KNOTTY CASE IS FINALLY DECIDED

Supreme Court Hands Down **Opinion Settling Mining** Dispute.

DISMISSAL OF SUIT ORDERED.

Question Arose Over Deal in Which John A. McAlister Acted as Peacemaker.

Without deciding a point of law or citing an authority, the supreme court handed down an opinion on general principals today reversing the declsion of the lower court and ordering the dismissal of the case of A. E. Cranney, N. W. Klimball, Joseph E. Cadron, Melvin J. Ballard, Louis S. Cardon, Jacob West, John P. Cardon, Robert Murdock, L. C. Farr, A. H. Palmer and W. G. Davis against John A. McAlister, appellant. The suit was brought to compel McAlister to account for 5,000 shares of stock he account for 5,000 shares of stock he received in the Zonoli Silver-Copper Mining company while acting as peace maker between two warring factions. It was through the clever manipula-tion of McAlister that the plaintiffs secured stock in the company and because he secured a block of 5,000 for his services they wanted a share in the secure of the stock of the stock of the secure of the secure

for his services they wanted a share in it. According to the evidence in the case Murdock, one of the plantiffa, met E. H. Wilson, a mining promoter at the Wilson hotel on Nov. 8, 1908. Wilson told Murdock of an option he had on the Zenoli Mining company's claims from P. D. Delmas, the owner. Wil-son told Murdock that if he could raise \$15,000 that he would give him and his associates a one-hundredth interest in the claims for every \$1,000 he in-vested. Murdock investigated the prop-erty and found that it was valuable. When he returned to his home in Logan, he interested the others in the deal and they subscribed the nec-esscary amount, and turned it over to Wilson who put it in Walker Bros, bank as agreed. OPTION ONLY ORAL

OPTION ONLY ORAL

McAlister, who also lives in Logan

OPTION ONLY ORAL McAlister, who also lives in Logan, was one of the subscribers, and came to Salt Lake to investigate the deal further. He found that Wilson had only an oral option on the property and that Joseph Lippman, W. W. Wantland and others had a' written option on the property. Wilson and Lippman and his asso-clates were at outs and the former had threatened sult. McAlister stepped in as peace maker and finally arrang-ed with Lippman for stock in the com-pany for himself and other Logan as-soclates under the same terms as the agreement with Wilson. To ward off a suit McAlister made a final settle-ment between Wilson and Lippman whereby Wilson was to have 12,000 shares in the company. Of this amount Wilson gave McAlister 5,000 for fixing up their differences. It was this 5,000 shares sought to have divided equal-ly between them. The supreme court held that the plaintiffs in the action received all that was coming to them under the agreement with Wilson and that the 5,000 which McAlister receiv-ed was a side issue and a reward for his services as peace maker.

DEMURRAGE CASE SUBMITTED. In the case of the United States against the D. & R. G. Railroad com-pany, further testimony was given yes-terday afternoon before Examiner George N. Brown, by N. A. Williams, freight conductor of the D. & R. G; V. A. Thompkins, vardmaster at Thislie



respondent; Fillmore City against Fill-more Roller Mill company, appellant; Julia Murphy against R. L. Booth, ap-

pellant. May 12-Bullion-Beck & Champion Mining company against Eureka Hill Mining company, appellant: Edward Ryan, appellant, against Curlew Irrf-Mining company, the against Curlew Irri-gation company; in the matter of the estate of Thomas Miller, deceased, Mar-garet Miller and others against Elizabeth Livingstone, administratrix, appellant.

