DESERET EVENING NEWS: THURSDAY, JANUARY 18, 1906.



Could Not Agree in Damage Suit of Hilma Malmstrom vs. **Rio Grande Western.**

WOMAN'S HUSBAND KILLED.

to Recover the Sum of \$25,000 -Reported Twice to the

Court.

The jury in the damage case of Hilma Malmstrom against the Rio Grande Western Railway company returned into Judge Ritchie's court yesterday and reported that it was unable to arrive at a verdict and was discharged by the court from further consideration of the case. The action was brought to recover \$25,000 damages for the death of .plaintiff's husband, who was killed by one of de-fendant's trains at Pallas station about two years ago. The case was submit-ted to the jury yesterday afternoon and at about 5 o'clock the jurors returned into court and reported that they could not agree on a verdict, but Judge Ritchie instructed them to deliberate further on the case, and they again returned to the jury room and dis cussed the case until 11:30 last night when they gave up all hopes of arriv-ing at a verdict, and made their report to the court this afternoon.

JUDGMENT AGAINST S. P.

For the pleasure of putting him off train, the Southern Pacific com pany has been ordered to pay to Sam-uel M. Nixon, the sum of \$2,750, a verdict for this amount having been re-turned by the federal court jury in fa-tor of the plaintiff, in the case of Nixon vs. the company. Nixon bought a round trip ticket to San Francisco, a round trip ticket to San Francisco, and when he attempted to use the re-turn portion, it was taken up by a rep-resentative of the S. P. company and Mr. Nixon was forcibly ejected from Mr. Sixon was forcibly ejected from filed suit immediately on his return, asking for \$10,000 damages and costs

SUIT FOR DAMAGES.

suit has been filed in the district court by Mary Ward against the Oregen Short Line Railroad company to recover damages in the sum of \$15,000 recover damages in the sum of \$15,000 for personal injuries alleged to have been received by plaintiff at Idaho fails, Ida., on the night of Dec. 17, 905, while she was en route from fhormton to Minidoka, Ida. She alleges that she was compelled to stop off at Idaho Falls to wait for a connecting train to carry her to Minidoka, and that while attempting to pass out of the depot she fell on a defective stair-way and received serious injuries.

DIVORCE BY STIPULATION.

nee by stipulation was grant. ed E. H. Marrine yesterday from his wife, Clara Marrine. The decree was granted by Judge Armstrong, who several weeks ago, heard the testimony in the case and denied Marrine a di-vorce on the ground alleged in his upon the testimony adduced at the trial, Marrine succeeded in inducing his wife to sign a stipulation consenting to a divorce, and the document was presented in court yesterday and the di-vorce granted. Marrine charged his wife with cruelty, but he failed to prove his allegations when the case was tried several weeks ago.

of the state normal school, and short talks by Supt. D. H. Christensen of the city schools, and Principal Geo. A. Eaton of the High school. Musical numbers were rendered by the Imperial quartet waste of raw material and is seldom appreciated. "Perform unpleasant official duties in the same spirit in which you would numbers were rendered by the Imperial quartet. Prof. Stewart spoke of the qualities a High school student should keep be-fore him as ideals in life. He urged them to be honest, true to their par-ents, faithful in their work, and prais-ed the vocation of a teacher as one of the highest in human life. Principal Eaton welcomed the boys and girls to the High school, assuring them that they had an advantage over the summer graduates on account of have them discharged were the posirevensed. tions 'Act gentlemanly at all times.

"Give pleasant answers to every in-quiry and to every person without re-gard to station in life. "Persevere in every undertaking and payar give up and the state of the stat never give up. 'Be vigilant and firm at all times. "Treat prisoners with kindness, but them that they had in advantage over the summer graduates on account of the fact that they had their study hab-its on, and would pass from one school to another with hardly any perceptible

do not let them skip. "There are 9vo reasons for neglect of duty. 1-Sudden death: 2-carelessness. The first is acceptable and the other can be remedied by removal."

Another Good Man Gone Wrong.

with acute pneumonia

Another Good Man Gone Wrong. He neglected to take Foley's Kidney Cure at the first signs of Kidney trou-ble, hoping it would wear away, and he was soon a victim of Bright's disease. There is danger in delay, but if Foley's Kidney Cure is taken at once the sym-toms will disappear, the kidneys are strengthened and you are soon sound and well. A. R. Ross of Morgantown, ind. had to get up ten or twelve times in the night, and had a severe backache and pains in the kidneys and was cured by Foley's Kidney Cure. For sale by F. J. Hill Drug Co The Original. Foley & Co. Chicago, originated Honey and Tar as a throat and hung remedy, and on account of the great merit and popu-larity of Foley's Honey and Tar many imitations are offered for the genuine. Ask for FOLEY'S Honey and Tar and refuse any substitute offered as no other pre-paration will give the same satisfaction. If is mildly laxative. It contains no op-iates and is safest for children and deli-cate persons. For sale by F.J.HillDrug Co.

