DESERET EVENING NEWS THURSDAY OCTOBER 25 1906

YOUNG GIRL SHOT



That is the Time Within Which All Votes Must be Cast.

COUNTY ATTY'S DECISION.

says the Statutes Are Open to But One Interpretation on This Point-Text of Opinion.

An opinion has been given by County Atty. Christensen in regard to the time when actual voting shall cease on election day. The opinion was given upon request of County Clerk Eldredge and follows in full:

"I have your communication enclosing request for an opinion as to the time that 'voting should cease' and whether electors who are within the polling place' innuediately before 7 which should be permitted to vote after foldek p.m. The answer to this ques-tion is contained in No. 791, Compiled Laws of Utah, 1808. This section reads

"At all elections the polls shall be "At all elections the polls shall be opened at 7 o'clock a. m. and continue open until 7 o'clock p. m. the same day. "This language is open to but one in-terpretation and that is that no votes shall be received and counted after 7 elock p. m., the language of the sec-tion being equivalent to declaring that the polls shall be closed at 7. -"If by 'poll' were meant the house orenclosure in which the voting is done, then a you suggest has been the cus-

to be present. arenciosure in which the voting is done, ibm as you suggest has been the cus-tom heretofore, towit, to permit those electors who were inside of the polling over at 2 delects p. m. to your prints Mrs. Sarah Goodwin who has been visiting Mrs. Lily Dykes for the past several weeks, left today for Los Anton heretofore. Towlf, to permit those electors who were inside of the polling place at 7 o'clock p. m. to vote, might be permitted but even then it would be clarly unfair for while some rooms where voting is done might hold a dozen people, ethers like the dity and county building where a polling place will be established, thight contain at 7 o'clock several hundred people, all of whom un-der that role would be permitted to cast their ballot, after 7 o'clock p. m. "The word 'poll' used in the statute does not refer to the place where the voting is done but rather the registra-tion lists the poll or register of elec-tors." These poll fists should be opened and votes should be received at 7 o'clock a.m. and they should close and no votes should be received after 7 o'clock p.m. geles. Mr. and Mrs. M. E. Cummings left last night after a week's stay in the city. They will go to Los Angeles to visit their daughter, Mrs. Ardie C. Knox, and will then return to their home in Berkeley. Miss Mary Kimball was hostess at a

If you are looking for the really artis-tic workmanship in engraved calling cards, wedding invitations, announce-ments, and monogramed stationery, call at the Montgomery Engraving com-pany, 23 east First South, and see sam-ples.

No force should be advised that no "You are therefore advised that no were should be received and counted after 7 o'clock p. m.; that at that hour the poll books should be closed, the vot-ing machine locked and sealed, and no further voting permitted."

EIGHT YEARS FOR HOLMES.

This is Sentence Day in Criminal Division of District Court,

Today was sentence day in the crim-hal division of the district court and three prisoners were sentenced to the the prisoners were sentenced to the sus prison by Judge Armstrong. John Sines was sentenced to eight years in the crime of burglary in the first spec Holmes, with H. Roberts, was sticled of burglarising the home of 5. Hempstead, and was given tho sus sentence as his accomplice. His money today argued a motion for a bes trial, but it was denied by the out and the sentence as given above

bes trial, but it was denied by the out and the sentence as given above when pronounced. Fire Charland and H. H. Hawley, whe were convicted of burglary in the first degree, and grand larceny for burparking the Vienna bakery, were each parametric to three years for burglary and one year for grand larceny. The terms run concurrently, however, which pease that the term will be only three mars. Motions for new trials in their asses were also denied by the court.



ABSOLUTELY PURE

Healthful cream of tartar, derived solely from grapes, refined to absolute purity, is the active principle of every pound of Royal Baking Powder.

Hence it is that Royal Baking Powder renders the food remarkable both for its fine flavor and healthfulness.

No alum, no phosphate-which are the principal elements of the so-called cheap baking powders and which are derived from bones, rock and sulphuric acid.

POVAL BAKING POWDER CO., NEW YORK.

