## DESERET EVENING NEWS SATURDAY OCTOBER 26 1907

# DEPRICE'S **Baking Powder**

Without question it makes the finest, the most healthful food. Dr. Price's Cream Baking Powder has been used throughout North America for three generations and is acknowledged to be the standard baking powder for ease and economy.

st the assistant city attorney. reply makes a much more serious e against Ogdep Hiles' man, than is man made against Ingebrei-li is that he has used the pres-ind supposed power of the city ev's affice as a club over the head subretzen to force him to take is haction. The club was raised form of threats that if carried both have had a serious result it. Ingebretzen's future, provid-bing could have wielded the he suggested he possessed in it the threats. = the throuts. charge is contained in the fol-i language from Mr. Ingebrat-reply filed in the Third District

(Diulnny) stated that if I would so the stipulation, he would re-by forever refusing to do me any or show me any courtesy, and publish me before the bar as an

CITY OFFICIAL

AS BULLDOZER

Assistant City Attorney Appears

In This Role, According

To Affidavit.

INGEBRETSEN'S STIFF REPLY.

his Neglect Was in Failure to Set an

Alarm Clock Under Sleeping

It has taken James Ingebrotsen, the

forward to serve as scapegoat for his

whom H. J. Dininny brought

reglect in failing to take advan-

of his legal rights in the damage

(b) of time to prepare a stiff reply,

livering in return a serious charge

inst the assistant city attorney.

galust the city, a very short

Legal Guardian.

#### FAILED TO WAKE HIM.

The trouble is over a damage suit filed against the city by Geo. L. Hern-dan, Ingebretsen being his lawyer, A dan, ingepretsen being his lawyer, A judgment was rendered in Herndon's favor, and Dininny let the time for sp-peal large. Now his affidavif, filed Thursday comes forward trying to Drow, the blame on Ingebretsen for not setting off an alarm closk under him and waking him up to the fact that his affice duties were not being attend-ed to.

The office duties were not being attended to.
"I do solemnly aver," declared Mr. hypotysen, "that any mistake, fund-vertance or neglect on the part of Dining he taking action with reference to the said hill of exceptions was not occasioned by any act or word of sugarity of the main who hepes to sit in Ogden Hiles' high place with nothing to do but watch an assistant work, is as follows:
"James Ingebretzen, being first duly sworn, deposes and says: "I am one of the attorneys for the plantiff in the above entitled action, and as such I make this affidavit in opposition to the main relief in respect to setting the bill of exceptions berein. REFUSAL TO SIGN.

"On or about the 15th day of June, 1907, I was engaged in the prepar-ation of a brief in the state supreme court Hbrary. While sitting at a table reading, H. J. Dininity, one of the attorneys for the defendant herethe attorneys for the detendant here-in, came into the room and to the table at which I was sitting, and placed on the table a proposed bill of exceptions in this cause. He called my attention to the fact he had pre-parent a stipulation in the words and orgures set forth in his affidavit herein field, and asked me to sign that stip-ulation.

distinctly and expressly told him that I would not: (1st)), because Mr. hoppaugh was asociated with me in the case and I desired to consult him remember it, on Saturday forencon, and during the afternoon of the same day I took the proposed bill to the of-fice of Mr. Heppaugh, an associate, and repeated to him the conversation nd repeated to him the conversation hat had occurred between myself and fr. Dininny, and he agreed with me hat we would not sign the stipulation roposed by Mr. Dininny, but that we could stipulate that the exhibits might é treated as a part of the bill, and hat we had be amendment to propose. DININNY SLUMBERED ON.

