assist those whom they have left among us, a sacred charge upon a mation's grati-tude-the soldier's and sailor's widow and orphan.

under the soldier's and sallor's widow and orphan. "II. It is the purpose of the com-mander in chief to inaugurate this ob-servance with the hope that it will be kept up from year to year while a sur-vivor of the war remains to honor the memory of his departed commades. He earnestly desires the public press to call attention to this order, and lend its friendly aid in bringing it to the notice of comrades in all parts of the country in time for simultaneous com-pliance therewith. "III.- Department commanders will use every effort to make this order ef-fective.

"By command of John A. Logan, commander in chief; N. P. Chipman, adjutant general."

FOR TORPID LIVER.

Take Horsford's Acid Phosphate. It stimulates healthy liver activity, relieves constipation, sick headache and malaria.

CAPT. STYER'S PROMOTION.

Son-in-Law of Major Edmund Wilkes Goes to the Philippines.

Goes to the Philippines. Salt Lakers will be interested in learning of two recent army promotions. One is that of Capt. Henry D. Styer of the Thirteenth Infantry to be a major in the Twenty-ninth Infantry now sta-tioned at Fort Douglas. However, Major Styer will not come here, but will proceed to the Philip-pines. Io await there the arrival of his regiment from Utah. He is a son-in-law of Major Edmund Wilkes of this city, and only recently completed a four years detail as professor of military tac-tices and commandant of cadets at the state agricultural college. First Lieu-tenantoliver S. Eskridge of the Twenty-

that it would not be policy to put the state to the expense which would

arise simply to experiment in the mat-

After a brief argument by Atty.-

Gen. Breeden, the motion was denied by Judge Armstrong in the following

The Evolution of Household Remedies.

The modern patent medicine business is the natural outgrowth of the old-time household remedies.

In the early history of this country, EVERY FAMILY HAD ITS HOME-MADE MEDICINES. Herb teas, bitters, laxatives and tonics, were to be found in almost every house, compounded by the housewife, sometimes assisted by the apothecary or the family doctor. Such remedies as picra, which was aloes and quassia, dissolved in apple brandy. Sometimes a hop tonic, made of whiskey, hops and bitter barks. A score or more of popular, home-made remedies were thus compounded, the formulae for which were passed along from house to house, sometimes written, sometimes verbally communicated.

The patent medicine business is a natural outgrowth from this wholesome, old-time custom. In the beginning, some enterprising doctor, impressed by the usefulness of one of these home-made remedies, would take it up, improve it in many ways, manufacture it on a large scale, advertise it mainly through almanacs for the home, and thus it would become used over a large area. LATTERLY THE HOUSE-HOLD REMEDY BUSINESS TOOK A MORE EXACT AND SCIENTIFIC FORM.

Peruna was originally one of these old-time remedics. It was used by the

Mennonites, of Pennsylvania, before it was offered to the public for sale. Dr. Hartman, THE ORIGINAL COM-POUNDER OF PERUNA, is of Mennonite origin. First, he prescribed it for his neighbors and his patients. The sale of it increased, and at last he established a manufactory and furnished it to the general drug trade. Peruna is useful in a great many climatic ailments, such as coughs, colds, sore throat, bronchitis, and catarrhal diseases generally. THOUSANDS OF FAMILIES HAVE LEARNED THE USE OF PERUNA and its value in the treatment of these ailments. They have learned to trust and believe in Dr. Hartman's judgment, and to rely on his remedy, Peruna.