Salt Lake Theater is set for Nov. 8, and [some of the children are living at Idaho sait Lake Theater is set for Nov. 5, and elaborate preparations are being made for the event. A special meeting has been called for tomorrow morning at 10:30 o'clock at the Y. M. C. A. hall when all the committees are expected and Canada, and have not been heard from.

HEADACHES AND NEURALGIA FROM COLDS. world-wide Cold and Grip remedy removes cause. Call for full name. Look for signature E. W. Grove, 25c.

NEW CATALOGUE OF CHURCH WORKS Just issued. Send to Deseret News Book Store, Sait Lake City, Utah, for a free copy. Special terms to dealers, agents and canvassers.

AMUSEMENTS.

Theater—The next attraction at the theater will be Hi Henry's Minstrels, who will open tomorrow night for three performances, . . .

Orpheum-Next week's bill at the Orpheum, it is announced, will include the following acts: Gus Edwards' School Boys and Girls in a singing and dancing novelty, LeRoy and Woodford, jovial conversationalists; Roattino and Stevens, prima donna and premier dan-seuse: Gillihan and Perry, the cowboy and the coon; O'Kura Wonders, foot balancing and juggling; Hayward, Con-roy and Hayward. in the comedy,

Transcript Filed and Preliminary roy and Hayward, in the comedy, "Marriage is Sublime," and the kine-Dist.-Atty. Loofbourow yesterday filed the transcript in the case of the state drome. . . .

against President Joseph F. Smith in the Grand-The first presentation at the Grand of "A Mad Love," a dramatiza-tion of "Lady Audrey's Secret," will be district court. together with an informa-tion against the defendant charging him with unlawful cohabitation. President Smith was arraigned in the city court and waived a preliminary hearing and was bound over to the district court. The case will be set for trial in December. given this evening.

or Young Me

Lyric—The play of "Thelma" is running along to good business and the week's record will be a prosperous one. JAMES H. ANDERSON NAMED.

Appointed Member of General Board

Of Y. M. M. L A.

Mutual Improvement

ITALIAN PEDLER It is Believed That The Wounded Man Will

LOOKS LIKE AN ASSAULT.

Die.

Shooting Was Done by Miss Alice Roach. Aged 17 Years-She is Now Under Arrest.

A shooting affair, which may result seriously, occurred at Bingham canyon this morning at about 9 o'clock, in which Miss Alice Roach, a 17-year-old girl belonging to one of the first families of Bingham, shot an Italian peddler, whose name could not be learned by the officers, in the back, inflicting a wound which may prove fatal. The Italian is now in Dr. Straup's private hospital at Bingham, and the young girl is under arrest, having been taken in charge by Deputy Sheriff Hileman shortly after the shooting.

GIRL WAS ATT...CKED.

According to the facts as related to County Attorney Christensen today, the pedler called at the Roach home last evening and insisted on Miss last evening and insisted on Miss Roach purchasing some article of wearing apparel from him. She re-fused to do so, and the man left the house, but returned again this morning. He again insisted on the girl purchas-ing his goods and his conduct was such that Miss Roach ordered him out of the house. Instead of leaving the place it is said that he followed her into another room and grabbed hold of her sister, whereupon Alice secured a re-volver and shot him in the back.

FAMILY IS WELL KNOWN.

After he was shot, the man left the house and went to a nearby saloon, and the proprietor of the place, seeing that he was wounded, at once called up an officer and informed him of the affair. The injured man was then taken to the hospital and the young girl was placed under arrest. Miss girl was placed under arrest. Miss Roach is well known in Bingham, where she moves in the very best sowhere she moves in the very best so-clety. Her parents are considered well off, and very highly respected, and the incident is very much de-plored by them. County Attorney Christensen will go to Bingham Sat-urday to conduct the preliminary hear-ing. By that time it will be known whether or not there are any chances for the recovery of the wounded man.

HUMAN BLOOD MARKS.

