

the Bayside Yacht club, testified that at the club on the afternoon of Aug. 15, he saw two men and a waiter talking. One of the men was the defendant, Thornton Haine, who when the witness came up, engaged him in conversation about real estate. While they were talking Thornton Haine's companion came up and called the defendant aside. The witness said he next saw the defendant and the other man walking down toward the dock.

"There was a little gathering on the dock," Birchfield testified. "There was Mrs. Annis, Mrs. Rockwell and Mrs. Nesbit on the dock. I went down to the dock and talked with the defendant. He told me that he had made no deal with Mr. Storm, a real estate dealer who had been mentioned."

"He asked me about the boats around there and I said they were one-design class. He asked me if Annis had one and he wanted to know which one it was. I pointed out Annis' boat coming into the bay. Annis boat had number seven on the side. He asked me if Annis was to come in before the race and I said that he did."

Birchfield described the shooting, after which he said:

"The defendant pointed his gun at me and said: 'Stand back; he knows what he is doing.'"

"I moved a little forward and the defendant said: 'Don't interfere; you will get the same thing.'"

Lead "Continued" from first paragraph of other lead.

The witness said he heard three distinct and separate shots and several others that came together.

"The firing ceased after the gun was pointed at me," said Birchfield. "Annis then came from around the mast and whether he touched the float I don't know, but he fell into the water and two men pulled him out."

Mr. Birchfield said that Mrs. Annis came down the runway screaming. At the bottom of the runway the defendant said something to Mrs. Annis and pointed his revolver at her. She turned and ran back up the runway still crying out.

Birchfield said that he saw John Tonnin, the boatman, run up and seize Capt. Hains by the arm. He said he could not tell the exact moment the episode happened, but thought it was just after the shooting.

"The defendant rushed over to Tonnin."

"I don't know what was said or done, but I saw Tonnin release the captain. They pulled Annis from the water and I went to call a physician."

With the ending of Birchfield's direct testimony, an adjournment was taken for recess.

AT THE WHITE HOUSE.

Washington, Dec. 17.—President-elect Taft, accompanied by Charles P. Taft and by Secy. of Commerce, arrived here this afternoon. Mr. Taft was driven at once to the White House to take luncheon with the president. He departed at 4 o'clock en route for August, Ga.

GALVIN ENTERS DENIAL.

Daniel Galvin excepts to the stories of his arrest as published at the time. Galvin was arrested for wife-beating, by Sergeant Henry Johnston. He was taken to the police station and his bail fixed by the bail commissioner at \$50, which he furnished. Galvin was not placed in jail. In police court when he was arraigned his bail was reduced to \$25. Galvin will go to trial before Judge Diehl tomorrow.

AMUSEMENTS.

Theater—Tonight opens the engagement of the new comedy entitled "Just Out of College." It will run the remainder of the week with a Saturday matinee.

Orpheum—The closing performances of this week's bill are now running. The two headliners continue to draw heavy applause.

Colonial—The strength of the stock company continues to be demonstrated very satisfactorily in "A Gold Mine." It will be followed next week by "The Devil's Auction."

Lyric—Beginning Saturday, the Lyric will change from the Cameraphone talking pictures, to straight motion pictures and illustrated songs. Mr. Will D. Phillips, the well known tenor, has been engaged to render the vocal numbers. Manager Clark reports that since the Cameraphone was introduced, it has drawn over 135,000 people, an average of over 5,000 a week. Under the new arrangement, no pictures will be shown that conflict with those of any other theater in the city.

CHRISTMAS IN KINDERGARTEN

The kindergarten department of the public schools will have a regular old-fashioned observance of Christmas. Yesterday Clerk L. P. Judd of the board of education went out shopping and bought five Christmas trees for the departments of the little tots in the Washington, Lowell, Jackson, Emerson and Waterloo schools. The board also appropriated money with which to buy tinsel, etc., for decorating the trees, and appropriate exercises will be held by the schools Friday afternoon. The trees will be given to some charitable organization after their use in the schools.

FREIGHT RATE LOWERED.

