

**TO SERVE TIME IN
FT. LEAVENWORTH**

Federal Prisoners Hereafter Will
Be Confined in Kansas
Institution.

WOMEN AND YOUTHS EXEMPT

In All Other Cases Where Term Ex-
ceeds One Year and One Day
This Statute Will Prevail.

In future persons found guilty of in-
fractions of federal laws in this state
and whose terms of imprisonment are
for any period to exceed one year and
a day, will be sent to Leavenworth,
Kan., to serve their time, that is, pro-
viding the prisoner is not a woman nor
a juvenile.

A law was passed by Congress 17
years ago covering this subject, but for
some reasons its provision has not been
carried out. The time has come, how-
ever, for enforcement of the statute, as
will be seen from the following let-
ter received by Dist. Atty. H. E. Booth
from the department of justice, Wash-
ington, D. C., which today was ordered
by Judge Marshall to be spread upon the
minutes of the court:

The act of March 3, 1891 (26 Stat., L.,
p. 829) for the erection of United States
prisons and for the imprisonment of
United States prisoners, under which
act penitentiaries at Atlanta, Ga., and
Leavenworth, Kan., are being erected,
provides for the confinement in those
institutions of "persons convicted of
any crime where term of imprisonment
is one year or more at hard labor by
any court of the United States, territory
or district under the jurisdiction of the
department of justice of the United
States," and authorizes me "to design-
ate to which of said prisons persons
convicted in such courts or territories
shall be carried for confinement."

In accordance with this law, the United
States penitentiary at Leavenworth,
Kan., is hereby designated as the place
of confinement of all persons convicted
other than juveniles hereafter convicted
in your district for violations of the
laws of the United States, whose sen-
tences are to imprisonment in a peni-
tentiary for terms exceeding one year
and one day.

Males United States prisoners, other
than juveniles, convicted in some dis-
trict whose terms of imprisonment
are for periods not exceeding one year
and one day may continue to be sent
to the institutions heretofore used by
the court in your district for United
States prisoners.

No accommodations exist at the Leav-
enworth institution for the care and
custody of female prisoners. Should
you have cases in your district where-
in it becomes necessary to arrange for
the imprisonment of this class of pris-
oners, you are requested to advise the
department in order that a suitable and
available institution may be designated
for the purpose.

Please lay this letter before the
court, with a view to having an order
entered accordingly, and advise me of
your action in the premises.

SELECT PLANS TODAY.

Commercial Club Committees Discuss-
ing Merits of Two Plans.

The finance and building committees
of the Commercial club are holding a
meeting this afternoon to discuss the
two sets of plans offered for the new
building, one by a local firm of archi-
tects desiring to make up the balance
of sending away for architectural de-
sign on the ground that there can be
made at home a design equal to any-
thing to be secured in another city,
and the other by a New York architect
associated with Samuel Newhouse, don-
or of the club house site.

July 4 has been designated as the
day on which to begin work on the new
building, and an elaborate program
has been prepared to accompany the
breaking of ground.

The two committees perfecting plans
for the occasion, and to whom has been
presented the matter of the selection
between the Cobb design and the Ware
& Treganza design, are composed as
follows:

Finance—M. H. Walker, chairman;
Ira H. Lewis and W. C. Carlson.
Building—Charles A. Quigley, chair-
man; J. W. Houston, L. H. Farns-
worth, Heber M. Wells, W. J. Hall-
oran, Frank D. Westcott and Samuel
Newhouse.

GAMBLERS ARRAIGNED.

The Rev. W. M. Paden, delivers strong
sermon against sin of gambling.

Rev. Dr. W. M. Paden preached a
sermon last evening on gambling,
from the text, "Ye who forsake the
Lord, who prepare a table for fortune,
and fill up mingled wine unto destiny,
I will destroy." The speaker said in
part:

"Whatever else the text may mean, it
means that the Supreme Ruler of the
universe resents all honors given to
luck, fate or fortune. Such odds are
made nothing. Their worship is fostered
by ignorance.