AN ENJOYABLE REUNION.

The Original.

change of methods.

Saints of Tenth Ward Meet and Partake of Annual Banquet.

The annual reunion of the Saints of the Tenth ward was held yesterday afternoon in the Liberty hall, where all had a most enjoyable time. The old people of the ward arrived early in the afternoon and engaged in an old-time handshake, while from 4 o'clock till 8 the 500 guests present partook of the delicious refreshments that had been bounteously provided for their delecta-tion. The following program was rention dered, much to the delight of those present:

Hymn, "Come, come ye Saints" Congregation Address of welcome

Russell, Enoch Salt and Alvin Ked-dington.

Baritone soloA. E. Braby Comic songMr. Donaldson BenedletionC. S. Martin This afternoon the younger members of the ward were entertained and this evening the affair closes with a grand ball in Liberty hall

FORCED TO STARVE.

'For

Main St.; only 25c

B. F. Leek, of Concord, Ky., says: For 20 years I suffered agonies, with

sometimes, that I could not eat. After values that I could not eat. After great for burns, cuts and wounds. At Z. C. M. L. drug store, 112-114 South Main St; only 25c. FLEECED BY "FRIENDS." Patrick Kelly of Butte Loses Diamond Pin and \$80 in Currency.

Another bunco game was worked in this city yesterday afternoon, with Patrick Kelly of Butte the victim. His loss was a diamond pin valued at \$160 and \$80 in currency.

It is the same old story. He went into a saleon for a drink and met a couple of obliging strangers. They bought him a drink. Then he bought them a drink. Then another and several more. He then flashed his bank roll and the three men became fast "friends." The obliging strangers offered to show Kelly Brignam

lodge of Masons

to cost \$15,000 to \$20,000. F. O. D. Meakin sold to R. M. Holt, 3x9 rods, No. 223 west Second North street, for \$3,609; Little & Little conducting the sales.

SOCIAL AND PERSONAL

The dinner given last evening by Miss Lillian Fitch in honor of Miss Cosgrift and Mr. Fife was an exceedingly pretty affair, the decorations being effective-ly carried out in red. Covers were laid for nine guests.

Mrs. A. N. McKay has visiting her Mrs. Robert Stringfollow of Idaho.

Mr. and Mrs. O. L. Cox have returned from Denver.

2 2 2 Judge and Mrs. Bartlett of Dakota were guests of honor at a dinner given by Mr. and Mrs. S. F. Fenton on Tues-

0 6 6 Mr. and Mrs. Orson Howard entertained yesterday in honor of Judge and Mrs. Bartlett.

. . . Mrs. E. O. Saunders will entertain at a bridge tea tomorrow in honor of her mother, Mrs. H. Zane of Alabama.

Mr. and Mrs. Clement R. Froth of Denver are visiting Mr. and Mrs. Chas. Stevenson of this city.

Miss Mary J. Pierson left yesterday for Los Angeles. Mrs. Frank D. Ely will return to the

passed away Wednesday afternoon at St. post tomorrow, after a short visit with friends in the east. Mark's hospital after an illness of a week Miss Elizabeth Cosgriff was guest of

honor at a pretty luncheon today given by Miss Gertrude McGrath.

Miss Marian Finlay, who has spent everal months on the coast, returned on Tuesday.

WESTERN MARKET LETTER.

15 .- The heavy supply of cattle, for

the season, keeps up, and prices on fed

steers are 10 to 20 cents lower than

a week ago. Butcher stuff and stock-

The run today is 13,000 head, market

ers and feeders are holding up steady,

Special Correspondence, Stock Yards, Kansns City, Me., Jan

AMUSEMENTS.

bill has been improved since the open-ing performance and is now running quite smoothly. Next week the leading features will be the Barowsky troupe of Russian entertainers, J. H. Cullen, "the man from the west," Ethel Whitesides and seveal others, while the kino-drome will have a new set of motion nictures. and a stronger market accordingly. Extra heavy runs of sheep and in the last ten days have brought about a decline of 15 to 25 cents, including a loss of 10 to 15 cents today. Supply today is to see a loss of 10 to 15 cents today. Supply today is 15,000 head, and a good deal of the stuff is poorly finished. Several strings of Monte Vista lambs are here, selling at \$6.95 to \$7.25, and some choice

At the Grand tonight the bill will be changed to "Her Mad Marriage," the plot of which was narrated in the Sat-urday "News."

