

MORE TILTS COME IN COAL HEARING

Mr. Maynard and Mr. Zane Indulge in Combat of Words Again Today.

YOUNGER TIDWELL FORGETS.

Son of Yesterday's Witness Fails to Remember Much About His Dealings in Carbon County Lands.

But for frequent and spirited tilts between members of opposing counsel, the proceedings of the alleged coal land frauds would be extremely desultory. The testimony these days is only of sufficient interest to provoke hostility among the lawyers, and some times an incident of very minor importance is sufficient to cause a fusillade of words to pass back and forth from barrister to barrister.

The two hours of examination this morning were no exception to the rule along the line indicated. Special Counsel F. A. Maynard and Atty. John M. Zane frequently crossed swords during the forenoon while Joseph R. Tidwell was on the stand. The witness is a son of Jefferson Tidwell, who testified yesterday in the same cause. The son, however, is not a "chip off the old block," so far as levity and jollity are concerned, but is decidedly sober and had forgotten most all that he ever knew in regard to his dealings in coal lands. He was asked a certain direct question by Mr. Maynard, and the latter, not being satisfied with the answer given, and the witness being told by Mr. Zane that he should answer it to suit himself and not according to the will of the government attorney, the matter was carried to Master of Chancery Lewis, who sat in another room. That official went not to the hill, but summoned the witness to him, and from his receding place in chambers settled the dispute. Mr. Lewis gives every indication of being a very sick man, and his condition is responsible for his remaining in his room.

After re-entering the court room, Mr. Maynard accused Mr. Zane of purposely misstating his position, and the latter accused the former of unprofessional conduct in seeking to intercept personal inference into the hearing.

The second witness of the forenoon was William J. Tidwell, a brother of the former witness. He was on the stand when the noon hour arrived. His testimony was of more importance than that of the other man. He was very careful in answering, and made no claim to be read to him by the reporter. It developed that there was much animosity existing between the company of which he was a member and Mr. Holliday, a well known operator in the same section of country.

During the progress of the hearing J. F. Valle, of the firm of Valle & Waterman, Denver, chief western counsel for the Gould interests in the west, came into the room, and after shaking hands with the attorneys on either side, sat during the remainder of the session as an attentive listener.

PETITION IS DENIED.

Judge Marshall has refused to declare the Ogden Sanitarium bankrupt. The Oregon Lumber company filed the denied petition.

EDLER LOSES AGAIN.

The supreme court has handed down an opinion sustaining the decision of Judge Ritchie, declaring the act of the last legislature legal, reducing the salary of the supreme court reporter from \$800 to \$600 per year.

A. B. Edler, to test the law, brought suit against the state auditor to compel him to pay on the basis of \$800, claiming the new law was invalid. In the matter of changing of salaries, on the ground that it covered more than one subject. The matter was submitted to Judge Ritchie, who upheld the law, and his decision is now sustained by the supreme court.

YOUNG GIRL COMMITTED.

Florence Stewart, 14 years old, has been committed to the industrial school at Ogden by Judge Gowans of the juvenile court, in order to prevent her marriage to a man 40 years old, of whom she is said to be enamored. The man's name is John Bordwell, and he is now in the county jail awaiting trial for a statutory offense committed about March 31. It appears the man is a bachelor, and the girl has often done his housework for him, and this led into the relations between the two. Bordwell offered to marry the girl, and she was anxious to become his wife, but her relatives in the west, came into the room, and after shaking hands with the attorneys on either side, sat during the remainder of the session as an attentive listener.

SHERIFF SUE.

Sheriff C. Frank Emery has been made defendant in a suit filed at Ogden by Judge Gowans of the juvenile court, in order to prevent her marriage to a man 40 years old, of whom she is said to be enamored. The man's name is John Bordwell, and he is now in the county jail awaiting trial for a statutory offense committed about March 31. It appears the man is a bachelor, and the girl has often done his housework for him, and this led into the relations between the two. Bordwell offered to marry the girl, and she was anxious to become his wife, but her relatives in the west, came into the room, and after shaking hands with the attorneys on either side, sat during the remainder of the session as an attentive listener.

SHE SUES HEAVY DAMAGES.

Agnes Winzell has filed suit in the district court against the Utah

Why Suffer From Aches and Pains

When an application of Rheumatic Oil will give relief? It is an excellent remedy for rheumatism, sprains, bruises, chapped hands, bites of insects, etc.

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DRUG STORE

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Light & Railway company for damages in the sum of \$10,000, for injuries alleged to have been sustained by her Aug. 23, 1907, while alighting from one of defendant company's Jordan Bridge cars.