"And yet fortune, the bubble god-

dess of chance, still hoodwinks innum-
erable votaries. Her altars still
smoke with incense sacrifice. Her
gold and silver and precious stones,
wheat and cattle and sheep and bodies
and souls of men—she and her inhu-
man priesthood reach for them all.

"Notice the ideal cult of this bubble
goddess: The gambler is her priest,
the gambling table is her altar, gam-
bling is her worship, and the gambler
is her votary, slave and victim. Let
me be definite. By gambling I mean
the business of playing games of
chance for money. The gambler is the
beast of prey who gets his living out
of the game. The gambling house is
the baited trap and the gambler is
the man who plays the fool with one
bait. The lazy, lying, cruel, covetous
bubble goddess of luck works them
all.

"Gambling debts cannot be collected
by law. Of course not; they are not
contracted according to law, but by
violation of it. When a man has, by
chance, as we say, gotten hold of an-
other man's money, and keeps it, he is
dishonest.

"The gambler is the foe of society.
His tools, like those of the burglar,
may be seized and destroyed. Like cer-
tain books and pictures, they have no
standing as personal property. Society
may seize and burn them, as it would
seize and burn the infectious rags of a
pest house. The gambling den has no
right to protection than the den of a
beast of prey or a nest of accor-
pions. It ranks with the opium joint
and the house of prostitution."

CRUISING ON THE LAKE

Steamer Irene Carrying Large Party
To Interesting Points on Initial
Trip of the Season.

Cruising about on Great Salt Lake
this morning aboard the new steamer
Irene is a party composed of the fol-
lowing: Joseph F. Smith and family,
A. H. Lund and family, Hyrum Smith
and family, Mr. and Mrs. Ashby Snow,
M. A. Miller and family, Anders Mor-
tensen, Mrs. Lizzie Ogden, J. E. Lau-
ford and family, Joseph Nelson and
family, Mr. and Mrs. J. M. Siodahl and
Mr. and Mrs. A. F. Phillips. The trip
started from the Salt Lake station short-
ly after the early morning train ar-
rived at the beach and the party ex-
pects to be on the lake six or seven
days. The steamer will visit several
points visited during the trip, the old
Garfield resort, the Lucin cut-off and
many other points of interest, this is
the first occasion when passengers
have been carried. In her trials the
big steamer has proved up to all re-
quirements and excursions on the lake
about her promise to be most pleas-
ant during the season. The passengers
today are the guests of the skipper
and the resort management.

Train every 45 min., Saltair today.

MRS. JOHN E. HANSEN

Desires to announce that she is making
the "Fleur de Lys" an absolutely
pure line of Chocolates. They can
be had at the Brigham Street Phar-
macy, Willes-Horne Drug Co., Halliday
Drug Store, The Smoke House and The
Rice Cigar Store. 75c per lb.; 40c per
lb.

THREE NIGHTS RACING.

Manager Iver Redman of Salt Palace
Saucer Announces Cards for Week.

Manager Iver Redman of the Salt
Palace saucer has announced his
program for Tuesday, Thursday and
Friday. Tuesday night will see a card
that should prove interesting. The
events are: Five-mile motor match
race; five-mile lap race, professional;
half-mile handicap, professional; three-
quarter mile, amateur; two-mile
lap handicap, amateur.

The program for Thursday will in-
clude: half-mile handicap race, pro-
fessional; half-mile handicap race,
professional; two-mile open lap race,
amateur.

Friday's card will see: Five-mile open
motor race, professional; two-mile lap
handicap race, professional; five-mile
open race, professional; five-mile open
lap race, amateur; quarter-mile open
dash, amateur.

POSTMASTERS TO MEET.

The annual convention of Utah Post-
masters will be held at American Fork,
June 18, 19 and 20. Rates have been
made by the railroads, the buyer pur-
chasing a ticket to his destination for
the regular fare, and being permitted
to return home for one-fifth, provid-
ing the secretary of the convention
endorses the ticket. The postoffice
department as Washington will be re-
presented, and the convention and the
meetings will be of much interest to all
persons concerned in that branch of
government service.

AMUSEMENTS.