The next attraction at the Lyric, com-mencing Saturday afternoon, will be the Dreamland Burlesquers, an organization numbering nearly 50 people.

MASONS ELECT OFFICERS.

For the Thirty-fifth Time Christopher

Diehl is Made Secretary.

The following officers were elected

late yesterday afternoon, by the grand

1,250

3,500 1.500

1.700

1,800

5.250

2,500 1.500

section II, township 2 south, range I east N. F. Ivins to Erik Holm, Carr Fork, Bingham I. L. Rawlins to Robert A. Brigh-ton, third interest Silver lode No. 3, Big Cottonwood Joseph Winkles to estate J. B. Field-ing, part section 20, township 2 south, range lwest

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Sometimes nervous woman's afflictions are imaginary. Again they are a form of actual and terrible illness. In any event, Hollister's Rocky Mountain Tea makes you well. A great nerve tonic. 35 cents, Tea or Tablets, onic. 35 cents, Tea or Tablets, Z. C. M. I. Drug Store, 112-114 Main Street.

A GREATLY COVETED PAINTING. The picture herewith reproduced is a famous painting which Andrew Carnegie has been trying to purchase from St. Martin's church, at Alost, Belgium, It is the work of Rubens and repre-



consider the situation safe, and recent decline only temporary. Demand is heavier than ever known before. TWENTY YEARS AGO TODAY. REAL ESTATE TRANSFERS.

DO YOU REMEMBER ?

5

Books

Open

To

Advertisers.

The steam tug Modoc exploded in the Allegheny river, at Pittsburgh, instantly killing the pilot and fatally injuring the captain, fireman and others. Mr. Stead, editor of the Pall Mall Gazette, was liberated from a threemonths' imprisonment in London. He was connected with the famous Eliza Armstrong abduction case.

TEN YEARS AGO TODAY.

George H. Snell, a prominent Salt Lakeer, died at his home in the Eighteenth ward.

FIVE YEARS AGO TODAY.

Alarming reports were circulated concerning the health of Queen Victoria of England.

The stock convention, in session in Salt Lake City, adjourned, after having chosen Chicago as the next place of meeting.

A caucus for United States senator was held by Republican members of the Utah Legislature. The vote stood as follows on the tenth ballot: W. S. Me-Cornick, 9; Thomas Kearns, 8; Arthur L. Thomas, 8; Arthur Brown, 5; George M. Cannon, 4; O, J. Salisbury, 1; Thomas Fitch, 0.





torne, Thequalled quick cure, for Throat and Lung Troubles, At Z. C. M. I. drug store, 112-114 South Main Sa.; price 55c and \$1.00, guaranteed. Trial bottle free.

with scute pneumonia. The body is at the undertaking parlors of Eber W. Hall, but arrangements for the funeral are being postponed pending the receipts of word from Mrs. Newcomb, who was telegraphed to last right, at her home in Oregon. Until a year and a half ago the New-comb family lived at Sait Lake, but they then moved to Oregon, and Mr. New-comb family lived at Sait Lake, but they then moved to Oregon, and Mr. New-comb returned last autumn to accept a position at the smelters. He was attack-ed with a cold a week ago, and Tuesday his condition became so critical that he was removed to the hospital, where he passed away. THE DIAMOND CURE

mains of the late W. H. Newcomb, who

Dr. King's New Discovery for Consump-tion, Coughs and Colds, which gave instant relief, and effected a permane

Another good house was in attendnce at the Orpheum last night. The bill has been improved since the open-

pictures. . . .

FUNERAL NOT SET. Burial of W. H. Newcomb Awaits Word From Relatives. Arrangements have not yet been completed for funeral services over the re-

day.

COURT NOTES.

Mrs. Johannah Taylor has been granted a divorce by Judge Armstrong from Frank A. Taylor on the ground of cruelty.

An attachment suit was filed in the district court yesterday by Alonzo Kes-ler against L. E. Casady to recover the sum of \$1.650 alleged to be due for money advanced to defendant by plain-tiff on Nov. 14, 1890.

The Salt Lake Building & Manufac-turing company has filed suit in the district court against Robert Breuns-bach et ux, to foreclose a lien for \$185.52 alleged to be due for material and ser-vices rendered by plaintiff in the construction of a house for defendants.

