

## HEARINGS IN THE DISTRICT COURT

Waterworks Co. vs. Enoch Farr  
Will be heard as an Equity  
Case, Jury Dismissed.

FUNERAL OF FRANK LOSEE.

Impressive Services for Railroad Engineer Held in Episcopal Church  
—News Briefs.

Ogden, May 10.—The hearing of the Ogden Waterworks company against Enoch Farr et al, which has been on trial in the Second district court before Judge Howell and a jury, came to a sudden ending so far as the jury is concerned, yesterday afternoon when the court came to the conclusion that the case is an equity case and therefore dismissed the jury and announced that on Saturday morning he will hear arguments and submit his findings of fact in the case. The action was brought to recover damages for a break caused in the waterworks company's pipe line in Ogden canyon, by a rock blasted loose by the defendants in getting lime rock for their lime kiln, also for a restraining order to restrain defendants from blasting any more lime rock above the waterworks pipe line.

During the hearing of the case the court permitted the defendants to introduce an old agreement entered into between Isaac Farr and the predecessors of the present water works company whereby the Farrs were released from any damage that might occur to the pipe line through falling rocks if they would grant right of way for the construction of the pipe line over their ground.

The case of the Liberty Irrigation company against Wm. Bailey et al, to determine on the division of certain waters of the Ogden river is now on trial.

HOME FROM COLORADO.

Prof. L. F. Moench, who last fall went from Ogden to San Francisco, California, to spend the winter for the benefit of his health, has returned home looking and feeling as he says "10 years younger." During the winter he has been teaching school there, and has been chosen as one of the delegates to the Colorado teachers' institute.

FUNERAL OF FRANK S. LOSEE.

The remains of Frank S. Losee, the unfortunate Southern Pacific engineer who died Sunday, were laid to rest yesterday in the Mountain View cemetery. The large attendance at the funeral services and the beautiful floral emblems were evidences of the high esteem in which he was held in Ogden, where he has lived the greater part of his life.

The funeral services were conducted at the Episcopal church. The juvenile girls' choir furnished the sweet music. Rev. Alfred Brown gave the scripture reading and the prayer. The eulogy was a comforting eulogy and sermon. The Brotherhood of Locomotive Engineers attended in a body, and conducted their ritual at the grave.

L. B. SPENCER CORPORATION.

The L. B. Spencer & Company has filed its articles of incorporation with the county clerk. The company is incorporated for a period of fifty years for the purpose of conducting a general engineering business. It is capitalized for \$25,000, divided into shares of the par value of \$10 each. The officers are: L. B. Spencer, president; R. S. Carlow, secretary and treasurer, and the three form the directorate.

EXCURSION TO ELY.

The secretary of the Weber club has

Ideal food for children.

## DR. PRICE'S WHEAT FLAKE CEREAL

**FOOD**  
makes the children plump and strong and prevents sour stomach and constipation. The best food for growing children, invalids and the aged.

10 cents a package.  
For sale by all Grocers

received a letter from the general manager of the Nevada Northern Railway company, announcing an excursion from Ogden and Salt Lake to Ely and return on May 24th, good returning until June 2, for one fare for the round trip, i. e., \$15.50. In case a lot is purchased by any visitor, one of the housing companies will refund the fare of the purchaser.

LICENSE TO WED.

A license to wed was granted to Michael Moran and Mrs. Martha Monahan, both residents of Ogden.

BRIEFS AND PERSONALS.

Parley Jensen and Carl Anderson were each fined \$50 for cruelty to animals by Judge Murphy. They lived at horse and buggy from Williams' drive stable, and with another boy drove the outfit to Brigham City and back, bringing the horse back lame and wet with sweat.

John Estes was arraigned on the charge of burglary in the third degree, and his bond was fixed at \$500 to await trial. Being unable to furnish bond, he was turned over to the custody of the sheriff.

Tonight the high school faculty and classroom staff will give a concert and ball at the Armory hall.

S. L. & O. NEARLY COMPLETED.

Hon. Simon Bamberger this morning took the newspaper representatives for a drive over the proposed route of the Salt Lake & Ogden—between Ogden and Riverdale. The tracks are now laid within six miles of the Junction city, and will be running in a short time.

TAVEY RESIDENCE BURGLARIZED.

While the family was absent last night the home of H. C. Tavey, 523 Twenty-third street, was entered by burglars and ransacked from top to bottom, a gold bracelet, two pairs of eye glasses and other articles were taken.

EASTERN STAR ANNUAL.

