

SUPREME COURT DISMISSES CASE

Action of Springfield Against the Town of Mapleton is Settled.

WAS DONE BY STIPULATION.

Judgment Will be Entered by Lower Court According to the Agreement Entered Into.

The appeal in the case of Springfield City against the town of Mapleton, appellant, was today dismissed by the supreme court as the action has been settled by stipulation between the parties. The court ordered the case removed to the district court from which it was appealed, with instructions to enter a judgment according to the terms of the stipulation.

The action was brought to quiet title to the waters of Hobbie creek, and the plaintiff and defendant have arrived at an agreement as to the use of the water. Hence the appeal was dismissed.

VERDICT FOR PLAINTIFF.

Christina Pugmire Given \$3,500 by Jury—Against O. S. L. Company.

In the damage suit of Christina Pugmire against the Oregon Short Line Railroad company, which was tried in Judge Ritchie's court, the jury today returned a verdict in favor of plaintiff for the sum of \$3,500. The action was brought to recover \$15,000 damages for personal injuries received by plaintiff while employed as a cook on a work train at Williams, Mont., on July 22, 1935. It was shown by the evidence that while Mrs. Pugmire was at work an engine ran into the car, and she was severely injured.

The company denied that she was employed by it, but admitted that her husband was employed as cook, and Mrs. Pugmire was on the car without the permission of the company. It was also denied by defendant that plaintiff was the wife of Pugmire at the time of the accident, and if she had been she would not have been allowed on the car. The jury, however, found the issues in favor of plaintiff and returned a verdict accordingly.

BY STIPULATION.

Judgment by stipulation in favor of plaintiff for the sum of \$2,550 and costs was rendered by Judge Lewis today in the case of Jessie E. Graham and her two minor children against the Rio Grande Western Railway company. The action was brought to recover \$5,000 for the death of George T. Graham, the husband and father of plaintiff, who was killed while attempting to drive across the Rio Grande tracks on Fifth South street on Feb. 7, 1936. The case was compromised by the payment of \$2,550 and costs, and a judgment by stipulation was entered today.

BIDS FOR CONSTRUCTION

Of the Strawberry Valley Tunnel Will Soon be Called For.

Bids for construction of the Strawberry valley tunnel will soon be called for, but owing to the dry season it is doubtful if active work can begin until about May. The contract will be let for the entire length of tunnel to one individual or company, the acceptance of the contract to be accompanied by the bidder's successful bidder of a certified check for \$5,000 as a guarantee that he will not throw up the job should the tunnel be completed. The tunnel is to be 1,100 feet long, and will be required to furnish funds for the acceptance of the contract. The tunnel is to be four miles long, with a fall of 40 feet from intake to outlet, and the bore will be dug from the intake to the outlet through a pipe line, and the drilling being operated by pneumatic action. Consequently the air will be fresh and free from dust.

As soon as road building operations are possible, a road will be built from Castle to the mouth of the tunnel, along with a telephone line, and at the same time log cabins are to be built at the tunnel mouth for the men. Work can begin on the west end earlier than at the east end on account of the difference in climate.

HOLDUP LAST NIGHT.

William H. McMillan Relieved of Pocketbook and \$1.50.

A hold-up occurred last night about 9 o'clock on Third West street between Fifth and Sixth south streets in which William A. McMillan, who resides at 737 south Third West, lost his pocketbook and about \$1.50 in change. Mr. McMillan is an employee of the Oregon Short Line and had just returned on his train and started for home. When he reached the point above named two men stepped out from behind a building and held him up. One of the men ordered him to hand over his money. He slipped his watch into an inside pocket so that it was not found by the highwayman, so that the only loss he sustained was his pocketbook and some small change. After learning that the men were armed he put up some resistance and struck one of them over the head with his dinner pail and struck the other a blow with his fist. An alarm was then given which attracted the attention of residents of the neighborhood and the men escaped. As yet no trace of them has been found.

AMUSEMENTS.

