

OGDEN DEPARTMENT

Manager. - E. A. Larkin
401 1st St. Telephone 124-K.

Editorial. - M. H. Thomas
Office with Standard Building,
215 2nd St. Telephone 124-K.

Advertisements for the Daily, Saturday and Semi-Weekly News accepted on the same terms as at the Salt Lake office.

OGDEN, UTAH, - SEPT. 7, 1904.

AFFAIRS OF WEBER COUNTY.

West Weber School Precinct Detached from District No. 1—Canyon Road Survey.

SESSION OF CITY COUNCIL.

September Weddings—Narrow Escape of Mr. and Mrs. F. F. Ritter—Will Hold Inquest.

At the regular meeting of the board of county commissioners, the two following important reports were adopted:

September 6, 1904.
To the Board of County Commissioners, Weber County, Utah:

Gentlemen:—Report of the committee of the whole on the petition of the taxpayers and citizens of West Weber precinct:

Whereas, The petition of the taxpayers of West Weber precinct, in the county of Weber, State of Utah, which was formerly West Weber school district No. 1, Weber county, and made again a separate and independent school district, the petitioners, assigning as a reason that the same is not a part of the time of the consolidation of seven school districts, named and designated as school district No. 1, West Weber school district, was one of the number embraced in said consolidation. In due course of time the West Weber school district trustees turned over all school property of said West Weber school district, which embraced a large new and commodious schoolhouse, upon which there remained a debt owing and unpaid of \$3,112, which amount had been borrowed and was then due to one Thomas Eberington. After said consolidation the trustees of the newly consolidated school district discovered some irregularities not sanctioned by the law as to the manner said money had been borrowed and used in the erection of this building. Consequently they did not feel like assuming the responsibility of said indebtedness. The consolidated school district was then, in their regular election, held Jan. 11, 1904, asked to vote Yea or Nay on the subject of the payment of such debt. A majority voted against the proposition. The failure, as reported by many of the signers of the petition, to recognize the indebtedness was largely due to prejudicial interpretation and the direct opposition of voters against the consolidation of the districts.

And whereas, Many of said petitioners represent that as soon as the adjustment and payment of said indebtedness is made they will apply to the consolidated school district, believing that by such consolidation good educational and otherwise is attained.

New, therefore, as a committee of the whole, in view of the reasons and facts set forth in this report, and having been in consultation with the county attorney, Captain Hulaniski, who wholly approves of our conclusions in these premises, we recommend that the prayer of the petition be granted and that all that said school district No. 1, in Weber county, formerly known as the West Weber school district, be detached and set apart as formerly, to be known as the West Weber school district.

On behalf of the committee of the whole,
JOSEPH STANFORD,
Chairman.

After the reading of the above report, the board passed a resolution formally detaching what formerly composed West Weber district from the consolidated district No. 1.

OGDEN CANYON ROAD SURVEY.

To the Board of County Commissioners.

Your committee on the location and survey of the Ogden Canyon road, hereby submit our final report:

For a number of years—in fact, it may be said since the purchase of the individual stock of the old Toll Road company by Weber county, a very vague and indefinite idea as to what the rights of the county were as to the limits in width, etc., of this important highway generally prevailing, and which had been for a long time, were that no rights had been acquired or even existed by title in Weber county other than the right to the narrow road-bed which had been and was still held by public travel. A contention arose at the time (February, 1901), of the slide of rock occurring by the overflow of water from the Utah Light & Power company's pipe line, causing the destruction of the bridge at the entrance to the canyon. It was argued the location of this bridge had been unlawfully made by having it placed some eight feet south of the old site. Had this been done it was claimed the damage to the bridge would not have occurred.

curred. This claim, however, later on was waived and a compromise settlement effected.

Your committee is advised by the county attorney that prior to January 1, 1898, the day upon which the Revised Statutes of 1898 became effective, there was no provision of law establishing the width of a county road or highway. However, on the day named, Section 1117 of the Revised Statutes became effective, providing "the width of all public highways, except bridges, alleys, lanes and trails, shall be at least 66 feet." It is, therefore, apparent that any buildings, fences, etc., erected since that date in whole or in part upon any part of the 66 feet constituting a county road would be an encumbrance, and the statute of limitations not having as yet run, this board has authority to cause the same to be removed. Such would not be the case with buildings, fences and other obstructions, placed in whole or in part upon the 66 feet embracing the road or highway if the same were placed thereon seven years prior to the present date: as prior to this time there was no provision or law establishing the width of a road or highway.

