

OGDEN DEPARTMENT.

MANAGER, E. A. LARKIN.
Telephone 138-K.
CIRCULATOR, M. H. THOMAS.
2417 Grant Ave. Telephone 637-X.

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

OGDEN, UTAH, - - APRIL 9, 1904.

HIS TRADE MARK IS HELD SACRED.

Judge Hart Rules in Favor of Davidson's Cigar Emblem.

SCHOOL FUND APPORTIONED.

Schools Sued—Local School Wins—Miles Bound Over and Goes To Jail.

E. A. Munsey, the cigar dealer must pay Max Davidson \$150 damages for the manufacturing of a cigar in size and style the same as Davidson's "Columbia Club" brand and \$300 attorneys fees, \$150 costs of suit. This decision was rendered by Judge Hart last evening and Munsey was adjudged in contempt of court. The action is known as the Max Davidson suit against E. A. Munsey, wherein the plaintiff brought suit for a permanent injunction, restraining defendant from manufacturing the "Columbia Club" cigar, on which Davidson has a trade mark, or from selling it. A perpetual injunction was granted. A short time afterward Mr. Davidson had a hearing before the court for contempt, alleging that Munsey was manufacturing a cigar in size and shape and style similar to his "Columbia Club," but was using a similar box, trade mark, etc., but the cigar was of an inferior quality. The action for contempt was heard before Judge Hart on Wednesday's birthday, 1903 and Munsey adjudged in contempt of court and a small fine and damages was imposed. Munsey appealed the case to the supreme court on the ground that the supreme court reversed the case back to the district court and granted a new trial holding that the case should not have been heard on Wednesday's birthday, and the hearing yesterday was on appeal the case up to the supreme court. Davidson was represented by Attorney C. C. Richards and Munsey by Attorney Farnsworth.

SCHOOL FUND APPORTIONMENT.

The apportionment of school funds for Ogden city and Weber county has been made by County Superintendent of Schools W. B. Wilson. The total apportionment allotted to Weber county is \$4,855.50 which is divided between 9,311 school children, making a per capita of 52 cents. The apportionment follows:

Population.	Apportionment.
Ogden City.....5,328	\$2,914.00
North City.....127	63.50
Elm.....139	65.00
Harvard.....121	65.50
Hammond.....379	185.00
Lacey.....124	62.00
Murphy.....97	48.50
North Ogden.....304	152.00
Pearson View.....171	85.50
Perry.....73	36.50
Riverside.....117	58.50
Russell.....43	21.50
Salt Lake.....92	46.00
District No. 1.....1,984	542.00
District No. 2.....561	285.50
Total.....9,311	\$4,855.50

SURETIES SUED FOR \$1,000.

Joseph W. West has filed suit in the second district court against D. F.

Tracy and L. P. Stone to recover \$1,000. The action is an outgrowth of the case of Isaac Farr against H. C. Lawrence et al, in which Farr claimed 7,400 shares of stock in the Gold Mountain Keystone Mining company, but he only obtained a judgment for 22,000 shares of the stock, although an injunction was granted on the entire amount for several months and during that time the stock decreased in value, and the defendants in this action were Farr's sureties on the undertaking required to be given. That through the said injunction the defendants lost on their stock to the amount of \$1,000, and they sold their claims for that amount to Mr. West, who now brings suit to recover it.

VICTORY FOR W. S. A.

One of the most interesting and enthusiastic games of basketball that has ever been played in Ogden, was witnessed yesterday afternoon by a large crowd at Lester park pavilion. The game was played between the B. Y. college ladies' team of Logan and the Weber Stake academy team. The game was lively from the start. At the close of the first half the score stood 5 to 2 in favor of the B. Y.'s but in the last half the local team put in some very good work, resulting in a victory for them in a score of 6 to 5. The visiting team was accompanied by a number of their admirers. A ball which was largely attended and greatly enjoyed, was given in honor of the Logan visitors last evening at the Parry hall.

MILES BOUND OVER.

