DESERET EVENING NEWS THURSDAY JUNE 10 1909



When Failing to Answer Questions at Trial.

FORMER WIFE COMPLAINANT.

She Was Awarded Furniture, but Divorced Husband Sold It, Hence The Present Trouble.

Anderson, William R.-Jones, Jr. Prize drawing and distribution-S. B. Tuttle, W. C. Sullivan, L. M. Blake-ney, J. P. Hahan, O. F. Peterson. The committee on prizes will include all members of the association. There will be a 45 minute train scr-vice to Saltair, starting at 12:15 on the afternoon of the 29th.

Hollister's Rocky Mountain Tea purifies the blood, strengthens the purifies the blood, strengthens the nerves, regulates the bowels, alds the kidneys, cures stomach troubles, build up the nervous force and repairs the ill effects of over eating. Tea or Tab-lets, 35 cents. Godbe-Pitts Drug lets, 35 cents. company:

purifies the breath

Used by people of

refinement for almost

Half a Century

The prettiest spot in Utah, LAGOON, 25c trip

Pay a Little Down and a Little Every week and get a diamond or good watch at J. B. FLATOW'S, 49 East Second South St.

.50

SUNDAY EXCURSIONS. Via Denver & Rio Grande Railroad.

Phillips Congregational Church.

To Ogden, 10:25 a. m., 1.20 p. m. \$1.00 To Provo Canyon, 7:50 a. m., \$10 a. m., \$1.25. To Pharaoh's Glen, 8:20 a. m... Returning on any train. FIREWORKS TONIGHT

25c.

65 Clark street, met death by drown-ing in Mill creek, at Seventh East and Mill streets. The accident occurred while the lit-ite fellow was crossing an improvised bridge, in reality an eigh-by-eight tim-ber. Presumably made dizzy by the sight of the swirling, rushing waters below him, he missed his narrow foot-ing and toppled headfirst into the tor-rent. Before the children nearby, and who alone saw the accident, could give the alarm, the boy had been car-ried swiftly beyond sight or rescue. After several hours' search of the stream from the point of the accident to where the waters empty into the lordan river, the little body was found held beneath the waters in the underbrush about a block away from where he had fallen in. The boy had been, on his way to dray's store, 1801 south Seventh East street, just across the street from the widge, on an errand for his mother, and in order to reach the store had to eross the timber used as a foot bridge. Last Sunday, on account of the foating debris which was being damned against the bridge, the latter was removed. By a strange trick of fate, it was the boy's uncle, William Desmond, who placed the timber. It was of such narrow width and with so little protection that it was not con-sidered safe even for older pedestrians and the children had been warned to avoid it. Special features for G. A. R. tonight at Pain's spectacle "Vesuvius," Wan-damere. Everything big put the price. Go B4 2 L8. Acrial Ballet Saturday.

CHILDREN TERROR STRICKEN.

CHILD IS CLAIMED

BY BOILING CREEK

Matthew Desmond, Age Six, Falls

Into Swollen Stream

And Drowns.

MOTHER SEARCHES FOR BODY

Wading Waist Deep in Muddy Water,

The floods claimed their first victim

yesterday afternoon, when little six-

ar-old Matthew Desmond, the son

Michael Desmond a carpenter of

615 Clark street, met death by drown-

ing in Mill creek, at Seventh East

She Calls Without Avail for

Her Little Son.

CHILDREN TERROR STRICKEN. Several children, among whom were Hilda and Joseph Gundman and Alex-ander Stevenson, who were playing in the vicinity of the creek, saw little Matthew as he fell into the waters, but were so terror-stricken that it was several moments before they gave the alarm by their cries. Neighbors promptly appeared and began a hur-ried search along the banks in the hope that the lad might have been caught in the brush and was still alive. The police were also notified, and the gatrol wagon with Sergt. Beckstead and Patrolman Betts hastened to the scene. The force was increased later by Lleut. Shannon and several other officers provided with drag-hooks. The future was one of the party who found the body towards 7 o'clock in the evening.

the evening. A pitful incident of the tragedy was the grief of the mother. When chil-dren ran crying to the home that little Matthew had fallen into the creek the mother became frenzled with grief. For hours she waded about in the water, waist-dep, searching in the brush and calling pietously for her boy who could not answer. Towards evening kind-hearted neighbors who had trudged behind her in the waters, finally prevalled upon her to return to her home.

CHRONIC RHEUMATISM.