To be brief, your committee is unanimously of the opinion and recommends that Weber county do now assert its rights in the premises, i. e., that where a person or persons, unless by length of time are entitled to and can hold adverse possession, be ordered by proper notice being given through the sheriff of Weber county, by the precinct road supervisor, to remove any building or person who have buildings, fences, etc., within the prescribed limits of said 66-foot roadway, and who are not protected by the statute of limitations, to remove said buildings, fences, etc., onto their own lands; that legal notice be given and posted at different points along the canyon that no building or material of any kind can be removed from said 66-foot roadway unless permission is first obtained from the board of county commissioners, provided that where any building or buildings so required to be removed, and it would place the owners thereof to ill convenience and disadvantage at the present time, the owners thereof can, by proper application to the said board of county commissioners, obtain a lease and pay rental until such buildings can be conveniently removed.

Yours very respectfully,
JOSEPH STANFORD,
JESSE POWERS,
This report was unanimously adopted by the county board.

E. M. HUTCHISON DEAD.

Many friends in Ogden will learn with deep regret of the sudden and unexpected death of E. M. Hutchison, which occurred at the Pleasanton hotel, San Francisco, Monday night, Mr. Hutchison, who is a brother of T. S. and John Hutchison, was for several years clerk at the Reed and Pacific hotel in this city, and a very popular friend. No details of the circumstances attending his death have yet been received here, but his brothers left on the noon train today for San Francisco to attend to the funeral. For the past two years the deceased was employed as day clerk at the Pleasanton hotel, where he died and during his sojourn in the Bay city he made many friends. Deceased was 34 years of age and was born at Burnside, Scotland, coming to this country about 11 years ago.

CITY COUNCIL SESSION.

The city council last night passed the ordinance granting a franchise to the Postal Telegraph company. The ordinance will go to the mayor for his signature.

The council let the contract for paving Grant avenue between Twenty-fourth and Twenty-fifth streets with asphaltum to P. J. Moran at an estimated cost of \$25,000.

John Brown was elected sewer inspector for district No. 8, upon recommendation of Randall A. Paine of the sewer committee. Davidson, the minority member of the committee, favored A. Martin, but on a vote of the entire council Brown received all the votes excepting those of Davidson and Nye.

SEPTEMBER WEDDINGS.

Marriage licenses were granted to the following couples:
William D. Jacobs, 21, and Miss Mary H. Jordan, 18, both of Ogden City.
Arthur Sewell, 22, and Miss Mary Martin, 20, both of Wilson, Weber county.

Joseph J. Wood, 19, and Miss Fannie E. Brown, 17, both of Ogden City.

NARROW ESCAPE.

A lively mix-up between two vehicles occurred at Riverdale yesterday afternoon, resulting in the demolishing of one buggy and badly bruising the occupants.

P. F. Ritter, accompanied by his wife, was going southward in a sleigh buggy, when they met John Allen going the opposite direction with a heavier vehicle. The wheels of the two buggies locked, overturning the buggy in which Mr. and Mrs. Ritter were riding. The occupants were dragged a short distance, but escaped without any serious injury. The horse continued on down the road at full speed, dragging the buggy for over a mile to the Ritter home, where the vehicle was entirely demolished. Mr. Allen is near sighted, and says he did not see the Ritters until the wheels locked.

A. ASIGAN INQUEST.

Judge Howell has decided to hold an inquest over the remains of Andrew Asigan, who was found dead Sunday night, and impelled a jury, composed of Andrew Schering, Joseph Schering and B. G. Kuoht, who viewed the remains and the inquest was continued until tomorrow. Asigan had no relatives here, hence his burial will be looked after by the city officials, and paid for out of the \$750 found in his pockets.

BRIEFS AND PERSONALS.

Sheriff J. W. Bailey has telegraphed that he left St. Louis yesterday for home and will arrive tomorrow.