the court authorized the state to go ahead with an abbreviated informa-tion, that at the middle of the trial, in my opinion, the case would get ex-actly in the same position that has already been presented. "I will not make an order which

yesterday afternoon. This means that the only way left for Sheets to be brought to time for his part in the Arcy antier hold-up is to me an en-urely new complaint against him be-tore a committing magistrate and give him another preliminary hear-ing. This action will in all propa-binity be done by County, Atty. Han-son, who declares he has the evi-dence against sheets and can con-vict him of criminal conspiracy if the case ever gets before a jury. The mo-tion of the district attorney was op-posed by Atty. E. A. Wedgwood, the only one of the chief's attorneys pres-ent during the hearing yesterday afternoon, and the arguments were quite extensive. Judge Armstrong de-cided that he would not make an order which would put the state to the expense of a jury trial and then have the case reach the same point it did under the former information and be dismissed, hence he retused to make the order requested by the dis-trict attorney. Atty.-Gen. Breeden also made an argument in the case and urged that the motion be granted. Mr. Loofbourow argued that it was within the discretion of the court to order a new information filed under such conditions, and that would afford an opportunity to correct the errors in the former information, which already been presented. "I will not make an order which would put this state to the expense of empaneling a jury in this case and then arrive at the same position that the court has already ruled on. I haven't changed my mind as to what my view of the law is. If that matter comes up again it would get exactly the same ruling under the same con-ditions. If these same conditions would be inevitable under this testi-mony, it would be simply the court. saying 'go ahead and experiment, see how far you can get.' I will decline to make the order.''

BATTLE IN COURT.

Nellie Battle Sues Her Husband for Divorce and Alimony,

Divorce and Alimony. The battle is on in the district court, Nellie Battle is battling with Robert Lee Battle for a divorce. The cause as set forth in plaintiff's complaint, which was filed yesterday, is that Bat-tle refused to support Mrs. Battle and her young son with the necessaries of life. They were married at St. He-lena, Cal., on April 18, 1896, and it is alleged that for three years past de-fendant has failed to support plaintiff. Mrs. Battle wants a divorce, the cus-tody of the child, \$36 per month ali-mony and \$75 as attorney's fees and suit money.



Theater-The advance sale for Maude Adams opened with a regular boom yesterday, and by nightfall the receipts were nearing the \$3,000 mark. The rush is keeping up during the day and there is no doubt that the opening if the Salt Lake girl in "Peter Pan" ext Monday night will be a mugnifi-

This evening at the theater, the Uni-versity of Utah Normal class under the direction of Martha Royle King, will present the spectacular operata en-titled "The Merry Milk Maids."

Viola Allen opens her Salt Lake en-gagement at the Theater in "Twelfth Night," tomorrow evening.

Orpheum-The Cowboy by he running smothly at the Or-on but two mers. During the stock on but we mathees a week rug; for tomorrow, however mathee is scheduled. Bel now under way for "The I " which will be put on night

Grand-Next week's production b Laura Frankenfield and her compan will be 'Henris of the Blue Bidge.'' mutines will be given tomorrow.

Lyric-Popular, priced vaudeville ontinues to draw well pleased au-iences and with no orposition in its ne, good business may be looked for well into the summer.

ANOTHER BIG RESERVOIR.

State Board of Land Commissioners Advertises for Bids.

It was desided by the state board of land commissioners Sestenday, to adof a reservoir for irrigation purpose in the Sevier river near Hatchtown Garneld county. The bids will b opened at D o'clock p. us. on July The reservoir when completed wi store enough water to irrigate 5.00 acres of land. State Evelneer Tanm will superintend the construction

GRANTS \$5 FEE.

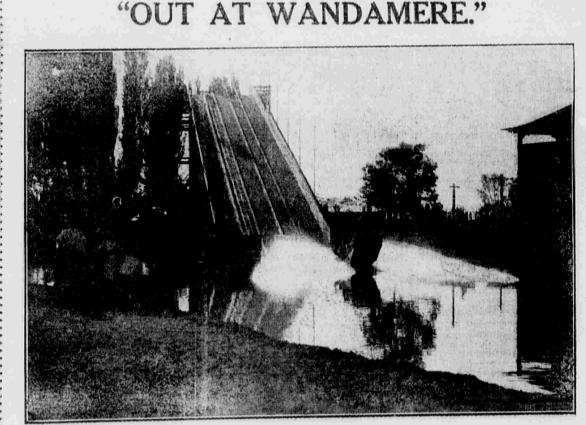
Continental Life Insurance Company Concedes to Demands of Doctors.