The transmissouri traffic bureau has reduced the rate on plaster and cement in sacks between Salt Lake and the Mississippi five cents per hundred. The return freight shipment rule was settled in conformity with the interstate law. Switchboards, turbines and other electrical appliances were added to the mining machinery list. Tolls, slot screens, punched iron sheets and discharge pipes were added to the general machinery list. The storage rate in transit on apples was extended to Ogden.

Sweet's PURE SUGAR STICK

Have you seen the large new package of Sweet's Pure Sugar Stick Candy? There's over a hundred big pieces in each box—six different flavors. You cannot buy anything better for the children's Christmas.

2 1-2 Pounds for 50c

At All Drug Stores

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At All Drug Stores

A Perfume Gift will Please Her

The finest variety of Imported and domestic Perfumes in the city. Done up in fancy holiday packages—an ideal gift. Splendid assortment of Perfume Atomizers.

Hot Drinks At Our Fountain.



DRUG STORE.
The Pure Drug Dispensary
112-114 So. Main Street

COPP LEAVES FOR DENVER.
Manager of Local Associated Press Offices Advances One More Notch.

Manager Arthur W. Copp of the Associated Press in this city, will leave tomorrow for Denver to assume the Denver office management just resigned by C. H. Desmond who has occupied that position for 16 years. Mr. Copp leaves with the best of wishes of many friends who regret his departure. He joined the Associated Press 14 years ago at Pittsburg, and has been steadily advanced through the various grades to the managerial desk. Mr. Copp was correspondent with Shafter's army in Cuba, was through the Goebel trouble in Kentucky, and reported the great St. Louis cyclone in 1897. He was in charge of the A. P. office here in 1901, when he went to Chicago to become assistant day manager of the Chicago office. He also had charge of the legislative bureau at Springfield, for two sessions of the legislature, and returned to Salt Lake a year ago. R. C. Johnson, night manager of the San Francisco office, will succeed Mr. Copp at this point.

UNIQUE POINT RAISED.
License May Extend to Theater Near Bar in Hotel.

An interesting question has developed the city license department. Max Florence, in a petition for a license for a theater on State street, near the Knutsford, asks for something that has been considered unlawful as there is a saloon within 50 feet of the building in which it is proposed to conduct theatrical performances. The matter was referred to Assistant City Attorney P. J. Daly, who has submitted the following opinion for the construction of the city council:

"The question at issue is whether a hotel selling liquor may be granted a license if situated within 50 feet of a theater, and may a theater be granted a license if located within 50 feet of a hotel. Section 1,245 of the Revised Statutes of Utah says:

"No license shall be granted any establishment, except a hotel located within 300 feet of any public school building being used for that purpose, or within 50 feet of any theater, variety theater, concert hall, or any like place of amusement."

"As will be noted the expressed intent of the legislature was to except a hotel from the prohibition. Hence there can be no legal objection to granting a license to a hotel located within 50 feet of a theater, and by necessary implication the converse of that rule applies, namely, that a theater may be licensed if situated within 50 feet of a hotel."

Mr. Daly, however, concurs in an opinion upon the same subject rendered by Judge Ogden Hines, then city attorney, in November of 1907, in which Judge Hines said that no theater ought to be licensed while the license of a saloon is in force, or less, remains in force.

CLUB THANKS SENATOR SMOOT.
Automobilists Regard Coming of Page As Significant Event.

To express their appreciation of his efforts in securing the attendance of Logan W. Page at the good roads convention, to be held in this city Jan. 14, the Salt Lake Automobile club has sent a letter of thanks to Senator Reed Smoot. It is signed by President O. H. Hewlett of the Automobile club, and he follows:

Senator Reed Smoot, Washington, D. C. Dear Sir:—The Salt Lake Automobile club and other "good roads" advocates of this state thank you sincerely for your good work in securing Logan W. Page, director of the government public roads, to be here at the "good roads" convention Jan. 14. We believe this will materially help out in the work for better roads and highways in this state. We also ask to see if there is any other government assistance you can secure for the state of Utah in building good roads.

The United States government is spending millions of dollars yearly for making improvements on the rivers and harbors, and we believe they should extend all the assistance possible to the inland section of the country, as good roads are just as important to this part of the United States as the rivers and harbors are to the other section.

We sincerely thank you and Senator Sutherland and Congressman Howell for any work you could do along these lines, as the people of this state are thoroughly aroused to the necessity of good roads and will appreciate any work done by our representatives, not only in the national, but in the state government also.