W. M. Miles, the colored man charged with grand larceny was given his preliminary hearing before Judge Howell yesterday afternoon. The evidence of John Brown and a number of other witnesses was to the effect that John Brown was visiting a sporting house on Hudson avenue, where he became sick and Miles said he would take care of him, but he went through his pockets and took \$20.05. The court after hearing the evidence, bound Miles over to answer to the charge to the district court under \$500 bail, which he was unable to furnish.

PROVO.

KEEP AN UNOBSTRUCTED VIEW

Saloons Must Do This—Wedding Bells—Canyon Trip of City Officials.

Special Correspondence.
Provo, April 9.—The time of Justice Noon was yesterday taken up with the hearing of the case against John M. Wilson, who was charged with obstructing the view of the interior of his saloon on a Sunday with cups and plates of water, and a fall of six or seven hundred feet, can be had at the mouth of Spring Creek canyon.

LICENSED TO WED.

Clerk Bachman has issued his legal permission to wed to the following couples:
William J. Crystal, aged 24, of American Fork, and Ruth Walker, aged 21, of Salt Lake; to John McIntosh, aged 41, of Salt Lake, and Irene K. Southworth, aged 39, of Provo; and to Silk Larson, aged 25, of Mt. Pleasant, and Lizzie Vest, aged 19, of Payson. The latter couple were married by Judge Booth, and Elder Elias A. Gee united the second couple, in the holy bonds of wedlock.

A MUNICIPAL JUNKET.

A party consisting of Mayor W. M. Roylance, Supt. of Waterworks Armstrong, Chairman C. F. Decker of the waterworks committee, and several members of the city council, went up Provo canyon yesterday. The gentlemen went to inspect the waterworks extension, work on which will be resumed as soon as the weather will permit.

GARDEN CITY LOCALETTES.

Sheriff Harmon, Recorder Pyno and Treasurer Glazier were all in Salt Lake yesterday. Business of importance to transact.
County Attorney Page and Deputy Sheriff Graham yesterday made a trip

to Springville, Mapleton and Spanish Fork on official business.
Mrs. John Gatherum, who underwent a delicate operation Wednesday at the Provo General hospital, is reported to be improving.
Judge Booth will, on Monday, set the criminal and civil calendar for the April term of the Fourth district court.
A ten-pound boy has been born to the family of William J. Woodhead.
Attorney Jake Evans returned yesterday from Vernal, where he has been on legal business.

PLAIN CITY.

The Sad Death of Charles Urry's Little Girl—Services Private.

Special Correspondence.
Plain City, March 27.—Private funeral services were held this afternoon over the remains of little Clara E. Urry, the four-year-old daughter of Charles Urry. The child died last Friday from scarlet fever. Other members of the family who have been afflicted are reported recovering.

Spring Haberdashery

In all its beauty and variety, the correct dress for man from head to toe, is to be found at the
BROWN, TERRY & WOODRUFF CO.,
166 Main street.

PROVIDENCE.

SOME LOCAL ENTERPRISES.

Irrigation, Pipe Lines, Electric Light, Building—Prosperity Rampant.

Special Correspondence.

Providence, March 25.—"All in the Wild March Morning," fittingly tells the weather story at present and designates the weather conditions for the whole past month. This is the stormiest March ever known in Cache valley. There have been only two days since the first of the month that have seen neither rain nor snow. Since the soft weather began, however, about two weeks ago, traveling between villages has been almost impossible, that horses sink to their knees, wagons and carriages to their axle trees.

One result of the wetted roads is the high price of hay, \$10 per ton, which has obtained in Logan for the last three months. Hay can be bought, but it cannot be hauled, and its high price has been a great burden to the people who are compelled to buy. The ordinary price for alfalfa is \$5 per ton, delivered. The people of Providence are enterprising. They have three independent irrigation companies, and four pipe line water companies, the latter supplying the inhabitants with pure water direct from the mountain springs. They have bought about 8,000 acres of land in the mountains which border the town on the east for the purpose of preserving a clean water shed, of encouraging the growth of forest trees and of supplying a summer pasture for their horned stock.