A fire department made two runs yesterday morning. The first run was to the home of John Fry on Twentieth street, where the roof had caught on fire. Damage amounted to \$50.

Thomas W. Read secured a divorce from Louisa Read on the ground of desertion.

Mrs. S. H. Cave left last evening for Buffalo, where she goes as a delegate from the local lodge of ladies auxiliary to the B. of L. Firemen, whose grand lodge meets in Buffalo.

R. P. Moffat was made a delegate for the local locomotive firemen.

Ernest T. Spencer, formerly with the Standard, has returned from a month's visit at Chicago and the world's fair.

LOGAN.

The agent of the Deseret News in Logan is C. E. H. Hays, 120 North Main St., to whom all payments of accounts should be made. Daily News 15 cents per month, Saturday and Semi-Weekly News 25 cents per year. Advertisements, orders for dress, orders for advertisements and church works will be given prompt attention.

SCHOOL OPENING.

Death's Record—Teachers Who Passed Master—Miss Tout Musical.

Special Correspondence.

Logan, Cache Co., Sept. 6.—Mrs. Margaret Roush, wife of John T. Thain of this city, died at the family residence in the Second ward at 2 p. m. on Sunday from the effect of stomach troubles, from which she has been suffering for long time, having been confined to her bed most of the time for six or eight months past. Mrs. Thain was born at Tenby, South Wales, in July, 1832, and was in her seventy-third year. She was married to Mr. Thain in this city, and together they came to Utah in 1856, crossing the plains in a hard company. They located first at Willard, where they resided for a number of years, then came to Logan, where they have resided for over 20 years. The deceased was the mother of seven children, six of whom and her husband survive her. She was a loving mother, and a devoted wife, and beloved by all who knew her, and her loss will be keenly felt in the neighborhood where she lived. The funeral services will be held in the Second ward meetinghouse at 2 p. m. Thursday, the 8th.

Mrs. Simonine Balling, wife of Peter Balling of the Third ward, died Sunday from cancer of the stomach, from the effects of which she has suffered for a long time. Mrs. Balling was born in Denmark, March 2, 1840, and came to Utah about 10 years ago and soon after came to Utah and has since resided in Logan. She leaves a husband and four children to mourn her departure. During her residence here she has made many friends, and has shown herself an estimable woman. The funeral services will be held from the Third ward assembly room tomorrow at 3 p. m.

PASS SUCCESSFUL EXAMINATION.

County Supt. Thompson announces that the following teachers successfully passed the state examination given last week, and will be given certificates to teach: Josephine Maughan, Edna Cole, Birdie Savage, Mary A. Grant, Harriet L. Hogan, Isabel O'Bray, Maud Leatham, H. W. Leatham, Sadie Bohm, Millie Maughan, Maud Williamson, Rachel Parker, Leslie H. Shaw, Leonard Pitkin, W. G. Reese, Anna Briggs, Jane Bybee, Frances Marie Bybee, Maud Bybee, Othella Petersen, Mary Petersen, Sarah Smith, Annie C. Smith, Priscilla King, Edwin Mills, Edward J. Gibbons, Mary Jensen, James A. Cragun, Edgar M. Wright, Peter Larsen, John Jensen, Mary Ellen, Karl Cragun, J. W. Seamon, C. M. Christensen, J. C. Stocks, Edward J. Clark, Robert P. Leatham, Leroy Reese. Out of 46 persons who took the examinations 40 passed.

SCHOOL OPENING.

Most of the district schools of the county will open Monday, the 12th. The Brigham Young college will open on the 19th, at the Agricultural college on the 20th.

Mr. and Mrs. B. G. Thatcher have gone to Salt Lake to attend the funeral of Mrs. M. T. Beattie, Mrs. Thatcher's mother.

Moore Thatcher, Jr., met with a rather painful accident on Saturday evening. While on horseback riding the saddle turned and he was thrown to the ground, breaking his arm.

MISS TOUT WILL SING.

The town is being canvassed to see if enough interest exists to bring Miss Nannie Tout to Logan. It is understood the committee is meeting with every flattering success. The prospect is so bright that Miss Tout will sing in the Logan tabernacle on Friday evening next.