May 13-Joseph H. Roberts and oth-May 13-Joseph H. Roberts and oth-ers, appellants, against W. G. Tuttle Waddell, executrix, appellant, against William M. Waddell and others: Utah Savings & Trust company, appellant, against Adeline Stout and M. H. Walk-

May 14-William J. Barrette, appel-May 14-William J. Barrette, appel-lant, against S. A. Whitney: Lena Mey-ers against the San Pedro, Los Angeles & Salt Lake Rallway company, appel-lant; Mary Etta Chambers against C. Frank Emery, sherif, appellant. May 17-H. S. Kezminsky, appellant, against Oregon Short Line Railway company; William Brown, Jr., appel-lant, against William T. Owens; Twen-ty-second Ward corporation of the

lant, against William T. Owens; Twen-ty-second Ward corporation of the Church of Jesns Christ of Latter-day Saints against the Oregon Short Line Rallway company, appellant. May 18-Nick Jachetta, by his guard-ian, Raphael Jachetta, against the San Pedro, Los Angeles & Salt Lake Rail-way company, appellant; Volker-Scow-croft Lumber company, appellant croft Lumber company, appellant, against Mary F. Vance; Mary E. Mor-ris against the Oregon Short Line Railway company, appellant. May 19-Annie F. A. Hilton, appel-lant, against Gideon Snyder and oth-

ers; G. Harold Speight against the Rocky Mountain Bell Telephone com-pany, appellant; Mary R. Schuyler and others against the Southern Pacific Ballway comprasy appellant May 20—Florence manufacturing company against the Pacific Express company, appellant: N. F. Madsen, ap-pellant, against the Utah Light & Railway company; the Grand Central Min-ing company against the Mammoth Mining company, appellant

ALL THREE SERVED. All three of the county commissionof the filing of suit against them and their bondsmen to recover \$5,727.59 which was paid to the Inter-Mountain Republican for publishing the delin-quent tax lists without asking for bids as recursed under the law. It is our as required under the law. It is ex-pected that a demurrer will be filed to the complaint in a day or two by Booth, Lee & Badger, who have been retained by the county commissioners as coun-

DISTRICT COURT NOTES.

sel.

DESERET EVENING NEWS TUESDAY MAY 4 1909

Jan. 18, 1909. On Jan. 20 he rented a room for her in n rooming house and never returned. She says that he left her without any money to buy clothes and food and since that time she has been compelled to support herself. vessels are 1,500 men, about one-fourth are cadets. "On our going ashore we found all the Japanese stores decorated with the white flag, with red center, even the children carried and waved banners. During the afternoon the 1.500 men. In-cluding officers all dressed in spotless white suits trimmed with black braid, made an imposing appearance as they are cadets.

herself. GOT THE MONEY AND LEFT.

GOT THE MONEY AND LEFT. C. J. Anderson coaxed his wife, Mrs. Margaret Anderson, to loan him \$500 and then he descried her according to her complaint for divorce which was filed todav in the Third district court. She asks for the return of the borrowed money in two payments of \$250 each and for \$1.000 alimony to be paid at the rate of \$25 per month, They have two children. Bernice, 8 years old, and Lenora, 5 years old. They were married in Wisconsin on Jan. 13, 1839. In February, 1904. Anderson descritch her, she says and she knows nothing of his whereabouts or circumstances at this time.

fleet.

a very few months."

Utah:

DUTY ON HOSIERY.

Representative Howell Writes Mrs

Cohen Regarding the Schedule.

The following reply which was sent

the protest of the Woman's "American"

club of Utah, against the increase of

tariff duty on hosiery and gloves, was

read yesterday afternoon at the Wo-man's "American" club:

Washington, D. C., April 19. To Mrs. Elizabeth Cohen, President of the Woman's "American" Club of

Dear Madam-I hereby acknowledge

ule to which you invite attention. Yours very truly, JOSEPH HOWELL.

The secretary, Mrs. P. E. Conner, was instructed to write Congressman How

ell again and endeavor to show him the

importance of the proposed increase of duty to the women of Utah.

NEW INCORPORATIONS.

Articles of incorporation of the C. D.

The Sevier Valley Salt company filed

an amendment to its articles of incor-poration yesterday in the county clerk's office. The capital stock is increased

form \$11,000 to \$100,000, and the name of the corporation is changed to the Gun-nison Valley Salt company. The com-pany will open offices in Salt Lake City and the powers and purposes of the company are enlarged.

BUS PASSENGERS

& G. company were filed yesterday in the county clerk's office. It was or-

House of Representatives.