CHRONIC RHECHARTSA. This is the variety of rheumatism that usually attacks the larger joints, knees, hips and shoulders. It is aggravated by cold and damp weather, and for this reason a man afflicted with it can often

Albert G. Matthews, who was divorced in the district court a short time ago, was fined \$5 for contempt of court yesterday afternoon by Judge Whitaker when he refushed to answei questions in the hearing of the sult against him which was filed by his wife, Mrs. Janet Matthews, to recover \$425 worth of furniture which had been awarded to her. Matthews which had been able to pay the fine and was escorted to the county jail by Deputy Sheriff Fred O. Butler. On the way to the jail Matthews declared that he would get even with the court.

Mrs. Matthews secured a divorce last January on the ground of cruelty. She was awarded the household furniture but Matthews, who had it in his pos-session, refused to give it up. He dis-posed of the furniture shortly after the

CONSPIRACY AND FRAUD.

Frank Knox to Answer Suit Filed by J. B. Weimer.

Frank Knox, president of the Na-tional Bank of the Republic, is charged with conspiracy and fraud in a suit filed yesterday by James B. Weimer in the Third district court. Weimer asks for \$2,500 with interest from June 22, 1907. According to the complaint Weimer says that he borrowed \$5,000 from the bank through Knox to be repaid on June 22, 1907. As security he pledged \$5,000 worth of stock in the Weimer

Saltair Hippodrome. A great attrac-ion. 3.000 scats and 15c; 2,000 at Copper company, consisting of 20,000 shares, gave a mortgage on property in the southern part of the city and his note bearing interest at one per HOLD CONVENTION SATURDAY.

Weimer charges that on last Novem-ber, Knox sold the stock to the bank for \$5 without giving him any notice Christian Endeavor Society Meets in for \$5 without giving him any notice of the sale or making any demand for the redemption of the stock. The bank then converted the stock to its own use. Weimer says that he repaid the money last April and demanded his stock but was refused though the bank agreed to cancel the real estate security. The annual convention of the Utah State Christian Endeavor will be held Saturday next, in Phillips Congregational church, beginning at 10 a. m.

SEEK WRIT OF MANDATE.

University Seeks to Compel Land Board to Transfer Fund.

The University of Utah asked for a writ of mandate against the state land board yesterday in an affidavit filed in the supreme court to compel it to ad-vance the first \$12,500 of the \$250,000 for the erection of an administration build-ing which was authorized by the last legislature. An alternative writ was issued and the members of the land board were ordered to appear at 10

tional church, beginning at 10 a. m. The program includes an address of welcome by Rev. P. A. Simpkin, with response by Miss Edith Sherman; an address by C. A. Smurthwaite on "Reasons for the loyalty of the young people of the Mormon Church?" an af-ternoon address on "Our Responsibil-titles as Endeavorers," by Rev. Dr. Francis E. Clark of Boston, president of the united society, and an evening address by Dr. Clark of "Our Christian Endeavor brothers and sisters in all lands." The women of Phillips church will furnish a noonday luncheon to the delegates, and there will be the usual reports and election of officers. A union meeting will be held at 3:30 p.m., in the First Methodist church, Sunday. o'clock Monday morning June 21 to show cause why the writ should not be issued and made permanent. The application was made to test the constitutionality of the law. The money was refused by the land board

on the opinion of Atty.-Gen. Albert R. Barnes who declares that the conver-sion of the money is not a conversion, nor a loan, but in reality an expendi-ture and as such would cause the state to go beyond its limit of indebtedness. proportions "The Appeal to the Great Spirit." This statue, which is con-sidered by Mr. Dallin to be his master-plece, was first shown at the exhibition of American sculpture held in Balti-more, April, 1908, which was given under the auspices of the Municipal Art society of New York. In the salon it was placed in an excellent position and attracted much attention, and received

VERDICT IN BANK CASE.

In a decision handed down by Judge attracted much attention, and received many tributes from French art critics. This award to Mr. Dallin was unique In a decision handed down by Judge Armstrong yesterday afternoon, Joseph-Nelson formerly cashler of the Utah National bank, will be compelled to pay the note of \$13,250 which he gave as his the note of \$13,250 which he gave as his share to cover the shortage after the robbery of the Utah National bank of \$106,200. The judgment was rendered in favor of the bank.

KIMBALL'S SUIT CALLED.