The first session of the second annual meeting of the Order of the Eastern Star of Utah convened here at 11 o'clock yesterday morning. The day's program included a dinner at the Pacific hotel at which covers were laid for 50. The address of welcome to the visitors was delivered by Mrs. Anna Lewis, worthy matron of the Queen Esther chapter. Mrs. J. D. Graham of Salt Lake, grand chaplain, made the response.

Immediately after convening for the afternoon session the memorial services for all members of the organization who have died during the year was held. The reports of the various divisions of the organization to be in excellent condition were received and referred to committees.

FREIGHT HANDLER HURT.

While working in the R. G. W. freight house yesterday afternoon, Alfred Harrison had his right foot crushed by a piece of freight falling on it.

Trains for Salt at Saltair 8 p. m.

State St. Hardware for garden hose, tools and poultry netting, 552 State St.

The following table shows the movement of patients for April:

	Men.	Women.	Total.
In hospital March	179	183	362
Admitted	5	3	8
Under care and treatment	184	186	370
Discharged	11	4	15
Died	0	1	1
Remaining April	173	181	354

GAIDEN CITY NOTES.

"The Mandarin" an opera, now being prepared by Prof. J. R. Boshard and a number of Provo talented singers, will be presented at the Opera house on the 23rd and 24th.

A. L. Booth and Wilford T. Gilles went to Little last night on business connected with the East Tintic Development company.

State Engineer Tanner is a Provo visitor.

The first ward choir gave an interesting concert last night in the ward house for the benefit of the choir.

On Tuesday evening Miss Nelke and a class of her students in elocution and dramatic art from the B. Y. U., will give "Rebecca's Triumph" in the Opera House. It is unnecessary to say that the presentation will be an excellent one—Miss Nelke's offerings to the public are.

J. E. Spencer, of this city, an insurance man of experience, has accepted the position of superintendent of agents of the Continental Life Insurance company. His field will embrace Utah, Idaho, Wyoming, Colorado, Montana, New Mexico and Wyoming. The salary and other compensation is satisfactory, and a strong testimonial to Mr. Spencer's ability.

LOGAN.

GALA DAY MAY 22.

Basketball Game Leading Event—Wedding Permits—Court Cases.

Special Correspondence.

Logan, Cache Co., May 9.—Logan is arranging to have a red letter half holiday May 22, when every business house will be closed after 1 o'clock so that everybody can witness a basketball game between Center and First North streets which practically divides the town. A great deal of interest is being taken in the game, and on both sides. Center street is determined to get even for defeat in the past and First North people are perfectly willing to let them try to get satisfaction. The basketball men of the city, and appointed committees on invitation, decoration, ball game, program and band contest, and grand ball. The city is to have a holiday active, everybody will throw off the cares of business and have a few hours of enjoyment. Invitations are being sent to all of the towns will respond, several bringing their bands.

SANITARY INSPECTOR BUSY.

Sanitary Inspector George L. Farnes is determined to have the requests of the board of health complied with. Yesterday he had five of the Logan merchants cited to appear in court for failing to clear the rubbish from their back yards.

J. R. Edwards has sold the property on Center street occupied by Wadman & Burdham's plumbing business to Mr. Wadman.

J. C. Garvin has transferred his interest in the Palace restaurant to H. C. Huttelback and S. B. Sorenson. Mr. and Mrs. Garvin have gone to Ely, Nevada, where they contemplate going into the hotel business.

L. F. Moench, secretary and treasurer of the Logan Glove and Tanning factory, has gone to New York for the purpose of purchasing a spinning machine to be installed in the factory.

SUIT FOR DIVORCE.

Mrs. Lillian H. Christensen has filed suit in the First district court for divorce from Alma C. Christensen on the ground of desertion. They were married in 1903, and have two children. The plaintiff asks for the custody of the two children, \$200 attorney's fee and \$40 per month alimony.

The case of George L. Farrell vs. Henry Griffith is set for trial in the First district court on Tuesday. Mr. Farrell obtained a judgment against the defendant some time ago for \$189.

The plaintiff asks the issuance of an execution against a bank account of Mr. Griffith, the latter claiming the money belongs to his wife, the matter was taken under advisement until Monday.

Mr. and Mrs. E. L. Gardner formerly of this city, but at present living in Montpelier, Ida., brought the remains of their 13-month old boy to Logan for burial. Funeral services were held Monday in the Sixth ward meetinghouse. The speakers at the services were Elders James E. Carlson, J. Z. Stewart and N. A. Larson. The death of the little one was caused by pneumonia.

