

RIGHT OF WAY

Court Allows Rio Grande Western Railway to Take Land.

BONDS FOR DAMAGES

ORDERS MADE BY DISTRICT COURT AND PROBATE BRANCH.

The Rio Grande Western Railway company yesterday obtained from Judge Cherry permission to occupy a strip of land thirty-three feet in width by 1,410 feet in length, owned by the Utah Nursery company...

With the right-of-way questions settled where purchases have not been made, the Rio Grande Western will at once proceed to move its tracks of the Park City branch line from Eleventh south street and along the city canal bank to the newly located route across the fields and orchards south of Twelfth South.

Drawing of Jurors.

On request of the county attorney Judge Cherry yesterday ordered a venire issued for ten additional jurors for service in the criminal court commencing Monday morning. The names drawn from the box were Taylor, H. Woolley, George G. Hardy, Fred Schultz, James E. Clinton, Stanley F. Taylor, Nelson A. Ramsforth, Thomas C. Lewis, Albert E. Stanford, L. Roy Mansfield and William Selley, Jr.

New Trial Refused.

In the case of Isabella M. Pitts vs. the New Man... Gold Mining company, Judge Hiles yesterday refused defendant's motion for a new trial and ordered judgment entered for plaintiff for \$10,283.18.

Hiles Adjourns Court.

After hearing arguments upon plaintiff's motion to strike out defendant's answer and for overruling of demurrer and taking the question under advisement in the case of H. L. Drives vs. the Union Light & Power company, Judge Hiles yesterday adjourned his court till Thursday.

District Court Orders.

The following orders were made yesterday by Judge Cherry: company vs. Mary Glass; case dismissed on plaintiff's motion. W. Ward vs. Otto Mars et al.; demurrer overruled by consent and ten days allowed to answer plaintiff's complaint.

Probate Proceedings.

The following orders in probate were made yesterday by Judge Hiles: Estate of James M. Hilliard, deceased; executor's annual account and attorney's fees of \$100 allowed. Estate of Samuel Wolfe, deceased; family maintenance allowance granted at rate of \$50 a month.

Real Estate Transactions.

Colombia & Utah Investment Co. to D. P. Schoch, lot 23 and north 1/2 of lot 27, block 2, Denver place, Denver, Col. \$300. George & Utah Investment Co. to E. W. Belander, lots 28 and south 1/2 of lot 27, block 2, Denver place, Denver, Col. \$300.

MAKING POWDER ABSOLUTELY PURE. Makes the food more delicious and wholesome. ROYAL BAKING POWDER CO., NEW YORK.

NEWS FROM OVER THE STATE

JUMPED A COAL MINE.

Scotfield Man Charged With Using a Rifle to Hold Claim.

(Special Correspondence.) Scotfield, Oct. 20.—Tua Lawley of this place this morning, is charged, attempted to jump the mine that has been operated here for many years under the name of the Kinball mine...

Brigham Old Folks.

(Special Correspondence.) Brigham, Oct. 20.—The old folks of Box Elder county turned out in goodly numbers today to enjoy the holiday arranged for them. They met at the first ward meeting house at 11 o'clock a. m., where an entertainment had been prepared for them.

Address of Welcome by President Charles Kelly.

An address of welcome by President Charles Kelly, a letter of regret was read from Norman Lee, read by S. N. Lee and Norman Lee, read by S. N. Lee and Norman Lee, read by S. N. Lee and Norman Lee...

Provoc Paragraphs.

(Special Correspondence.) Provo, Oct. 20.—The Territorial Power & Transmission company today filed its incorporation papers and bylaws in the clerk's office. The company was incorporated under the laws of Colorado...

IN THE POLICE COURT.

The case of M. J. Igo, who was arrested a few days ago on a charge of burglarizing the room of J. S. Stephens in the Harmon block, came up for hearing before Judge Timmony yesterday afternoon. Igo was charged with stealing a chain and charm from the room of Stephens Friday night a week ago. He was bound over to the district court in the sum of \$500.

James Connors was up again in the police court for being drunk and disturbing the peace.

Willie Calvert, a 10-year-old lad, was charged with the theft of a bicycle. The wheel, which belonged to Miss Anna Orlandus, was stolen from the Grand theatre night before last, and yesterday young Calvert was caught riding it around the streets. When arrested by Officer Johnson the lad declared that another boy had given him the wheel, but later admitted that he had stolen it, and pleaded guilty to the charge. The parents of the lad appeared in court and promised to take the boy home and see that he mended his ways if the court would allow them. After lecturing the boy and promising to send him to the reform school if he was caught again, the judge suspended sentence and allowed the boy to go with his parents.

Bright's Disease.

High living, intemperance, exposure and many other things lead to Bright's disease. Foley's Kidney Cure will prevent Bright's disease and all other kidney or bladder disorders, if taken in time. Johnson-Pratt Drug Co.

Restful Sleep.