Salt Lake Theater—Audiences at the Salt Lake Theater are beginning to wear the faded appearance that inevitably accompanies the end of the season. Last night's turnout only partially filled the seats, but it kept up a merry ripple of laughter, and at times boisterous applause. "Dorcas" is an old sort of entertainment. It is a comedy with musical embellishments, rather than a light opera. It has no chorus, but all the principals are given fine singing and acting chances. There is a "fat" comedy part, and a chance for considerable comic relief work on the part of several ladies. The music all bears a distinctive charm, and several of the numbers, notably "The Chess Piece," "The Bird," "A Daughter of the Nile," "Water" and "Christina," were heartily enjoyed. As for as musical attainments go, Miss Knapp as Lady Lambourne must be accorded the palm. Her bird solo was thoroughly charming, and the flute accompaniment excellently rendered by Mr. Fleischmann, who also played "The Bird." Young in the part of the comic landlady, was a host in himself, and his song of "Water" had half a dozen boisterous recitals.

Miss Hall is chiefly remarkable for her wonderful sense of preservation. More than twenty years ago she was a

CLASS OFFICERS HANGED IN EFFIGY

A Lively Scrimmage Between Seniors and Juniors at L. D. S. U.

THE CAUSE OF THE TROUBLE.

Seniors Objected to Legend Painted by Seniors on the Race Track Fence—What Was Done.

There was a hanging of class officers in effigy, a lively scrimmage and much excitement, on the grounds of the L. D. S. University this morning; and this afternoon the cause and its effect are being discussed at a joint session of joint faculty and class officials.

It appears that yesterday afternoon, the seniors built a fence across the street which opens on South Temple in order to exclude persons not wanted from crowding onto and interfering with work done on the race track. To do this work they had obtained permission; and when the fence was completed, it was painted white and during the night, the legend "Seniors out" was written on the fence. This morning, when the inscription greeted the eyes of the juniors, they at once made objection and demanded that the legend be removed.

The purpose of the younger class of students was quickly communicated to the seniors who prepared to defend their action of last night. In an instant the seniors were on the scene, and the juniors who were armed like bees from an overturned hive, succeeded in obliterating, or at least defacing the objectionable legend. Presently, the majority of students retired, and the contest was fought out between the two classes, with 400 or 500 spectators near at hand.

President Paul came from the institution, and requested all of the young ladies to go back into the college, which they did. He then made a similar demand upon the boys, and they also retired. But not until after the officers of both classes—senior and junior—had been hanged in effigy, and other demonstrations made by the juniors, who let by J. T. Hammond, Jr., and the juniors by Levi Fuller. There was no pronounced rivalry, and the contest was a main good-natured thrashing. It is believed that the only penalty that will be inflicted on the offenders is that a proper apology be made to each other, and that all offensive marks be removed from the fence, and that the class lettering be restored.

WILLARD YOUNG CHOSEN.

Well Known Army Officer and Engineer Made President of L. D. S. U.

It was announced this afternoon that the board of trustees of the L. D. S. university had decided on the successor to Prof. J. H. Paul. The new college president is Colonel Willard Young, who has served with distinction in the United States army and has filled numerous civil positions of high responsibility, and always in a manner to meet public and private approval.

Colonel Young is a graduate of West Point, and the record war with Spain was the commanding officer of the Second regiment of volunteer engineers. He is now engaged in civil engineering in this city, having recently removed his family from New York to Salt Lake.

REALTY MEN EAT.

Discuss New Sidewalks and Conclude To Print Much Local Advertising.

At today's luncheon of the Real Estate association, the Commercial club, it was decided to appoint a committee to see what the city has done and proposes to do in the matter of cement sidewalks approaching the public school buildings. At some schools such pavements have been laid, and others not, and it is considered desirable that the matter be carried out as originally intended. These walks prevent the children from tracking mud into the buildings.

The association also decided to print "From Our Point of View," for circulation all over the country; and three railroads have promised each to take and distribute 25,000 copies. Altogether about a million copies are to be printed.

WEATHER REPORT

Record at the local office of the weather bureau for the 24 hours ending at 8 a. m. today.

FORECAST TILL 8 P. M. THURSDAY.

Local forecast for Salt Lake City and vicinity.

Cloudy tonight and Thursday, with local rain or snow.

Local Forecaster.

TODAY'S TEMPERATURES.