Yours respectfully,
SALT LAKE AUTOMOBILE CLUB
Per O. H. Hewlett, President.

MRS. MILLER LEAVES TOWN.

Mrs. D. R. Miller, a woman once prominent in local business and social circles, possessed of plenty of money for her needs and surrounded by respectable and influential friends, but of recent years a social outcast, her physical and mental condition ruined by drink and other excesses, has left Salt Lake City and is now in the police station, where she will remain away.

About two years ago the woman began drinking. She sank lower and lower until she was one of the most pitiable objects in the city. She lost her money and friends and became a common woman of the streets and a frequenter of the lowest dives in the city. She was arrested time after time and given terms in the city jail. Efforts were made repeatedly to start her in life anew but all to no purpose. The last time she was before the court she was sentenced to 60 days in jail. She became ill but was cared for by the matron.

A few days ago relatives and friends

interested themselves in her behalf and consented to send her to Los Angeles, where she is said to have relatives who have professed to care for her. This morning she was taken to the station in the patrol wagon and sent to Ogden, from which place she will go to Los Angeles. She said to the officers that she would go to the California city and remain there and try to live a respectable life.

FIRE IN BOOK STORE.

The fire department has broken the record for runs already this year over 1907. In that year there were responses to 314 alarms. This morning the department answered 31st alarm. The apparatus was called to R. S. Margetts' store, 7 south Main street where a baseboard had caught fire from a steam pipe. There was some excitement at the store, as it was done to either building or contents. No. 2 and some of the apparatus from headquarters under command of Asst. Chief Fitzgerald responded.

GRANITE STAKE LEAGUE.

The Y. M. M. L. A. of Granite stake have organized a basketball league. The first game will be played Friday evening, Dec. 18, at 7:45. Forest Dale and Miller ward will be the contestants. Both teams are in fine condition and promise to make the game close and interesting. They will play in the amusement hall of the Granite stake tabernacle. Fourteenth and State streets. After the game a dancing party will be given. The schedule of the league games will be announced at the first game. The associations are offering a silver trophy for the champions, and as Granite stake is noted for its athletes, patrons can look for some very interesting games during the winter.

CHRISTMAS FOR THE BOYS.

The Woman's league has instituted a movement for a "Christmas treat for the boys of the Detention Home, and donations of gifts are asked from all who may be interested. The league has a worthy purpose. Supt. Brown states that there are 15 boys in the home, and that he could not take care of them without these boys exhibit at the institution. A committee of the league members will select the gifts. The league will hold a Christmas party at the drug store on Thursday, Dec. 21, to receive donations and those who give are requested to bring their articles there some time before 5 p. m.

FORM A SMILE CLUB.

At the session of the salesmanship class at the Y. M. C. A. last evening an interesting talk on the psychology of salesmanship was delivered by Prof. L. M. Gillman of the High school. Will J. Grow made the salesmanship talk to Secy. Cox with the headquarters in Chicago. At the conclusion of the session, the Smile club was formed, the object being, as the name indicates, smiling and taking matters cheerfully in the face of the common and individual good. At tonight's session of the class the same members will form the proceeding as at last night's session of the first session.

SCHOOL STATISTICS.

In response to an inquiry from the government, directed to the superintendent of schools, Supt. D. H. Christensen has compiled a table showing the number of pupils in the various grades of the city schools, together with their ages. The request was made by the bureau of education at Washington, and asked that the information be as complete as possible, as it would not be asked for again within five years. The results of the inquiry show:

Boys—Kindergarten, 149; first grade, 1,404; second grade, 841; third grade, 962; fourth grade, 549; fifth grade, 738; sixth grade, 668; seventh grade, 512; eighth grade, 481; first high school, 225; second, 132; third, 132; fourth, 61.

Girls—Kindergarten, 175; first grade, 1,301; second, 841; third, 912; fourth, 904; fifth, 742; sixth, 719; seventh, 595; eighth, 529; first high school, 255; second, 189; third, 93; fourth, 80.

There are 47 boys under 5 years of age, and 61 girls. There are three boys in the high school over 21 and no girls above 20, of whom there are eight.

SENT TO MENTAL HOSPITAL.