Failure to support is the ground upon Failure to support is the ground upon which lda A. Woolley is seeking a di-vorce from Ashbel D. Woolley, whom the married in this city on Dec. 12, 1878, more than 27 years ago. Mrs. Woolley alleges that for more than a year past her husband has failed to provide her with the common neces-failes of life. They have two subdam They have two children, ries of life. aged 26 and 19 years.

The United States of America is The United States of America is plaintiff in a suit brought in the fed-eral court to compel the Rocky Moun-tain Bell Telephone company to pay into the national treasury the sum of \$,315 alleged to be due for poles cut illegally on government land in Idaho, and sold to the company. There are \$315 poles involved in the suit, and it is alleged that they were cut between Oct. 17, 1898, and July 2, 1902. The Western Brain, Sum

The Western Pacific Rallroad com-pany has filed condemnation proceed-ings in the federal court against Ed-ward T. Ashton to condemn a piece of land needed for a right of way west from Sait Lake. The land is described es beginning II rods south of the south-west corner of lot 6, block 51, piat C, Sait Lake City survey, thence east nine rods to Jeremy street, thence south five rods, thence west nine rods, thence hence west nine rods, thence north five rods to place of beginning.

CHARGED WITH ASSAULT.

Harry Robinson Files a Complaint Against Deputy Sheriff Williams.

County Attorney Christensep has ismed a complaint against Deputy Sheriff Atha Williams of Bingham charging him with assault with a deadly weapon. The with assault with a deadly weapon. The complaining witness is Harry J. Robin-fon of the Bingham Bulletin, who charges that the deputy sheriff assaulted him with a revolver at Bingham on last Saturday. County Attorney Christensen was in the office where the assault oc-curred and stepped in between the men and prevented trouble. As yet the con-plaint has not been filed in court and no warrant has been fissued but it is prob-eble that one will be issued during the day.

WELCOMED TO HIGH SCHOOL.

Students From Grammar Grades Enouraged in Work Before Them.

Graduates of five grammar schools of Salt Lake, numbering 130 students in all, were formally welcomed into the High school last formally melcomed into the High school last night at exercises held in the auditorium of the Y. M. C. A. The features of the program were an address by Wm. M. Stewart, principal

g's grave, and he was delighted, in arm they walked to the place, the strangers began to spar just n, and Kelly joined them in the in-Arm In fin, and Kelly joined them in the m-nocent sport. After taking in the sights the three "Triends," returned to the business dis-trict. Kelly started to say something to the men and discovered that they had dis-appeared. His next discovery was that he had lost his diamond and money. His troubles were told to the police and they are working on the case.

are working on the case.

ADVENTISTS INCORPORATE.

Grand master, Sidney Watson Bad-Ogden. Deputy grand master, W. J. Barret-te, Salt Lake City. The Seventh Day Adventists met Senior grand warden, James H. Brown, Salt Lake City. last evening and decided to incorporate. the organization to be known as the Utah Conference Corporation of Sev-Utan Conference Corporation of Sev-enth Day Adventists. They have churches in this city, Ogden, Provo, Logan and Spring City. The officers chosen last night were: President, Ar-thur Whitehead, present pastor of the local church; secretary, Eva M. Gard-ner; treasurer, Dr. W. L. Gardner, The president and treasurer with W A Al-

Grand lecturer, W. J. Lynch, Salt

RULES FOR DEPUTIES.

president and treasurer, with W, A. Al-way, A. G. Christianson and J. R. Wil-liams will act as trustees.

Common Sense Requirements for Govcrument of Sheriff Emery's Force.

A set of rules governing the official acts of the deputies in Sheriff Emery's office has been posted on the walls of the office by Chief Deputy J. Parley White, who is the author of the rules.

They follow in full: "Immediately attend to all papers placed in your hands. "Make prompt and correct returns.

"Attend to your own duties and you will have no time to criticize others. "Give strict attention to your duties in the courts. The judge and counsel will try the cases and the jury will determine the verdict without your ad-

"Never volunteer advice. It is a

A GOOD THING

When it Comes Along Don't Let it Get Away From You.

'I really feel that it is hardly possible to say too much in favor of Grape-Nuts as a health food," writes a Chica-go woman. "For nine or ten years I had suffered from indigestion and chronic constipation, caused by the con-tinued use of coffee and rich, heavy, greasy foods. My ailments made my

life so wretched that I was eager to try anything that held out a promise of help. And that is how I happened to buy a package of Grape-Nuts food last spring

"That ended my experiments. For in Grape-Nuts I found exactly what I wanted and needed. From the day I began to use it I noticed an improvement and in a very few weeks I found my health completely restored. My dimy health completely restored. My di-gestive apparatus now works perfectly and my chronic constipation has been entirely relieved. I have gained in weight materially, and life is a very pleasant tilng to me so long as I-use Grape-Nuts once or twice a day. I have found by experiment that if I leave off for a few days my health suf-fers.