Orpheum—The new stock company,
which will play through the summer
at the Orpheum, makes its bow to-
night. The bill will be "Two Men and
a Cradle" and will be cast by the
full strength of the new company.
Popular prices will be in effect and
the management are confident that the
new faces will make immediate friends
among their patrons.

Theater—The advance sale for "The
Merry Grafters," which opens to-
morrow night is now going on at the
box office.

Grand—The "actograph" will be
the attraction all this week, a change
being offered once every week.

Lyrice—The moving and speaking
pictures, continue to draw throngs of
people both afternoon and evening. A
complete change goes on tonight.

**AIR FLOAT
TALCUM POWDER**

Softens, refines, beautifies.
An absolutely pure and harm-
less powder, carrying a deli-
cate though changing odor
that is soothing and refreshing.

Only 25c a box.

You'll
Appreciate
Our Cooling
Soda Water
These Days.

DRUG STORE
The Pure Drug Dispensary
112-114 So. Main Street.

"NEWS" DAY TOMORROW

All Employees of Oldest Newspaper in
The West to Gather at Davis
County Resort.

Today marks the fifty-eighth anniv-
ersary of the establishment of the
Deseret News, and following a custom
that has been in vogue for a number of
years, tomorrow will be celebrated by
the entire "News" force, numbering
in all departments upwards of 200 per-
sons. To this toast will be added re-
latives and friends of the force, making
an excursion of no small proportions.

At 3 o'clock a special train will leave
the Salt Lake & Ogden railway depot
for Lagoon, where the afternoon and
evening will be spent. From the mo-
ment of arrival at the resort in Davis
county there will be something inter-
esting going. There will be a program
of music, vocal and instrumental, recita-
tions, speeches, etc., and prizes will
be offered to winners of contests, as
follows:

Swimming race, free for all; boat
race, free for all; baseball game,
seventh and eighth floors team vs.
city, bintery and lower press room;
100 yard dash, free for all; 200 yard
dash, free for all; 400 yard dash, free
for all; relay race, four men teams;
running high jump, free for all; sack
race, free for all.

The feature of the day will be the
banquet, provided by Carter Joe
Sands. Covers will be laid for 200 per-
sons, and the menu will be as follows:
Fresh sliced Utah Tomatoes.
French Dressing.
Queen Olives. Midget Pickles.
Young Onions. Young Radishes.
German Potato Salad.
Cold Boiled Chicken. Cold en mayonaise.
Cold Boiled Chicken. Wine Jelly.
Cold Westphalia Ham.
Boiled Egg Tongue.
Roast Leg of Veal. Current Jelly.
Crushed fruit Ice Cream.
Jelly Roll. Nut Layer Cake.
Angel Food. Lady Fingers.
Cherries, Bananas, California Oranges.
Tea. Coffee. Milk.

Those who have been connected with
Deseret News in the past are cordi-
ally invited to participate in the out-
ing.

FAIR TOMORROW.

There was a heavy shower last night,
the skirlings of a low barometric area
from the northwest, the skies, however,
clearing up by 11 a. m. The precipita-
tion as recorded at the local weather
bureau was not over .20 of an inch;
but in the upper sections of the city
districts it was nearly twice as much.
While light showers are expected to-
night, the morning is scheduled for fair
weather, as there is a strong and ex-
tended "high" approaching from the
west.

Maximum temperature over the
country are moderately high. At
Phoenix the mercury fell to 105 de-
grees. A trough of low barometric
pressure extends over the plateau and
Rocky mountain region, causing pre-
cipitation over portions of Utah, Colo-
rado, Nevada, Idaho, Kansas, Missouri,
Oklahoma, Alberta and British Colum-
bia, with heavy rainfall at Oklahoma,
1.22 inches. Another storm is central
over the north Atlantic states causing
precipitation east of the Mississippi to
the Atlantic coast. Over the north Pa-
cific states and the upper Mississippi
valley the barometric pressure is high.

The north Pacific high pressure will
cause fair weather in this locality
Tuesday preceded by showers this af-
ternoon or tonight.

SHAEFER HAS A RECORD

Man Who Gets Sentence for Assault
Had to Fight Hard for
Freedom.

