#### DESERET EVENING NEWS SATURDAY AUGUST 15 1908



An opinion was handed down by the supreme court this morning affirming the decision of Judge Lewis in the Third district court, in the case of Sophie Condie, administratric of the estate of Joseph Condie, deceased, against the Rio Grande Western Railroad company, in which Mrs. Condic was awarded judgment for \$5,000 for the death of her husband.

The deceased was employed as an engine wiper by the defendant railroad company, and while engaged in cleaning an engine in the roundhouse an-other engine was run up against the locomotive under which he was stand-ing, and a few minutes afterward Condie was taken from under the engine with his neck broken. It was evident that in trying to escape Condiè had been caught under the wheels and in-

been caught under the wheels and in-stantly killed. The railroad company appealed on the ground that the evidence was in-sufficient to show negligence on the part of the company; that deceased was negligent in not getting out from under the engine when he heard the other engine strike into the one he was working on; and the failure of the trial judge to instruct according to the contention of the supreme court, written by Justice Straup, Chief Jus-tice McCarty and Associate Justice Frick concurring, holds that the evi-

lice McCarty and Associate Justice Frick concurring, holds that the evi-dence shows that deceased was not negligent and doubtless attempted to save his own life; that the company was negligent in not blowing whistle or otherwise giving warning of the ap-proach of the second engine, and that the trial judge did not err in refusing to instruct as requested, and the de-dision of the lower court is affirmed with costs to the company.

#### SUES STREET RAILWAY CO.

SUES STREET RAILWAY CO. Alleging that the Utah Light & Rail-way company negligently left a hole in the ground on Third West street, north of South Temple street, Christine Carl-son asked, in a suit filed in the Third district court this afternoon, that the company be assessed \$1,555 damages. Plaintiff alleges that on Sept. 1, 1907, she fell into the hole negligently left there by the company, and sustained damages to the amount given.

#### SELIS IS HELD.

Joe Selis, one of the Austrians ar-rested on the charge of threatening to murder Nick Bukovitch, a prominent and reputable Austrian of this city who has officer of this city has oftimes acted as interprete who has oftlimes acted as interpreter in the courts, was arraigned this morning on the charge of threatening to murder Bukovitch. The prisoner was unable to talk English, and the case was continued until Monday, at which time an interpreter will be present. In default of \$1,000 bail, the accused was sent to the county jall.

#### JUDGMENT FOR PLAINTIFF.

The case of Atty. Frank Hoffman vs. Hannah Youngberg, in which suit was brought several months ago for judg-ment for \$409 for professional serv-fees rendered, and which was taken under advisement by Judge Dichl, was disposed of this morning, when Judge Dichl sendered disposed of this morning, w Judge Diebl rendered judgment for

Durable, high grade and convenient combs. Each one a good quality and a splendid value at the price we ask for them.

> Special 25c each.

Of Prescriptions We Fill Daily is Surprising.

The Number

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

voice, instructing him to see that her temple work was properly attended without delay, and being assured ther brother that her wishes would carried out, she passed peacefully to

Gray was born at Newton Grange, 1869. e, Edinburghshire, Scotland 26, 1869. She was the daughter rge and Janet (Stevenson) Lind She was baptized a member of say. She was baptized a member of the Church of Jesus Christ of Latter-day Saints by Elder Joseph. W. Mc-Murrin, in the fail of 1882, and she re-mained true to the faith to the last, being an active worker in the Park City ward. She died at the Dr. Groves L. D. S. hospital, this city, Aug. 12, and every attention that loving friends and every attention that loving friends and kind and efficient nurses could give was bestowed upon her. She leaves be-hind a sorrowing husband, five sons, a daughter, a grandson, two brothers, five sisters and a host of other rela-tives and triends. Two of her sis-ters, who reside in Canada and one brother now in Nevada could not be present. The grave was dedicated by Elder Jos. E. Taylor.

THINKS THE CITY OWES HIM.