A son has been brought to the home of Mr. and Mrs. George Burt and daughter to Mr. and Mrs. Ona Davenport of Hood River, Oregon. Mrs. Davenport, however, has been visiting her parents, and Mrs. A. G. Larber for some time.

WEDDING PERMITS.

Marriage licenses have been granted to the following couples: Parley Fletcher, 21, of Smithfield, and Carrie Mickelson, 18, of Hyde Park.

David S. Evans, 24, and Emily Kern, 20, both of Riverdale, Ida.

Grand Ball, Saltair, May 10th.

COALVILLE.

ACADEMY COMMENCEMENT.

Stake Church School Will Present Fine Program.

Special Correspondence.

Coalville, Summit Co., May 9.—Next week the closing exercises of the Summit Stake academy will take place. Following is the calendar for the week's exercises: Monday, elementary art exhibit, commencement ball in the evening; Tuesday, school outing; Wednesday, 10 a. m., advancement of classes; 2 p. m., commencement exercises.

PROGRAM WEDNESDAY, 2 P. M.

Ladies' Chorus, "Swing Song," Lohr. Invocation—Academy Vocal Chorus. Violin solo, Melody in F, Rubenstein. Vocal solo, "Come Unto Me," Gair. (Relay)—Maudie Salomon. Piano solo, "The Dying Poet," Gair. Piano solo, "The Dying Poet," Gair. Piano solo, "The Dying Poet," Gair. Piano solo, "The Dying Poet," Gair.

PROGRAM WEDNESDAY, 8 P. M.

Pilgrims' Chorus, Verdi. Invocation—Academy Vocal Chorus. Piano solo, selected, Edward Young. Address of Welcome—Mrs. Priscilla L. Evans. Address of Welcome—Principal C. J. Jensen. Violin solo, selected, Prof. Carlisle. Piano solo, "The Dying Poet," Gair. Vocal solo, "There, Little Girl, Don't Cry," Gair. Vocal solo, "There, Little Girl, Don't Cry," Gair. Vocal solo, "There, Little Girl, Don't Cry," Gair.

Vinol builds you up and keeps you up



Our delicious Cod Liver preparation without oil. Better than old-fashioned cod liver oil and emulsions to restore health for

Old people, delicate children, weak run-down persons, and after sickness, colds, coughs, bronchitis and all throat and lung troubles.

Try it on our guarantee. DRUEHL & FRANKEN, also SMITH DRUG CO.

MOAB.

Waterworks System Assured—Frost Kills Fruit Crop.

Special Correspondence.

Moab, May 7.—The Moab Irrigation company, which has full control of the new proposed waterworks system, is now making definite plans for the construction of this much-needed addition to this little town. The money secured by the sale of bonds is being used to order and work is under way. It will only be a matter of a few months before the project will be blessed with good water.

Almost every night during the past week, a frost has been a visitor in this section, the result being disastrous to the fruit crop. With the exception of a few orchards, all the fruit is killed.

CIRCLEVILLE.

BURIAL OF JOHN H. FULLMER.

Impressive Services Largely Attended By Relatives and Friends.

Special Correspondence.

Circleville, Plute Co., May 6.—Impressive services were held here yesterday over the remains of John H. Fullmer, who died in the hospital, Salt Lake City, May 1. The services were held in the large amusement hall, so as to accommodate the large number of people that assembled to pay their last respects to one of Circleville's most esteemed citizens. Counselor R. A. Ritchey presided. Hon. R. R. Turner and Charles Stoney, both of Beaver, followed in the order of service. The speakers eulogized the life and labors of the deceased, and paid high tribute to his sterling character, his honor, integrity and his devotion to his fellow men, his numerous acts of charity to those who stood in need, and his uniform kindness to all with whom he associated.

During the services the choir rendered beautiful music, and George Beebe and Miss Lizzie Smith sang with fervor the beautiful hymn entitled "Nearer My God, to Thee."

The floral emblems were elaborate and profuse, many of which were sent from all parts of the state. Fourteen carriers, filled with sorrowing friends and relatives, followed the remains to the cemetery.

Thus closes the earthly career of one of God's noblest and a benediction to all who were fortunate enough to come within his sphere of influence. He was a loving husband, a kind, indulgent father, a patient and a man who worked for the interest of all.

VERNAL.

CITIZEN SHOT IN TEXAS.

Mr. Turbitt Loses Life in Fracas in Southern State.

