

## GIRL ADMITS SHE SWORE FALSELY

Edna Thomas Creates Sensation  
In Trial of Bingham  
Newspaper Man.

### HAD PASSED AGE OF CONSENT

Her Former Statement was That She  
Was Under 18, and Was Made, She  
Claims, on Advice of Attorney.

Martin F. Hoben, a Bingham newspaper man, is on trial before a jury in Judge Armstrong's court for a statutory offense. The complaining witness is Edna Thomas of Bingham, who was supposed to be under the age of 18 when the crime is alleged to have been committed, but who yesterday created a sensation by declaring that she had not told the truth regarding her age, and that her false statement was made upon advice of Attorney A. B. Edler. The admission was obtained from the girl upon cross-examination.

Relying upon the sworn statement of Miss Thomas that her eighteenth birthday occurred Nov. 21, 1905, the state had charged Hoben with an offense the penalty for which is a long term in the state prison. If it should develop that she is at least one year older than the age first given, the offense, if proven, would call for a maximum of six months in the county jail.

The Hoben case caused considerable notoriety several months ago, when it was alleged by Attorney Edler that County Attorney Hanson refused to prosecute Hoben, because the latter was a schoolmate of his. The matter was finally taken up by District Attorney Fred C. Loomis, an information was filed against Hoben, and the case came up for trial yesterday.

**GIRL VERY BITTER.**

While admitting having perjured herself in the complaint against Hoben, yet Miss Thomas was very bitter in her denunciation of the accused while upon the stand yesterday. She said that her relations with defendant began while she was under the age of consent, but that the facts were made the foundation for the complaint were of subsequent date.

### BROTHER SUES SISTER.

Arthur Goodall Seeks Injunction to  
Recover Money in Bank.

A restraining order and an order to show cause was yesterday issued by Third District court in the case of Arthur Goodall against his sister Mary Goodall Perry. The brother claims that their father, James Goodall, died at the time of his death in this city, February 24, 1908, left over \$1,016 in the bank. For more than a week prior to his death, he had been withdrawing money from the bank, and had wholly incompetent to transact business. He alleges that during this period, Mary Goodall Perry, by means of undue influence, had secured from her father two days prior to his death to assign to her the money in the bank and that Mrs. Perry since that time has had the money withdrawn from the bank and has withdrawn \$100. The special administrator therefore prays that the pretended assignment be declared null and void, and that he have judgment for the sum of \$1,016 as stated.

### MRS. MOLLER SEEKS DIVORCE.

Sequel to Troubles Which Have Been  
Aired in the Press.

Mrs. Moller now asks for a divorce from her husband, Nicholas Moller, as a sequel to their troubles which have been given considerable space in the press of Salt Lake recently. Mrs. Moller alleges cruelty and proceeds to cite a case in September, 1906, when she and her husband were on a visit to Germany. Plaintiff declares that on the occasion her husband seized her by the hair, jerked her from the kitchen into the dining room and otherwise mistreated her, at the same time striking the baby. Mrs. Moller further alleges that on the night of Feb. 23, she was stricken violently on the nose and back in a room from which she escaped through the window to the home of a relative. Plaintiff asks for a decree of divorce, the custody of her child, alimony and suit money.

### NEW TRIAL ORDERED.

In the Matter of the Will of Branch  
Young.

The supreme court yesterday afternoon handed down a decision reversing the decision in the matter of the will of Branch Young. Mr. Young died in Utah county, Feb. 15, 1906, leaving an estate of \$50,000, which was bequeathed to Pernelia Young. Alleging that undue influence had been used, Johnson W. Young, Abigail P. Young and Sarah W. Young, contesting the will, but the case was decided adversely to them.

### COURT NOTES.

The case of Thomas H. Morrison against the city of Salt Lake for damages on account of the closing of grade on Second North Street was dismissed by Judge Lewis yesterday owing to lack of evidence.