HUMAN BLOOD MARKS. A tale of horror was told by marks of human blood in the home of J. W. Wil-liams, a well known merchant of Bac, Ky., He writes: "Twenty years ago I had severe hemorrhages of the lungs, and was near death when I began tak-ing Dr. King's New Discovery. It com-pletely cured me and I have remained well ever since." It cures Hemorrhages, Chronic Coughs, Settled Colds and Bronchitis, and is the only known cure fof Weak Lungs. Every bottle guar-anteed by Z. C. M. I. Drug Dept., 112 and 114 So. Main St., druggists, 50c and \$1.00. Trial bottle free.

FELL 400 FEET.

At the meeting of the general board Man Hunting Goes Down Old Air



50 pieces new white fail waistings, yard 30c

No. 805 German silver bleached satin damask, well

22-inch napkins to match, dozen\$3.00

eclarus

BIG SPIECIAL SALE OF

known \$1.50 grade, for, yard \$1.15

Friday

the

Big Day!

\$16.95

85c

38 S. Main.

FOR ONE DAY ONLY.

3,000 yards 72-inch fine bleached table linen, 95c value, for, yard65e Limit 5 yards to a customer.

Friday

the

Big Day!

COURT NOTES.

Suit was filed in the district court to. by by the Merchants' Protective asso-dation and Augusta L. Scott against Lewis P. Kelsey to recover \$2,840, al-keed to be due on a promissory note excetted on Sept. 1, 1899.

The case of the State of Utah against Lewis Merrill, charged with a oriminal essuit upon a young girl named Har-fatt C. Dorsett, has been dismissed by Joice Whitaker of the city court, upon motion of Assistant County Attorney Rason,

I. P. Paulson filed suit in the disthe court today against the Utah As-solation of Credit Men to collect MAN, alloged to be due for labor perterned in the manufacture of show a predecessor in interest on Sept. 22,

he supreme court ioday heard argu-mus in the following cases, and took im under advisement: Honorine Minat Milling company et al, appellants, at Milling company et al, appellants, a Tallerday Steel Pipe & Tank com-ay et al; J. L. Lawson, appellant va labert B. Tripp et al; Barney vs the form Better Ballerday Gregon Short Line Railroad company,

The jury in the case of L. J. Palmer tainst the Oregon Short Line Railrow 1 mpany, which has been on trial for wraidays in Judge Lewis' court, has wraidays in Judge Lewis' court, has unned a verdict in favor of plaintiff \$3,000. The action was brought to wover \$10,000 for the death of plain-dia 2-year-old son, who was killed was Topaz, Ida., on April 16, 1896.

Damages in the sum of \$20,000 are Margaret B. Phillips in a filed in the district court terday against the San Pedro, Los seles & Salt Lake Railroad com-Abgeles Mrs. Phillips asks the above at as damages for the death of her husband George H. Phillips, who vas killed at Callente, Nev., on April 11, 1996, while employed by defend-ant company as a carpenter.

SOCIAL AND PERSONAL

Mrs. Henry Seigel will entertain at a musicale this evening.

The bridge party given by Mrs. Hugh homas yesterday afternoon was a magant informal affair, about a half agen guests being present. Red chry-mithemums were the decorations and the prize. ley and Mrs. E. G. Belden.

The second in her series of bridge parties was given by Mrs. Fred Dern yesterday, and this afternoon the third one took place, about six tables being played at each. The rooms were beauti-fully decorated and friends of the hosthere steals over one from head to foot the subtle, sensuous tingle of warm new blood, the perfect poise of a wellfed nervous system. orated and friends of the hosassisted in serving refreshments. the possessor has been fed right and

Mrs. R. W. Young gave a luncheon bday, her decorations being in autumn fowers and about a dozen guests being enterialment should stick to that kind of food and habits which have produced the result. The facts stand forth and the conclusions are certain. If trouble, distress and inharmony fill the days and blot

A delightful dinner party was given honor of the soth birthday of Hon. C. Plant at his home on Wednesday rening. A number of relatives and ar friends were present, and after-ards enjoyed a very pleasant even-G. Mrz. W. T. Gaslen of Grand inction, Colo., was present among ther guests.

The date of the charity ball at the

curred yesterday at Taylorsville, where she has been a resident since 1849. She was the first lady that crossed west of Jordan river, crossing it on the ice in 1849. The deceased is survived by 10 children, 75 grandchildren, and 50 great-

MRS. SUSAN HARKER DEAD.

