

ELKS WILL HOLD FOURTH AT LAGOON

Best People on Earth Have Made Great Preparations for Celebration.

YOU CANNOT AFFORD TO MISS THE OCCASION

Many Ladies Have Entered the Most Popular Lady Contest; All Kind of Sports.

Hooray, hooray, this is the day
Of the purple and the white.
The Elks are here to have the way
To all sorts of delight.

Are you out? Well, don't miss it. This
is the last call for a good time with the
Elks this year. And one of these times
is what is on at Lagoon from 1 o'clock
until midnight. Come on, come on, and
get into the game like a real game day;
play it through and when the day is
concluded you will agree with us that
you have had the time of your life.

The Ogden boys are the boys that do things,
and in this case the things to be done
are every sport, race or game coming
up tomorrow. You have been told what
was going to happen. Everything
stated in the programme will occur.
This contract was not your money, will
be refunded if everything advertised is
not visible to those who attend. All
agreements are subject to the usual
clause—provided nothing interferes
with the deal as now prepared.

Ogden is coming down to take time
by the forelock and drag it back to
Ogden. Watch out and see that your
favorite is not one of the "also rans" in
the race for the beautiful watch which
is offered as a prize for the honor
"most popular lady" at the report on
that day. Salt Lake entries number
an even dozen, while Ogden has only
two ladies in the race. Votes came in rapidly
Wednesday and the interest shown
proves that business will be rushing at
this booth.

The prize is well worth anyone's
attention and the votes will run well into
the hundreds when the finish comes. Tom
Homer, Jim Leary and Lester Fred
will be at this booth. All you need
your money for your wife or sweetheart
(or for some other man's wife or sweet-
heart).

Games and Sports.

J. W. Collins, the director, general of
sports, high school, college, Olympic
and Olympic games, ably assisted by
W. S. Taylor, has put up a lovely job on
the Ogden contingent. Lord Harry
Dyngton will be chairman of the com-
mittee on awards, and no matter how
the games go Salt Lake wins. Ogden
has entered into this proposition expecting
to win everything. You may expect
some interesting prizes. All decisions
made, but the people who make these
decisions will do so by wireless tele-
graph.

The programme follows:

4 p. m.—Bat men's race, three entries
from Salt Lake and three from Ogden.
3:20 p. m.—Leaven Men's race; only
two entries, Cleaveland from Salt Lake
and Cleaveland from Ogden.
3:30 p. m.—Grenad pig, Farmington
product, lively well and strong; should
keep the bunch busy for twenty minutes.
3:50 p. m.—Prepare for the egg race.
4 p. m.—The ball game is the
major of Farmington will toss the first
ball over the plate and Senator Bam-
berger will call if a strike or a ball. At
once the tough house will begin. Those
not accustomed to bloodshed should
leave at once and spend the next hour
at the ping-pong game. It is less en-
joyable, but the Elks will remain in the
hope of carrying off their umpires in an
ambulance. As the battle progresses
the police will interfere and probably
get hurt. Do not forget you are a spec-
tator, as the committee will not be
responsible should accidents occur. Um-
pires will be Exalted Ruler Davis for
Salt Lake and Exalted Ruler Burt for
Ogden. Both teams are composed of
young, strong, handsome, athletic men,
and the scrap will be an earnest one.

The Decorations.

Phil Philipstein of the International
Flag company of New York has been
here for a week and has aided very ma-
terially in the decorations which are
seen in the store windows and at La-
goon. He early joined the boosters' club
and has certainly touched the decora-
tive art with a master hand. The num-
ber of store windows showing the Elks'
colors are pointed to with pride, and
the efforts of the merchants are fully
appreciated.

The occupations at Lagoon will be
boosted by the following Elks, with nu-
merous assistants, and the barkers of a
circus would feel ashamed of themselves
and their vocation if they could hear
them.

Popular Lady Contest—Tom Homer, Jim Leary, Lester Fred, cashiers; Bob Marsb, Daddy Freed, George Silks, Easchall Gamm, J. W. Collins, W. S. Taylor, H. Lettinger, Sam Sherrill, Popcorn and Candies—Dan Nickum, Jim Donohue.

Wheel of Fortune—Will Leary, Pat Donohue, Billy Wilson, cashiers.

Barkers—Henry Kahn and a bunch of strong lungs.

Ping-Pong Game—Nightingale, Dyer, Eas Coffin.