The jury in the case of W. F. Boxwell, Jr., against the Oregon Short Line Railway company found there was contributory negligence and consequently yesterday afternoon brought in a verdict for the defendant. Boxwell sued

## Sleep And Rest

Every movement of the body consumes energy. So does mental effort. Energy is supplied by the nerves. It follows that physical or mental exhaustion simply means an over-draft on the nerves. Nature restores energy through rest and sleep. You cannot sleep with tired nerves. Dr. Miles' Nerve soother the irritation and restores nervous energy.

"Although I have lived nearly 78 years, I have stood up against testimonials for publication, but the universal excellence of Dr. Miles' Nerve soother, a medicine for inherent nervousness, intensified by long residence in a high altitude, compels me to recognize its superiority over every other medicine I have ever used for nervousness, sleeplessness, I feel sure that the Nerve soother is from the purest of ingredients, and in most medicinal cases for insomnia, and can conscientiously recommend it to the aged and nervous." MRS. W. H. FURMAN, Colorado Springs, Colo.

Dr. Miles' Nerve is sold by your druggist, who will guarantee that the first bottle will benefit. If it fails, he will refund your money.

Miles Medical Co., Elkhart, Ind.

for \$24,000 for the loss of his father who was killed by an engine at Blackfoot, Ida., Nov. 15, 1905. The evidence showed that the old gentleman was very deaf.

Amy Rogers asked for her maiden name of Amy Paulmer be restored to her. It was for divorce filed in the district court against her husband Ed Rogers. They were married in Denver on March 26, 1907. Plaintiff alleges that he has failed to provide the necessities of life for the past six months.

"Regulates the bowels, promotes easy natural movements, cures constipation—Doan's Regulators. Ask your druggist for them. 25 cents a box."

Make a note now to get Ely's Cream Balm if you are troubled with nasal catarrh, hay fever or cold in the head. It is purifying and soothing to the sensitive membrane that lines the air passages. It is made to overcome the disease, not to fool the patient by a short, deceptive relief. There is no cocaine nor mercury in it. Do not be talked into taking a substitute for Ely's Cream Balm. All druggists sell it. Price 50c. Mailed by Ely Bros., 56 Warren Street, New York.

### MUSICAL FESTIVAL, April 1, 2.

Tickets Clayton Music Co., Monday.

### FIRST SOUTH PAVEMENT

L. C. Miller and E. J. Kiser Appear  
Before Committee and Ask  
For Utah Asphalt.

The committee on finance of the city council wrestled last evening with the problem of material for paving First South street. In the call for bids Utah asphalt was the only kind mentioned, but in the bids submitted California material figured and won out. It was stated to be cheaper and could be laid in less time, so P. J. Moran was given the contract to lay California asphalt.

L. C. Miller and E. J. Kiser appeared before the committee last evening and asked that Utah asphalt be used. A. F. Doremus was willing to accept of the imported article. It was finally decided that an expert should be sent by the city engineer to the asphalt plant to ascertain what the quality of the product is and what would be the facilities for shipping it to Salt Lake. It is quite probable that the citizens who desire the home product will send a representative along with the expert.

### FREQUENTED POOL ROOMS.

Four Boys of Good Family Appear in  
The Juvenile Court.

Four boys were before Judge Gowans of the juvenile court yesterday afternoon on the charge of frequenting pool rooms and as a consequence complaints were subsequently issued from the county attorney's office against F. R. Nelson, 11 West First South street, and Peter C. Taurasia, 317 South State street, charging them with contributing to the maintenance of the pool room. The boys came from good families of this city and stated that they were in the habit of playing pool at the Y. M. C. A. room, but owing to the tables being occupied they went elsewhere to play a game. While so engaged Guardsman Brown, chief of police, happened to drop in and notified the boys to appear in the juvenile court.

### LANDS THROWN OPEN.

Lands in townships 18 and 20, range 1 west, are to be opened to state selection and if there is anything left when the state has finished, it will be thrown open to public entry.