KIMBALL'S SUIT CALLED. The suit brought by M. Kimball against the Colorado Mining company and the Success Mining company, Jesse Knight, W. Lester Mangum and Jacob Evans, as officers of the two companies and Ernest Williams, sec-retary of the Success Mining com-pany, whose disappearance caused a muddle in the affairs of the company, was called for trial yesterday in Judge Morse's court. Kimball was a stock-holder under the old Success Mining company which was taken over by the Colorado company. He declares that under the agreement by which the old Success company was taken over he Kansas City Stock Yards, June 7.-'attle receipts last week amounted to 43,000 head here, heaviest week in several months, much to the surprise of nearly all the dealers, who have been predicting a period of very light supplies in June. A good many grass cattle from the south were included last week, which class declined 25 cents under the agreement by which the old Success company was taken over he is entitled to 1.969 shares of stock in the Colorado Mining company. He is suing for this amount. The case will probably take several days to complete

MeHENRY CHARGES NEGLIGENCE MCHENRY CHARGES MEGLIGENCE James M. McHenry, who conducts the Murray Livery stable, brought suit in the Third district court yes-terday against Phelix McDonald for \$30,000 for personal injuries which he sustained by being shot in the leg accidentally. It is alleged in the com-plaint that McDonald drove into Mc-Henry's livery stable and put his team up there on July 17, 1908. Mc-Domald, as he stepped out of his car-riaze, handed McHenry a parcel which fell on the pavement and a revolver which was in the package exploded and the bullet entered McHenry's leg. His leg was afterward amputated and His leg was afterward amputated and McHenry, charges McDonald with negligence because he did not tell him there was a loaded revolver in the

HONOR FOR CYRUS DALLIN.

Sculptor's Masterpiece Wins Him Gold Medal in the Salon.

(Special to the "News.") Boston, June 10 .--- Cyrus E. Dallin.

the Boston sculptor, a native of Salt Lake City, has received the high honor of a gold medal in the Paris salon for a remarkable Indian statue of massive



BED BUGS

Why fight them all summer when we guarantee to exterminate every bug, nit

and egg in six hours time. Phone 2400

or Ind. 2287.

West Disinfecting Co., 217 S. State

while fed grades held more nearly steady, losing 10 to 15 cents for the week, and closing with a show of strength the last two days of the week. The supply today is again liberal for the season, 13,000 head, market steady to 10c higher on fed cattle, but weak to 10c higher on fed cattle, but weak to 10c lower on slippery grass stuff. Top last week was \$7, paid for year-lings, and also for heavy steers. A shipment of the Harris steers, from Sterling, Colorado, sold at \$6.60 here today, weighing 1.377 pounds, and a consignment from T. A. Mostyn, Delta, Colorado, sold at \$6.25. Top natives today brought \$6.90, and Colorados fed in Kansas \$6.70. Choice Colorado fedin Kansas \$6.70. Choice Colorados red ers sold at \$5.25 and \$5.50, late last week, and high bred stockers up to \$5.50. Conditions today indicate that higher prices may be expected for fed stuff balance of this month, but the position of grass cattle is not so safe, de-pending on volume of receipts, and quality of offerings.

n that it was the only one given ir he saion this year to an American

WESTERN MARKET LETTER.

(Special Correspondence.)

culptor.

Sheep and lambs declined 25 to 50 cents last week, although receipts were only moderate. Run. is 7,000 today ed in the receipts. Three doubles of Arizona spring lambs sold at \$8.40 to Arizona spring lambs sold at 33.40 to-day, and Texas muttons today at 36, is not quite the full strength of the market in either class. Some choice Hamilton wethers from Texas sold at 56.40 late last week and the last good Arizona wethers offered here sold at \$6.50. A train from California here last week included kid goats to killers at \$4.65, thin goats to the country at \$3.75, clipped wethers \$6.50, and spring lambs at \$8.75. The situation in the mutton trade is not very stable, account of extremely high prices, and this is re-flected in some broad fluctuations in prices for live animals.



You Will Need an Oil Stove

When warm days and

the kitchen fire make

cookingaburden-then

5

MADAM JUMEL

"MADAM JUMEL" is the name of our newest exclusive sterling flatware pattern and although one of many splendid patterns carried by us, we think it has unusual merit.

A practical set in this design will be furnished as follows:

6 Teaspoons -	\$ 4.50
6 Knives -	11.50
6 Forks	10.00
3 Tablespoons	7.25
1 Butter Knife	- 3.25
1 Sugar Shell	- 2.00
	\$38.50

To commence house-keeping this will do, and on burthdays, wedding anniversaries and Chrisimas, add a piece or a dozen pieces and in a few years



reason a man afflicted with it can often foreiel changes in the weather. Cham-berlah's Liniment applied freely and with vigorous rubbing relieves the pain and makes sleep and rest possible. It will also effect a cure, but will not pre-vent the recurrence of the disease. For sale by all druggists.

\$1.59 OGDEN CANYON EXCURSION An Ideal outing, Via Bamberger Line, Ask out Agent, Phones 159.