The funeral of Wm. H. Duryee will be held in the Second ward meetinghouse tomorrow at 2 p. m. Mr. Duryee died in Colorado but was brought here for burial.

Reports from Mendon state that Christian Sorenson, who was kicked by a horse last Friday, is still in a very critical condition, but still having regained consciousness. He is expected to be discharged, but he will recover but his life yet hangs in a balance.

The county commissioners met in regular session today. Besides passing the usual bills they devoted some time to discussing the new road roller. It seems that the roller furnished by the Danielson company is several tons heavier than the one ordered by the county and it is doubtful if anything but a locomotive can pull it. The county may not accept it.

J. Lumber company vs. Andrew Halvorson: Judgment for plaintiff for \$295.75 and costs, and \$50 attorney fees.

The case of Springfield vs. Mapleton, involving the sale of land, was argued today. The case of Hobbie creek and Maple creek, is being heard by Judge Booth.

Suit for \$2,000 damages has been filed by George Stewart of Lake Shore, against Frank Argyle for defamatory statements, alleged to have been made by defendant. On Dec. 24 defendant is alleged to have said at Lake Shore in the presence of Samuel Ashby: "I am satisfied that George Stewart stole my turkeys." And on the 22nd of July, 1904, at Lake Shore, to have said in the presence of Joseph H. Jones: "I accused George Stewart of stealing my turkeys; I believe he did and I told him so to his face." Plaintiff asks for \$1,000 damages in each case.

BOARD OF EDUCATION.

The board of education met last evening and employed the following janitors for the ensuing school year: Sam Ricks, Parker school; Samuel J. Jones, Franklin school; Peter Thompson, Maeser school, for the month of September and October; Sarah Davis, Timpanog.

The committee on buildings and grounds reported numerous repairs on heating apparatus, etc., in accordance with the instructions of the board.

The matter of insurance on the Maeser school was referred to the committee on buildings and grounds.

TEA.

Our fortune and hope are in tea, in good tea.

You probably want that tea.

Your grocer returns your money if you don't like Schilling's Tea.

Special Correspondence.

Moroni, Sanpete Co., Sept. 6.—The funeral of Cleon, the 10-year-old son of David and Lizzie Hardy, Nielsen, takes place at 1 p. m. today. The deceased, a bright, loving boy, was at play with his companions, and accidentally scratched one of his fingers with a rusty nail. The wound did not bleed, but caused the boy some pain, when his mother dressed the wound, which subsequently suppurated nicely and apparently healed so that the boy thought nothing of the injury. In 10 days from the time of the injury, tetanus manifested itself, and, after about 24 hours of intense suffering, he passed away on Sunday, the 4th inst.

Our respected fellow townsman, Marvin C. Draper, was taken to St. Mark's hospital a week ago, suffering with a bad case of appendicitis, for which he underwent an operation, which seems to have been entirely successful, as we are informed that he is recovering nicely.

SESSION OF CITY COUNCIL.

Improvement of Canyon Dugways—Waterworks Extension—Finances.

AFFAIRS OF UTAH COUNTY.

Report of County Treasurer—District Court—Board of Education—Garden City News Notes.

The Daily News is delivered by carrier in the city every evening (Sundays excepted) on the terms as in Salt Lake—5 cents per month. All complaints, requests for change of address and payments for change of address and payments for change of address should be made to R. J. Dugdale, 512 west 4th North St., Provo. Advertisements and orders for church works also received.

SPECIAL CORRESPONDENCE.

Provo, Utah Co., Sept. 7.—A proposal made by the county for the construction of six masonry and concrete walls at the dugway in Provo canyon between the mouth of the canyon and Spring Dell, the city to pay one-half and the county one-half of the cost, was presented at the meeting of the city council last evening and accepted.

S. H. Jones presented a communication in relation to his services as driver of a sprinkling wagon, setting forth that the council had been misinformed in regard to his work, and disclaiming that he had not conformed to the directions made by the committee having the sprinkling in charge. Accepted and filed.

A communication was received from Street Supervisor York, asking that the railroad companies be required to grade the approaches to their tracks on West Center street the whole width of the street on account of the dangerous condition from a narrow approach now existing. Referred to the committee on railroads and telegraph lines.