In Judge Diehl's court this morning,
when Joe Shaefer, colored, was ar-
raigned on the charge of assault with
a deadly weapon by striking Annie
Sorenson on the head with a chair
June 10, few people in the crowded
courtroom realized that the defendant
was once a convicted felon. In a cele-
brated murder case in Butte, 10 or
12 years ago, Shaefer pleaded not
guilty to the charge now lodged
against him and will be given a hear-
ing next week.

Several years ago, in Butte, he was
accused of murdering a man named
Hawkins in a negro dive on Galena
street. He was tried, convicted, and
sentenced to be hanged. His counsel
appealed to the supreme court and re-
versed. Again he was tried, convicted,
sentenced and again appealed and once
more the supreme court reversed the
findings of the lower, or trial court.

OBTAINED FREEDOM.

For years a force legal battle was
waged for and against Shaefer and
finally he obtained his freedom for the
reason that counsel for the prosecu-
tion died and all the witnesses against
him passed away.

According to Attorney William New-
ton, who was practicing law in Butte
at the time, there is now only one
attorney among the long list of legal
representatives in the case alive, and
he is Attorney Booth, the present city
attorney of Butte.

Another factor that operated in be-
half of Shaefer, he frustrated an at-
tempted prison outbreak while he was
confined in jail pending the supreme
court decision on his appeal for a new
trial.

Striking Indian Nomenclature.

"Muskska," Clear Sky Land; "Mag-
netewan," Smooth Flowing Water;
"Kawartha," Bright Water and Happy
Lands; "Temagami," Deep Water;
"Wawa," the flying goose, are Indian
words that fittingly describe some of
the most delightful spots for a summer
outing on the American continent. All
reached at special low round trip fares
via the Grand Trunk Railway Sys-
tem. Double track from Chicago to
Montreal and Niagara Falls.

Particulars of fares, descriptive litera-
ture, etc., will be mailed free on ap-
plication to Geo. W. Veak,
A. G. P. & T., 135 Adams Street,
Chicago.

**TEN YEARS FOR
BURGLAR DUFFY**

Man Who Entered Room of State
Food Inspector Is Sen-
tenced Today.

TRIAL OCCUPIED TWO DAYS.

Arguments for New Trial in the Hoben
Case Are Set for Hearing
June 22.

John Duffy, the man convicted by a
jury in Judge Armstrong's court on
Friday last of burglary in the second
degree for entering the room occupied
by State Food and Dairy Inspector
John Peterson at 24 west North Temple
street on Jan. 19 of the present year,
was today sentenced to ten years' im-
prisonment in the state penitentiary at
hard labor.

The trial occupied two days. Duffy
was first arraigned on March 31, when
he took until April 2 to enter his plea.
On that day he pleaded not guilty, and
the case was then continued until the
June term.

The arguments on the motion for a
new trial in the case of Martin F.
Hoben, convicted of assaulting a girl of
tender years at Bingham, was set
for hearing on June 22.

HE FAILS TO PROVIDE.

May Garfield Martin today filed suit
in the Third district court to compel
her husband, Ed A. Martin, charg-
ing failure to provide. The couple were
married in Salt Lake City, March 22,
1906, and plaintiff claims that defendant
has neglected and refused to support
her and their child.

SLOT MACHINE CASE.

In the case of Salt Lake City against
Mark Bates, known as the "slot ma-
chine" case, in which it is to be
decided whether the city is en-
titled to the collection of a 35 license fee
against the owners of all slot machines
in Salt Lake, Judge Whitaker this
morning set June 20 as the date for
hearing the case.

The defense is contending that the
prosecution of Mr. Brown, while the
defendant is represented by Powers &
Marionneau.

The crime with which Mr. Brown is
charged is the forging of the name of
W. C. Orem, manager of the Utah
Apex Mining company to a check for
\$5,000 on which he secured the money.

When the hour of noon adjournment
arrived, Judge Armstrong announced
that the court would terminate its ses-
sion for the day in honor of Flag day.

GRIM SUES RIO GRANDE.

John L. Grim has filed suit in the
district court for damages of \$1,900
against the Rio Grande Western Rail-
road, but on Thursday Judge More
was sustained by plaintiff in an ac-
cident on defendant's road in which the
drum of his left ear was destroyed.