8 a. m. 40

9 a. m. 40

10 a. m. 40

11 a. m. 40

12 noon 40

1 p. m. 40

2 p. m. 40

3 p. m. 40

4 p. m. 40

5 p. m. 40

6 p. m. 40

7 p. m. 40

8 p. m. 40

9 p. m. 40

10 p. m. 40

11 p. m. 40

12 m. 40

1 p. m. 40

2 p. m. 40

3 p. m. 40

4 p. m. 40

JUVENILE COURT CASES HEARD.

Judge Lewis Grants Petitions For Writs of Habeas Corpus.

LAW IS UNCONSTITUTIONAL.

So Declared, With Reference to Jurisdiction of Adult Delinquents—Accused Are Denied Fair Trial.

Judge Lewis this afternoon granted the petitions of Al Miller and Charles Baughmann for writs of habeas corpus, and ordered the men discharged from custody. On March 3 Miller was sentenced by the judge of the juvenile court to "not more than six months in the county jail," and Baughmann was sentenced to "not more than 30 days," for the alleged contributing to the delinquency of a girl under the age of eighteen years.

In granting the writs of habeas corpus, Judge Lewis held that the juvenile court has no jurisdiction over adult delinquents, and the section of the juvenile court law giving the jurisdiction over adults was declared unconstitutional. The principal defect in the section is that it does not provide for a jury trial in such cases. The two men were charged with an offense under the general statutes of the state and were entitled to a jury trial.

These were denied this right by the juvenile court and hence their commitment was illegal.

MAN SEVERELY INJURED.

Roof Fell on Blanchard Coniss While At Work This Afternoon.

A workman named Blanchard Coniss, employed with several other men in tearing down a building at 237 south East Temple street, was badly injured this afternoon while at work. The exact extent of his injuries could not be ascertained but it is known that they are serious and it is feared they may prove fatal.

While cleaning away some debris, part of the roof fell and crushed Coniss to the ground. Workmen hastened to the unfortunate man's assistance and had him taken to Dr. H. A. Anderson's office. Coniss lives at 1844 south State street.

ENGINEER'S AID.

La Fayette Hendrix, of Richardson.

Appointed in Irrigation Service.

(Special to the "News.")

Washington, D. C., March 21.—La Fayette Hendrix, of Richardson, Utah, has been appointed engineer's aid in the irrigation service at \$1,000 per annum.

LATE LOCALS.

Miss Colburn Ill.—Miss Louise Colburn is ill, is quite ill at the Keogh-Wright hospital of pleurisy.

Bank Clearings.—Today's local bank clearings amounted to \$770,264.04 as against \$361,951.93 for the same day last year.

Kirkman Leaves Hospital.—Samuel Kirkman, who tried to kill himself by taking a dose of carbolic acid, has recovered sufficiently to be able to leave the L. D. S. hospital.

Marion Brought Back.—Deputy Sheriff Joseph Brought returned this morning from Los Angeles, Cal., with Ed Martin, who is wanted here for criminal assault upon a young girl.

Increase in Stock.—The Utah Construction company of Ogden today filed an amendment to its articles of incorporation in the secretary of state's office by which its capital stock is increased from \$250,000 to \$500,000.

Work Three Degrees.—The Knights of Columbus will work the exhumation of the first, second and third degrees of the order, which will be held at the Ogden, Idaho and Nevada will be present.

Order Revoked.—The order calling for a grand jury for the April term of the federal court has been revoked, but that portion of the order pertaining to the grand jury stands good, and is announced in the "News" a few days ago.

To Build Office Building.—The Salt Lake Security & Trust company proposes to erect a commodious office building on its Market street property.

German Evening.—It will be German evening, next Friday evening, at the High school, where there will be songs, choruses and national airs in German, with part of a book dramatized by the High school students, presented as a play. C. H. Miles will officiate. The French section is to have an evening next month.

New Lights Arrive.—The ornamental electric light standards ordered some time ago by the city, were placed in position today by the Allen Electric company at the Pioneer monument.

They are the counterparts of the ornamental standards in front of the Emery-Holmes apartment house, and will be lighted by the end of the week.

More Rain Tomorrow.—There are but two places on the weather map today, where the mercury is below zero, at Winnipeg and Swift Current. The minimum temperature in this city was 33 degrees, and the highest 52.