Ice Cream—Ed Kaufmann, Billy Bax- ter, Aaron Meyer.

Merry-Goo Round—Joe Jack, Billy James, C. C. Slade.

Soda Water—Tom Hobday, A. W. Raybold, Frank Kuzell.

Knife and Ring Game—A. J. Davis, C. J. Crabtree, John Holley.

Shoot the Chutes—and Bump the Bumps—Mayo J. S. Bransford, Jim De- vine and Frank Hines.

Kats and Edibles—Martin Mulvey, P. F. Christensen, H. J. Robinson.

Roller Coaster—H. Collins, Leo Morris, Gibbs, Pat Irwin, Will Culmer, Mack Beckstead.

The bureau of information will be in
charge of the general arrangements;
committee on several officers and will
take your money if you can't find a
place to spend it.

MADE IN A SANITARY BAKERY,

where cleanliness and purity prevail.
Royal Milk, Royal Nut, Table Queen
and all sorts of Royal bread bearing our
crown label. Ask your dealer.

ROYAL BAKING CO.

DECISIONS REVERSED BY SUPREME COURT

Judgment in Four Cases Is Af- firmed, and One Is Reversed.

Opinions in the following cases were
handed down by the supreme court on
Wednesday:

Herman Henker vs. David Lindsay, appellant.

In this action the plaintiff
sued to recover \$440, alleged to be due
to him from the defendant as the pro-
ceeds from a partnership, and the de-
fendant denied that any partnership ex-
isted. The lower court found that the
partnership existed and gave judgment
for the plaintiff for \$375. The supreme
court affirms this judgment.

Fred Cook by his guardian, vs. the United States Smelting company, ap- pellant.

Cook sued to recover for personal
injury resulting from the alleged
negligence of the company, and secured
a verdict for \$1500. The judgment is
now reversed on the ground that the
plaintiff knew the conditions at the
smelter where he was working, and that
negligence on the part of the company
was not sufficiently proven.

Utah Idaho Sugar company, ap- pellant, vs. W. H. Stevenson et al.

In the lower
court the company sued to compel the
defendants to remove fences and gates
across a canal right of way through
land that had formerly belonged to
Stevenson, and which had been con-
demned for canal purposes. The lower
court found that the fences and gates
did not interfere with the company's
use and enjoyment of the canal right of
way and rendered judgment for the de-
fendants. The judgment is affirmed.

H. A. Smith vs. Emma Hanson, ad- ministratrix of the estate of John Peter Johnson, deceased, appellant.

The principal
question in this case was as to the
entry of a personal judgment against
Mrs. Hanson for attorney's fees for ser-
vices alleged to have been rendered to
her father. The supreme court directed
that the judgment be modified to the
extent of entering the judgment against
Mrs. Hanson, as administratrix.

The same order was made in the case of Dr. H. A. Anderson against Emma Hanson, administratrix of the estate of John Peter Johnson, deceased, ap- pellant.

MRS. CHARLES RUSSELL PLEADS NOT GUILTY

Mrs. Charles Russell, charged, with her
mother, Mrs. Anderson, of 1812
South West Temple street, with battery
upon Mrs. Leonard Lewis, of 1418 South
West Temple street, Monday evening,
pleaded not guilty in Justice Bishop's
court Wednesday, and her hearing was
set for Saturday. Ray Van Cott is her
attorney. Similar action was taken in
Mrs. Brewer's case.

W. S. McCORNIC EXPLAINS BANK TRANSACTION

President W. S. McCornick explained
Wednesday afternoon that there was a
distinction in the manner in which he
and Joseph Nelson had dealt with that
bank. He said that he had paid the \$50,000
in cash to the bank immediately. Joseph
Nelson, however, had not done so, the
same to fall due some time in August.

Picture Framing.

Salt Lake Photo Supply Co., 142 Main.
Bathing is superb at Saltair.

WOMAN KNOCKS BOY FROM HIS BICYCLE

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attached to a buggy, Wednesday noon
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The boy, 17 years old, who lives at 454
North 25th street and works at the
Z. C. Smith store, was thrown from his
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from his wheel to the street.
The woman, who was riding west, in-
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and the state of Utah. Not only will com-
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Day and night. Bell Main 26, Ind. 26.

WILL BOOST STATE FOR THE EAGLES

Real Estate Men Will Entertain Birds Who Attend the Seattle Convention.