George W. Jones was committed to the State Mental hospital in Judge Armstrong's court this afternoon after an inquiry into his mental condition before a board of physicians. The commitment of Jones marks the result of a brutal assault committed upon him some time ago by a robber who had entered his home. He was discovered by Jones, and his efforts to escape he hit Jones on the head and otherwise mistreated him to the extent that since that time his mind has been deranged. His lunacy is of a peculiar nature. He imagines at all times that someone is pursuing him, he hears strange voices and is at all times in fear of his life. He lived prior to his detention at 375 west South Temple street.

LATE LOCALS.

Begin Work on School—Ground was broken yesterday for the new Walker school on south Main street.

Local Bank Clearings—Today's local bank clearings amounted to \$1,184,497.74, an increase of \$41,482.36 for the same day last year.

Speed Contest at School—A gold medal will be given to the L. D. S. student who scores the highest average in the speed contest of tomorrow.

Christmas for Teachers—The teachers of the city will tomorrow receive their pay for the last three weeks, thus enabling them to "celebrate" Christmas.

Canon Ward—On Friday evening in the Canon ward meetinghouse, the Sunday school will give a character play. All Sunday school teachers invited. Prizes offered for best character.

Funeral of Miss Kneass—The funeral of Miss Florence Kneass, daughter of Mr. and Mrs. Edmund R. Kneass, will be held at the family residence, 352 Sixth avenue, tomorrow, commencing at 2 o'clock. Miss Kneass was 28 years of age, and died yesterday, after a long illness. Interment will be at Mt. Olivet cemetery.

Smoke and Furnaces—The Utah Society of Engineers holds a smoker tomorrow evening at the Commercial club, where, Prof. E. C. Elvaugh will read a paper on "Smelter Smoke Treatment" and Richard S. McCaffee will read a paper on "Heat in a Blast Furnace." Dr. Elvaugh is a recognized authority on the subject of smelter smoke and the presentation of his ideas on the subject is of especial importance at the present time. Mr. McCaffee and his associates are members of the Utah Society of Engineers.

New Supply Bridge Score Cards just received by Salt Lake Route. Freely given on application. 169 Main St.

BOISE LAWYER TAKES ON HIMSELF A WIFE

He Slips Away From Gem State, Leaving His Closest Friends In Ignorance.

Salt Lake and Boise friends of Judge John J. Blake of Boise, Idaho, former law partner of Senator Borah of that state, are having considerable fun today at his expense. Judge Blake was at the Knutsford today and his presence in the city was discovered by Sam Peterson, formerly of Boise and now of Salt Lake, and C. Rogers, a business man of Boise who is in the city. They not only discovered the presence here of Judge Blake, but found out something that Judge Blake had taken great pains to keep secret—the fact that he has joined the ranks of the bachelors of the gem state and has quietly at Boise at high noon yesterday and lost no time in bringing his bride to this city enroute to Los Angeles, and his friends and associates in Boise are none the wiser.

According to statements made by his friends here who discovered the secret, the judge even "foiled" his best friends in Boise, including Judge Harry Leonard of the probate court there. It is told that he called upon the latter just before the wedding and explained that he was going away to attend to some business matters and would not return for some time. His friends knew that he had taken unto himself a wife and it was not known until Messrs. Peterson and Rogers found it out this morning, quite by accident.

The bride is Miss Lila K. Little, a prominent young woman in Boise social circles. Immediately after the marriage the happy couple came to Salt Lake and went to the Knutsford. From here they go to Los Angeles on their honeymoon.

When Peterson and Rogers discovered the secret, they kept the wives hot between them and Boise, and their friends of the couple at the wedding, and they also sent a telegram to an official there stating in effect that Judge Blake had arrived in Salt Lake under cover of darkness, that it was understood he was wanted in Boise; that he had been located here and would be held if wanted.

HARRIS WORKING FOR CHANGE

Marcus Harris, the well known wool buyer, announces that he is working to change the wool storage headquarters from Chicago to St. Louis. He claims St. Louis is the largest wool market west of Boston, that it handles more wool than any other market, and the freight rate is 7 1/2 cents lower than the rate to Chicago from this section. Mr. Harris further says:

"We would have to pay the heavier freight to Chicago and the further cost of shipping back to St. Louis. It is in this way that we claim an advantage over the Chicago buyers. The wool at the headquarters in St. Louis we can pay them the advance in freight rate of 15 cents a hundred that would be saved us. I want it understood that I am not fighting the storage proposition, but if the wool is stored here, headquarters I would like to see it in St. Louis. It would make money for the growers and the St. Louis buyers."