The outlook for the morning is probable rain. There was a smart shower before daylight this morning, but it did not last long.

H. W. Walker, Manager.—With the retirement of Manager Lewis of Keith-O'Brien to accept a valued position with Graham Bros., of Seattle, the vacancy here will be filled by the appointment to his place of H. W. Walker, who for the last 18 months has been assistant manager, and prior to that time was with the Walker Bros. Dry Goods company. Mr. Walker is regarded as one of the best posted dry goods men in the west, and his appointment is a real triumph for the regular promotion, but in recognition of merit and ability. He is receiving the congratulations of his many friends.

Wanted, by a lady with best of references, a position as companion, reader and entertainer of an invalid or children, willing to travel if necessary. Address A. care Deseret News.

CANNON RECEIVES UNDERBILLING INVESTIGATION.

Interstate Commerce Commission Orders One to be Held In New York.

EXPECTED TO BE INTERESTING

Probably Will Unearth Frauds on Part Of Shippers Amounting to Forced Rebates.

Washington, March 21.—The interstate commerce commission today gave out for publication the following notice:

"Upon reports to the commission that many shippers in and about the city of New York have been persistently underbidding and misrepresenting freight shipped by railroads from that city, and other points in eastern territory, the commission has ordered an investigation and set the matter down for hearing at the U. S. courtrooms, New York City, on Friday, March 23, at 10:30 a. m.

It is expected some highly interesting developments will take place, indicating frauds on the part of shippers which amount to forced rebates from published tariff rates.

The members of the commission were loath to give up the details which would lead to the decision to conduct the investigation, but the information was imparted that beyond question the underbidding was intentional and that the shippers were deliberately misclassifying in order to secure the lower freight rates.

As witnesses of the commission no one was willing to admit that the railroads were a party to the alleged frauds. Many witnesses have been subpoenaed to be present at the hearing.

HAMILTON WON'T APPEAR BEFORE FOWLER COMMITTEE

New York, March 21.—Andrew Hamilton, former legislative agent for the New York Life Insurance company, today sent a reply to the Fowler investigation committee of that company, declining to appear before the committee.

The letter is dated today, and reads as follows:

"Gentlemen—I am replying to the only communication received by me from your body since my return.

"It is doubtless quite evident that by this time you should be yourselves satisfied that the statements contained in your report of Feb. 7, 1936, in regard to your examination of my accounts are seriously wrong, and when you rushed into print in order that you might wear a newspaper halo you had not, as your report incorrectly states, obtained all the information about this subject that is accessible.

"Your published interviews, which I take to be correct, because I know the facts so covered betray a startling loss of memory during your deliberations upon the subject of the weekly audit for years of my accounts and from time to time by other members of the board of trustees.

"Documents in the company's office which have not been suppressed, and which should be yourselves satisfied that your proceedings and other correspondence to which you must certainly have had access have been deliberately ignored by you, to give to the Paris policy file account a false coloration upon which to base your unwarranted accusations.

"Notwithstanding I was prepared to accept the suggestion contained in your letter, 'will you walk into my parlor, says the spider to the fly'—when you practically refused to accept my proposition choosing to proceed by the commencement of a civil action against me.

"I can appreciate that the events of the past week should not have particularly interested you, but I have participated in them, and am not perhaps caltured to put you in a judicial state of mind. I will, therefore, accept your latest challenge and meet you in a tribunal where there will be no vanity to be tickled and the scales will be held on an even balance.

(Signed.) "ANDREW HAMILTON."

"It's make-up," said the speaker. "I select the committee with all fairness. It is impossible for a case to be selected them, as that would consume a whole session. In your annual meetings you doubtless find a great variety of opinion. If you don't have a lot of damn I miss my guess. No two men have the same ideas."

President Gompers replied to this statement by praising Mr. Gardner of New Jersey, the chairman of the house committee on labor, and stated that the other members of the committee, especially the majority members, have not in the opinion of labor been shown ordinary intelligence in their treatment of affairs affecting labor.

"The general policy of Congress has been to ignore the rights of labor," President Gompers concluded.

Speaker Cannon replied that he did not think such a criticism justified and also enjoyed the labor organization to consider that they have a great responsibility resting upon them as Congress. He urged that each member of such an organization should take an oath to administer the affairs of the organization in the interests of the greatest number of persons.