WILL AIR THEIR TROUBLES.

Union labor troubles will have their airing in court again Thursday when B. K. Melvin will be given a preliminary hearing before Judge Bowman on the hearing before Judge Bowman of the charge of assault. Melvin is alleged to have thrown stones and rocks at J. G. Lindsay, an employe of the Bell Telephone company, and the trouble is said to have arisen out of a con-flict between union and non-union workers. Maybu was arraigned in workers. Melvin was arraigned in court this morning on the charge of assault and after his plea of not guil'y the hearing was set for Thursday morning.

MAY PLEAD INSANITY.

Thomas H. Hammerton, charged with forging the name of County Atty. Job Lyon to checks amounting to \$50, filed an affidavit in Judge Lewis' court this morning through his attorney, William Dunn, asking for a continuance of the trial until Dr. W. H. Brown of the Keeley institute returns from the ast. It is the contention of the defense that Dr. Brown will testify that Hammerton was insane at the time he forged the

checks on account of a protracted spree. The case was continued without date. CANDIDATES FOR SINGLENESS.

F. A. Olson filed suit for divorce yes-terday from Mrs. May G. Olson on the ground of desertion. They were married here on Dec. 5, 1904, and his wife packed her things and left him on March 6, 1906. There were no children as an issue of the marriage. Mrs. Emma M. Cooke seeks a divorce from Edward S. Cooke in a complaint filed yesterday in the Third district court. She says that her husband is lengaged in the mining business and has neglected to provide for her for more thar a year. They were married here on April 24, 1905.

GOLD RAIL FILES.

The Gold Rail Mining company filed its articles of incorporation today witt, the secretary of state. It is capitalize, for \$75,000, divided into shares of 25 cents each. The company owns several mining claims in the Weber mining dis-trict. A. H. Grose is president; C. H. Hussey whee president; F. L. Wood Hussey, vice president; F. L. Wood, secretary and treasurer.

COURT NOTES.

Lily May O'Rourke and her three children brought suit today in the Third children frought stilt today in the Initia district against the Consolidated Mer-cur Gold Mining company to recover \$15,000 for the death of their husband and father, John O'Rourke, who was killed in the company's mine on Dec. 19, 1908. The complaint states that O'Rourke was attempting to put a car O'Rourke was attempting to put a car on the track when another car ran into him and killed him.

Roy H. Powell, charged with failing to provide for a minor child, was dis-charged this morning and the complaint charged this morning and the comparing dismissed on the motion of District Attorney Fred C. Loufbourow. Pow-ell's wife secured a divorce from him about two weeks ago, and he agreed to give her \$500 alimony in a lump sum providing the case against him would be dismissed.

The case of C. D. Harding against William Cederlof to settle the boundary to a piece of ground in Emigration canyon and to recover \$2,000 damages is on trial in Judge Ritchle's court today.

W. G. O'Laughlin of Vancouver, B. Mrs. Allie Norris was granted a dee of divorce today from Harvey W registered at the Knutsford. M C. is registered at the Knutstord. Mr. O'Laughlin when he is at home is a devotee of the Vancouver "national game" of cricket, and he says the sport is just coming into its season on the island. In a business way Mr. O'Laughlin is interested in the manu-facture from the immense forest trees of Vancouver the raw material for namer in other words wood nub. Norris on the ground of non-support, by Judge Armstrong on the recom-mendation of Referee Howard A. King. They were married in Grafton, West Va., on Aug. 12, 1896, and have one child, 10 years old. Mrs. Norris was child, 10 years old. Mrs. Norris was granted the custody of the child and paper, in other words wood pulp; and he expresses the hope that the duty on this particular article may be re-moved by the framers of the tariff bill SALT LAKER TELLS OF now pending before the United States Congress.

treasurer.



Eligible for Benefits of Munificent Rockefeller Fund Offered Denominational Colleges.