'A physician in our town has great success in treating stomach troubles, and the secret of it is that he compels

Junior grand warden, F. C. Schramm, Salt Lake City, Grand treasurer, John S. Ccott, Salt Lake City. Grand secretary, Christopher Diehl, Salt Lake City. Rev. John M. Hanson, Brigham City. Grand orator, E. E. Corfmann, Pro-Lake City, Grand marshal, Samuel C. Park, Salt Lake City Grand pursulvant, Harry A. Knowles, Salt Lake City.

Grand standard bearer, R. W. Mc-Donald, Park City. Grand sword bearer, W. L. Eddy, Brigham City, Senior grand deacon, C. D. Ives, Og-

Junior grand deacon, F. D. Keeler, Salt Lake City. Senior grand steward, Hugo Depre-zin, Eureka.

Junios "grand steward, O. F. Wall, Mt. Pleasant Grand tyler, Adolph Anderson, Sait Lake City thirty-fifth time that

This is the thirty-fifth time that Chris Diehl has been elected grand sec-retary of the grand lodge. He is now, at the age of 75, the oldest grand secretary in point of consecutive service in the whole world of Masonry. He is a 33 degree Mason, The grand chapter of Order of the

Eastern Star (women Masons), is now in session, with 25 delegates present from over the state.

"SEE AMERICA" DELEGATES. List of Those Who Are Coming to Attend the Conference.

Following is a list of the delegates who is known will attend the coming conference on "See America First";

ference on "See America First"; Gov. John C. Cutier, Salt Lake; W. J. Kerr, Logan; Jas. Bolothio, Richheld; W. F. R. Mills, Denver; Ross Harmmond, Fre-mont, Neb: Adam Breede, Hastinge, Neb.; James A. Metcalf, Missoula, Mont.; Clar-ence E. Edwards, San Francisco; Jas. G. McNary, Las Vegas, N. M.; P. F. Mc-Kenna, Albuquerque, N. M.; F. L. Smith, Hood River, Or.; A. L. Craig, Portland, Or.; Geo. S. Blakely, The Dalles, Or.; Tom Richardson. Portland, Or.; Geo. A. Chamberlain, Salem, Or.; H. M. Clark, Portland, Or.; Isaac W. Carpenter, Omaha: T. H. Cosgriff, Cheyenne; B. M. Ausherman, Evanston; Emerson DePuy, Des Moines; Gov. F. R. Gooding, Boiles; Al-bert E. Mead, Olypmia; Juo. T. Burns, Denver; D. C. MacWaters, Colorado Springs, S. K. Hooper, Deaver; Henry Russell Wray, Colorado Springs, W. N. Taylor, Washington, D. C.; Miss Joséhina Anderson, Denver; J. L. Donohue, Den-ver, Waray, M. Heigho, Walese, Ua.

Taylor, Washington, D. C.; Miss Jorehine Asderson, Denver; J. L. Donohue, Den-ver; Edgar M. Hoigho, Welser, Ida, E. M. Hoover, Welser, Idaho; C. F. Warren, Salt Lake: Leonard Merrill, Los An-geles; C. W. Coe, San Jose, Cal.; R. R. Irvine, Provo; I. E. Dishl, Salt Lako City; J. E. Balturs, J. K. Ridgely, W. G. Te-bault, New Orleans.

REAL ESTATE DEALS.

Henry Quayle sold Tuesday afternoon to Kounze & Haze, the Fourth South street blacksmiths, 168x165 feet on that street between State and First East streets, for 28,000, where the firm pro-poses to erect a two-story carriage shop

86.50, although \$6.65 was paid last Fri-day, on which day fed Mexican weth-ers sold at \$6.10. Feeders have general-ly pushed their stuff as much as possi-ble, aiming to get it on the market at the earliest possible time, but traders

in the last week to country buyers at \$5.75 to \$6.25, goate at \$3 to \$3.75, and the limit of fed yearlings is around

almost wiped out the town. Mr. Car-nogie offered \$300,000 for the picture, and the church needs money, but the Belgian artists have appealed to the government to prevent the sale.

sents St. Roch interceding with the

blague u

If they desire to reach the people of the Western States and Territories in their homes.