ESTATE OF MRS. W. L. SMITH.
A petition of Margaret E. Cook and Joseph E. Taylor has been filed in the probate court, asking for letters of administration in the estate of Winifred Love Smith. The estate is valued at \$2,000.

"MILK CASES" DISMISSED.
The cases against H. N. Standish, Frank B. Hogan, H. A. Sprout and O. Millerberger, charged with selling cream that was not properly labeled, were dismissed yesterday in Judge Diehl's court upon motion of the prosecution. It was shown that the defendants had now complied with the law.

ON WAY TO PLOCHIE.
George Weddell, a resident of Englewood and one of the big shareholders in the Ohio Kentucky mine at Plochie, as well as the Nevada Silver King in the same district, has wired that he has arrived in New York and expects to reach Salt Lake in a few days.

Mr. Weddell was in Salt Lake about a year ago. He visited Plochie and as well as the Nevada Silver King, he has arrived in New York and expects to reach Salt Lake in a few days.

COLORADO "DIPS" APPEAR.
Mable Todd and Anna Miner, two negro women arrested several days ago on the charge of grand larceny, were arraigned before Justice of the Peace Dana T. Smith shortly before noon today. They pleaded not guilty and the case was set for hearing April 18. In default of \$500 bail each they were committed to the county jail.

BAKERS GO TO COURT.

Frank Erath and Millville Matney, doing business in this city as the Superior Baking company, have instituted suit against George Mueller and the Royal Baking & Cafe company to recover the sum of \$5,000 for alleged infringement of the trade mark rights of the first named company. It is alleged that Mueller has placed on the market an imitation of the bread manufactured by the complaining company known as "Butternut" bread, by means of which the Superior Baking company declares it has suffered damage to the extent of the amount sued for. An injunction is further prayed for against like occurrences in the future.

GOES TO JURY TODAY.

Arguments in the case of Laura Hills against the Rio Grande Western Railroad company, in which she is suing for \$25,000 for the killing of her husband at Helper a year ago, will be concluded today, and the case will not doubt go to the jury this afternoon. Judge Powers made the closing talk for the plaintiff.

SHE DESERTED NICHOLAS.

Nicholas Hansen has filed suit in the third district court praying for divorce from his wife, Ellen L. Hansen. The parties were married, according to the complaint, in Salt Lake City Aug. 11, 1896; plaintiff further alleging that defendant willfully and without cause deserted him on the 31st of January, 1907, and has ever since continued to desert and abandon him against his will and consent. He therefore asks for the dissolution of the marriage bond existing between them.

STATE SCHOOL FUNDS.

The schools of the state will soon be made richer to the extent of \$201,175.30, which sum will be apportioned among them by State Supt. A. C. Nelson and State Auditor J. A. Edwards. This will make a total of more than half a million dollars to be distributed among the state schools since the first of the year, which is a record breaking amount for any one school year in Utah. In January the first apportionment was made, amounting to \$204,452, which added to the sum just apportioned, makes a total of \$201,175.30. The school population of the state is 98,860, making the total amount of the apportionment for each child in the state, \$5.10.

WE SELL BONDS TO GET SCHOOLS

Issue Authorized Last May to be Disposed of to Relieve Congestion.

BOARD ORDERS FIRE ESCAPES.

Members Believe Exits Are Not Sufficient Protection—Building Inspector Makes Report.

Reserving the right to reject all bids, the school board has decided to put on the market school bonds to the value of \$250,000, to secure funds wherewith to erect four new school houses. The bonds were authorized May 4, 1907, but have not been sold owing to the unfavorable condition of the eastern money market. The fact that they are now to be offered will be advertised in all eastern financial papers with a view to setting the price for the opening of sealed proposals.

The decision to market the bonds was reached at a meeting of the board of education last night in which a prolonged discussion occurred over the present state of the market. The sentiment finally prevailed that even if the bonds have to go at a slight discount now, it is better to sell them than to hamper the schools next fall.

The board has concluded that the saving through the relinquishment of outside buildings and the saving through the decrease in the cost of building material will offset the decrease in the money value of the bonds. Mr. Thomas brought up the matter of selling bonds by referring to the overcrowded condition of the Riverside, Emerson and Wasatch schools especially, and urging that the bonds be sold to relieve the congestion.

MORE SAFETY IN EXITS.

Mr. Martin reported to the board the taking of summary action in regard to certain school practices that had resulted in the closing of exits and hallways to a partial degree. He reported that the building inspector had called his attention to the fact that the manual training department of the Franklin, Waterloo and Hamilton have obstructed passageways, and that other quarters had been secured in consequence.