"You are not the whole shooting match, but a good share of it," said Speaker Cannon. He congratulated

UNDERBILLING INVESTIGATION.

Interstate Commerce Commission Orders One to be Held In New York.

EXPECTED TO BE INTERESTING

Probably Will Unearth Frauds on Part Of Shippers Amounting to Forced Rebates.

Washington, March 21.—The interstate commerce commission today gave out for publication the following notice:

"Upon reports to the commission that many shippers in and about the city of New York have been persistently underbidding and misrepresenting freight shipped by railroads from that city, and other points in eastern territory, the commission has ordered an investigation and set the matter down for hearing at the U. S. courtrooms, New York City, on Friday, March 23, at 10:30 a. m.

It is expected some highly interesting developments will take place, indicating frauds on the part of shippers which amount to forced rebates from published tariff rates.

The members of the commission were loath to give up the details which would lead to the decision to conduct the investigation, but the information was imparted that beyond question the underbidding was intentional and that the shippers were deliberately misclassifying in order to secure the lower freight rates.

As witnesses of the commission no one was willing to admit that the railroads were a party to the alleged frauds. Many witnesses have been subpoenaed to be present at the hearing.

HAMILTON WON'T APPEAR BEFORE FOWLER COMMITTEE

New York, March 21.—Andrew Hamilton, former legislative agent for the New York Life Insurance company, today sent a reply to the Fowler investigation committee of that company, declining to appear before the committee.

The letter is dated today, and reads as follows:

"Gentlemen—I am replying to the only communication received by me from your body since my return.

"It is doubtless quite evident that by this time you should be yourselves satisfied that the statements contained in your report of Feb. 7, 1936, in regard to your examination of my accounts are seriously wrong, and when you rushed into print in order that you might wear a newspaper halo you had not, as your report incorrectly states, obtained all the information about this subject that is accessible.

"Your published interviews, which I take to be correct, because I know the facts so covered betray a startling loss of memory during your deliberations upon the subject of the weekly audit for years of my accounts and from time to time by other members of the board of trustees.

"Documents in the company's office which have not been suppressed, and which should be yourselves satisfied that your proceedings and other correspondence to which you must certainly have had access have been deliberately ignored by you, to give to the Paris policy file account a false coloration upon which to base your unwarranted accusations.

"Notwithstanding I was prepared to accept the suggestion contained in your letter, 'will you walk into my parlor, says the spider to the fly'—when you practically refused to accept my proposition choosing to proceed by the commencement of a civil action against me.

"I can appreciate that the events of the past week should not have particularly interested you, but I have participated in them, and am not perhaps caltured to put you in a judicial state of mind. I will, therefore, accept your latest challenge and meet you in a tribunal where there will be no vanity to be tickled and the scales will be held on an even balance.

(Signed.) "ANDREW HAMILTON."

"It's make-up," said the speaker. "I select the committee with all fairness. It is impossible for a case to be selected them, as that would consume a whole session. In your annual meetings you doubtless find a great variety of opinion. If you don't have a lot of damn I miss my guess. No two men have the same ideas."

President Gompers replied to this statement by praising Mr. Gardner of New Jersey, the chairman of the house committee on labor, and stated that the other members of the committee, especially the majority members, have not in the opinion of labor been shown ordinary intelligence in their treatment of affairs affecting labor.

"The general policy of Congress has been to ignore the rights of labor," President Gompers concluded.

Speaker Cannon replied that he did not think such a criticism justified and also enjoyed the labor organization to consider that they have a great responsibility resting upon them as Congress. He urged that each member of such an organization should take an oath to administer the affairs of the organization in the interests of the greatest number of persons.

"You are not the whole shooting match, but a good share of it," said Speaker Cannon. He congratulated

Superfluous Hair DeMiracle

Removed by the New Principle

DeMiracle

Removes all superfluous hair from the face, neck, chest, arms, legs, etc. It is the only hair remover that is safe, effective, and permanent. It is the only hair remover that is safe, effective, and permanent. It is the only hair remover that is safe, effective, and permanent.

a revelation in modern science. It is the only hair remover that is safe, effective, and permanent. It is the only hair remover that is safe, effective, and permanent. It is the only hair remover that is safe, effective, and permanent.