(Special Correspondence.) PROVO, May 4 .-- Prof. H. H. Cum-

white suits trimmed with black braid, made an imposing appearance, as they marched through the principal streets. Officials and residents of Hawaii feel gratified at the honor of having the first opportunity of welconing the ships of Japan to American waters. Officers and men of the United States navy and army are proud to be the first representative of the service, on home stations to reciprocate the splen-did welcome of Japan to the Atlantic fleet. mings, superintendent of Church schools, addressed the students of the Brigham Young university yesterday morning at devotional. Prof. Cum-"The Aso and Soya will remain in mings has just returned from New Honolulu harbor for a few days. After the cruise around the islands they will York, where he appeared before the commission having charge of the disprobably leave for America, and there is no question but the people of the United States will renew the Hawaiian welcome on a magnificent scale, and tribution of the Rockefeller \$82,000,000 Tribution of the Rockefeller \$52,000,000 fund to be given to denominational col-leges in the United States. Prof. Cum-mings reports that only twenty-nine in-stitutions of learning out of 500, which applied, were considered eligible under the provisions of the trust, and that the Brigham Young university is one of the 29. The amount this popular institution of learning will receive is not known, but Prof. Cummings asked for \$250 000. In order to assist the comwelcome on a magnificent scale, and show them great things, such grand sights that will always remain with: them as a happy remembrance. "The Japanese will bring two historic ships of a historic war—a war which produced as great a naval commander as Lord Nelson, and which saw a ven-ture in which Napoleon falled, namely, the utter defeat of Russia, achieved in a verv few months." for \$250,000. In order to assist the com-mission in its determination, Secretary Holt has prepared information touching the finances and educational standing of the university, which will be for-warded to New York. The sum, what-ever it may be, will not be paid outright but invested and the dividends paid to the university.

PROVO, May 4.—At the meeting of the city council, last evening, \$100 was appropriated to the watermaster for cleaning ditches. The watermaster re-ported that it was impossible to collect by Representative Joseph Howell to cleaning ditches. The watermaster te-ported that it was impossible to collect enough in water taxes to do the neces-sary work. The watermaster was in-structed to commence suit against de-linquents. A petition from the Provo Juvenile band for \$50 a month for maintenance was referred to the com-mittee on finance. The band in return offered to furnish free music for all public occasions. A petition for sidewalk paving on Second South, between First East and Seventh East streets, was referred to the committee on streets and alleys. Fire Chief Armitstead recommended the advance in the salarles of fire team-ster and assistant fire chief to \$60 a month; referred to the committee on fire department and mayor. County Assessor Beck reported that the assessed valuation of Provo City property for 1909 outside of property as-

the university.

Dear Madam—I hereby acknowledge the receipt of your wired protest against the increase in the duty on hosiery and gloves, signed by yourself. In reply permit me to say that the tariff bill must inevitably be unsatisfac-tory in some of its provisions to every section of the country. The Payne bill will pass the house this week, and I am pleased to say that in the main it is a very satisfactory in the main it is a very satisfactory law. Under the order of the house no amendments can be made to the schedproperty for 1909 outside of property as-sessed by the state board of equalization, amounts to \$2,580,270.

City Engineer Jacobs recommended that steps be taken for the regular extension of the waterworks system. Re-ferred to the committee on waterworks. A communication was received from Joseph R. Murdock, president of the Provo Reservoir company, asking for a conference with the council for the purpose of discussing the differences between the city and the reservoir com-pany in relation to water appropriations of Provo river by the reservoir com-pany; referred to the committee on waterworks, the city attorney, and the

ganized at Salt Lake with a capital stock of \$800,000, divided into shares of \$1 each. Of this amount 150,000 shares H. Ray appeared and asked the council to join the county in requesting the presence of a road expert to come from Washington to take charge of the construction of the Provo-Olmsted boulevard; referred to the mayor with the request that he join the commis-sioners in the matter as the represenhave been set aside as treasury stock. The company owns several claims in the Ophir mining district. The offithe Ophir mining district. The offi-cers are: D. F. Clinton, president; Al-len T. Sanford, vice president; W. E. Blair, secretary, and B. F. Duncan, sioners in the matter as the represen-

sioners in the matter as the represen-tative of the city. Contracts for sprinkling at \$3.50 a shift were awarded as follows: A. H. Knudsen, C. H. Cook, John E. Cook, A. E. Halladay, Charles E. Jones. The committee on waterworks re-ported a settlement with the Blue Cliff Canal company for damages alleged to have been done by the city to the company's canal. company's canal.