#### Collector of Antiques Leaves the Jail After Working Hard,

G. J. Harmon, an aged painter and collector of rage, bottles, strings, scrap iron and other junk, who was arrested two months ago on the charge of

two months ago on the charge of vagrancy for begging on the streets, and sentenced to 50 days in jail by Judge J. J. Whitaker, was released from custody this morning. The old man served his sentence and did much valuable work for the city while in jail. He was soon made a trusty and given the job of repaint-ing the interior of the jail. Harmon did whitewashing and kalsomining, enamel and glossing work and made the interior of the city bastile look like new. like new.

He new. Harmon figures out that the city wes him about \$200 for services ren-lered. He claims that he was not and hever will be a vagrant and that had he not been unjustly sentenced he

he not been unjustly sentenced he would have made more than \$300 dur-ing the time he was in jall. As soon as released, Harmon went to the desk sorgeant and demanded the rejurn of his "property," taken from 'film' at the time of his drugs? It consisted of about a bushel of small rags, string, shoelaces, nails, buiton-hooks, screws, old pieces of paper, chunks of iron and much other junk. After working with the stuff for about 45 minutes, he managed to get it all into his copious pockets and went on his way rejoicing. his way rejolcing.

#### COOL SEPTEMBER WEATHER Temperatures Today Drop Below Yes-

terday's Lowest Mark.

and asked that the case be continued indefinitely for pleading. The prose-cution had no objection and the case was ordered continued without date. This eventuated without date.

was ordered continued without date. This arrangement was undoubtedly the result of a telegram received this morning by Chief of Police Pitt from young Quick'e father. G. F. Quick, a banker of Anderson, Ind. The latter sent the following message: "Can matter of Harry Quick be squared by paying drafts. If so will come at once, Wire particulars." It seems that the elder Quick will be quicker than at first supposed and that he is anxious to get his high flying son out of trouble and jail. The matter will, in all probability, be settled in a few days.

will, in all probability, be settled in a few days. The younger Quick does not take well to jail fare. The first night he was detained he send out the last re-maining money in his possession for a sumptuous banquet, and today when informed that his father was coming welcomed the event as the return once more to a fare he could eat. He is a "cigarette boy," smokes constantly, and was this morning threatened with imprisonment for contempt for saun-tering into court with a lighted cigar-ette between his fingers. Besides the tering into court with a lighted eigar-ctte between his fingers. Besides the three drafts for \$50 each, he was known to have cashed, two more drafts came to light this morning cashed by another Salt Laker for \$25 and \$15 each. It is thought that Commerchal street sources will turn in still more of the worthless paper. All of the known drafts were secured on the representa-tion that the youth was touring in an automobile, which had broken down near Ogden.

#### MINERS FAVOR PROHIBITION.

Rev. E. S. Fuller of the anti-saloon league is back from an extended southern lecture trip. He reports marked and highly gratifying enthusiasm wherever he went; a special feature being the turn of the tide of sentiment. being the turn of the tide of sentiment among the mining camps in favor of local option. Eureka will give a big unifority when the time comes to vote. Mr. Fuller calls attantion to a report circulated by the saleon men that the league proposes to act as censor when the option bill is drafted for presenta-tion to the legislature. He says there is nothing in this, and that the officers of the league propose to act only in an advisory capacity.

# AMUSEMENTS.

Lyric-The fine bill which has been Lyric—The fine bill which has been running all week, drew an exceptionally large audience has night, in fact the largest Friday turnout since the open-ing week of the "talking pictures." The new program goes on this after-noon and includes the following: Dove & Lee company in "Sis and Si" and "Anthony and Cleopatra," two amusing comedy acts "Mexico," by Jensen and Giblen: "The BMI Poster's Dream," which is something new in vaudeville, and the other numbers are Williams

which is something new in vaudeville, and the other numbers are Williams and Hanley in "Every Little Bit Add-ed to What You Got," Buddy and company in Irish sketches, the Husking bee, a hayseed act, and Helen John-stone in Scotch ballads. "The new Pathe and Selig moving plc-tures will be as interesting and amus-ing as usual.