A circular letter from Medical Director H. N. Mayo of the Confinental Life Insurance & Investment company notifies examining physicians that the company will pay \$5 for each medical examination after June 1; and will expect in return for this fee all the nee essary medical information pertaining o the risk. Correspondence subsc uent to examination is to be promptly answered without further exponse to the company. This action is the re-suit of a recent resolution passed by the State Modical society, whereby the physicians agreed to demand a fee of \$5 for a medical examination per-formed for the benefit of an old-line life insurance company.



5





In line on the east side of State street, facing west, its right resting on the southeast corner of State and East Third South streets. In line on the west side of State street, facing east, its right resting on the northwest corner of State and East Third South streets. In line on the north side of East Third South street, facing south, its right resting on the northeast corner of East Third South and State streets. The Sait Lake five department will The Salt Lake fire department will form on West Third South street, right

form on West Third South street, right resting on Main. The front of the subdivision in col-umn will be that of the platoon, except the Second division, which will march in coumn of fours. Each division will complete its formation and stand ready to march at 9:15 sharp. The com-unand will leave the Knutsford hotel promptly at 9:30 o'clock. The guide will be right. The following is the line of march:

will be right. The following is the line of march: West on East Third South street to Main street, thence north on the east side of Main street to South Temple, thence passing on the south side of the Brigham Young monument south on the west side of Main street to East Second South to State street, thence north on the east side of State street to East First South, where the com-man's will be drawn into line and dis-inissed

ORIGIN OF THE DAY.

Memorial day celebrations began in America in 1868, with an order from the beadquarters of the Grand Army of the Republic. It was then the inten-tion to keep them up only so long as a veteran of the war remained, but since then other ware have put other veter then other wars have put other veter-aus into the field, and the day has as little chance of being forgotten through history, or neglected as any other great American day. The first order creating it, is as follows:

"Headquarters Grand Army of the Re-

"Headquarters Grand Army of the Re-public." "Washington, D. C., May 5, 1868. "General Orders, No. 11. "I. The 30th day of May, 1868. is designated for the purpose of strewing with flowers or otherwise decorating the graves of comrades who died in defense of their country during the late rebellion, and whose bodies lie in almost every city, village and hamlet in the land. In this observance no form of ceremony is prescribed, but posts and comrades will in their own way arrange such fitting services and testimonials of respect as circum-stances may permit. We are organ-lacd, comrades, as our regulations tell us, for the purpose, among other things. 'of preserving and strengthen-ing those kind and fraternal feelings

Rich or poor alike are habitually constipated. It slays its victims by thousands, although some other name goes into the death certificate. Drugs will not cure. Eat daily.



Smith death, life,

state agricultural college. First Lied-tenantOliver S. Eskridge of the Twenty-seventh Infantry, promoted to be a cap-tain in the Eleventh Infantry was pro-moted from the ranks in the Eighteenth Infantry, His father was Lieut. Colonel of the Twenty-third Infantry on its return from the Philippines to this country and taking station at Fort country and taking station at Fort Douglas. The young man was on re-cruiting duty in Salt Lake for some time after being commissioned.

by Judge Armstrong in the following language: "As far as looking into the tran-script of the testimony from the low-er court is concerned, the court has not been informed as to the details or facts upon which this information is based, by the district attorney, and there are no other facts before the court, and the court has not been in-formed at this hearing of any addi-tional facts or additional circum-stances, and hence the court would have to consider it from exactly the same point of view as the other hear-ing. There has been no additional in-formation given to the court. "This is a bald request, and the court will not make an order permit-ting the district attorney to file the same kind of an information which Do you use an atomizer in treating Nasal Catarrh? Then you will appreci-ate Ely's Liquid Cream Balm, the mild-est. quickest, surest remedy for this disease. In all curative properties it is identical with the solid Cream Balm which is so famous and so successful in overcoming Ca-tarrh. Hay Fever and Cold in the head. There is relief in the first dash of spray upon the heated sensitive air-passages. All druggists 75c., including spraying tube, or mailed by Ely Bros., 56 Warren Street, New York. by E York.