DRUEHL & FRANKEN, N. E. Cor. Main and Third South Streets.

the delegation on its representative character and urged that all men should remember that all men should be at liberty to join their organizations and that all men should be at liberty to join their organizations.

The delegation submitted a copy of the memorial to President, Mr. Tenney, of the senate, and then turned for the White House, to fill on the president.

BOSTON CLOSE.

Adventure, 6.25@6.50; Atlantic, 2.00@2.25; Amalgamated, 10.00@10.50; Boston, 37.00@37.50; Birmingham, 40.00@40.50; Calumet & Hecla, 2.50@2.75; Consolidated, 2.50@2.75; Deere & Moline, 1.00@1.25; Erie, 1.00@1.25; General Electric, 1.00@1.25; International Paper, 1.00@1.25; Kennecott, 1.00@1.25; Lead, 1.00@1.25; Little Bel, 1.00@1.25; Montana, 1.00@1.25; National Biscuit, 1.00@1.25; Northern Pacific, 1.00@1.25; Rock Island, 1.00@1.25; St. Paul, 1.00@1.25; Southern Railway, 1.00@1.25; Union Pacific, 1.00@1.25; Wisconsin Central, 1.00@1.25; Northern Central, 1.00@1.25.

AFTERNOON ON EXCHANGE.

Among the afternoon's sales of the mining exchange were:

Carson, 500 at 24 1/2;

Little Bel, 500 at 24 1/2;

May Day, 500 at 24 1/2; 500 at 25; 1,000 at 25 1/2.

NEW YORK CLOSING STOCKS.

Amalgamated Copper, 10.00@10.50; American Locomotive, 10.00@10.50; American Smelting & Refining, 10.00@10.50; Brooklyn Rapid Transit, 10.00@10.50; Colorado Fuel & Iron, 10.00@10.50; Deere & Moline, 1.00@1.25; Erie, 1.00@1.25; General Electric, 1.00@1.25; International Paper, 1.00@1.25; Kennecott, 1.00@1.25; Lead, 1.00@1.25; Little Bel, 1.00@1.25; Montana, 1.00@1.25; National Biscuit, 1.00@1.25; Northern Pacific, 1.00@1.25; Rock Island, 1.00@1.25; St. Paul, 1.00@1.25; Southern Railway, 1.00@1.25; Union Pacific, 1.00@1.25; Wisconsin Central, 1.00@1.25; Northern Central, 1.00@1.25.

MISCELLANEOUS.

Amalgamated Copper, 10.00@10.50; American Locomotive, 10.00@10.50; American Smelting & Refining, 10.00@10.50; Brooklyn Rapid Transit, 10.00@10.50; Colorado Fuel & Iron, 10.00@10.50; Deere & Moline, 1.00@1.25; Erie, 1.00@1.25; General Electric, 1.00@1.25; International Paper, 1.00@1.25; Kennecott, 1.00@1.25; Lead, 1.00@1.25; Little Bel, 1.00@1.25; Montana, 1.00@1.25; National Biscuit, 1.00@1.25; Northern Pacific, 1.00@1.25; Rock Island, 1.00@1.25; St. Paul, 1.00@1.25; Southern Railway, 1.00@1.25; Union Pacific, 1.00@1.25; Wisconsin Central, 1.00@1.25; Northern Central, 1.00@1.25.

THE MONEY MARKET.

New York, March 21.—Money on call easier, highest 2 1/2; lowest 4 1/2; ruling 4 1/4; last loan 4 1/4; time money 4 1/4; 60 days 3 1/4; 90 days 3 1/4; 120 days 3 1/4; 180 days 3 1/4; 360 days 3 1/4; 540 days 3 1/4; 720 days 3 1/4; 1080 days 3 1/4; 1440 days 3 1/4; 2160 days 3 1/4; 3240 days 3 1/4; 4320 days 3 1/4; 5400 days 3 1/4; 6480 days 3 1/4; 7560 days 3 1/4; 8640 days 3 1/4; 9720 days 3 1/4; 10800 days 3 1/4; 11880 days 3 1/4; 12960 days 3