The matter of opening First South street between Ninth and Tenth, West street was referred to the committee on streets and alleys.

The matter of securing money to proceed with the work of the waterworks extension was referred to the committee on finances.

The recorder was instructed to notify the building inspector to enforce the order previously made requiring iron fire doors to be placed in the hall upstairs through the buildings from the Provo Commercial and Savings bank to the Provo Meat and Packing company's building.

The committee on sewer was instructed to publish notice of the intention to create sewer district No. 6, on Fifth West street. Sept. 27 was set for the council to meet and hear objections thereto.

COUNTY BUSINESS.

The city council met with the board of county commissioners yesterday and discussed the question of repairs on six dugways in Provo canyon. A motion to the effect that the county attorney meet with a committee of the council and draw up an agreement for the city to pay one-half and the county one-half of the cost of the repairs, was adopted.

Assistant County Attorney Anderson and Attorney D. H. Thomas, applied for appointment as county attorney to fill the vacancy caused by the death of County Attorney Park. Accepted and filed.

George J. Duke and others petitioned that the road in south fork of Provo Canyon be made a county road; petition granted.

The resignation of Lars A. Johnson, as justice of the peace of Santiquin precinct was accepted.

A petition of John Von Steeter and others asking for a county road to be established in Lehi and Highland precincts was referred to Commissioner Webb, with power to act.

A petition from Eliaz Cowan et al., asking for a county road to be established in Benjamin district was referred to Commissioner Dixon.

The following fees were reported collected for August: Treasurer, \$150; recorder, \$185.15; clerk, \$351.30; sheriff, \$49.20.

The county treasurer reported the following amounts on hand in the various funds:

County school, \$11.23
Superintendent's contingent, \$23.20
General fund, \$2,892.67
Witness and jurors fund, \$161.00

The contract for building a stone abutment at the river bridge north of Provo was let to George E. Ross for \$425.

FOURTH DISTRICT COURT.

Polly Smith of Springfield has commenced suit for divorce against John W. Smith on the grounds of failure to provide and cruelty. The parties were married at Springfield, Oct. 24, 1893. Plaintiff asks for the custody of five minor children, and for the home, consisting of a small house and about five acres of land.

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Our fortune and hope are in tea, in good tea.

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A GOOD RECIPE

A Good Bread recipe and a short one—with a positive money back guarantee.

HUSLER'S FLOUR.

ser school was referred to the committee on buildings and grounds.

The Maeser district was changed, making the north boundary, east of Fourth street, the North street instead of Fourth North street, and an eighth grade will be conducted in the Maeser school district this year for the eighth grade pupils who reside in the district. They have previously attended the Parker or the Franklin.

GARDEN CITY NOTES.

Judge Saxey is over from Spanish Fork on legal business.

Mayor Leitch, Don Johnson, William Packard and a large number of Springfield and Mapleton people are over as witnesses in the Springfield vs. Mapleton water case.

George C. Groneman, a young man who has shown great talent in playing on the violin from childhood, will take a course of study in the Chicago college next fall.

J. C. Graham of the Enquirer was a Salt Lake visitor yesterday.

Mrs. R. S. Hines and Miss Tossie Hines have returned from a trip to Canada. They are greatly pleased with the country and have been greatly benefited in health by the trip.

MANTI.

HONOR UNCLE SAMUEL WARE.

Pioneer and Veteran Celebrates Eightieth Birthday With Children.

Special Correspondence.