This is another phase of the old St. Louis wool fight which apparently will never end.

COURT NEWS.

LOTT IS SENTENCED.

Judge Armstrong this morning sentenced C. E. Lott to one year at hard labor in the state penitentiary, for second degree burglary. Lott asked for permission to change his former plea of not guilty to guilty, which was granted, and the sentence followed. Lott was charged with having broken into a caboose belonging to the Denver & Rio Grande Railroad company on Nov. 22, with intent to carry away therefrom goods and chattels belonging to the railroad company.

KOALA TROUBLES STILL.

W. C. McCormick, doing business as McCormick & Co., bankers, has filed an action in the district court against John J. White and the Koala Fuel Mfg. Co., in which plaintiff seeks to recover the sum of \$1,500 alleged to be due on a certain promissory note signed by defendant John J. White on Sept. 16, 1908, and in favor of the Koala Fuel Manufacturing company. Three certificates of stock in the Koala company, each for 500 shares of its capital stock, were pledged for the payment of the note, and judgment is demanded for the amount of the note and for the cost of the suit, together with interest for any time remaining after the amount brought by the sale of the stock has been applied on the note, if any there be.

BRINGS CLAYS BACK.

Deputy Sheriff Fred Butler returned this morning from Ely, Nevada, having in charge William M. Clays, who had been arrested and detained at the Nevada town during the arrival of an officer from this district. Clays is charged with having abandoned his wife and three children in this city, in a complaint drawn in the county attorney's office a few days ago.

IN THE DIVORCE COURT.

Modified findings of fact and conclusions of law in the separate maintenance action of Mary W. French against Frank D. French, filed and entered by Judge C. W. Morse in the Third district court, also a decree awarding plaintiff \$50 per month for her support during the joint lives of plaintiff and defendant. The defendant is also ordered to pay into the court \$50 during the months of December, 1908, and February and April, 1909, for the benefit of plaintiff's attorney, and \$35.95 for cost of suit. It is further ordered that the cause be retained by the court for the purpose of making such modified or additional decree as may seem to the court from time to time proper and just.

Judge Morse also entered a decree in the action of Selma May Reiser Kramer, against Herman August Kramer, granting divorce to the plaintiff, together with the custody of the minor child, Helen Sedona Kramer, the minor child permanent alimony and \$25 attorney's fees. The Kramers were married in Salt Lake City, May 12, 1904. The charges on the suit were brought was failure to provide.

GUN CLUB FILES SUIT.

Suit has been filed by the New State Gun club against Ansel Hatch, Fred Cleverly, William H. H. and Ernest and Earl Burnham in the Third district court, in which the plaintiff asks that defendants be perpetually restrained from entering upon its game preserves, covering 10 or 12 sections of land situated west of Salt Lake City, on the shore of Great Salt lake. The suit is in the nature of a test case and will in all probability go to the supreme court of the state before it is finally determined.

CASE IS COMPROMISED.

While the jury in the case of George W. Miller against the Utah Sugar company was still deliberating upon a verdict in the case, a compromise between the parties to the suit was effected yesterday evening, by which the plaintiff accepted \$1,500 in settlement of the case. Miller sued for \$20,000 for in-

juries alleged to have been sustained by him while in the employ of the sugar company at its factory in Garland, by the spilling of hot grease from a tallow box. After the jury had been out for more than 14 hours an amicable settlement was arrived at and further proceedings dispensed with.

BRADY FOUND GUILTY.

W. O. Brady was yesterday found guilty of grand larceny by a jury in Judge Armstrong's court. Brady was charged with stealing a watch from R. B. Miller at Bingham, Aug. 7, while Miller was intoxicated. Sentence will be passed upon Brady Friday morning.

MILLIONAIRE'S SON COMMITTED.