Plaintiff says he lay in a hospital for
a long time, and part of the money
sued for is to cover the expense of his
hospital bill. The accident happened
Aug. 24 last, while plaintiff was trav-
eling as a passenger between Denver
and Salt Lake.

INVOICES CITY ORDINANCE.

A. B. Watson has invoked the city
ordinance compelling firms doing busi-
ness within the city limits to take
out a license as a defense to a suit filed
against him in the Third district court
by the brokerage firm of Child, Cole
& Co. of this city. The action was brought
by the company to recover the sum of
\$1,208.50, with 100 counsel fees, growing
out of a suit filed by the company
of Watson, among other things, alleges
that the firm of Child, Cole & Co. has
been doing business unlawfully on the
ground that at the time of the transac-
tions involved it had not secured a
license from the city to carry on the
business of stock brokerage.

DECISION DELAYED.

The decision of Judge Morse in the
Little Cottonwood water case will not
be rendered until the middle or latter
part of the present week, owing to the
desire of the judge to take some addi-
tional testimony in the case. The de-
cision was to have been rendered Sat-
urday, but on Thursday Judge Morse
announced that he wished to look into
the matter a little further before an-
nouncing his findings. The case in-
volves the rights of approximately 400
water users to the waters of Little Cot-
tonwood creek.

IN POLICE COURT.

In the criminal division of the city
court before Judge C. B. Diehl this
morning, L. J. McDonald was ar-
raigned on the charge of failure to
provide for his minor child. He plead-
ed not guilty and was released on his
own recognizance. The case will be
heard on the 25th.

Martin Grimm, Jr., accused of a
similar offense, pleaded not guilty and
will have a hearing on the 26th.
Herman Killenberg and C. P. Nel-
son, charged with stealing \$75 worth
of iron pipe from D. C. Dunbar, plaid-
ed guilty and were sentenced to the
house of correction for 30 days. In de-
fault of \$200 bail each, they were
taken to the county jail.

CHORN MAY ESCAPE.

In all probability, Jerry Chorn, the
colored locky, who shot and seriously
wounded another negro named Bill Stuten,
during a row in a Commercial street gam-
bling house, will not be tried for the offense.
He is now accused of assault with a
deadly weapon with intent to commit
murder, but it was stated by the
prosecution in Judge Diehl's court this
morning when the case was called for
hearing, that the complaining witness
had disappeared and had left the state.

The prosecution asked for two
weeks' delay, claiming that the
witness had been summoned and that
there were hopes of getting him here
by that time. Atty. Newton for the
defense, resisted the motion, but Judge
Diehl continued the case for one week.
Twenty-one witnesses, colored, were in
court this morning at the request of
the defense.

SUIT AGAINST DALY WEST.

Jacob Bason Brings Action for \$30-
325.50 for Personal Injuries.

Jacob Bason today filed in the
United States court a personal injury
case against the Daly West Mining
company, for the sum of \$30,325.50. The
complainant alleged that on August 4,
1907, while in the employ of defendant
company, he was carried into the
sheave and was seriously injured, by
reason of which he was at St. Mark's
hospital for a long period and is per-
manently disabled. The suit carries
\$325 for hospital fees, Bason was 44
years of age at the time of the accident.

BROWN TRIAL STARTS.

Jury is Secured to Hear Evidence
in Charge of Forgery.

The trial of the case of the state of
Utah against Arthur Brown, charged
with forgery and the uttering of a
forged instrument, commenced at the
house of Judge Armstrong's court up-
to the hour of adjournment at noon
today. At that hour a jury had been



You undoubtedly need a new
hat for the midsummer events
which will start next week, and
for the occasion we have the
latest styles. White straws, lace
and proxaline hats are most sea-
sonable, according to the latest
reports from New York and Paris
We are prepared.



secured and tomorrow morning
the taking of testimony will begin. Dist.
Atty. Leach is conducting the
prosecution of Mr. Brown, while the
defendant is represented by Powers &
Marionneau.