Pioneer of '47 Passed Away at Tay-

lorville-Leaves Numerous Posterity.

The death of Susan Sneath Harker oc-

. . .

pretty luncheon today at her homé.

PREST. SMITH'S CASE.

Hearing Waived by Defendant.

grandchildren. Mrs. Harker was born in Lincolnshire, England, June 20, 1821, and in 1843 was converted to the faith of the Latter-day Saints. She emigrated to Amer ca

in 1845, joining the Mormons at Winter Quarters. She arrived in Salt Lake City in 1847, with President Taylor's com-pany, enduring all the persecutions that were so prevalent upon the early saints. An incident worthy of note is that the

deceased crossed the plains in poor health without a word of complaint. Coming down Echo canyon Sept. 18 in a wagon drawn by an ox team, she gave birth to a child-William Harker. The time of the funeral is not yet known, as

associations, last evening, a communi-cation was read from President Jo-seph F. Smith, the general superin-tendent, appointing Elder James H. Anderson a member of the board. The appointment was ratified unanimously. At the same meeting Elder Anderson was appointed to accompany Elder Thomas Hull to attend the convention of the associations of the Blackfoot stake of Zion next Sunday. Elder Anderson has been identified with Mutual Improvement work ever since its inception, and he will be a valuable acquisition to the genvery

eral board. COL. H. W. HERBERT DEAD.

If your present method of feeding

and nerve centers scattered over the

body, look alive, quit the old diet, and

take on a new and better one. That's

plain common sense. Right then is

the exact time to guit coffee absolute-

ly and select meals wisely. Suppose

A dish of Grape-Nuts and cream,

A cup of Postam Food Coffee.

Stop at that, it will carry you easily

until the midday meal, which can be

either a lunch of the same things (if

a dinner is expected at night) or the

heavy meal can be taken at midday.

Take only one heavy meal in a day in

At the heavy meal have one good

meat course, with one or two vege-

tables, and a rich, sweet Grape-Nuts

Pudding. After a few days on these

meals a change for the better will

come over the body in practically

every case where the disease has not

Remember health is a matter of

wisely selected food and a harmoni-

ous mind. It will be a tremendous

help to read the little book, "The

Road to Wellville," found in pkgs. of

"There's a Reason" and a profound

Postum and Grape-Nuts.

one

Postum Cereal Co., Ltd., Battle Creek, Mich.

POSTUM

become too firmly fixed and chronic.

addition to the two light ones.

you try for breakfast.

Two soft-boiled eggs .

A little fruit,

New York, Oct. 25.--Col. Holderich W. Herbert, an old-time Missouri poli-tician and member of the staff of Gov. Fletcher, the war governor of Missouri, died yesterday in Bellevue hospital, aged 75 years.

Shaft, Receiving Few Injuries New York, Oct. 25 .- While hunting of

a mountain side near Pottsville, Pa., yesterday, Joseph Schröeder fell 400 feet into the airshaft of an abandoned coal into the airshaft of an abandoned coal working, says a special to the World. A companion, William Kalbach, went for help, but it was many hours be-fore Schroeder could be brought to the surface. Schroeder was found to be lit-tle the wore for his tumble. Thourt, bruised from falling from ledge to ledge in his descent, not a bone was broken. He was saved by the crocked character of the shaft. His escape is said to have been the most extraordinary in the history of the anthracite region.

MRS. RUSSELL SAGE.

She Makes Several Cash Gifts to Old Family Servants.

New York, Oct. 25 .- Mrs. Russell Sage yesterday made several cash gifts to servants of the Sage family out of the fortune of almost \$100,-000,000 left to her by her late hus-band, who did not make them any

Charles Boss, the coachman, who has served the family for 40 years, received a cash present of \$2,000. William Boss, his son, also received

Three female servants of the house-hold all of whom have records of long service, each, received \$2,000 and the caretaker of the Sage town house on Fifth avenue, was given \$1 .-

Mrs. Sage is building a \$4,000 cot-tage for Charles Boss near the stable at Cedar Cross.