Special Correspondence.

Vernal, Utah Co., May 6.—The weather has been cold for nearly a month. The garden stuff is very backward, and the tender leaves and soft stems have been threatened to do some damage. The high water has been checked which threatened to do some damage.

The Mr. Turbitt, who was shot in Texas a short time ago, was a resident of Vernal. His wife and six children are left in mourning here. Mr. Turbitt was a quiet, respectable man, and when he left here two weeks ago to attend a trial at the home in Texas, where he was suing a man for a commission due him for selling a big ranch, he was in the best of spirits and in the case of southern hospitality and the two free use of guns. Mrs. Turbitt's father, Mr. George Taylor, is a great sympathizer of this community.

The first of May festival was a great success. It was conducted by the V. L. M. I. A. of Vernal ward. Miss Mary Siddaway presided. The queen of the May festival was elected. The festival was a success with a program, sociable and dance.

A "knight of the green cloth" got a setback a few days ago, when the good citizens here, in their return, his memory, who has an impulse to "shoot up" the town again. When brought before Justice, he was fined \$200.

Mr. and Mrs. E. K. Bassett left Vernal today for their new home on the plateau. They will be missed in the local circles as they have been willing workers, all wish them success.

LEHI.

FOURTH WARD MEETINGHOUSE.

Steps Taken for Its Building—Funeral of Samuel Hammer.

Special Correspondence.

Lehi, Utah Co., May 7.—At a priesthood meeting of the First ward Sunday evening last, at which the Stake presidency were present, a plan of land belonging to George Comer, on which to build a meetinghouse. The site is about two blocks west of the Lehi schoolhouse, and is an ideal location for a meetinghouse for the Fourth ward. Bishop Stoker says the new meetinghouse will cost \$5,000 or \$7,000. Since the dividing of Lehi into wards, the Fourth ward people have rented a large room in the bank building, and a meetinghouse of larger capacity will fill a most urgent want.

FUNERAL OF SAMUEL HAMMER.

Funeral services over the remains of Samuel Hammer, who died at the Lehi, D. S. hospital Sunday, after undergoing an operation, were held from the new tabernacle today. Bishop Andrew Field presided, President A. J. Evans and Senator John V. Smith

were the speakers, who eulogized his honesty and integrity as a friend and citizen.

The Daughters of the Pioneers, of whom the deceased's wife is a member, and the fire department, were out in a body to do honor to the deceased, and the house was filled with sorrowing friends and relatives, who greatly mourn his loss. Mr. Hammer was born 27 years ago in Lehi, and has lived here since.

PAROWAN.

SAMUEL T. ORTON DEAD.

Closes Busy Career at 74—Veteran Choir Leader Durham Honored.

Special Correspondence.

Parowan, Iron Co., May 7.—Parowan has been called upon quite frequently to mourn the loss of pioneers and old residents, the last one to be called away being Samuel T. Orton, who was taken suddenly ill on the 18th of April with paralysis, and on the morning of the 20th he passed away without regaining consciousness. He was born in Nottinghamshire, England, and came to Utah in 1856, crossing the plains in Capt. Barker's hand-cart company with his brother Alexander. He first settled at Johnson's fork, then at Summit and finally at Parowan, where he has resided since. In early life he married Julia Johnson, who bore him 12 children, losing her, he afterwards married the late Mrs. E. Johnson, who also gave him 12 children, all of whom are living. Father Orton has filled many places of responsibility in the church, and has been a member of the Parowan choir since its organization. He is well known to the people of Parowan, and it is said of him that he has never been known to betray a trust reposed in him. The funeral was held on the 23d inst., and the speakers at the service were the Rev. J. W. Smith and the Rev. J. W. Smith. The funeral was held on the 23d inst., and the speakers at the service were the Rev. J. W. Smith and the Rev. J. W. Smith.

Electric Light Bonds.

The city has finished the canal for the electric light works and is now advertising the bonds voted last year to put in the machinery.

On May 21 the members of the Parowan choir with a large number of friends, will give a concert at the house to celebrate the 74th birthday of the veteran choir leader, Prof. Thomas Durham. At 8 o'clock the choir will assemble when a messenger was dispatched who told the professor that the band were having trouble to get some of their horns to file and asked if he would kindly come and see what was the matter, and responding with his characteristic alacrity was completely surprised to find the hall well filled with his friends. A program was rendered and refreshments served and a very enjoyable time was had. So far as known, Mr. Durham is the oldest active chorister in the state, he having served since December, 1856, as leader of the Parowan choir.