### STOLE A GOLD WATCH.

S. Rasmussen, a youth 20 years of age, was arrested this morning by Police Officers Seager and Olson on the charge of petit larceny. There is a probability that a complaint for burglary will be filed against him. He is accused of entering the room of a Commercial street woman named Grace Fuller and stealing therefrom a gold watch. The timepiece was found in Rasmussen's room, but he denies the charge against him.

### BASEBALL GAMES.

San Francisco, March 5.—Fourteen players, comprising team number two of the Chicago "White Sox" American league arrived here this morning from Los Angeles. Commencing tomorrow a series of games will be played at Recreation park between the visitors and the San Francisco team of the Pacific Coast league. A schedule of games has also been arranged between team number one, now at Los Angeles and the local club, to be played at the conclusion of the series with the Los Angeles nine in the southern metropolis.

### SWIMMING RECORD GOES.

New York, March 5.—Swimming in his best form in the 100-yard race, breast stroke, at the sportsman's show in Madison Square Garden, tonight, Harry Handley of the Illinois Athletic club, Chicago, established a new world's record at this distance and style, making the 100 yards in 1:27.2. The former record, also held by Handley, was 1:28.1. Charles M. Daniels, the champion, decisively defeated Handley in a special race, leading from the crack of the pistol and at the end being twenty yards in front. The time was 2:15 seconds, which equals Daniel's best American record for the distance.

## ALL READY FOR STATE TOURNAMENT

Basketball Teams Line Up Tonight to Settle Championship.

### LIVELY GAMES ARE PROMISED

The First Round in Elimination Contests, Consisting of Four, Take Place at Y. M. C. A.

Basketball enthusiasts are due to get their fill of their favorite indoor sport. All is in readiness for the opening of the state tournament which takes place tonight in the gymnasium of the Y. M. C. A. and some of the liveliest games of the season are looked for. This evening the first round, consisting of four games, will be played. Here is the schedule for this evening:

At 6:30 p. m. the Salt Lake High school and Granite High school will meet at 7:30, L. D. S. first and Y. M. C. A. second; at 8:30, Y. M. C. A. first and University of Utah, and at 9:30, Aggies and L. D. S. second.

Regardless of the final outcome, many teams that have not figured to any great extent in basketball this season, have willingly come forward with entries to help the sport. Maddock will have a strong team in the tourney and some of the other teams will have to hustle to beat out the boys. The program of the tournament will be turned over to a committee and will be used for the all western track meet scheduled for May 30.

It is expected that the main fight will be between the Y. M. C. A. and the Aggies and the latter making great headway in basketball of late and will certainly make a good showing in the coming contests. The L. D. S. and the association teams are in excellent shape and when they line up the spectators will see some fast and clean basketball.

### "PENNY GOSSIP."

The Salt Lake High school basketball team met defeat at the hands of the university prep at the U. gymnasium yesterday afternoon. The score was 49 to 25.

Willie Hoppe, the boy billiardist seems to be in great form these days. Last night he again defeated Demarest, turning out the best points in eleven innings with an average of 38.4-11. Total for four nights; Hoppe, 1,600; Demarest, 983.

Yesterday afternoon the National baseball commission at Cincinnati, awarded to San Francisco player Arreola, the title of manager of the American league team of New York.

The students at the B. Y. U. of Provo are enthusiastic over the outlook for baseball this coming season. They propose to have a first class team if it is possible to make one out of the material now on hand. There are already 52 applicants for positions on the team.

A dispatch from Los Angeles says that Jimmy Britt has signed for a twenty-four round contest with Paddy McFarland of Chicago, to take place on the night of March 13. The weight will be 133 pounds at 3 o'clock.

This young fellow McFarland is likely to give James Edward a good trimming in a twenty-four round battle.