NAPOLEON BONAPARTE.

NAPOLEON BONAPARTE. Showed, at the battle of Austerliz, he was the greatest leader in the world, Bal-lard's Snow Liniment has shown the pub-lic it is the best Liniment in the world A quick cure for Rheumatism. Sp ains Burns, Cuts. etc. A. C. Pitts, Rodessa La., says: "I use Ballard's Snow Lini-ment in my family and find it unexcellet for sore chest, headache. corns. in fact. anything that can be reached by a lini-ment. Sold by Z. C. M. I. Drug Dept., 11 and 114 South Main Street. B

THE TRANSGRESSOR'S WAY.

When Sing Sing Man's Career Became Known, He Lost His Customers.

New York, Oct. 25 .- William F. Mil-New York, Oct. 23.-William F. Mil-ler, who is remembered in connection with the Franklin syndicate, and who was released from Sing Sing after he had offered evidence that led to the conhad offered evidence that led to the observation of RobertAmmon, has not made a living out of a small restaurant he opened recently in Brooklyn. At first the business seemed to be prosperous, but when the customers learned that the man who took their money was Mil-ler, his trade fell off.

SILVERWARE HIGHER.

New York, Oct. 25.--People who buy silverware for holiday presents, will pay higher prices than those lately pre-valline. An advance was declared yes-terday by a number of manufacturers who sent out new lists, effective at once. Other manufacturers are put who sent out new fists, effective at once. Other manufacturers are revis-ing their catalogues, and will an-nounce higher prices within a few days. Increased cost of sliver bullion and of labor are the reasons for the advance, the second this year.

CAUTION! Persons when traveling should exercise cars in the use of drinking water. As a safeguard it is urged that every traveler secure a bottle of Chamberlain's Colic, Cholers and Diarrhoea Remedy before leaving home, to be carried in the hand luggage. This may prevent distressing sickness and annoying delay. For sale by all druggists.

CAUTION!



THE SUIT THAT'S \$16.95. They come in the all wool, plain and fancy mixtures. In all the new and most novel styles, such as the Eton, Continental Blouse, the Pony form-fitting and semi-fitting back. The skirt, the new gored circular model, extra full; colors, brown, blue, black and fancy gray mixtures; a regular \$22.50 SUIT \$16.95 That \$7.50 Black'Silk Suit at \$5.00 Is the talk of the town; it comes in the guaranteed taffeta silk; extra full, with 12-inch \$5.00 founce, shirred and tallor stitched; only 50 left. Come early. At..... A GREAT FUR SPECIAL! beautiful set of furs in the brown coney, size of muff, 12x14 inches; eatin lined and wrist cord scarf, is inches long, four and one-half inches wide, satin lined; fully worth \$7.50. Our price \$4.50 A Pretty Loose Box Coat at \$5.95. Is 27 inches long: comes in the fancy mixtures, sizes from 32 to 38. \$5.95 Mercerized Petticoats at 85c. This is made up of an extra good quality material, 12-inch flounce, finished with eight rows of tucks, sizes from 39 to 44, at





Did You Ever Know

How it feels to be perfectly well? out the rightful peace every human Perfectly Well means a lot. Not an being has a right to, change the food. ache, all or protest of any kind from makes imperfect cells and fails to body or mind. build the soft gray matter in brain

The Heaven of perfect poise when the life forces drive rich, strong red blood through the veins and fill one with an indefinable joy, when nature and all the world seems to be sending caresses to you.

Then, the sky is beautiful whether it be gray or a deep restful eternityreaching blue or covered with softly moulded round bosomed clouds lazily floating about and the breeze is kind and sweet whether it smooth your cheek with the soft touch of the wo-

of life.

man who loves you or energetically

fills your lungs with the strong tonia

Trees nod, the fallen leaves frisk

about in fairy grace, flowers smile and

send their fragrance and every friend

you meet seems a warm hearted

brother reaching out for companion-

ship. Perhaps an open fire beckons,

beside which tabby purrs out her soft

song of peace. Harmony from every

side greets the harmony within and

All this is absolute evidence that