Mr. David Watson of Boston, Mass., is here visiting the family of his brother, the late L. D. Watson.

SPRINGVILLE.

CLOSE OF SCHOOL YEAR.

Graduation Exercises at Springville May 13—New Operahouse.

Special Correspondence.

Springville, May 8.—The public schools of Springville have just closed a most successful school year. Promotion exercises were held Friday, May 3, in the general meetinghouse. Three sessions were held, at 10 a. m., 2 p. m., and 8 p. m., with an excellent program at each. In the evening District Supervisor N. K. Nielsen gave his annual report.

High school will continue two more weeks. All students are hard at work preparing for their final tests. School closes May 15.

On Monday, May 13, the eighth grade students of Utah county will meet at Springville for their graduation exercises.

Work has just commenced on the foundation of the new opera house.

## PILGRIMAGE OF THE UTAH PIONEERS

SIXTY YEARS AGO TODAY.

MONDAY, MAY 10, 1847.

The morning was cold; the thermometer standing at 23 degrees F., with a moderate wind from the west, the sky being thinly overcast with clouds. Large fires and campfires were comfortable. The wind soon changed to the east.

"Before we left this morning," writes Orson Pratt, "we wrote a letter addressed to the officers of our next camp, which will follow our track in about six or eight weeks. The letter was carefully secured from our weather, by saving about five or six inches into a board, parallel to its surface. The board was about six inches wide and 18 inches long. This letter was deposited in the track made by the saw, and three clefts were respectively nailed upon the top and bottom of the board, and after writing upon the board necessary directions, it was nailed to the end of a pole, four or five inches in diameter, and about 15 feet in length. This pole was firmly set about five feet in the ground, near our road.

"The company started about 9 o'clock, a m., traveled about two miles in a northwesterly direction, and crossed a clear creek (Paynes creek) about 15 feet wide. After traveling five and a half miles I took a meridian observation of the sun, from which I determined the latitude to be 41.255". The herds of buffalo are not as extensive here as some 25 miles back, they having been driven every blade of grass here, and evidently working their way eastward, down the river. The grass has some 25 miles back, they having been driven every blade of grass here, and evidently working their way eastward, down the river. The grass has some 25 miles back, they having been driven every blade of grass here, and evidently working their way eastward, down the river.

"We traveled in the afternoon about four and a half miles. The timber on the small islands and on the shores of the river, is more plentiful than usual. In the deep ravines, between the hills on the opposite side of the river, there appears to be clumps of small timber, resembling in the distance cedar or small pines."

PRINCESS VICTORIA ILL.

London, May 10.—The king and queen are anxious concerning the condition of their daughter, Princess Victoria, according to the Tribune. The princess recently was seriously ill and underwent an operation.

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There's more real food substance in ordinary soda crackers than in any other wheat food—which means more sustenance for the body.

### Unedea Biscuit

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SESSION OF INSANITY BOARD.

Mental Hospital Affairs and Movement of Patients—News Briefs.

Special Correspondence.

Provo, May 10.—The state board of insanity held its regular monthly meeting here yesterday, with all members present. Treasurer Farrer reported receipts for the general fund of \$12,117.25; overdraft, from March, \$4,317.29; disbursed, \$5,379.48; on hand May 1, \$2,205.9.

Improvement and repairs fund: on hand April 1, \$185.10; received, \$103.72; disbursed, \$103.72; on hand May 1, \$185.10.

The maintenance account for April, in-

cluding salaries, \$3,628.52, and improvements and repairs, \$20.95, were audited and allowed, and requisitions made on the state auditor for the amounts.

James Goodman was awarded the contract for building a workshop and coal house for \$750.

H. G. Blumenthal was awarded the contract for repainting the tin roof for \$650.

Medical Supt. Calder was authorized to purchase fixtures and furniture for the kitchen to the amount of \$175, and to advertise for bids for supplies for six months.

The secretary was instructed to apply for an order of court appointing Medical Supt. Calder guardian of Mary A. Wilson, a patient who has a pension coming from the government.

AT GENERAL STORES

P. C. TOMSON & CO., Manufacturers, Philadelphia, Pa.

To make good soap—soap that will give best satisfaction—that will not turn rancid, use

Red Seal Lye

—the very best on the market. By its use far better soap can be made than with old style lye. Nothing better for softening water. Put up in a convenient sifting top can for household purposes such as disinfecting, cleaning, etc.

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