DININNY SLUMBERED ON. "Accordingly, that same day, I wrote upon the bill my acceptance of services and the slupilation set forth in the af-fidavit of Mr. Dininny, which was in all respects in full performance of my promise to him. Thereafter, about June 22, I left sait Lake on a business trip and was gone about two weeks. "I have no knowledge or informa-tion as to the visit of Mr. Dininny to my office during my absence, but the bill was in my office during my ab-sence, with the said stipulation in-dorsed thermon, but I do not recollect whether d told my clerk anything about it, and I are unable to obtain any information from her on this point now, or as to the visit of Dininny, for the reason that she is no longer a resi-dent of the city. "Shortly after my return to this offic and cards to the total the set for

"Bhortly after my return to this dy, and early in July I met Mr. Julinny in the joint building at Salt ake and told him I had indersed on take and told him I had induced on the bill the stipulation as averged in his affidavit, but I distinctly told him and expressly further said to him that the stipulation so induced upon the bill was that we had no amendments to propose, and that the exhibits might be treated as part of the bill.

VOICE FROM SLUMBERLAND.

VOICE FROM SLUMBERLAND. "He said: 'I see to reason why that will not be satisfactory.' He then ask-ed me if I thought of it to bring the bill with me to the office of the city attorney in the joint building some interview in the joint building some the when I was coming that way, and I told him I would be glad to do it if i thought of it, but that he had better and that I might not have occasion to ome to the building very soon or very often and then he said: 'Well, I have plenty of time, and if you think of it, by your office very often, and I will un he and gri h.' I said: 'It is lying in the desk and the girl knows about it and will hand it to you if I am not. .'' This was all of that conversation. "With respect to the suid conversa-tion of he goint building, some time he says was had on the street. The he do no he pathway leading from State street to the joint building, some time to no the gaint will building.

to the said bill of exceptions. With re-spect to the matters and things con-tained in the said affidavit of said Di-ninny and with respect to the pressure and magnitude of his business. I knew nothing, and can make ne statement with referece thereto; but I do solemnly avor that any mistake, inadvertence or neglect on the part of the said Dininny in taking action with reference to said bill of exceptions was not occasioned by any act or word or suggestion of mine.

whose commission expires Jan. 1910."

PILES CURED IN 6 to 14 DAYS.



ake Festival chorus wishes that all members who have not received oir membreship cards for the season, und who have therefore been absent om rehearsals to notify him of their sire to retain membership in the Fesval association. Membership is limittival association. Membership is limit-ed to 200 singers, and names are desired at once, so that numbers can be given to new members. At the last reneareal, many leading soloists were in attend-ance and expressed surprise at the way the singers mastered the work. Owing to the Maconda concert in the First M. E. church Monday night, the Festival chorus will hold their next re-hearsal Tuesday evening, in Beesley's music ball.

nusic hall AMUSEMENTS.

Theater—A larger turn-out than on the opening night, greeted Louis James and his company last evening to wit-ness "The Comedy of Errors." While the play was followed with curjosity and interest, its artistic results cannot be said to have been satisfactory. Shakespeare's comedy, delightful as its versification is, always made a strain on the imagination, the story being one where we are asked to be-lieve that two men and their two serv-ants are moulded so exactly alike in face, form and speech, as to deceive even wives, relatives, and friends. If we accept the story, it is evident that it can only be made successful if the double pairs of twins really resemble each other closely and they were very Theater-A larger turn-out than of double pairs of twins really resemble each other closely and they were very far from being alike in the case of the two master last night. Mr. James, himself easayed the part of the two Dromice, but failed to get the humor out of either of the parts that Robson and Crane used to invest them with. At the finish, too, where the presence of both Dromios on the stage becomes imperative, there was no more resem-blance between Mr. James and fils double than there was between the two masters. The work of the others in the cast was clever, without being especi-ally distinguished, and Aphle James, who is always a clever reader, was rather too beisterous in her speech to



Judge Morse Releases Quartet of Wives from Cruel Treatment of Husbands.

## NEGRESS AMONG THE NUMBER

Husband Deserted Her the Same Month They Were Married-Joseph Warr Made War on Wife.

Four matrimonial alliances were fractured by Judge Morse yesterday after he had listened to the testimony of that number of injured wives. Cruelts predeminated in the allegations, though

desertion figured conspicuously in the case of Rebecca Carr, a diminutive negress. "When did your husband leave you ?" she of the dark skin was asked.

"The same month we were married, yo honch," she responded. She didn't mow why he left, nor did she know where he is. The divorce was FAILED TO PROVIDE.