Byron Cummings and J. T. Hammonds, who were charged with obstructing exits, were given a week to remove the obstructions. Mr. Glauque defended the action, on the grounds that it was deemed necessary to act at once.

REAPPOINTING PRINCIPALS.

When Supt. Christensen reported a desire to reappoint all principals, Mr. Martin objected, with a request that the board go into executive session to meet as a committee of the whole, as he wished to object to one appointment and didn't wish to do it in public. The matter went over to the next meeting.

The following teachers were appointed: Anna Fouché, Elizabeth Eiter, Annie Parsons, Annie McIntyre, Helen Allen and Julia B. Christensen. Mrs. Mabelle Fleming secured a leave of absence for the rest of this year, and Miss May Chase was relieved from duty, her resignation having been filed. William Waterfall, who resigned as janitor of the Sumner, and his resignation was accepted.

HOME MUSICIANS PROTEST.

They Say They Should Be Given First Call in This City.

Messrs. Berry, Sims and Christensen, a committee representing resident musicians of this city, called at the Commercial club and at the Manufacturers and Merchants' association headquarters today to state the case local musicians have against the employment here of transient players, as well as against the employment of army bands, to the neglect of musicians who have their homes here and pay taxes—while the others do not. These transients, they say, drift in here, cut under the noses of the local musicians, charge and then drift out again. As for the Fort Douglas bands, the government feeds, clothes and buys them instruments and music, and it is not fair, they say, to give them the preference in engagements over home talent, because the soldiers are able from their position to cut the rates. The local musicians, they say, have hired the Fifteenth Infantry band for the 25th inst., thus cutting out resident musicians from chance of engagement in a calling that is to them a living. The commercial bodies of the city are asked to consider the claims of home musicians for home engagements in preference to army bands and irresponsible transients.

ADOPTS SCORE CARDS.

At yesterday afternoon's meeting of the directors of the State Fair association, it was decided to hold a competition open to the world in all of the departments of the livestock exhibition, to present the best of the winners of all sheepstock prizes in the livestock department and to have the judging of the horticultural exhibits done by means of a system of score cards. A committee composed of Joseph Silver, Mrs. P. A. Riter and Mrs. N. A. Empey was appointed to consult with local architects and artists with reference to arranging at the fair grounds for a suitable place for the art exhibitions.

FOR JEFFERSON DAY.

Democrats Rally Tonight at Odeon Hall for Speeches and Music.

A Democratic rally at Odeon hall is the program for celebrating Jefferson day tonight. The Women's Democratic club has arranged the details, and will be in charge of the program. B. H. Roberts will deliver the principal address. John F. Tolton of Beaver, Frank Nebeker of Cheyenne, W. M. Roylance of Provo and A. F. Brewer of Ogden will be the other speakers. Frank B. Stephens will preside, and between the speeches musical numbers will be rendered consisting of songs by George D. Taylor and William Phillips, with selections by Mrs. Oscar Groschell, Miss Edna Coray and Mrs. Orpha Walker.

CUTS BURNS BRUISES.

Have you anything in your house for such an emergency?

Hill's Extract of WITCHHAZEL

a splendid healing agent, 35c per pint. Delivered anywhere.

F. J. HILL DRUG CO.

"The Never Substitutes."

STUDENTS IN COMPETITION.

Y. M. C. A. students in salesmanship will contest this evening to decide their scholarship standing. The following are the competitors: S. H. Adams of Salt Lake Hardware company, A. D. Candland of Auerbach & Bro., Stephen Candman of Salt Lake Hardware company, D. W. Dillingham of Utah Light & Railway company, H. G. Enos of the Consolidated Wagon & Machine company, G. D. Kent of the Utah Light & Railway company, F. A. McKinley of R. L. Polk & Co., L. D. Nulshet of Paris Millinery company, C. M. Sargent of Morrison, Merrill & Co., Sylvan Simon, T. G. Wadsworth of Success Magazine company, W. F. Williams and S. F. Worwick of Mine & Smelter Supply company, and H. W. Worthen. The judges are H. W. Walker, manager Keith-O'Brien company; C. A. Quigley, manager Studebaker Bros.; A. D. McMullen of Strevell-Patterson company, and Oscar Sorenson of Burroughs Adding Machine company.

NEGRESS WITH A RECORD.

Anna King is an Escaped Convict From Canon City, Colo.

Chief Pitt has received information to the effect that Anna King, a negro woman who was arrested several days ago on the charge of robbery and who was held in the city hall awaiting hearing, is an escaped convict from the Canon City, Colo., prison. It was learned that she was released on parole last January and escaped. From the review by this paper, and the production remains unchanged. It is decidedly one of the best things in the repertoire of Miss Roberts, and her clever group of players.