Another indoor baseball game was played last evening. The University defeated the B. Y. U. team in a league game, 23 to 12. The teams lined up as follows:

U. OF U. CO. H.  
Houston..... C..... Young  
Hornell..... P..... Campbell  
Simpson..... 1B..... A. W. Young  
Keyling..... 2B..... A. W. Young  
Holdsworth..... 3B..... Barker  
Roberts..... R. S. S..... King  
Spitko..... L. S. S..... Wilson  
Talmage..... R. F..... Williams  
Jones..... L. F..... Williams

Reports have it that "Fighting Dick" Hyland, the pleasant little boxer from the coast, has quit Sammy McClinton and has gone east for a match. There are many fight fans who will congratulate Hyland in taking this step because Sammy has acted in a rather peculiar manner with reference to getting matches for Hyland. The latter says he is tired of fighting second raters. Another report has it that Dick has taken on Billy Gibson as manager and if this is true Hyland has just jumped from the frying pan into the fire. Gibson has a most unsavory reputation in the world of sport where ever he has taken part in athletics. Crooked foot races and frame up wrestling bouts to name a few, are unknown to Gibson. Hyland will certainly make a mistake if he allows Gibson to represent him.

At Trinidad, Colo., a few days ago, the famous (?) Mexican Pete won and lost a decision. He won when he beat his wife unmercifully. He lost when he appeared in court and the judge rendered a decision which cost Pete \$25. These men have been something decidedly wrong about the affair. Think of a 215 pound Mexican beating a woman! Pete has been reported dead several times, in a literal sense, but of course everybody knows he is a dead one when it comes to fighting—except when he fights a woman. Even then he would probably lose if the woman discovered the large streak of yellow Pete carries around with him.

### MATCH FOR ATTELL.

Signed to Fight Jerry Driscoll, English Featherweight.

San Francisco, March 5.—Luke Marlich of the Occidental Athletic club, has secured Atte'll's signature to articles binding him to fight Jerry Driscoll, the crack English featherweight, for the championship in that class. The contest is to take place in this city in April, the date to be set later. A telegram to the above effect was sent to the British champion today. Driscoll is to be guaranteed \$1,000 and will draw all traveling expenses. The match will be at 122 pounds ring-side.

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Nearly all our little ills come through inactive bowels. Those days that you lose because you don't feel right—**Cascarets** will save them all.

In the old days, physic was dreadful—calomel, castor oil, salts or cathartics. And they were worse than they seemed, for they irritated the stomach and bowels.

They acted much as pepper acts in the nostrils. They flooded the bowels with fluids. But those fluids were digestive juices. And a waste today means a lack tomorrow.

You secured relief, but you were actually worse off than without it. It's different with Cascarets. Their effect is the same as that of laxative foods, or of exercise. They stimulate the bowels to natural action.

No griping, no irritation. They act as a bowel tonic.

The old way, too, was to take large doses of physic. People waited until the bowels were clogged.

The new way is to take one Cascaret when you need it. Carry the box in your pocket or purse.

Ward off the troubles instantly. The modern plan is to keep at your best. The old way wasted too many good hours.

Cascarets are candy tablets. They are sold by all druggists, but never in bulk. Be sure you get the genuine, with CCC on every tablet. The price is 50c, 25c and

TEN CENTS PER BOX



**MODERN  
PAINLESS  
DENTISTS**

Teeth without plate a specialty.  
**Painless Extraction or No Pay.**  
Open daily till 6 p. m. Sunday, 9 to 12.

**\$3 SAMPLE GOLD CROWN, 22K \$3**

275 SOUTH MAIN

Set of Teeth ..... \$5  
Pink Pearl (finest made) ..... \$10  
Best red rubber ..... \$7  
Bridge work (best), \$4 to ..... \$5  
Silver filling ..... \$1.50

15 YEARS' GUARANTEE, LADY ATTENDANT.

## PATENTS

We desire to announce that we have established in connection with our paper, a Patent Bureau, and invite the co-operation of Inventors, Mechanical Engineers, Draughtsmen, Machinists, Superintendents and Foremen of Shops and Mills. Skilled Mechanics in all trades, Farmers and all others, in building up a patent system, that will give honest advice to investors, protect their interests by good patents and strong contracts; assist inventors in perfecting their inventions, and in selling their patents when obtained; and in all matters to render careful service and give full value for money paid.