#### WORK STARTS IN TWO WEEKS.

Work on the Commercial club's new home, it is expected, will begin in about two weeks. The work is moving slowly on account of the fact that the building committee is taking extreme pains to have the plans overhauled and altered until they will be in such shape that no new features can suggest them-selves infer construction has com-menced, a duffer auditorium is one of the features being called for, while more expanded office rooms are also being sketched. When completed the Salt Lake Commercial club home will be the only building in America ex-clusively given up to the uses of a commercial club. Others are ele-gantly housed, but always in portions of buildings used for other purposes. home, it is expected, will begin in

# LANDLUBBER TRICK

Capt. Davis Says Was No Excuse for Wreck On Lake.

construction of a light house in Alaska several years ago. The Karkin Con-struction company, an eastern concern has filed suit against the company over some details of the light house matter, hence Mr. Ketcher's call upon Mr. Brooke.

#### TIME SCHEDULE CHANGE.

Commencing tomorrow the Lagoon route time table between Salt Lake and Ogden will be changed to accomand Ogden with be changed to accom-modate the needs developed through the first two weeks of running the road. Hereafter, the Ogden trains will leave Salt Lake at 4:45, 8:30 and 11 a. in., and 4, 6:50 and 9:45 p. m.

#### BANK STATEMENT.

New York, Aug. 15.—The statement of the clearing house banks for the week shows that the banks hold \$7.618,625 more than the regatrements for the 25 per cent reserve rule. This is a decrease of \$1.605,650 in the proportionate cash re-serve as compared with last week. The statement follows:

 serve as compared with fast week. The statement follows:
 \$1,290,013,600

 Increase
 11,852,923,300

 Deposits
 1,355,923,300

 Increase
 1,355,923,300

 Circulation
 56,925,300

 Decrease
 306,500

 Legal tenders
 794,655,900

 Specie
 236,555,900

 Increase
 9,465,800

 Increase
 24,655,900

 Reserve required
 1,844,200

 Reserve required
 24,455,900

 Surplus
 316,482,075

 Increase
 2,747,300

 Reserve required
 346,482,075

 Increase
 4,552,552

 Decrease
 1,605,652

 Decrease
 1,605,652
 </

#### BANK CLEARINGS.

 
 The following is a list of the citie:

 Inc. I

 New York

 State

 State

 Boston

 State

 Boston

 State

 State leveland .... Detroit ..... 14,159,000 17,07**1**,000 11,415,000 uisville ..... 640,000 Jos Angeles ... Milwaukee ... Seattle ... St. Paul ... Buffalo ... Denver ... Indianapolis ... 8.6 6.133,000 S. 4,781,000 ... SALT LAKE ....

#### NEW YORK CLOSING STOCKS.

Aug. 15, 1908 Amalgamated Copper Atchison pfd. (bid)..... 941/ 

 Deluware & Hudson
 1683%

 Denver & Rio Grande (bid)
 27

 Denver & Rio Grande pfd. (bid)
 66

 Erie
 22%

 Great Northern pfd
 1364

 Great Northern Ore Ctfs
 653

 Illinois Central
 136

 International Paper (bid)
 10

 Interborough Met
 115%

 Interborough-Met, pfd
 232

 Louisville & Nashville
 1083%

 Mexican Central (bid)
 16

 Missouri Pacific
 554

 Missouri, Kansus & Texas
 31

 National Biscuit, bid
 89

.1063.

#### MOUNT PLEASANT. MEETING OF MEDICAL SOCIETY

Ed Robinson of Fountain Green Lose Part of Hand in Gun Accident.

Special Correspondence.