An electric light plant is now on the tapis and is being vigorously advocated by members of the town board and others. There are exceptional facilities for a plant of this kind within a mile of the town, for a location, with plenty of water, and a fall of six or seven hundred feet, can be had at the mouth of Spring Creek canyon.

In addition to this the district school board has found it necessary to provide a room for the 20 children in its charge, and the taxpayers have just voted to build a new schoolhouse, which, according to the plans, is to cost about \$8,000. The ward, also, has purchased a beautiful \$300 Mason & Hamlin church organ, which is being placed in the new schoolhouse today, and the authorities are understood to be contemplating the improvement of the old Providence hall, or of erecting an entirely new house of worship. Should either be done, the expenditure of considerable money. But the people are very prosperous, and exhibit a disposition to keep up with the times.

HEBER.

DIDN'T KNOW IT WAS LOADED

Another Death Recorded Against the Deadly "22"—L. Paramore the Victim.
Special Correspondence.

Heber City, April 8.—"Didn't know it was loaded," is responsible for another terrible accident resulting in the death of Lawrence Paramore, a three-and-a-half-year-old son of Hyrum Paramore of Charleston. The child's half brother, David Bagley, 15 years of age, was preparing for a hunt with his 22 caliber gun; it had not been customary to keep the gun loaded, but some of the folks had previously used it and left a cartridge in it. In taking

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the gun down it was accidentally discharged, the ball entering in the right eye of the victim. The family and the entire community are thrown into great grief over the terrible affair. It was purely an accident.

Ray Levi Price and Mrs. Margie Murdock of Charleston have been taken to the Holy Cross hospital to be operated upon for nervous troubles. The operation was successful and the doctors feel that he will recover. He was thrown from a horse some time ago injuring his head, resulting in frequent convulsions since that time. Mrs. Murdock has been in a feeble condition for some time.

Judge A. C. Hatch has just returned from Vernal where he went as district attorney to attend the Fourth district court. He reports the country being in an excellent condition and splendid prospects for the coming season's crop.

COLTON.

A SAD CASE OF DIPHERIA.

Whole Town Exposed—Weather Conditions—Sheep Shearing.

Special Correspondence.
Colton, March 31.—Little Edna Moons, the 12-year-old daughter of Mr. and Mrs. Chas. Moons, R. G. W. section foreman of this county, died very suddenly today. Edna had complained of sore throat for the past few days, but no fears were entertained as to the cause of her illness. She recovered from a similar sore throat. Little Edna began to get worse this morning. Dr. Fisk of Price was telephoned to come on first train, but the child died before he could get here. Dr. Fisk pronounced it a bad case of diphtheria.

County physician, Dr. David Westwood, at Provo, was immediately notified; he instructed J. M. Miller to temporarily attend to the quarantine regulations. All of the children in this place of 25 families have been more or less exposed. The weather has been very bad the past week, much snow and rain has fallen. Wagon roads almost impassable. Several mineral mines and the Wax mill have suspended operations temporarily on account of bad roads.

Scarcity of snow in eastern part of state will bring most of the sheep shearing to Colton in the next few days. The number already booked, more than total number sheared here last season.

OAKLEY, IDAHO.

Death of Two Good Women—Cassia Stake Academy Commencement.

Special Correspondence.
Oakley, Idaho, March 31.—Our community has just been called to mourn the departure from this life two very estimable women, one from old age and general debility, Mrs. Eliza Johnson, and one from childbirth, Mrs. Amanda A. Tinsley.

Grandmother Johnson was 84 years of age and embraced the Gospel over 60 years ago in Virginia, and lived for a number of years in the San Luis valley, Colorado, before coming to Oakley. She died as she had lived, a faithful believer in the mission of the Prophet Joseph Smith.

Mrs. Tinsley, wife of Edwin Tinsley of childbirth on the 21st, passed to her rest, leaving her husband and eight children to mourn her demise. She was born in Heber City, Wasatch county, Utah, April 22, 1867, and lived most of her life at Ogden, Weber county, Utah, and has resided in Albion and Oakley, Cassia county, for several years, where she has conducted a successful millinery store. She was an honest, successful business woman, and a faithful, consistent Latter-day Saint. Funeral services were held from the First ward meetinghouse on the 30th inst. The deceased was the daughter of James and Lucy Cole, well known in Utah.