Manti, Sanpete Co., Sept. 6.—One of the faithful Latter-day Saints of Manti, "Uncle" Samuel Ware, who came to Manti some 46 years ago, celebrated his eightieth birthday Sunday last, and all his children from their respective localities gathered in the city to celebrate the event. "Uncle" Sam, as he is familiarly called, is the father of 17 children, eight of whom have passed away, together with a faithful wife, the old veteran. Those present upon this occasion were James R. Ware and wife, Mrs. John Snow, Robert Logan and wife, all of Orangeville, Emery county; Thomas Holson, a son-in-law, of Castle Dale. Those from Manti were Mr. and Mrs. Nympha Larsen, Mr. and Mrs. C. P. Larsen, President and Mrs. J. D. McAllister, Mr. and Mrs. M. F. Farnsworth, Mr. and Mrs. Robert Johnson, Alexander Tennant and his sister, Miss Marion Tennant. Dainty refreshments were served to the guests and old time songs and reminiscences were given for several hours. Sunday afternoon, during the fast meeting, Brother Ware arose and bore a faithful testimony to the truthfulness of the Gospel, and in conclusion spoke by the gift of tongues, which was interpreted by Sister Ellen B. R. Matheny, one of the workers at the Temple here. For many years "Uncle" Sam was engaged as miller in one of our roller mills, and also the carding machine gave him employment for some years, as he is proficient in both trades. He has raised a respected and honorable family, and at the present time is in good health and is able each day to attend to the duties at the court house in a most remarkable manner. During the court season he also does the janitor work in an adjoining schoolhouse. He has living with him at the present time a wife and three children.

EUREKA.

FUNERAL OF MRS. D. E. WHITE

Rasmus Nelson Has Left Hand Crushed in Mine.

Special Correspondence.

Eureka, Juab Co., Sept. 6.—The funeral services over the remains of Mrs. Diantha Ella White, who died suddenly from valvular disease of the heart yesterday, were conducted at the family residence this afternoon at 4 o'clock by the officers of the Latter-day Saints Church. The remains will be shipped to Provo tomorrow morning by Underwood & Wallace for burial. The deceased was a niece of the late Bishop N. A. Empey of the Thirteenth ward, Salt Lake City, who passed away the day before.

LEHI.

SUGAR MAKING BEGINS SEP. 20

Bush-Wing Nuptials—Sad Death of Henry Anderson—Lazar.

Special Correspondence.

Lehi, Utah Co., Sept. 6.—Plans are now on foot to have a large bazaar some time in the near future in the City pavilion in which all four wards of Lehi will participate for the benefit of the new tabernacle fund. A meeting was held last evening of the officers of the Relief society, Young Ladies' and Primary associations, and the presidents of the separate associations were chosen as a general committee.

The first bazaar have been conducted under the auspices of the M. I. A. and have been very successful, financially, socially and artistically, in showing up the talent of the young people and the products of our fair city. The Daughters of the American Revolution will hold their monthly meeting at the home of Mrs. Janus Schow, where a program will be rendered.

Last Wednesday a fine boy was born to the wife of Mr. J. L. Roberts.

Daughters have been born to the wives of Messrs. Wm. Vaughn and Geo. Zimmerman.

Mr. James H. Gardner, general superintendent of the Idaho and Utah sugar companies, went to Idaho today to inspect the mill and to make final arrangements for the forces to run the same.

SUGAR MAKING BEGINS SEP. 20.

The sugar factory will start up on the 20th inst, and the farmers will commence digging their beets on the 15th. Everything is now in readiness for the mammoth crop which will be harvested, and it is hoped by the farmers that this ideal weather will keep up for the ripening of the beets.

BUSH-WING NUPTIALS.

Mr. Joseph Wing and Miss Marie Bush, two of our most prominent young people, will be married this week and will make their home in Garland.

Messrs. A. J. Evans, S. L. Chipman, Jas. H. Clark and Don Strong, have filed an application on the waters of the Alpine creek from which Alpine gets its water, for power and lighting purposes.

Sunday Mr. Elam Fouts shipped 127

head of mustangs to Pennsylvania. He paid from \$6 to \$12 per head for them, and to this must be added \$10 freight and the cost of feeding to square Mr. Fouts up on the deal.

The following young men have received letters from Box B to take the missionary course in the Brigham Young Academy the coming winter: Wm. Whipple, Freeman Royle, Abraham Gantes, Isaac Lott, Asa Wien, T. F. Train, lately with the People's company, is now engaged with the Lehi Mer. Co.'s clothing counter, and Miss Jennie Bromley, formerly of the People's co-op, is behind the Backer Mer. Co.'s dry goods counter.

Dave Smith has returned from a trip to Canada. He says those who tried their wheat without discs are reaping from 20 to 25 bushels of