Willie Goldberg, 17 years old and the son of a reputed millionaire of Denver, has been committed to the state industrial school by Judge Gowans of the juvenile court for incorrigibility. The boy was arrested for fighting on the streets, and has shown himself to be incorrigible. His father, it is said, has refused to make any effort to get his son out of trouble, or to do anything for him.

BOSGAN WINS DAMAGES.

A jury in the federal court returned a verdict yesterday afternoon in the case of Jacob Bosgan against the Daly West Mining company, finding for plaintiff and placing the amount to be recovered at \$11,828.50. Bosgan sued for \$30,323.50 as damages for personal injuries received by him in the Daly-West mine, Aug. 7, 1907. The case did not occupy as long a time as was expected, the only testimony offered by the defense was the opinion of experts as to the actual injuries received by Bosgan, and the probable number of years that he would yet live. The verdict was returned in a few minutes from the time the jury received their instructions.

DIED.

DERBRIDGE.—At 902 north, First West street, Dec. 16, 1908, of general debility, Jane Derbridge, wife of Joseph Derbridge; born Feb. 29, 1850, in England. Funeral services Friday at 1 p. m. from the Nineteenth ward chapel. Friends are invited to attend and the remains will be at the family residence on day of funeral, at Marion avenue, 1230 p. m. for the friends. Interment city cemetery.

BOWMAN.—In this city, Dec. 15, 1908, Wesley W. Bowman, aged 11 years, only child of Mr. and Mrs. J. W. Bowman, at Marion avenue. Funeral services will be held from the family residence, 64 Marion avenue, on

IMPORTANT

Santa Claus makes gift giving a pleasure.

McDonald makes Merry Widow chocolates a pleasure to taste.

Saturday, at 1 p. m. Interment Mount Olivet. Friends invited.

Milwaukee, Wis., papers, please copy.

WINEGAR.—At South Bountiful, Dec. 15, 1908, of pneumonia, Elizabeth B. Winegar, wife of Samuel Thomas Winegar, born March 26, 1831, in Kaysville, Utah. The funeral services will be held at Kaysville, Friday, the 18th. Friends are invited to attend.

BERGER.—In this city, Dec. 16, 1908, Lloyd Berger, aged 6 years, son of Mr. and Mrs. M. V. Berger, 625 south Ninth East, of scarlet fever. The funeral took place today at 2 p. m. and was strictly private. Interment in Calvary cemetery.

KNEASS.—In this city, Dec. 16, 1908, Florence Kneass, aged 32 years. Remains at O'Donnell & Co.'s parlors. Notice at funeral later.

BROWN.—At the county infirmary, Salt Lake City, Dec. 17, 1908, Julia Brown, (colored), an old time citizen of Salt Lake, in her seventy-eighth year; native of Virginia. Funeral services Friday at 12 noon from the funeral chapel of Joseph Wm. Taylor, 21 south West Temple street. Friends are invited to attend. Interment in city cemetery. Oakland, California, papers, please copy.

TAYLOR.—At 623 Seventh avenue, Dec. 17, 1908, of heart disease, Jesse Ray, son of Jesse and Anna M. Falkner Taylor; born June 22, 1902, in Salt Lake City. Funeral services from the family residence Friday at 3:30 p. m. Friends are invited to attend. Interment in city cemetery.

Floral designs a specialty. Phone 961. R. E. Evans, Florist, 36 S. Main St.

Union Dental Co.

Are now permanently located in their new and handsomely equipped rooms.

212 MAIN STREET.

Remember us. WE TREAT YOU RIGHT. Painless Extraction of Teeth or no pay.

THE RIGHT MOVE!

A commission of the most prominent English and German physicians have declared that the germs in Milk may contract Consumption, Typhoid Fever, Diphtheria, and Scarlet Fever. The Elgin Dairy Creamery & Supply Co. have just installed in their plant one of the latest up-to-date pasteurizers. All their milk and cream is now pasteurized, heated to 180 degrees, and immediately cooled to 50 degrees, making all their products absolutely pure.

Pure Milk is the greatest life giving food. Why not buy the best? Ask for ELGIN DAIRY products.

Immense Shipments of MISSES' and CHILDREN'S COATS

TO THE BIG BANKRUPT SALE

Of the John Dubei Stock, 322 So. Main

Children's and Misses' Coats

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