UTAH COUNTY AFFAIRS.

PROVO, May 4 .- The board of coun-PROVO, May 4.—The board of coun-ty commissioners met yesterday and transacted the following business: The county clerk was authorized to join with the city council in asking the department of the interior to send a road expert here to take charge of the construction of the Provo-Olmsted of fences by defendants is asked for, and that the defendants be restrained from trespassing upon the land in question and from tearing down the fence, pending the termination of the suit. SESSIONS-LOWE NUPTALS.

CALIFORNIA EXCURSIONS

VIa O. S. L. & S. P.

UNUSUAL THINGS

The funeral services for J. Howard Woodbury, who died of peritonitis at St. Mark's hospital Sunday, will be held at the Granger ward meetinghouse Thursday at 2 p. m. PROVO, May 4.—A marriage license has bee issued to Wesley Lowe of, St. Louis, Mo., and Nellie Sessions, of Prove of Provo.

DIED.

MURRAY.--Mrs. Harriet Ann Smith Murray died at Murray Saturday night from a stroke, aged 76. Funeral services will be held Tuesday at 2 o'clock from Murray First ward chapel.

FUNERAL NOTICE.

Any one can furnish Wall papers that Any one can furnish Wall papers that have only house cleaning qualities. To produce artistic effects requires talent and study. All our previous efforts are surpassed in excellence, good taste and merit. We have everything for a dis-tinct purpose, and a vast variety to select from. Geo. W. Ebert & Co., 57 Main. LAUGHLIN.-In this city, May 5. Mrs. Gertie Laughlin, aged 24 years, wife of William F. Laughlin and daughter of Mr. and Mrs. I. Sparey. Funeral services were seld from the family residence, 726 east Third South, today, at 3 o'clock. Interment at Mount Olivet.

HARBACH.--In this city, May 2, Fred Harbach, in his seventy-seventh year, at the residence of his daughter, Mrs. Mary Harbach, of 922 Third avenue. Interment in Des Moines, Ia.

May 6th to 18th inclusive. San Fran-cisco and return, \$31.50. To San Fran-RICHARDS.-In this city, May 3, Edward Richards, In his sixty-sixth year, at his residence, 163 south Eighth East. Funeral private. Interment in Denver, Colorado.

> THOMASSEN .- Mrs. P. O. Thomassen died at her home. Funeral was held at 2 p. m. today.



The funeral of David Evans will be held tomorrow morning at 10 o'clock, at the residence, No. 251 Fifth East street.

IN WALL PAPER

Thompkins, yardmaster at Thistle Junction; Mr. Jackson, demurrage in-spector of the Intermountain bureau, and Thomas Kief, freight conductor of the D. & R. G. There was consider-able cross-examination after which the case was submitted by the attorneys to the interstate commerce commission at Washington.

CASE WILL BE PUSHED.

CASE WILLS BE FUSHED. Wade H. Ellis, acting attorney gen-eral of the United States, has sent a letter to the Commercial club traffic bureau of this city, acknowledging re-ceipt of the petition of the shippers of Salt Lake, Provo and Ogden for an in-vestigation into alleged discrimination in rates practised by the railroads in this section. The letter contains the further assurance that the matter will receive the prompt attention of the deceive the prompt attention of the department.

SUPREME COURT CALENDAR.

May Term Begins Next Monday With Twenty-Seven Cases Up.