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a discussion of the means of boosting the
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city on the way home from the convention.
The convention is to be held in
Seattle August 31 and it is expected that
there will be fully 30,000 people present.
There will be special trains of delegates
and members of the order from all parts
of the United States, including two trains
from New York, one from New Jersey,
and one from California. Many of these
trains will pass through Salt Lake City
on the way to the convention. The land
two sections, reaching this city about
August 26.

It is intended to make the occasion of
these visits a grand exposition of the
beauties and advantages of Salt Lake
and the state of Utah. Not only will com-
mittees be appointed to receive the vis-
itors and show them about, but a large
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A special train of the Eagles will leave
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McCo's Stables.

Carrriages and light livery. Phones 81.

NEW PHASE OF THE BANK ROBBERY CASE

Claim Is Made That Federal Grand Jury Had No Jurisdiction.

WAS W. A. NELSON AN EMPLOYEE OF THE BANK?

Attorneys May Raise This Ques- tion and Secure Dismissal of Indictment.

An entirely new phase of the Utah
National bank robbery case developed
Wednesday, and if the expectations of
William Nelson, the young banker in-
dicted by the Federal grand jury for the
theft, bear fruit, the accused man stands
a good chance of throwing off the pro-
ceedings that now hang about him. The
theory of the defense, if report is to be
credited, is both unique and plausible.

It is claimed that the Federal grand
jury had no jurisdiction in the case of
young Nelson. The indicted man was not
an employee of the Utah National bank
at the time he is alleged to have stolen
the money, and it is guilty as charged
his offense must be answered before the
courts of the State of Utah, and not in
the United States courts, for the crime
would then come under the State laws.

If this line of argument is adopted by
the attorneys for the defendant, and if
it sticks before the United States court,
the indictment will be dismissed, and
the case will then be up to the county at-
torney of Salt Lake county. If the county
attorney is as diligent in prosecuting the
case as he has many reasons to congratulate
himself on, the case against him has
been discovered in the case against him.

DEMURRER FILED BY SILVER KING COALITION

A demurrer was filed Wednesday in
the office of the clerk of the United
States district court by the Silver King
Coalition Mining company in the suit of
the Silver King Consolidated Mining com-
pany. The Silver King or Boulder King
company is suing for alleged to have been
extracted from its ground by the
defendants.

The demurrer alleges the following
causes: That the plaintiff has shown no
cause for relief; that the plaintiff's bill
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the parties to make an accounting, and
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King company would be a party to the
suit.

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SECRETARY GARFIELD SPENT DAY IN UTAH

Inspects the Work Being Car- ried Out on the Straw- berry Project.

IS SATISFIED WITH ADVANCEMENT MADE

After Luncheon at Spanish Fork Canyon, Secretary Departs for the East.

Secretary James R. Garfield of the In-
terior department spent Wednesday in
Utah. Urgent business in the East pre-
vented his spending any time in Salt
Lake City. Secretary Garfield is on his
annual tour of inspecting and viewing
the government work being carried on
in the West. The greater part of the
day was spent at the mouth of Spanish
Fork canyon, at the point where prac-
tically all the work on the Strawberry
project is being done. Secretary Gar-
field was accompanied on his tour over
the project by Governor John C. Cutler,
Senator George Sutherland, State En-
gineer Caleb Tanner, James Clove, post-
master of Provo; United States Surveyor-
General Thomas Hull, Director F. H.
Newell of the reclamation service, En-
gineer Leytel, who is in charge of the
work, and F. A. Wadleigh, assistant gen-
eral passenger agent of the Denver and
Rio Grande railway. Garfield and the
party traveled in Mr. Wadleigh's private
car, which he had kindly placed at their
disposal.

Nearly all of the work being done on
the Strawberry project is being done near
the mouth of the canyon. The main canal
is being cut in the side of the hill at
the mouth of the canyon. A concrete
dam will be built at the mouth of the
canyon. The work on the power plant
has not yet been started. The concrete
base of the plant has been in-
stalled and the discharge outlets have
been arranged. The walls of the building
for this work is now on hand. The
material for the pipe line, which will
carry water from the main canal for
about 300 feet, giving a vertical drop
of less than 100 feet, is on the ground.
Little time will be required to install
the pipe line.