Ellen Wright was awarded the custo-dy of the three children issuing from her marriage with William A. Wright at Provo in 1900. She was also granted \$25 per month for the support of the children. Failure to provide was shown.

Jennie O. Reese and George M. Recar part company on the same ground and her name henceforth will be Jennie Obray. They were married in 1904.

WAR IN THE FAMILY. Margaret Warr leaves Joseph Warr because he was cruel to her. She tes-tified that he had knocked her down. They have been married 17 years and have one child, of which the mother was decreed the custodian.

## WANTS CARE OF CHILDREN.

F. Wagstaff Claims Former Wife Not Fit Person to Care for Them.

Fit Person to Care for Them. Frederick G. Wagstaff has entered in the district court his petition to have the custody of the four children by his former wife, Elizabeth Wagsta He declares that she is not a proper person to care for them in accord-ance with a decree of the court award-ing her the custody of them at the time their divorce was granted. He de-clares that she frequented the Salt Palace last sumer and that while there she "Indulged in intoxicating liquors to such an extent as to often become drunk and unkeemly in her conduct and associated with women of ill-repute" The petition will be heard next week before Judge Morse.

KIRK'S JAP ROSE toffet and bath soap-t is TRANSPARENT - so clear you can read through it. All druggists and grocers sell is

Wall Paper Bargains at Ebert & lo.'s, 57 Main St.

Navajo blankets 20 per cent off. Z. J. M. I. Carpet Dept.

## WOULD HAVE PLAY BARRED.

Rabbi Freund Says Character of "Shylock" is Injustice to Bace.

Rabbi Freund, of the Jewish Temple B'nai Israel, would have the reading B'nal Israel, would have the reading of the "Merchant of Venice" bar ed from the public schools, as in his opin-ion the depiction of the leading char-acter, "Shylock," is an injustice to the Jewish race. This story from the pea-of Shakespeare formed the theme for the Rabbl's discourse at the regul of weekly services last night. Mr. Freuni said in part: "In recent years attempts have been made in some parts of our country te made in seme parts of our country te have removed from the curr cu um of school studies the readings from Shylock. I am heartly in sympathy with this movement, for it will have a ten-dency to lessen the misrepresentation of the Jewish race to the child when its mind is plant. "The Jew's lot is always a hard one, "The Jew's lot is always a hard one, but it should not be made harder by giving school children the very thing, which, if misunderstood, will engender dislike and later harred. It is not a rare thing for our children to teil us that the finger of scorn has been point-ed at them by their playmates, who designated them 'Shylocks." "It is but fair that school authorities respect the demand for the elimination of that which would distert the child mind and creats racial er religious an-tagenism. tagenism. "In its day and time, Shylock's por-trayal, when interpreted by unsym-pathotic individuals, fostered the feel-ings of radical dislike. But more kindly interpretations have replaced the presentations, which, notably in Ger-many, were often accompanied by ex-pressions of hostility. tagenism. essiens of hostility, "Some acters of genius have recog- be stopped.

nized in Shakespeare's ideal Jew a de-mendiant of an illustrious race of he-rows, prophets and kings, a unan not less shared against than situring, a man of naturally a noble nature, howed to revenge by long-sustained injuries and insuits. Of Sir Henry Irving whose portayal it was my privilege to see, it has been said: "Bylack was one of Irving's favor-ition of the character he struck a new note, his interpretation was, indeed, unte distinct from other Shylocks. He depicted the Jew as deeply wronged and seeking a just vengeance." "Arel known English author. Theo-dor Watts-Dunton," continued the rab-bi, 'in the introduction to a new issue of the 'Marchant of Venite', bas this to say. 'Whatever Shakespeare might have intended when he began to de-lineast Shylock, he ended by almost making him the representative of a "The Jew drawn by Shakespeare is of shave to his intentions. He is dar-tion to his intentions. He is dar-tion to his intentions. He is dar-tion to his intentions, and hence we have to his intentions. He is dar-tion to his intentions. He is dar-tion and beyond, and hence we have in Shylock at one and the same is ave to his intentions. He is dar-tion is shylock at one and the same intent But the drawn the same