Saltair opening, Thursday, Decora-

BEFORE JUDGE GOWANS.

Three Boys Placed Under Probation For Offenses of Minor Nature.

WITH PICK AND DRILL.

Nevada Miners Choose Odd Weapons

In Settling Differences.

ting the district attorney to file the same kind of an information which it has quashed. There is no request, no suggestion before the court that there will be any other kind of an information filed at all. The court has given every opportunity for sug-gestion as to what kind of an infor-mation the district attorney desires to file. If it is to be just this same mat-ter this court by its order would not part of it. "The court at the other hearing was part of 11. "The court at the other hearing was informed by the district attorney that what amounts to the same thing would be practically brought out at the trial. It would simply mean, if Several cases were heard by Judge Gowans of the juvenile court yesterday afternoon. Jesse Johnson was up for throwing rotten eggs at an automobile occupied by W. R. Savage and several ladies in the southeastern part of the city several days ago. The boy was reprimanded severely and was placed on probation and will have to report to the court once a mach

IN IT TEN YEARS.

An Unconscious Slave to Coffee. Fred Rasmussen was given a hearing for stealing a bicycle and was also made a ward of the court. Andrew Edgar had been smoking cigarettes so the court gave him a lecture and placed him on probation. "I had not the slightest idea that cof-fee was the cause of my continued slok-mess for the last ten years, until I quit its use and took up Postum Food Coffee I never had a natural movement of the bowels during a number of years, be-cause of chonic constipation, and I was continually taking medicine. "Very frequently, just after breakfast a dizziness would come on, which would force me to lie down and remain abso-lutely quiet until relief came. I was al-so the vietim of severe beadaches, and 'I had not the slightest idea that cof-

so the victim of severe headaches, and miserable all the time. Finally, it oc-cured to me that coffee was the real ca-use of my trouble. The Nevada exchanges are telling "I therefore procured a package of Postum Food Coffee and began its use in the place of coffee. At first I did not like it, but I soon discovered that I had not made it properly. When it is boiled long enough, it has a delicious Java coffee taste a beautiful deep rich brown color and altogether it makes a charming beverage. "I soon grew very fond of it; in fact. I liked it better than I did the old cof-fee. My health improved and this grad-ually increased. The bowels resumed their their natural functions and the old dizzy feeling disappeared entirely; also the headaches. the story of a desperate battle between two miners at the Nil Desperandum at Blackhorse. One had a pick and the other wielded a drill and since the fight Dr. King of Blackhorse has two badly battered patients in his care.

two badly battered patients in his care. The men were Henry Smith and Jos-eph Hill. What started the fight is not known, but it commenced during working hours. Blows were exchanged at this time, but a truce was called, both men promising to do things to the other later. No sooner had the shift ended than the miners started to stay by their promises. Smith seized a pick and Hill a drill, some three and a half feet long. With this Hill tried to batter Smith's head in, and finally found an opening. He pounded the heavy drill on Smith's head laying the scalp open and frac-turing the skull. Just as this blow fell, Smith made a lunge and drove the sharp point went through the roof of his mouth. Hill staggered with agony. The men were separated and placed under the physician's care. Smith is hovering between life and death, while Hill will be disfigured for life, dizzy feeling disappeared entirely; also the headaches. "This happy change in health fixed my mind permanently and forever nev-er, under any circumstances, to so back to a drug that had held me a slave for ten long years. A curious thing about all this is that people do not realize the cause of their troubles. They go on year after year, just as I had, in drug-ging themselves with something that holds them in a condition of sickness and they don't seem to understand what it is that causes the trouble. If such people would leave off coffee and use Postum Food Coffee, the trial would tail its own tale." tell its own tal "There's a Reason." 12

suit money

JURY DISCHARGED.