We have associated with us at Washington, D. C., an attorney who has been in continuous practice for the past twenty years, and we are in position to guarantee that any patent matters placed in our hands will receive prompt and careful attention, and that the charges will always be moderate.

We also, in addition to securing of patents, obtain Trade-Marks, Copyrights, Labels, Design Patents, and in fact transact business of all character in this line.

All patents secured through our Bureau will be advertised for sale at our expense, and will thus be brought to the attention of the thousands of readers and materially assist the inventors in disposing of their patents.

If you have made an invention, send us a rough sketch and description with \$5, and we will have our attorney make a thorough search of the records of the United States Patent Office, and advise you as to the securing of patent, the cost and the manner of proceeding.

PATENT BUREAU, THE DESERET NEWS, Salt Lake City.

## For Sale!

Salt Lake City Coupon Paving Warrants (\$500 and \$1,000 denominations) bearing 6% interest. Redeemable in ten annual payments. A safe, conservative and paying investment, especially desirable for small investors.

**P. J. MORAN**  
BOARD OF TRADE BUILDING, CITY

## Need Money?

You wouldn't have been so short of cash if you had turned in your claims last month. You would be so pressed next month if you turn in your claims now. We recently collected \$140.00 for Sidney Stevens Implement Co., of Ogden. Claim was 14 years old. We had it for collection nearly 14 years.

**Turn in Your Claims**

**MERCHANTS' PROTECTIVE ASSOCIATION**  
Scientific Collectors of Honest Debts,  
77-79-81-83-85-87-89 and 100 Commercial Nat'l Bank Bldg., Salt Lake City, Utah.

FRANCIS G. LUKTE, Gen'l Mgr.  
"SOME PEOPLE DON'T LIKE US."

**Some Business Men Are Too**

**"Conservative."**

If a farmer concluded not to plant seed, it, because crops would be as wise as the merchant who "conserves" the money which should be invested in publicity, because he has it in bank, and because he fears that publicity may not be completely profitable.

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### DELINQUENT NOTICE.

BLACK JACK CONSOLIDATED MINING COMPANY—Principal place of business, Provo City, Utah.

Notice—There are delinquent upon the following described stock on account of assessment No. 1, of three cents per share, levied on the 10th day of January, 1908, the several amounts set opposite the names of the respective stockholders, as follows:

No.	Name	Shares Amt. Due.
30	Caleb Haws	33 1.98
34	M. Petersen	37 2.22
67	Geo. A. Storrs	42 2.52
67	David Kinsey	47 2.82
79	Mar. Duggan	52 3.12
86	Wm. H. Tibbals	53 3.18
97	J. C. Sullivan	53 3.18
102	Mar. Duggan	53 3.18
115	J. C. Sullivan	53 3.18
116	J. C. Sullivan	53 3.18
117	J. C. Sullivan	53 3.18
118	J. C. Sullivan	53 3.18
119	J. C. Sullivan	53 3.18
120	Wm. H. Tibbals	53 3.18
204	J. A. Pollock & Co.	100 6.00
230	L. E. Eggersten	400 24.00
285	P. C. Peterson	50 3.00
470	Geo. Y. Wallace	120 7.20
426	Thompson & Brown	100 6.00
469	R. E. Keady	125 7.50
598	Mrs. Mary I. Banes	125 7.50
croft	Mrs. Mary I. Banes	500 30.00
croft	Mrs. Mary I. Banes	500 30.00
870	Mrs. Mary I. Banes	683 40.98
612	H. R. Davis	100 6.00
874	P. R. Davis	100 6.00
1045	Jas. C. Gibson	500 30.00
1046	Jas. C. Gibson	500 30.00
1047	Jas. C. Gibson	500 30.00
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1094	Jas. C. Gibson	500 30.00
1095	Jas. C. Gibson	500 30.00
1096	Jas. C. Gibson	500 30.00
1097	Jas. C. Gibson	500 30.00
1098	Jas. C. Gibson	500 30.00
1099	Jas. C. Gibson	500 30.00
1100	Jas. C. Gibson	500 30.00