Aided by night robes and pajamas; new clothing and patterns; select from 500 colored patterns to select from; expert cutter; fit guaranteed. BROWN, TERRY & WOODRUFF CO., 166 Main St.

HOLD BACK LAKE WATER.

Canal Companies Agree to Cut Off Jordan River Flow. It was decided yesterday at a meeting of the presidents of the canal companies taking water from Utah lake to reduce the flow of the Jordan river from the lake next Thursday to a volume sufficient only to supply the wants of farmers below for culinary uses and for watering livestock. It was also decided that as soon as freezing weather comes, with snow, the planks in the river dam would be made tight, thus storing in the lake for next season.

DON'T KNOW HOW

To Select Food to Rebuild On. "To find that a lack of knowledge of how to properly feed one's self caused me to serve ten long years as a miserable dyspeptic, is rather humiliating. I was a sufferer for that length of time and had become a shadow of my natural self. I was taking medicine all the time and dieting the best I knew how. "One day I heard of Grape-Nuts food, in which the starch was predigested by natural processes and that the food rebuilt the brain and nerve centers. I knew that if my nervous system could be made strong and perfect, I could digest food all right, so I started in on Grape-Nuts, with very little confidence, for I had been disheartened for a long time. "To my surprise and delight, I found I was improving after eating Grape-Nuts a little while, and in three months I had gained twelve pounds and was feeling like a new person. For the past two years I have not had the slightest symptom of indigestion, and am now perfectly well. "I made a discovery that will be of importance to many others. When my infant was two months old, I began to give it softened Grape-Nuts. Baby was being fed on the bottle and not doing well, but after starting on Grape-Nuts food and the water poured over it, the child began to improve rapidly, is now a year old and very fat and healthy and has never been sick. It is unusually bright—has been saying words ever since it was six months old. I know from experience that there is something in Grape-Nuts that brightens up any one, infant or adult, both physically and mentally."

Building Permits.

Permits to build and to make improvements were issued last week as follows by Inspector Finney: Charles E. Street, 20 to 24 East Second street, brick store and office building \$1,500. C. E. Sawyer, 210 1/2 South street, brick warehouse and factory 4,000. Mrs. South street, brick dwelling 2,000. Western School Furniture company, 55 East Sixth street, brick cottage 1,500. C. D. Hendrix, 225 South street, brick cottage and store building 2,050. R. M. Middlemiss, 225 South street, brick cottage 1,250. C. W. Brown, corner Sixth South and Fourth East streets, brick cottage 1,000. Five minor permits 400. Total \$19,550.

Re-elected by Livestock Men.

Indianapolis, Ind., Oct. 20.—At today's session of the National Livestock exchange, C. W. Thompson of Chicago was re-elected president. The secretary and treasurer were also re-elected.

PRIVATE PROBATE

Widow's Contest and Claim Held in Abeyance.

MRS. BEST'S DIVORCE

POWER COMPANY CONFESES JUDGMENT FOR DEATH CLAIM.

According to arrangement between all parties interested, the will of the late Dr. John R. Felt was yesterday admitted to probate, and Samuel W. Stewart was commissioned to act as executor without bond, as provided for in the will. Until a few days ago it had been intended that Mrs. William Hilton, the surviving widow of the testator, would contest the validity of the will, which bequeaths the entire estate to the Utah university, before its admission to probate, but the time of instituting the contest has been deferred. That Mrs. Hilton will certainly claim her share of Dr. Felt's estate, her attorney, N. V. Jones, declares in unequivocal terms. The reason for delaying the contest is said to be that it was deemed for the best interest of all to have a responsible person such as the executor take charge of decedent's property without further delay, leaving the contest proceeding for a few weeks. Under the law the contest could be deferred until a year from this date without the contesting widow waiving or impairing any of her legal rights.

Speakers at Emery.

(Special Correspondence.) Emery, Oct. 18.—W. D. Livingston, Republican nominee for district attorney, gave a concert here last Sunday evening. Admission is usually charged to places of amusement, but Mr. Livingston did it for the good of the cause.

TESTIMONY FOR DIVORCE TAKEN AND DECREE RECOMMENDED.

Deputy Clerk Blair yesterday reported to Judge Hiles the testimony he had taken in the divorce case of Edith Bennett Best vs. Alfred Best, Jr. From the evidence the referee recommended that a decree of divorce and alimony in the sum of \$300 be granted plaintiff as prayed for.

Spring City Woman's Death.

(Special Correspondence.) Spring City, Oct. 18.—Seldom has the death of any of our townspeople been so keenly felt as the death of Mrs. S. W. Alfred, which occurred yesterday afternoon.

Mrs. Alfred gave birth to a child about a week ago and since has been failing steadily, though the best medical aid in the county was procured.

Mr. and Mrs. Alfred were married in Cache county a year ago last June, her maiden name being Susie Roundy. Mr. Alfred is 29 years of age, and this is the second time he has been called upon to mourn the loss of a wife, previously having his wife and child. The time for the funeral has not yet been arranged.