The jury in the case of Joseph Mc-Connell against the City Rocks Mining Salt Lake Hardware was tried in Judge hich was tried in Judge failed to agree on a ver-Lewis' court. Lewis court, failed to agree on a ver-dict and was discharged yesterday af-ternoon by the court from further con-sideration of the case. The action was brought to recover damages in the sum of \$10,000 for injuries to plain-tiff's hand which was crushed in a gasoline engine which was being oper-ated by plaintiff.

SUES FOR \$25,000 DAMAGES.

An action has been filed in the dis-trict court by Nick Jacketta against the San Pedro. Los Angeles & Sait Lake Rairoad company to recover damages in the sum of \$25,000 for in-Lake Hailford company to recover damages in the sum of \$25,000 for in-juries received by plaintiff in a wreck near Leith, Nev., on Feb. 28, 1907. Plaintiff was an employe of the com-pany, and was riding on a construc-tion train which was wrecked. The injuries received by him caused the loss of his sight.

COURT NOTES.

A petition has been filed in the pro-bate division of the district court by F. W. Root asking that letters testa-mentary of the estate of Mary O. Root, deceased, be issued to B. L. Rich. Mrs. Root died in Chicago on Dec. 31, 1906, and left real property in this city of the total value of \$2,000.

Suit to foreclose a mortgage has been filed in the district court by the Utah Savings & Trust company against C. O. Janson and wife. The amount al-leged to be due on the mortgage is \$4,000 and interest from March 23, 1905, the date of the note. The property in-volved is lot 1, section 12, township 3 south, range 1 west, Salt Lake meri-dian. dian

Bathing at Saltair is immense. Come out Thursday and enjoy it.

MALONE WILL REMAIN.

Defending Counsel for Vincent St. John Fails to Secure His Request.

(Special to the "News.")

Goldfield, Nev., May 28 .- Judge O. N. Hilton, counsel for Vincent St. John, about to be placed on trial, with others, about to be placed on trial, with others, for alleged complicity with Proston and Smith in the killing of John Silva, today asked Judge Langan, before whom the case is to be tried, to exclude B. M. Malone from the prosecution. Hil-ton charged Judge Malone with being a tool in the hands of Senator Nixon and others, and, said he, should have no part in the trying of the case. Judge Malone asked to be placed upon the winces stand, and he denied in toto the allegations of Attorney Hilton, Judge Langan refused to grant the re-quest of the defendant's counsel, and Malone will remain in the case. A

Majore of the defendants' counsel, and Malore will remain in the case. A notion that defendants be released on onl was granted, and the bonds were blaced at \$10,000 in each case. A motion that separate trials be had will be passed upon by Judge Langan later,

EXCURSIONS NORTHWEST

Via O. S. L. June 3rd, 7th, 12th and 14th. 331.50 to Portland or Spokane and return. Limit September 30th.

Saltair opening, Thursday, Decora-

THE CHUTES.

The Fairest Spot In All The West. An Ideal Place To Spend Decoration Day.

LAGOON IS NOW REA

"The Prettiest Spot in Utah" is in spring attire and ready to welcome all visitors. The regular opening takes place Memorial Day, Thursday, May 30-The observation train will leave the Lagoon depot at 10 in the morning and keep in touch with the riders in the bicycle road race over the whole course.

> The Shoot-the-Chutes. The Scenic Railway. The Tour of the World. Best Roller Skating Rink in Utah, Fine Athletic Grounds. Good Boating on the Lake. Beautiful Dancing Pavilion. Prof. Willard Youngdale's Lagoon Orchestra. Free Dancing for all Visitors. Many Wild Animals and Rare Birds. Lovely Flowers and Shrubbery. Well Conducted Restaurant.

These are some of the attractions at Lagoon this year. There is also much better train service and the ride is through a beautiful farming country

J. BERGERMAN, Lessee.

Visit Lagoon Often and Save Doctor's Bills.