Expert Kodak Finishing. Harry Shipler, Commercial Photo-grapher, 151 South Main, second floor,

TONIGHT TONIGHT. Pain's gorgeous spectacle, outdoor circus, volcanic eruption and fire-works at Wandamere,

Aerial Ballet at Saltair.

Commencing Saturday June 12. Af-termoon and evening. 3,000 seats at

EXERCISES AT ST. MARY'S.

St. Mary's academy graduating class appeared yesterday afternoon in the academy auditorium in a drama entitled "Titania's Garden," in which the following students participated: Misses L. White, N. Smith, B. Michaelis, M. McDonough, W. McDonough, Florence Sullivan, M. Hughes, L. Brayles, M. Reno, A. Heckart, M. Sullivan, The following conductions and sul-Reno, A. Heckart, M. Sullivan. The following preliminary program was al-so given: Address, Miss L. Brayles; vocal solo, "Roses" (Adams), Miss M. McDonough; violin solo, "Simple Aven" (Thomas), Miss M. McDonough; harp rolo, "La Boheme" (Leoncavallo), Miss M. Hughes, At the close of the evening the members of the graduating class and those who had assisted them in the entertainment were entertained at luncheon.

MECHANICS. armers and mechanics frequently at with slight accidents and injuries ich cause them much annoyance and s of time. A cut or bruise may be de in about one-third the time usual-required by applying Chamberlain's iment as soon as the injury is re-red. This liniment is also valuable sprains, soreness of the muscles and umatic pains. There is no danger of od poisoning resulting from an injury m Chamberlain's Lintment is applied ore the parts become inflamed and before the parts become inflamed swollen. For sale by all druggists.

\$1.50 OGDEN CANYON EXCURSION Via Bamberger Line includes street car and auto in Canyon. Phone 159.

GET READY FOR OUTING.

Real Estate Association Names Committees to Work Out Plans.

At yesterday afternon's meeting of the Salt Lake Real Estate association, the following committees were appointed in connection with the an-nual outing of the 29th inst: Committees on arrangements—S. B. Tuttle, W. J. Halloran and E. Butter-worth Publicity-A. N. Humphries, T. R. Chandler, V. A. Bettiliyon, A. E. H. Peterson, J. L. Perkes. Finance, tickets and prize lists-E. J. McGurrin, W. E. Hubbard, J. C. Lit-ue and k. P. Touthubbard, J. C. Lit-

Foley's Honey and Ttar is especially recommended for chronic throat and lung troubles and many sufferers from bronchitis, asthma, and consumption have found comfort and relief. by using Foley's Honey and Tar.—F. J. Hill Drug Co., (The never substitu-tors) Sait Lake City. TONIGHT. TONIGHT.

Pain's gorgeous spectacle, outdoor, circus, volcanic eruption and fire-works at Wandamere,

Franc Smith, the barber, and V. Zalovsky, the shoemaker, moved from the old tithing office to 131 W. First South street. All those who appreciate being served in a prompt and polite manner in that line of business are invited to call.

LAGOON, everything the best, 25c the

EX-SOLDIER ARRESTED.

John Fox, who says that he is a discharged soldier, was arrested last night by Special Officer C. C. Riley on suspicion of having been implicaton suspicion of having been implicat-ed in the burglary of the home of Mrs. S. W. Morrison, 32 Seventh East street, Wednesday afternoon. For answers the description of a man seen to leave the house by George, the young son of Mrs. Morrison, as he was returning home from school. Dur-ing Mrs. Morrison's absence the man had entered the house, ransacking the various rooms and securing two rings valued at \$75.

STORM SINKS THE VISTA.

Pleasure Boat on Great Salt Lake Goes Down in the Gale.

The pleasure craft, Vista which for two seasons past has plied the waters of Salt Lake as an excursion steamer, was sunk during the heavy storm which prevailed Monday night. OF INTEREST TO FARMERS AND The lake was lashed to fury and the waves were rolling high, and the waves were rolling high, and the boat, which was anchored to the pil-ing at the end of the pier, was thrown against the wooden poles with such force as to crush its side in, after which the vessel soon sank. There was no one on board when the boat went under. The Vista was shipped to Salt Lake in sections from Green River, Utah, two years ago. It is a stern-wheeler, and was originally built to ply on the Green and Grand rivers in southeastern Utah, but the traffic did not pay and the vessel was brought to Salt Lake as a pleasure boat on the waters of Salt Lake. The vessel lies in about six feet of water and will be raised in a short time. waves were rolling high, and the

Suppose you quit 10 days and see if

Coffee is the trouble. Meantime us "There's a Reason"