DAVID DUNBAR IMPROVED.

The friends of David C. Dunbar will be pleased to learn that his condition today is reported as improved. Mr. Dunbar was stricken with partial paralysis yesterday morning at his home, and was removed to St. Mark's hospital. The power of speech is not destroyed, and this with other symptoms lead the physician to believe that the patient will recover.

ONLY TWO PASS.

State Board of Optometry Holds Examinations for Applicants.

The state board of optometry held examinations Monday and Tuesday evenings at the office of Secy. F. J. Alexander, Atlas block. There were six applicants for license, but only two passed muster with the board. These were A. G. Gowans of Tooele and C. R. Murchison of this city. Dr. L. W. Snow is president of the board, H. O. Jensen, vice president.

Persons who practice optometry in this state without a license will be vigorously prosecuted in the future. The law against the profession, which pertains to the eye, has been in force a year, and it was deemed advisable to defer prosecution of offenders for that period of time, so that all might be sufficiently warned. From now on, however, it will not be safe for any person to set himself up as an eye doctor or to engage in the sale of glasses without first having obtained legal permission to do so.

WARD ENTERTAINMENTS.

Second Ward—A farewell entertainment will be given Thursday evening, April 9, in the Second ward meetinghouse, in honor of John Wendell, who will leave next day to perform missionary work in the Netherlands. An interesting program has been arranged, in the rendition of which the following persons will take part: Robert H. Siddoway, Dr. William Moebach, John Robinson, George H. Bishop, H. C. Iverson, Alice and Willie Rufener, C. F. Fisher, Lizzie Robinson and the Second ward quartet.

Sugar House Ward—A farewell entertainment will be given next Friday evening, in Sugar House ward meetinghouse, in honor of Elder Lorenzo Hord who will go on a mission to Great Britain.

PRINCE AND PRIEST.

Prince Egon Hohenlohe has recently been ordained to the priesthood and has been assigned to a rural parish.

W. B. SCOTT HERE.

W. B. Scott, assistant director of maintenance of the Harriman line, was in the city yesterday. Mr. Scott showed him about the depot site here. After going over changes and improvements here, Mr. Scott left for Ogden on his way back to Chicago.

CHURCH NOTICES.

The regular meeting of the Liberty stake primary officers will be held in the Ninth ward meetinghouse, Saturday, April 11, 1908, at 3 o'clock. A full attendance is desired.

The high priests' quorum of the Ensign stake will hold their regular monthly meeting in room 21, Brigham Young Memorial building, at 10 o'clock next Sunday morning, April 12, 1908. A full attendance is desired.

Free from harmful coughs.

Cure coughs and hoarseness. Relieve Asthma.

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SHORT LINE IS SUED FOR \$5,000

C. C. Sloan Says He Was Ejected From Passenger Train Without Justification.

OFFERED CONDUCTOR TICKET

Train Official Refused to Accept it and Put Plaintiff Off Much to His Shame and Humiliation.

The Oregon Short Line Railroad company has been made defendant in a damage suit for \$5,000 in the Third district court, for the ejection of a passenger from its train at the station of Woods Cross. C. C. Sloan is the plaintiff, and he alleges that on the 15th day of September, 1907, he was a passenger on the passenger train of the defendant; that he purchased a ticket from defendant for passage between Salt Lake and Ogden; that he proffered the same to the conductor, but it was refused, and he was notified to leave the train at the next station, which was Woods Cross, the conductor informing him if he did not leave the train he would be ejected, and that he was ejected from the train at Woods Cross, and that notwithstanding he offered to pay cash for his fare to Ogden after being ejected, he was refused permission to ride further on the train. In consequence, plaintiff avers, he was mortified, humiliated and perturbed in his mind and suffered in his business plans to the extent of \$5,000, for which sum he prays judgment against said defendant company. Powers & Marleneaux represent Sloan in the action.

AMUSEMENTS.

Theater—"Dream City" will be given in its only presentation at the theater tonight. The production was made famous by Joe Weber, and the music is by Victor Herbert.

Florence Roberts drew her Salt Lake engagement to a close last evening with a presentation of her successful comedy of "Sham." It has only been a few weeks since the play and players were reviewed by this paper, and the production remains unchanged. It is decidedly one of the best things in the repertoire of Miss Roberts, and her clever group of players.

Orpheum—"Standing Room Only" sign is hung out nightly at the Orpheum, and without doubt this condition will last throughout the week, as the bill is one of the best that has been seen for a long time past.