## WOMAN ATTEMPTED SUICIDE.

#### Despondent Because of Father's Condition Mrs. Reed Drinks Creosote.

Mrs. Dora Reed, aged 25 years, colored, and wife of the chef at the Louvre, attempted to commit suicide al 10:45 last night in her room at the Clayton roominghouse on State the chayton roomingnouse on state street, by taking a dose of creasets, The woman attempted self destruction because of despondency chused by receiving word that her uged father had been ejected from his home in Chicago, by Mrs. Reed's hrether-in-law, and that the aged man had gone insame and had been sent to an asy-hom.

When Mr. Reed went to an asy-lism, When Mr. Reed went to his room last uight he found his wife in tears because she was unable to go to her father. Reed told her he would make arrangements to send her to Chicage. It was at this point the woman took the creosote. Reed tost no time in calling Dr. W. T. Gleason, who responded quickly and gave the woman an antifate. Although her lips and mouth were badly burned, the woman is in no danger of fatal results. nesults.

## FROF. STARR'S VISIT.

#### He is Noted Scholar And Authority on Native Races.

University professors and students, especially those interested in historical research, are much interested in the approaching visit of Prof. Fredthe approaching visit of Prof. Fred-orick Starr of Chicago university, to this city. Prof. Starr is one of the oldest memory of the Chicago facul-ty, and is a leading American author-ity on the rains of Mexico, and the native races of this country as well as of Europe. Besides his extensive American anthropological studies, he has recently been engaged in a study of the Congo Free State and its native inhabitants. On these he will lecture here Oct. 28 under the auspices of the University lecture course, the lecture-being given at the First Congregation-al church.

al church. The Congo country has recently come under the notice of American magazine editors on account of the buying of interests in King Leopold's concessions by American millionaries. Collier's Weekly recently sent Richard Harding Davis to the country, and other magazines have printed much about the horrors practised there as disciplinary measures to keep the na-tives subdued.

### DEGREES FOR SALT LAKE.

Chris Dichl has word from F. C. schramm of this city, in attendance an the supreme council of the A. A. S. rite of Free Masonry, that Judge W. Morse and Dr. H. N. Mayo C. W. Morse and Dr. H. N. Mayo had been made thirty-third degree Masons; and that Dr. A. S. Chapman, James H. Brown, S. D. Evans, Joseph G. Bywater of salt Lake, and A. E. Heywood of Ogden, are to receive the degree of knight commander of the sourt of homor. There are about 409 Unitty-third degree Masons in the United States.

## MUSI KEWAKKABLE RECO Recommended By A Brother Who Tried Peruna, Mr. Ander son, Of California, Was Rescued From a Seemingly Fatal Illness.



MR. ANDREE ANDERSON, 1319 E. but after seven months steady use of 16th street, Los Angeles, Cal., Peruna I was my old self once more

"No one seeing me to-day would think health and spirit and have been a w that I was at death's door a few years man for two years, thanks to Peruago with pulmonary troubles. I had it certainly saved me from an until requent bleeding from the lungs, my grave," stomach was out of order, and when I

1 would recover. "My brother in the East had been Peruna in his family, and has found it. cured of a very hard cold on the lungs cellent for colds and as a tonic by using Peruna and he wrote me and

alvised me to try it. I had little faith, Some people prefer to take ta but thought I would give it a trial. "I noticed a change in my appetite the form. Such people can obtain P

cy was dow for I was so far gone, Perune.



"I now weigh 173 pounds, am in fi-

Pe-ru-na in Tablet Form.

rather than to take medicine in ; very first week, and found that I soon tablets, which represent the solid i gan to sleep well. Gradually I began inal ingredients of Peruna. For feel better and took on flowh. Re- let is equivalent to one average.

> 30c sult, up Hats. Caps. Shirts and Hose

> > YRIC THEA

Direction: Sullivan & Considin :

lert C. Donnellan, Mgr and Trees

COMBINED ATTRACTIONS

ALL THIS WEEK.