The May term of the supreme court will open on next Monday. There are 27 cases on the Calendar which are to be argued at the rate of three each day. The term will close May 20. The following are the cases:

May 10-State of Utah against M. F Hoben, appellant; state against Arthur

Make the Change Now I The old way of doing kitchen work with its attending drudgery has no place in 21012215月 the modern home. S D R H The McDougall Kitchen Cabinet spells happiness to every **主张教授的主要规定**体 Housewife 2. Our mi ĬĨĨĨĨ TANK WEST ·e ...9 It is practially a solution of the labor problem in the kitchen G. P. MCDOUGAL

demonstrate to you the superiority of this cabinet over all others on the market. They sell from



The Oregon Short Line Railroad com pany filed suit against the Consolidated Wagon & Machine company to recover \$5,460.30. It is alleged that the railroad ompany shipped 12 carloads of hay o Sept. 1, 1908, from Idaho to Salt Lake City and that the machine company suit money.

City and that the machine company has refused to pay the freight. Frederick Heath filed an answer to the complaint of his son, Henry O. Heath, today denying that his son has any interest in the Salt Palace grounds. The father asks to have his son's claims dealered investigation. declared invalid.

Little & Little, real estate agents have secured judgment for \$362.80 against Patrick W. German, in Judge Armstrong's court. It was given as commission for selling a certain piece of real estate.

HER DREAM OF LOVE.

Gertrude Creech Was Deserted After Two Days of Wedlock,

After two days of married life, Mrs. Gertrude Creech was left strand-ed in a rooming house here by her husband, George B. Creech, who disap-peared under mysterious circum-stances, according to her complaint for divorce which she filed today in the Third district court. She asks for the restoration of her maiden name. Gertrude McFarland. They were married in Salt Lake on

We want to

MEETING OF WARSHIPS Frank J. Hewlett Writes of the Welcome Extended to the Japancse at Honolulu. Frank J. Hewlett, on his way to Ja pan and India, writes an interesting

letter, telling of meeting the Japanese letter, telling of meeting the Japanese war ships, which are now on a visit to the Unted States. He says: "The sky was bright with tropical sunshine above, and the blue waters of Honolulu harbor seemed to be asleep. Even the S. S. Siberia seemed to feel the glory of that early April morning, as she softly churned her way through the fleet of fishing boats, towards the shore. The passengers were gathered

the neet of issing boats, towards the shore. The passengers were gathered in the dining saloon, waiting the arrival of the quarantine inspectors. With most of them the chief topics of conversa-tion were the principal sights of Hono-lulu, and the best methods of seeing them during the brief time allotted, for we had been informed that at 5 o'clock ve had been informed that at 5 o'clock

we had been informed that it's o clock sharp, we would continue our voyage to China. Others were looking through the little circular port holes watching the clustered shipping, when the boom-ing of guns was heard, and a few minutes later scores of Japanese sam-nears (beats) feeming with harpy oripans (boats), teeming with happy ori-ental humanity, shouting, "Banzai! Banzai!" passed us in the harbor. These pretty, swift craft flew Japanese banners fore and aft, and were elaborately decorated in true oriental style. It was a gala day for the Yankees of the ori-

Shortly after daybreak this morning "Snortly after dayoreak this morning the Japanese cruisers Aso and Soya were sighted off Barber's point, and at 7 o'clock they had arrived off port, swinging in toward the bell bouy. Their lead gray sides, four funnels apiece and war-like aspect generally presented an imposing appearance on the closer

an imposing appearance on the closer sea-scape immediately attracting a cos-mopolitan crowd to the docks. Hours before the ships reached their moorings, the shore line was crowded with excited Japanese anxious to welcome the war ships of their nation and pay homage to the future Togos for whose

homage to the future Togos for whose benefit the cruise is being made. "The Aso, which is the flag ship of Admiral Ijichi, is a vessel of 7,800 tons and has a speed of 21 knots. She was formerly the Russian cruiser Bayang, which was sunk at Port Arthur, and afterwards raised to be repaired and recommissioned in Japanese ship yards. The Aso carries two S-inch guns, eight 6-inch guns, 20 12-pounders. She has three torpedo tubes. 6-inch guns, 20 12-pounders. She has three torpedo tubes.