Mt. Pleasant, Sanpete Co., Aug. 14. The funeral of F. M. Stewart of Mil burn was held yesterday at the Milburn meetinghouse. The second annual meeting of the Third Councilor Dis-trict Medical society was held in Mt. Pleasant during Tuesday. Wednesday and Thursday of this week, and was a grand success. The papers were most interesting and much appreciated by all in attendance. The entertainment

Interesting and much appreciated by all in attendance. The entertainment was in the hands of the Commercial club, which had arranged a ball game for Wednesday, with a delightful ban-quet and ball in the evening. The attendance at the banquet was large and an enjoyable time had. Ed. Robinson of Fountain Green, while returning from the field hunt-ing, had his second finger on his right hand blown off by a shot gun. He had covered up the gun with a blanket to keep it from getting wet, and in some way it was discharged with the results stated.

results stated.

#### FRIENDS OF

 $\begin{array}{r}
 5.3 \\
 7.1 \\
 21.4
 \end{array}$ 

 $20.2 \\ 20.2$ 

19.4 15.1 26.0 25.6

 $\begin{array}{c}
 12.3 \\
 11.3 \\
 5.2 \\
 6.9
 \end{array}$ 

7.4

i2.1

15.4

MISSIONARIES. Have you a friend or acquaintance in your former field of labor, to whom you would like to send a copy of the Saturday or the Semi-Weekly News? If so, take advantage of our special offer, made to ald the great mission-ary work. We send the paper one year to any point in the United States, Canada or Mexico at half price, \$1.00, This does not apply to points where there are regular wards or stakes. Foreign postage extra. MISSIONARIES. in our Menu Tomorrow. and Buttermilk. Excursion Fresh Ranch Eggs. Emigration Canyon, August 16. Nine-Mile Ride on Trolley Car up the beautiful Emigration Canyon. Cars leave Mount Olivet every ashes. 20 minules. Leave Wagener's resort for Little Mountain every hour. PROBATE AND GUARDIANSHIP NOTICES. Consult County Clerk or respective sign-ers for further information. ers for further information. IN THE DISTRICT COURT, PRO-bate Division, in and for Salt Labs County, State of Utah. In the matter of the estate of William B. Preston, Deceased. Notice.-The petition of Har-riett A. Preston, praying for the issu-ance to Harriett A. Preston, Lyman R. Martineau and Oscar W. Moyle, of Lei-ters of Administration in the estate of William B. Preston, decensed, has been set for hearing on Saturday, the 20th day of August, A. D. 1908, at 10 o'clock a, m., at the County Court House, in the Court Room of said Court, with the seal thereof atfixed, this lath day of August, A. D. 1908. (Seal) J. U. ELDREDGE, JR., Clerk. By W. H. Farnsworth, Deputy Clerk. O. W. Moyle, Attorney for Petitioners.



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McDonald's Merry Widow Chocolates are

McDonald's name stands for quality-in Cocoa as well as Chocolates,

better than other chocolates.

A. D. S.

TOOTH PASTE KEEPS THE



\$499 vhen the sui was filed in Judge Dichl's court, the plaintiff waived the balance, \$406, of the amount asked for. In order that the court would have jurisdiction.

### SUES SALTAIR FOR \$3,000.

#### Ben D. Lewis Claims He Was Ejected From Dancing Floor.

A suit was this morning filed in the Third district court by Ben D. Lewis against the Salt Lake & Los Angeles Ralirond company and the Saltair Beach company, to recover the sum of \$3,000 damages alleged to have been sustained by the Plaintiff by reason of having been forcibly ejected from the dancing floor of the Saltair pavillon on August 12. The complaint sets forth that plaintiff was merely enjoy-ing the dance at the time specified, and was acting in a gentlemanly and be-coming manuer, when an attendant of the company approached him and recoming manner, when an attendant of the company approached him and re-quested him to leave the dance floor and then ejected him therefrom, much to plaintiff's humiliation and mortifica-tion. For such mortification and hum-iliation, plaintiff asks judgment for \$2,000, and for bodily injuries sustained in said ejectment, damages in the sum of \$1,000 are asked for.