The following Elders will leave here April 1 for the mission field: William R. Lee, James H. Millard, Edward H. Hale, Zera Whittle and Miles Durfee.

CASSIA STAKE ACADEMY.

The stake academy held its commencement exercises in the tabernacle today. A large number of students received diplomas of graduation from the preparatory department, also many certificates of promotion were distributed in this department. Work in the normal and high school was no less gratifying. The large tabernacle was filled with students and parents, clearly indicating the high estimation in which the splendid institution is held by the people of the locality.
Prof. Joseph Peterson, who for three years has held the position of president of the faculty, and who has succeeded in bringing the school up to an enviable standard of excellence, has decided to spend the next three years in some of the large seminaries of the east, where he will devote himself to advanced studies, preparatory to taking a position in one of the large universities of Utah. For a man so young, Prof. Peterson possesses rare ability.
A good many of our people are preparing to go out to the canal to work for the summer. Sheep shearing will be in full blast in a few days.

SAFFORD, ARIZONA.

A Long Drouth—The English Sparrow a Menace—Death of Mrs. Welker.

Special Correspondence.
Safford, Arizona, March 31.—We are having the longest protracted drouth that has ever been known. Since the settlement of this city the last rain we had was about the 20th of last September. The stock ranges are almost entirely destitute of grass, there is, however, some brush that stock can find to eat yet. The water in the river is very low and all the irrigation canals are strictly "on turns." At present appearances there will probably be sufficient water to mature the small grain crops.
The hay crop is looking well, in 30 days from the present there will be an abundance of new hay on the market with present prospects of a very good price.
The English sparrow that was introduced into Utah a few years ago has found its way down into this country. Our warm, pleasant winters seems to be very congenial to their well being. It would seem like they come here to winter and then forget to return when summer comes. If they should increase during the next two years as they have in the past it will be very difficult for us to produce any fruit or garden stuff. They are at present in sufficient numbers so that they have very greatly damaged the early peas, lettuce, radishes, cabbages and turnips and all such vegetables.
On the 11th inst. Mrs. Roxana Duns-

ton Welker departed this life after a long period of poor health. She embraced the Gospel a very early day, and has been faithful to the same all her life through. She was the first president of the Relief society of Bloomington, Bear Lake county, Idaho, and also after emigrating to this part of Arizona, 1884. She became the president of the first organization of the Relief society of the Layton ward.

LOGAN AND CACHE VALLEY REAL ESTATE FOR SALE.

We have fine Schools and Colleges, a Healthy Climate, the best Water Supply in Utah, Sugar Factories, Cheap Farms, Residence and Business properties, an ideal place for a home. We buy, sell and exchange real estate. Apply or write to J. Z. Stewart, Logan, Utah.

BRYAN, IDAHO.

RECKLESS SHOOTING DONE.

A Young Man Hit by a 22 Bullet—Narrow Escape—News Notes.

Special Correspondence.
Bryan, Idaho, March 28.—On Saturday, March 28, 1904, Mr. Oliver M. Rehnapp, while walking on his father's premises at Bryan, Idaho, was struck on the side of the head with a 22 bullet fired from a gun. Luckily for him the ball had passed through two limbs, boards and a wall, across the block before reaching him. As it was, he was felled to the ground and stunned for a few seconds. An extra lump and an aching head for a short time was the only serious result from the shot. Two of the offending parties were arrested and small fines imposed upon them as a reminder that the officers of the law are determined to put a stop to the reckless discharge of firearms. The shooting was done to simply indulge in a little sport, not a target practice, but that there is not a young widow and an orphan child is no fault of this careless manner in using firearms by those parties.

A force of men and teams have begun work on the People's canal repairing same for irrigation purposes.
Mr. R. J. Henderson, the principal of our district schools, and Miss Minetta Young, daughter of W. O. Young, will be married at the Logan Temple this week.