Grand—A big audience saw the grand presentation of "A Child of the Regiment" this afternoon. Mr. Lorch and his company will run this bill all the week, and next week will produce "Kidnaped for Revenge."

Lytic—"The Zinn Comedy company in 'The Jolly Musketiers' is running along prosperously and will without doubt have a record week.

PERSONALS.

John K. Wallace left today for an extended trip to the Pacific coast.

General Manager P. J. Queally of the Kemmerer Coal company is a guest at the Knutsford.

Mrs. J. G. Willis has returned from an extended trip to the Pacific coast, and is at the Knutsford.

Publisher Calvin Cobb of the Boise Statesman is a guest at the Knutsford, having come down on business before he came to Utah and got into trouble. The petitions will be filed with the attorney general before the meeting of the board on the 18th inst.

Col. W. V. Rice has returned from a month's absence on the coast, leaving Mrs. Rice here for the present.

James H. Wallis, a Rexburg, Ida., newspaperman, is a guest at the Knutsford, having come down to be with his wife, who is a patient at the Holy Cross hospital.

Charles Billings has returned from a trip to southern California, where he visited with Mr. and Mrs. John Wilhart at Ocean Grove. The latter will return to Salt Lake next month, when winter has finally disappeared.

Commercial Agent Snedaker of the Illinois Central in San Francisco is in this city, full of his usual optimism and good cheer. He believes Salt Lake and San Francisco are two of the greatest "comers" he has seen in his travels.

J. R. Venable, formerly clerk at the Wilson, but with the Cullen since its reorganization, has returned to his first love, and is again behind the Wilson office counter, where he is shaking hands with old time friends among the traveling public.

President Lane of the Bell Telephone company returned this morning from Omaha with Mrs. Lane and two children, who will remain as residents of Salt Lake. They are at the Knutsford for the present. Mr. Lane went as far east as Pittsburgh. He found the east slower to recover from the effects of the panic, than the west.

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The young man takes with him when he goes calling a box of McDonald's Dutch chocolates. They are popular priced and the equal of any other manufacturer's best grade. There is a quality, a satisfying taste to them that is not soon forgotten. Every ingredient used is the purest and best.

McDonald, Salt Lake, whose fine cocoa is the best made—one quality, one price.

LATE LOCALS.

Today's Bank Clearings—Today's local bank clearings amounted to \$661,990.21, as against \$1,056,915.58 for the same day last year.

Lecture on Passion Play—Rev. F. B. Short of the First Baptist church will lecture this evening in the church, on the "Passion Play of Oberammergau."

Activity in Lower Main—The old residence south of St. Paul's church in Main street are to be torn down next week, making a clean sweep of about 400 feet.

Lecture on Architecture—George W. Eldridge lectured last evening at the Y. M. C. A. on "The History of Architecture," illustrated by sketches and photographs.

Rev. D. A. Brown III—Rev. D. A. Brown of the First Baptist church is very ill with typhoid fever. In the meantime, the local missionary, Rev. White, is filling the pulpit.

H. A. Harvey Returns—Pres. H. A. Harvey of the Independent Telephone company returned this noon from an extended business trip in the east. He is registered at the Knutsford.

Funeral of E. L. Gilman—The funeral of Edwin L. Gilman, who died from morphine poisoning at Tonopah, Nev., was held yesterday at the family residence in this city, conducted by the Christian Scientists.

Eagles in Full Flight—The Eagles gave a ball last night at the Odeon that was attended by over 400 couples. The proceeds will be used to defray the expense of sending the degree team to the Seattle convention of the order next fall.

Dr. Herbert Dies—Dr. G. H. Herbert of Richfield, a prominent physician in this section of the state, died this morning. He has been ill for some time, and was unable to attend the meeting of the state health officer held in this city last week.

Meet Here For Marriage—Charles Warmoth of Fille, Colo., and Miss Evelyn Partridge of Spokane, were married in this city yesterday by Rev. C. C. McIntyre of the Westminster Presbyterian church. The couple are on their way to Colorado to reside.

Seek Army Horses—Capt. S. P. Adams of the Fourteenth cavalry, and Veterinary Surgeon J. C. Cullen, who are here in search of horses for the army. They are pleased with what they have found so far in this state.

Club Incorporates—The Coney Island club of Salt Lake yesterday filed articles of incorporation with the county clerk. The club proposes to conduct a liquor, cigar and merchandise business, and is capitalized at \$12,000, divided into shares of the value of \$1 each. O. B. Tingley is president, and Albert Dent, secretary and treasurer.

Petitions for McMillan Pardon—Petitions for the pardon of Jesse F. McMillan are reported being numerous signed in Cheyenne, Laram