THE ORIGINAL KNIT GOODS HOUSE OF UTAH.

att or word or suggestion of mine. The above was subsortbad and in to by James Ingebreisen on Pri-before G, W. Parks, a notary



Manager Fred Graham of the Salt

hefore entering into any stipulation, and, (2nd), because since my experi-ence in the case of Bryant vs. Kunkle, I had determined never to sign any stipulation in the form proposed by said Dininny for the reason it might be claimed that such a stipulation would waive all errors or irregularities that might arise after the date of said stipulation is well as before the date thereor. He then said that his only purpose in naving the stipulation was to save the trouble of serving notice of the settlement of the bill, and also that certain excitits might be included in the bill. I teld him that in connecentering into any supula

the settisment of the bill, and also that certain excitits might be included in the bill. I told him that its connec-tion with the Eigenit case I had al-oready classes the matter of sign-and to disciple over of this practise and I did not think he would concent to vary it in this case, but that he had very likely we could use in this case and that would accomplish every pur-ters. That stipulation, I said, is one that we have ne amendments to pro-per the fact that the exhibits might the treated as a part of the bill. He atthematical where no amendments are proposed, the till may be astipul-ation will accomplish every pro-vide that would accomplish and i want. I said, 'Yes, the statute pro-vides that where no amendments are proposed, the till may be astiput when notice. He then said. Very well, you take the bill and look it over, and if you field that you have no mendments to propose, indicate that the the bill, and the further fact that the exhibits may be treated as a part of the bill, and the further fact that the side in any manner. This i agreed to do, and this is all in which is a spreed to do.



No. Not an act of Charity we simply give you free with every pair of Money Back Shoes. A card admitting you to walk in comfort wherever you please, (but be careful where you walk,) and do so in Money Back Shoes.

New nattyfall styles now shown up to \$10 00 the pair.

DAVIS SHOE CO.

had on the pathway leading from State street to the joint building, some time during the summer. The exact date I do not recall. He then said: 'You have not got that bill of exceptions with you?' and I said, 'No, I have not recollected to bring it with me. I am not going over to the building regular-by on Saturdays, as I was in the habit of during the terms of court, and you yould better not depend on me, but had better call for it.' He said, 'Well, I have not thought of it either, except when I saw you.' And he slad, furth-er: 'I have been passing by your of-fice several times and have looked up, and hot seeing you. I have not called for it.' And then he said, 'If' you hap-pen to think of it, bring it with you some day when you are coming down and if not. I will makes it a point to call for it on the had a conversation it which I said or promised in any manner definitely that I would bring the bill of exceptions to the joint build-ing excepting only as I have herein averred. THE AWAKENING.

THE AWAKENING.

THE AWAKENING. "On Saturday, Oct. 19, 1967, Mr. Diminny came to my office and asked for the Horndon bill, and I took it from my desk and handed it to him. He read the stipulation I had indorsed thereon, and said he did not think that it would be sufficient, as his time had run out. 1 said I could not help that; that I had indorsed on the bill such a stipulation as I had promised him, and such a one as I had told him was indorsed thereon. "He then stated that it was custo-mary to use the other form, such as he had attached to the bill, and I told him we had threshed out that point before said that he had yielded to any views on the matter; that as a matter of fact, the effect or both stipulations would be the same, and that under either it would be too late to have the bill actuated.

either it would be too late to have the

THE THREATS.