When the canal at the mouth of the
canyon starts to flow, concrete and
the power plant fully equipped, water
which belongs to other canals lower
down will be taken in the new canal, sent
through the power plant and then down
to the canal system to which the water
belongs. This power generated will be
sent up the canyon twenty-three miles,
to be applied in driving the long two-mile
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CONSIDERING BIDS FOR NEW THEATER

E. W. Houghton, Architect, Ar- rived in Salt Lake From Seat- tle Wednesday.

NINE CONTRACTORS HAVE SUBMITTED BIDS

Three Salt Lake Firms Among the Contestants; No Decision Yet Announced.

E. W. Houghton, architect for the new
theater which is to be erected by Mrs.
Eveline Auerbach on Third South between
Main and State streets, arrived in Salt
Lake City from Seattle Wednesday, and
immediately began to consider the bids
which have been submitted for the general
work for building the theater. Nine bids
were submitted in all, three of them by
Salt Lake firms, the rest by Seattle con-
tractors. Among the lowest bidders for
the work were Chase & Co. of Seattle, T. J.
Armstrong, the Campbell Building com-
pany and J. H. Brittain of Salt Lake City.
Up to Wednesday night no decision on
the contract had been reached, although
the bids offered by Chase & Co. were be-
ing considered favorably. Mr. Houghton
will decide on the contractors in a few
days, and work will be started at once.
The general contract covers everything
connected with the construction of the
building except the lighting and heating.
Bids on these were submitted, but they
have not yet been considered.

Complete plans for the building were re-
ceived about two weeks ago, and the gen-
eral plan was decided upon. The building
will be one of the most up to date show
places of its kind in the West, and will be
devoted only to the production of high
class dramas and musical comedies. It
is intended to have the building ready for
occupancy by fall.

FRANK HELMICK STRUCK BY AN AUTOMOBILE

Frank Helmick, son of the Rev. D. M.
Helmick, of 724 East South Temple
street, and pastor of the First Methodist
church, while riding a bicycle on Second
south, between Main and West Temple
streets, was struck by an automobile
Wednesday morning, and although he did
not sustain any serious injuries, the
wheel was completely demolished. The
machine was owned by the Consolidated
Wagon & Machine company, and driven
by Chauffeur Alfred Anderson.

Anderson, it is said, did not give his
power to avoid the collision, but without
small, young Helmick being so close be-
fore he knew it, so to make it impossible
to stop the machine, so he did the only
thing possible, turned the machine, but
not quick enough to avoid the collision.
An investigation will be held to deter-
mine who was to blame for the accident.

Warning to Osteopaths.

Utah osteopaths and eye specialists
have been notified to be on the lookout
for one Dr. S. L. Rockwell, who is
thought to be in this state. Rockwell
is supposed to be a first-class eye spe-
cialist, but is not only out of favor with
the members of that profession in the
East, but is also the theme of much ad-
versive criticism.

Our carpet cleaning is perfection.

National House Cleaning Co.

Take a dip at Saltair.

STEVE MAROVICH HELD ON MURDER CHARGE

Sheriff Feared Attempt Would Be Made to Rescue Him at Hearing.

Steve Marovich, who is charged with
murder in the first degree for the killing
of Mike Popich, at Bingham, on July 11,
was given a preliminary hearing before
Justice of the Peace Holm, at Murray,
Wednesday, and held to the Third Dis-
trict court without bonds.

The hearing was held in the city hall
and the proceedings were largely con-
fidential. The police generally will be
committed upon Eddie Booth. Eddie has
been sent to the detention school tempo-
rarily, and the girls are at St. Ann's or-
phanage.

Mrs. A. L. Young accompanied Guard-
ian Brown to the Booth home and she de-
clared that it is the fittest place she
has ever seen. Booth has fourteen dogs
and a number of dogs and calves, and
the children have apparently been shame-
fully neglected. Mrs. Young found a cat
and three kittens in a bureau drawer.
The hearing of Booth on the charge
against him will be had before Judge
Diehl Thursday.

NOTED ORGANIST TO PERFORM ON SUNDAY

John Silvester, for 21 years director
of the school of music of Lawrence uni-
versity, Appleton, Wis., will be in
charge of the organ of the First Congre-
gational church next Sunday morning.
Mr. Silvester is an organist of large
ability and wide experience. He attend-
ed Oxford university, England, where
he studied organ, harmony and com-
position with Sir F. A. Gore-Ouseley from
1877 to 1879, received advanced certifi-
cates from the Royal College of Organ