three torpedo tubes. The Soya was formerly the Russian cruiser, Variag, which was sunk at Chemulpo, Korea, after one of the hard-est little sea fights of the Russo-Jap-anese war. She is 6,500 tons, a trifle smaller than the Aso. Her command-er's name is J. Sato, a hero of the late war. The speed of the Soya is given as 23 knots, which places her in the war. The speed of the soya is given as 23 knots, which places her in the swift class of cruisers. Her armament is as fallows: Twelve six-inch guns, 12 12-pounders, six three-pounders, and four torpedo tubes. On board the two

Mr. and Mrs. C. F. Turner, Mrs. W H. Nicholson and Mr. William Turner of Buffalo, N. Y., are guests at the

W. E. Darling and wife and Master Guy Darling of Lehi are registered at the Cullen

E. W. Mathewson, a mining man from Anaconda, is at the Wilson.

W. L. Rope of Rawhide, Nev., is a guest at the Knutsford.

H. M. Glidden, a prominent business man of Spokane, is stopping at the Knutsford for a day or two.

W. J. Atkinson of Sparks, Nev., Mrs. Lambert and daughter of Cleveland, O., Mr. and Mrs. Julius Vogel and Miss Mary Rinzel of Newark, N. J., are tourists stopping at the Wilson



The weather has grown warmer, the mercury registering yesterday 75 de-grees, the record for the year so far, while today, it is likely to be even high-er. The winter is evidently over, and gone, though, there may be a brief turn in climatic conditions; but it does not appear so now, as the sun is so high. Down at Yuma and Phoenix the ther-mometer is up in the inneties. There has been very little rain over the coun-try in the last 24 hours. It is so warm in Salt Lake today that straw hats are a comfort, and winter clothes a burden. The air pressure is below normal throughout the country this morning, except over the Pacific, Gulf and middle and south Atlantic states. The only disturbance on the map is central over the British northwest territory. Frosts occurred this morning over the upper Mississippi valley and lake region, while much warmer weather prevalls over the weatern half of the country. Precipita-tion has been quite general in the lower Mississippi valley and over the Atlantie states. Fair skies are predicted for to-morrow. METEOROLOGICAL REPORT

METEOROLOGICAL REPORT. METEOROLOGICAL REPORT. Record at the Local office, United States weather bureau, for 24 hours end-ing at 6 a. m. today: Temperature at 6 a. m., 52; maximum, 75; minimum, 49; mean, 62, which is 8 degrees above normal. Total deficiency of temperature since the first of the month, 1. Accumulated excess of tem-perature since Jan. 1, 244 degrees. Ac-cumulated excess since Jan. 1, 1.77 inch. Relative humidity at 6 a. m. 42, per cent.

NO NAGGING

In the home where the husband remembers his wife and children often with a box of Startup's Fruited Bitter Sweets, Eonnie Brier or Downy Chocolates. Their "confection perfection brings perfection of affection." 25c to 80c the box everywhere.

Sweetly thing, STARTUP CANDY CO. Provo "The Candy City."

the construction of the Provo-Olms boulevard. This was after a repo-had been received from W. H. Eay the commercial club finance comm tee to the effect that between \$7, and \$8,000 of the amount pledged

tee to the effect that between \$7,00 and \$3,000 of the amount pledged to be raised by popular subscription for the construction of the boulevard '44 been subscribed, and that there wan o doubt whatever, of the full \$10,00 being secured. Mr. Ray stated further that Press dent Brimhall of the Brigham Youn University had offered 500 days' wor to be given by the students. He ha also requested that the road expert be secured and brought here if possible before the university closed for the summer vacation, as President Brin hall was anxious to have him delive a course of lectures on road buildin before the students. Road supervisor Clinger brought u the matter of danger to the lower river bridge from high water, and was decided to take up the matter with the city council and unite with the city in work needed to prote the bridge. A petition was also r ceived from property owners along the river, asking that the river be key free of debris to prevent overflow of water. Supervisor Clinger was in structed to secure the service David Kinnear for this work. The resignation of Theodore Farly T., as constable of Provo Bench pri-cinet, to take effect May 10 was a cepted. The county officers reports the following fees collected in Apri Sheriff \$32: Recorder \$547.95; Cler \$858.35: Treasurer \$11. The treasurer's reports showed th