LYMAN, WYO.

A New Colony Growing—Prosperity Ahead—Crop Prospects.

Special Correspondence.
Lyman, Wyo., March 28.—Parties from Utah were here a number of days last week looking at the country with a view of buying homes here if they can sell their Utah property. Several carloads of wire and machinery has been sold in and around Lyman this month.
The people are shipping a great deal of hay out of Lyman this spring. The roads are lined every day with loads of baled hay going to Carter and Cumberland. We have an excellent market for everything we raise.
The flour mill people have begun operations again, and are paying cash for wheat, \$1.40 per hundred. I believe our prospects for water this season are excellent. There has been no seeding as yet.

IDAHO FALLS.

Demise of a Young Man—Married—Politics—Weather Fine.

Special Correspondence.
Idaho Falls, Idaho, April 1.—H. O. Stevens of Shelly, Idaho, a promising young man of that place and one who stood high in Church affairs as well as socially, died on the 28th, and was buried from the meetinghouse on the 28th. The deceased died as he had lived, a true Latter-day Saint.
Mr. Christoph Oswald, of Colman, Ida., and Miss Edna Clapsattle of this place, were married in the Methodist church on March 30. The groom has been a resident of the valley for a number of years and is well and favorably known. The bride is the accomplished daughter of Mr. and Mrs. E. A. Clapsattle and formerly taught school in our public school.
Now that the weather has at last cleared up and the roads are becoming passable, the merchants are looking for a good business. In fact, everything looks promising for a banner year for this part of Idaho.

THE WRONG DIAGNOSIS.

Prompt the Use of Worthless Remedies.

Even an experienced physician will sometimes make a mistake in diagnosis, in which event his entire treatment is wasted and may even be injurious to the patient.
The advocates of all other hair restoratives save Herpicide have wrongly diagnosed the cause of Dandruff and Falling Hair.
They figure on a functional disease whereas it is a new born and generally accepted that hair loss is due to a parasitic germ which Newbro's Herpicide destroys.
There is no substitute for Herpicide, accept none.
Sold by leading druggists. Send 10c. in stamps for sample to The Herpicide Co., Detroit, Mich. Z. C. M. L. Drug Co., Special Agents.

PROBATE AND GUARDIANSHIP NOTICES.

Consult County Clerk or the respective signers for further information.

IN THE DISTRICT COURT, Probate Division, County of Salt Lake, State of Utah.

In the matter of the estate and guardianship of Adelia C. Ogden, incompetent person. Notice—The undersigned will sell in one parcel at private sale the following described real estate, consisting of land undivided, to interest therein, beginning 32 feet east and 40 feet south of the northwest corner of lot 7, block 30, plat "11," Salt Lake City survey, from the south 25 feet, thence east 7 rods to place of beginning, together with a right of way over a 2 rods street on the west side of said lot, and one wide alley on the east side thereof, said parcel of land is located in the City and County of Salt Lake, State of Utah, and will be sold to the highest bidder for cash on or before the 22nd day of April, 1904, bids will be received by the undersigned at his residence, No. 37 south Ninth West, Salt Lake City, Utah.

LARS P. OGRAIN,
Guardian of Said Incompetent.

C. M. Nielsen, Attorney for Guardian.

Bee Keepers Supplies.

Foulger & Sons carry a full line of the G. B. Lewis Co.'s make. Send for catalog and price list.
OGDEN, UTAH.

The political pot is now getting at a fever heat. There are three tickets in the field, Republican, Democratic and Socialist. Each are confident of winning, and the outcome is very hard to determine.

TABOR ALTA, CAN.

Difficulty Adjusted—Survey Completed Soon—Building Operations.

Special Correspondence.

Tabor, Alta, Canada, March 23.—The citizens held a town meeting yesterday and adjusted the trouble that has prevailed for some time past, and appointed a committee with W. F. Russell as secretary and treasurer. They will now proceed to make it a lively and prosperous commonwealth.