"He then studed that if I would not lim the stipulation he would retaliate a forever refuging to do me any fa-ar or show me any courses, and chow me any publish the to attorney. I tol attorney. I told him that I not illus him to feel revengeful iair niù out the matter, and would stipulate by any rights that the plaintift had quired so for as I was concerned. If could arrange the matter with Mr.

he could arrange the matter with Mr. Hospitash, my associate. Thereupon we called Mr. Hospitash by telephone and I phread Mr. Hinimay is communi-cation with film over the phone Mr. Dimany then said to Mr. Poppiarth: "ingebretaen wood sign a silpulation that the bill of exceptions in un Hern-don case may be solided. The 50 days after the judgment have by itself and 1 will either have to present silpulation or la put to a hot of trauble. Isophysically, the judgment have by itself. a 15d the be would hell ek to me if he thought ving an opportunity in wither he would propose a that I could call for it, an red that things came up w that gons, and I compl about it. Well, the aread block was in too. tou know things Just those

#### dragged along, you know how things go, until I lost track of H.' SLEEPER RESPONSIBLE.

"I did not hear any of Mr. Hop-paugh's replies to these statements, but the result of the conversation seemed to be that he could not reach an aures-ment with Mr. Hoppsagh. "The foregoing represents in truth and in fact the full extout, both in sub-stance and form, of the conversations and transactions that occurred between myself and Mr. Dining with reference

who is alvays a clevel take, rather too bolaterous in her speech to be entrely effective. The same bill goes tonight; "The Merchant of Venice" 's being rendered for a mathematical this afternoon.

for a matthese this afternoon. Lyric—The rule of Manager Donel-lan in providing "combined aitrac-tions," seems to have filled a long felt want, and big business has resulted during the past week. The stock com-pany next week will present something original under the name of "Tom's Vacation at Saitair Beach," produced and staged by Homer Long. Miss Emerson and Miss Bobinson are new additions to the company who will ap-pear in this blece. In the vaud will cofferings are several new numbers, smoong them being a musical act by Bert Von Kilen and Grace G<sup>45</sup>son, late of the "Wizard of Oz" company, Redwood and Harvey, singers, doncess and comedians; Dalay forden, singing and dassing soubretts, Bardley and Davis, comedians and the Lyriscon.

Prof. From Stephens has postponed the regular practice of the Festival chorus Monday night on account of the Maconda recital at the First Meth-odist church.

#### TAKE THEM OUT Or Feed Them Food They Can Study

-Oui. When a student begins to heak down from lack of the right kind of food, there are only two things to do; either take aim out of school or feed him pro-perly on food that will rebuild the brain and there cells. That food is Graps Nuts. Nuts A boy writes from Jamestown, N. T.

A buy writes from datasets in the saying: "A shart time ago I got into a bad condition from averatudy, but Mother having heard about Graps-Nuta food began to feed me on it. It satis-fied my hungs, before than any alto field my hungs, before margelous

first my hunge' better than any athe-fued, and the results were marvelous. I got flexhy like a good fellow. My usual morning headaches disappear d, and I found I could study for a long per-led eithout feeling the effects of it. "My face was pole and thin, but is new round and has considerable colo After I had been using Garce-Nuts for atout two months I felt like a new boy attempts as well as flesh, and it is a pleasure to study now that I am not bothered with my head. I passed all of my examinations with a reasonable good percentage, extra good in some of them and it is Grape-Nuts that hus saved me from a year's delay in enter-ing college.

ing college. "Father and mother have both been improved by the pase of Graps-Nuis. Mother was troubled with skeepless nights and got very thin, and look-ed careworn. She has gained her normal strength and looks, and skeeps well nights." "There's a Reason." Read "The Road to Wellether" in pless.

to Wellville" in pigs.



"Notify all policemen that I want the ordinance relative to driving on the right hand side of the street enforced. See that automobiles when standing are faced on right hand side of street in direction they are going. Use good judgment about these matters, and on paved districts do not warn, drivers more than twice. "TOM D. PITT. "Chief of Police"

A testimonial will be tendered

MR. JOHN P. MEAKIN,

by his Utah friends

The above order was posted yesterday afternoon, and Chief Pitt proposes to see that it is rigidly enforced. Drivers and automobilists have been violating the ordinance with considerable fre-quency of late, and many complaints have been made at beadquarters. Chief Pitt says that reckless and fast driving encedule over consense must and will The COMEDY of ERRORS



SALT LAKE THEATRE.

EORGE D. PYPER. Manage

Appearance of

LOUIS JAMES

Presenting

TONIGHT

5th South between West Temple and First West,

ADMISSION BOC.