Sheriff \$32: Recorder \$547.95; Clerk \$858.35; Treasurer \$11. The treasurer's reports showed the following condition of the several funds in his charge: General fund; Disbursed during April \$7,398.66; balance on hand \$14,944.78. States jurors and witnesses fund; \$9.70 over-draft. County school fund; disbursed during April \$1,398.81; balance on hand, \$573.02. State school fund; Disbursed during April \$21.747; Bal-

hand, \$573.02. State school fund; Disbursed during April \$21,747; Bal-ane on hand, \$45.10. During the day the commissioners made a tour of inspection of the County Infirmary and grounds, which were found to be in a very satisfactory condition.

ROBBERIES REPORTED.

PROVO May 4.—On Saturday after-noon Mr. Johnson, of the Johnson Paint & Glass company, located in the Eidredge Block, had taken out \$80 in checks and one \$10 bill to de-posit in the bank. A customer whom Mr. Johnson cannot very accurately describe came in for some oil, while Vr. Johnson cannot very accurately Mr. Johnson cannot very accurately describe came in for some oil, while Mr. Johnson went out of the room to get it. After the customer had paid for the oil, and left Mr. Johnson look-ed for the checks and money, which had been left on the safe, but he found they had disappeared. It is not known, of course, that the man who bought the oil took the money but if he were known he might be able to tell whether other people came into the store while Mr. Johnson was out, and Mr. Johnson is therefore anxious to locate the customer. Between Saurday night and Mon-day morning a Miss Chipman, who boards with Mrz. Belle Nelson lost \$45, by robbery. She had this amount in a purse in her trunk, Saturday evening, and Monday morning the money was gone, nothing else was taken. The officers are of the opinion that the theft was committed by some one well acquainted with the premises.

premises.

TRESPASS DAMAGE SUIT.

PROVO, May 4.—James L. Meldrum has commenced suit in the Fourth district court against Lucian N. N. Hinckley and Edwin S. Hinckley to quite tille to 60 acres of land north-east of Provo. Five hundred dollars damage for traspass and distruction

30c White French and Sylvia Lawns and White Mer- cerized Batistes In this sale, per	35c White India Linons and White Persian Lawns In this sale, per yard—	In this sale, per yard— 40c White India Linons and White	21c 40c White Fren c and Sylvia Lawn
21c 50c White India Linons and White	24c 45c White Per- sian Lawns In this sale, per	Persian Lawns In this sale, per yard— 26c	In this sale, po yard— 26c
Persian Lawns In this sale, per yard— 34c	29c	50c White French and Sylvia Lawns and White Mer- cerizee Batistes	Lawns In this sale, pe yard—
55cWhite French and Sylnia Lawns and White Mer- cerized Batistes In this sale, per yard— 39c	60c White French add Sylvia Lawns and White Mer- cerized Batistes In this sale, per yard— 42c	In this sale, per yard— 34c	75cWhite Persia Lawns In this sale, p yard— 54c
75c White French	85c White French and Sylvia Lawns	42c	\$1.00 White French and Sylv Lawns and Whit
and White Mer-	and White Mer- cerized Bafistes	85c White Per- sian Lawns	Mercerized Batistes In this sale, p yard— 72c



Will find the time spent at our plano parlors listening to a demonstration of our "ANDERSON" piano to be not only a pleasure, but a revelation. The rich tone and melody of the "Anderson" is found in no other plano-it is the perfection of master artists' conception of real music.

In this sale, per yard-

84c

With an Anderson in the home the children will grow up with appreciation of the value of music-the older folks will find keen pleasure and comfort in its depths.



In this sale, per yard-

\$1.10

No reason to wait until you have the full amount-our easy payment plan will put a plano in your home at New York prices-we are out of the high rent district-we don't have to make such high profits, Visit us at your pleasure-plano demonstration free. Payment terms, \$10.00 monthly.