The survey will soon be completed and lots placed on sale at an average of \$17.50 each, and business lots at \$25. The railroad company has decided to make Tabor their principal station, so have moved the Bellevue operators, helpers, buildings, etc., down here. There is a great deal of building going on notwithstanding the cold weather. There is some talk of a big hotel here in the near future. It is a settled fact that the coal mines will open as soon as the weather will permit.

"77" Cures Grip and COLDS

HUMPHREYS' HELPS TO "77."

Head.—If you suffer from Headache, Sick Headache or Vertigo, No. 7 will cure you; if from Neuralgia or Face-ache, then you need No. 8.

Stomach or Bowels.—When you suffer from Dyspepsia, Indigestion, Weak or Sour Stomach, No. 19 is the sovereign remedy.

Back.—For Rheumatism of Lumbar, take No. 15; if the Kidneys or Bladder are involved, then you need No. 27 or No. 39.

At Druggists, 25 cents each, or mailed. Jubilee Book mailed free. Humphreys' Med. Co., Cor. William & John Streets, New York.

GARDNER DAILY STORE NEWS



Bring the boy today and fit him with a stylish new suit.
From our large and varied spring showing.
It matters not how large, nor how small he is.
There are plenty of bright, new styles here in his size.
For the little chaps we have the Buster Browns, new Vests, belt suits and blouses.
For the larger boys, from 8 to 16 years of age, the belt suits, two-piece suits and three-piece suits.
And for the big boys, the long pants suits.
All styles in scores of fashionable patterns of good wearing materials.
Suits for boys 3 to 8 years, \$2 to \$10.
Suits for boys 8 to 16 years, \$1.50 to \$10.
Long pants suits, \$5 to \$20.
Hats, caps, waists, shirts and all the other things for boys of all ages.

ONE PRICE J. P. GARDNER, 136-138 MAIN ST. THE QUALITY STORE.

\$3.50 Foster Specials.

We have these in new fashions and heels: Patent and plain tips. New styles for Spring Wear. After thirty-three years test, FOSTER'S stand today, the unrivalled and unquestioned BEST. Fit—Absolute Comfort—Durability—Style.

THE MOORE SHOE CO., 258 So. Main St. Sign of THE BIG SHOE.

Attention!

WE ASK your attention to one simple proposition: Where can you do better or as well with your small earnings, than to put them out at six per cent compound interest? Only co-operative banks can pay so much. Co-operative banks are the safest on earth. Their record proves that. Investigate ours and you will be convinced.

Deposits by Mail Receive Prompt Attention.
Established 1892. Assets, \$447,000.

Western Loan & Savings Co., 49 E. FIRST SOUTH.
A. H. ADKINSON, Cashier. P. W. MADSEN, President.

Think of Barton's Store

Whenever you think of clothes. Our whole energy is concentrated on securing good things for you to wear.

This is true of Clothing
This is true of Headwear
This is true of Furnishings

Our spring styles are now making a strong appeal to your EYE,—while our reasonable prices make an equally strong appeal to your PURSE.

WE'RE WAITING TO SERVE YOU.

BARTON & CO., 45-47 MAIN STREET.

THE ONLY ONE

There is only One Genuine-Syrup of Figs, The Genuine is Manufactured by the California Fig Syrup Co.

The full name of the company, California Fig Syrup Co., is printed on the front of every package of the genuine.

The Genuine-Syrup of Figs— is for Sale, in Original Packages Only, by Reliable Druggists Everywhere

Knowing the above will enable one to avoid the fraudulent imitations made by piratical concerns and sometimes offered by unreliable dealers. The imitations are known to act injuriously and should therefore be declined.

Buy the genuine always if you wish to get its beneficial effects. It cleanses the system gently yet effectually, dispels colds and headaches when bilious or constipated, prevents fevers and acts best on the kidneys, liver, stomach and bowels, when a laxative remedy is needed by men, women or children. Many millions know of its beneficial effects from actual use and of their own personal knowledge. It is the laxative remedy of the well-informed.

Always buy the Genuine-Syrup of Figs

MANUFACTURED BY THE CALIFORNIA FIG SYRUP CO.

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PRICE FIFTY CENTS PER BOTTLE