FUNERAL OF MRS. J. L. GRAY.

#### Services Held at Thirteenth Ward Assembly Hall Yesterday Afternoon.

Funeral services over the remains of Mrs. Joan Lindsay Gray, late of Park City, were held in the Thirteenth ward assembly hall, this city, Friday after-noon, at 2 o'clock, Bishop Platt, assist-ed by Bishop Rashand, presiding. Ap-propriate music was rendered by a se-lect quartet, conducted by F. B. Platt, Jr., and a solo was sung by Ethel Ras-hand. The speakers were, in the order named: Elder A. Milton Musser, Bish-op Frederick Rashand, Elder Rudger Clawson and Patriarch Joseph E. Tay-lor. The opening prayer was by Elder C. J. Thomas and the benediction by Elder Newell. The remarks that were mude were in assembly hall, this city, Friday after-

Ender Newell. The remarks that were made were in-structive and consoling, and special montion was made of the life and ex-alted character of the deceased and of her gentle and sympathetic nature and the remarkable faith which she has always manifosted and expressed in the restored geopret of Jeam Christ. Per-haps the most touching incident of her last filness was that which Elder Tay-lor aluede to. He told of her calling her brother Martin close up to her just about 15 minutes before she breathed her last, and, in a faint but audible her last, and, in a faint but audible



The weather has materially moderat ed, the mercury having risen yestered, the mercury having risen yester-day only to 76, with a minimum of 45 degrees. This is suggestive of brac-ing early fall weather. The baro-metric pressure is highest over the middle plateau, lake region and cast of the Mississippi valley generally. Over the south plateau, British north-west torritory and Missouri valley the air pressure is low. These conditions have caused local showers over portions of Utah, Colorado, Idabo, New Mexico, Arizona, Texas. Nebraska, Montana, the Dakotas, Minnesota, Misouri, Ar-kansas and Illinois. The temperature changes are slight except a fall of 10

the Dakotas, Minhosota, Alsouri, Al-kansas and Illinois. The temperature changes are slight except a fall of 10 deg, or more over portlans of Utah and Nevada. Partly cloudy weather is in-dicated for this locality tonight and Sunday with slight changes in tem-perature

perature

Sumday with sight changes in ten-perature. Record of the land office, U. S. weather bureau, for 24 hours ending at 6 a. m. today: Temperature at 6 a. m., 55; maximum temperature, 76; miniumum tempera-ture, 66, which is 10 deg, below nor-mal. Total deficiency of temperature since the first of the month, 41; ac-cumulated deficiency of temperature since Jan. 1, 262 deg. Total precipita-tion, 1 inch. Total precipitation since first of month, 1.35 inch, which is 1.05 inch above normal. Accumulated ex-cess since Jan. 1, 2.71 inches. Réla-tive humidity at 6 a. m., 99 per cent. FORECAST.

FORECAST.

Local showers tonight or Sunday. Todays temperature up to 1 p. m. ere as follows:

YESTERDAYS RECORD.

### FATHER OF QUICK COMING.

#### Will Try to Square His Son's Bad Accounts Here.

F. Harry Quick, the youth who swindled Salt Lakers by getting them to endorse worthless drafts, was arraigned this morning in Judge Dichi's court on the charge of obtaining money by false protenses. He was represent-ed by Atty. J. M. Hamilton, who stated to the court that, in his opinion, that ung man had a meritorious defens

That the recent wreck of a pleasure launch on Great Salt Lake in no way indicates that lake is a dangerous or treacherous body of water is the

Treacherous body of water is the opinion of Capt. D. L. Davis of the Cambria, who has sailed the lake for many years without accident. "The boys weren't in the slightest danger," sail Capt. Davis this morn-ing, "only they didn't know it. Most people in Utah have learned sailing from books, of don't know anything about it. Great Sait Lake is an ad-mirable place for sail and power boats and should be dotted with them in the summer season. Only those in charge should have had some exper-ience in handling their boats. These boys knew absolutely nothing about weathering a storm, and then the worst that the lake did to them and their very frail boat was the cast them up safely on shore. The accident should not serve to increase the opinion that sailing the lake is dangerous."