The crime with which Mr. Brown is
charged is the forging of the name of
W. C. Orem, manager of the Utah
Apex Mining company to a check for
\$5,000 on which he secured the money.

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arrived, Judge Armstrong announced
that the court would terminate its ses-
sion for the day in honor of Flag day.

Train every 45 min., Saltair today.

NEW BANK.

W. J. Halloran to Head Financial In-
stitution in the Judge Building.

Salt Lake is to have a new bank to
be located in the Judge building and to
be owned by people interested in the
building, with a number of associates.

The site for the new institution will
be the south half of the Judge build-
ing's ground floor, and the president
will be W. J. Halloran. The other of-
ficers selected are as follows: George
E. Chandler, president; C. A.
Quigley, Frank Wilson and A. Fred
Wey, directors. The bank's capital will
be \$250,000.

Eugene Chandler, cashier, is a son of
C. E. Chandler, vice president. All of
the officers are well known Salt Lake
and Utah business men.

FLAG DAY OBSERVED

Rain Tries to Spoil Events Planned.
But Sun Finally Shows
His Face.

Sunshine at noon today broke through
the dense clouds of the morning hours,
and saved Flag day from total elimi-
nation. Flag poles which had been
bare of all decoration shortly after-
wards, were bending to the tug of
fluttering flags, and yards of bunting
found their way onto business houses.

The outings at Wardmore and La-
goon were saved by the tardy appear-
ance of the sun, and afternoon trains
were packed with people bound for the
north, while the cars carried capacity
loads to Wardmore after 1 o'clock.

At Lagoon the rain dried away
quickly on the principal paths, and
making it possible for the G. A. R. vet-
erans to hold their exercises as
planned.

The old soldiers, both of the G. A.
R. and the Indian wars of Utah, have
arranged a joint program to begin at 6
o'clock this afternoon. The speakers
of athletic events, among the spec-
tators will be Col. Geo. B. Squires and the
Rev. J. E. Carver of Ogden.

A battalion of regular troops from
Fort Douglas are scheduled to arrive at
Lagoon at 5 o'clock and go into camp
on the baseball grounds.

DRUG STORE ROBBED.

Amateur Cracksmen Get Pair of Scales
For Cash Register.

Thinking that a set of prescription
scales was a cash register, thieves who
broke into the Irvine drug store at
West Temple and Eighth South streets,
Saturday night, carried the scales two
blocks from the store. There they were
found by a member of the firm this
morning, badly shattered, the work
having been done apparently by boun-
ders. Brass slugs, used for weights,
had pulled along the rough taken by
the thieves and it was no doubt these
slugs which were heard rattling that
caused the destruction of the scales.

The robbers did little damage except
through destroying the expensive ap-
paratus. From the cash drawer they
took two-cent postage stamps to the
value of \$1 and from a cigar stock they
took a few cigars. Seventy cents in
change was all the cash secured.

The robbery occurred about 1 o'clock
Sunday morning, the proprietors think,
and entrance was effected by breaking
a window. Boys wishing to be am-
ateur safe crackers are supposed to be
responsible.

QUARANTINE VIOLATION.

Police Surgeon Charges Stenographer
With Leaving Home Where
Disease Existed.

Police Surgeon S. G. Paul filed a com-
plaint this afternoon in Judge Diehl's
court charging William A. Schetz, a
stenographer in Judge Lewis' court,
with violating the quarantine ordinance.
It is alleged that Schetz broke the
quarantine law by leaving the resi-
dence of 262 east Fourth South street,
where Mrs. Anna M. Hatch was ill with
smallpox.

It is alleged that Schetz was stop-
ping at the place and that the quaran-

fine applied to him and he was ordered
not to leave the place unless vaccinated.
The vaccination did not "take" and
Schetz is accused of leaving the place
without permission and to having defied
the authorities.

"BILLY" EDWARDS IN LIMBO.

Former Deputy Sheriff "Billy" Ed-
wards is a guest of Acting Chief of Pol-
ice John Hempel at the city jail this
afternoon. Edwards, in an intoxicated
condition, attempted to navigate Second
South this morning with a confused
club that the pavement consisting of
bounding billows. A broken nose re-
sulted from one contact between