LATE LOCALS.

## Veterans Meet Tonight-This even

ing there will be a meeting at the Odd Fellows hall of the Maxwell post, G. A. R., and all members are requested to be present as it will be the lastmeeting prior to going to the annua encampment.

Mr. Cutler Lands-A telegram ceived at the office of the Utah-Idaho Sugar company this morning states that General Manager T. R. Culler landed in New York yesterday from England, where he has been for the past month on a visit,

Commercial Club Takes Hand-The Commercial club rates Hand—The Commercial club is sending out to the forestry department at Washington additional reasons why the (orestry office for Utah should be located in Salt Lake. The club is determined that Chief Forester Pinchot shall act in the matter with the case fully pre-sented to him.

Reality Changes — The Halloran-Judge company reports the following real estate sales for the current week: Elizabeth P. Kingsbury, 366 J street, to Lillian Oliver, \$2,900; H. B. Asa-doorlan, 319 Fourth avenue, to Math-ias Connelly, \$4,000; V. A. Bettilyon, 19 E street, to Nollie B. Hughes, \$4,-500; F. M. Snell, 337 Eleventh East, to William Reagan, \$2,100.

Brick and Tile Company—Articles of incorporation of the Modern Con-rete Brick & Tile company of Ogden, Itah, were filed with the scaretary of tate this morning. The company is apitalized for \$50,000, divided into hares of the value of \$1 each. Percel tachety, Peter E. Lamar, Edwin T. Voolley, Emma R. Woolley and Fred fassa are named as the directors of he company. the company.

Going on a Mission--A farewell party will be tendered Elder Paul Condie in the Sixth ward assembly rooms, Wednesday evening, Aug. 19, prior to his leaving on a mission. The participants in the program will be the choir, Blanche Condie, Lena M. Scott, Jesse Ramsey, Tossie Smith, Franklin Eardley, Bishop C. N. Chris-tensen, Joseph Hillstead, Elihu Call, Leland I. Acomb.

Sait Laker a Witness-C. McKeich-r, of the department of justice, Wash-ington, D. C., is in this city to take the deposition of F. M. Brooke, who was the government superintendent of

eenne Mail ...... eennsylvania Pacific Mail People's Gas Pressed Steel Car ..... Pullman Palace Car, bid ...... 34 
 Pullman Palace Car, bid
 182

 Reading
 1234

 Rock Island Co
 33

 Southern Pacific
 9475

 Southern Railway
 19

 Union Pacific
 155%

 United States Steel
 445%

 United States Steel
 1094

 Wahash
 1245
Wabash Western Union Standard Oll ...... .640

#### TODAY'S MONEY MARKET.

New York, Aug. 15.—Money on call nominal. Time loans firm and dull; 60 days 2 and 90 days 2<sup>1</sup>/<sub>2</sub>; six months 3<sup>1</sup>/<sub>2</sub> at 4 per cent. Close: Prime mercantile paper 3 at 4 per cent. Sterling exchange steady with actual business in bankers' bills at 484.490 at 485 for 60 days, and at 486.490 at 485 for 60 days, and at 486.40 at 486.45 for demand. Com-mercial bills, 484 at 5%. Bar silver, 51<sup>1</sup>/<sub>2</sub>. Mexican dollars, 45. Government bonds steady; railroad bonds steady.

bonds steady.

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ality-a perfection of artistic and practical qualities. Such is the

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It is the standard of piano quality throughout the world-the highest achievement in the piano industry. In

no other piano is the complete union of utility and art so favorably displayed. The "Steinway" is the choice of critics when looking for the best and is admired and endorsed by leading composers and musicians in every country.

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