Attending the meeting and concurring in the action were William McCheslin, president of the Utah & Salt Lake company; Vice President Henry W. Brown of the East Jordan company; President W. H. Haigh of the North Jordan company; President Angus M. Cannon of the South Jordan company; Engineer E. C. Kelsey, representing Salt Lake City; Henry T. Stinson of the Utah Lakes and Reservoir company; and John C. Mackay, secretary of the board of directors.

Incidentally, President Cannon remarked that the directors of his company desired to inspect the plans of the city engineer for making the lake do its fullest duty as a reservoir in dry seasons, by straightening the river channel and dredging the bars, so that the directors would be the better prepared to advise the stockholders at the annual meeting.

CONFESSED JUDGMENT.

Electrician Stevenson's Widow Sues For Damages For His Death. Jessie Stevenson, for herself and on behalf of her 18-month-old girl baby, yesterday instituted suit in the district court against the Utah Light & Power company to recover damages in the sum of \$1,300 for the death of her husband, Alexander Stevenson, inspector of street lights of the defendant company.

The complaint alleged that on the night of June 8 last, while deceased was engaged in the performance of his duties he climbed a light pole in front of the First Methodist church on Third South street, to fix the carbons, and while so engaged he came in contact with a "grounded" wire, resulting in an electric shock from which he died instantly. Negligence upon the part of the defendant company in failing to notify deceased of the defective condition of the light is charged.

Soon after the filing of the complaint the defendant company filed a confession of judgment in the sum claimed. Johnson & Fowler are plaintiff's attorneys.

SENIOR GUARDIANSHIP.

Hearing Postponed Till Adoption Contest Is Settled. Yesterday was the time fixed by Judge Hiles for hearing the petition of William A. Nelden for appointment as guardian of the property rights of Ethel May Senior, a minor, but upon protest of Edwin W. Senior, the child's foster father, the matter was postponed pending the termination of the contest over Mr. Senior's petition to re-adopt little Ethel May by himself and his newly-married wife, his former wife and the child's foster mother having been divorced from him and later dying. The testimony in both matters will be taken in a few days by Referee Blair.

Happiness depends very much on the condition of the liver and kidneys.

The liver and kidneys are the two organs on which the health of the body depends. If these organs are diseased, the body is weakened and the mind is troubled. Herber's is a powerful purgative and a reliable remedy for all ailments of the liver and kidneys. Price, 50 cents. Van Dyke's drug store, corner Main and Third South.

HE WANTS DAMAGES.

Tailor Hanson Sues Pawnbroker Smith For Assaulting Him. Not satisfied with having his assault punished to the extent of a \$50 fine in the police court, O. C. Hansen, a barber, yesterday filed suit against A. Smith, the pawnbroker, Thursday, filed a damage suit in Justice Nielsen's court yesterday against Smith, asking for \$25 damages.

The tailor alleges that as the result of the blow which Smith gave him he sustained a severe cut under his eye, compelling him to seek medical attention, the attendance of a physician. Aside from this the plaintiff alleges that the injury done to his body has hurt him to a large extent in a business way, and he asks redress for the injuries sustained.

HE WANTS DAMAGES.

The trouble between the two men started with a dispute over the price of an overcoat. Thursday the conference was renewed between the two in Smith's pawnshop on Main street, and as the result of the quarrel Hansen received a cut under his eye. Smith was fined \$50 by Judge Tim-

"Waste Not, Want Not."

Little leaks bring to want, and little impurities of the blood, if not attended to, bring a "Want" of health. Hood's Sarsaparilla is the one and only specific that will remove all blood humors and impurities, thereby putting you into a condition of perfect health.

Bad Stomach—"Headaches and tired feeling, bad condition of stomach, caused me to take Hood's Sarsaparilla. It stopped all faint trouble." Charles Bower, Glens Falls, N. Y.

Hood's Sarsaparilla Never Disappears. Hood's Pills cure liver ills; the non-irritating and only cathartic to take with Hood's Sarsaparilla.

Do you need a Fall Suit or Overcoat? If so, come and see us. We have the up-to-date styles, the kind that you will like, that are guaranteed to wear right, and selling them for strictly cash. Save you from 10 to 20 per cent, and give you better line to select from than you will find elsewhere. Suits, ages 3 to 8, \$10.00 to \$15.00. Ages 8 to 12, \$7.50 to \$12.50. Give us a call for Fine Furnishings.

Hello, Boys! Do you need a Fall Suit or Overcoat? If so, come and see us. We have the up-to-date styles, the kind that you will like, that are guaranteed to wear right, and selling them for strictly cash. Save you from 10 to 20 per cent, and give you better line to select from than you will find elsewhere. Suits, ages 3 to 8, \$10.00 to \$15.00. Ages 8 to 12, \$7.50 to \$12.50. Give us a call for Fine Furnishings.

TESTIMONY FOR DIVORCE TAKEN AND DECREE RECOMMENDED. Deputy Clerk Blair yesterday reported to Judge Hiles the testimony he had taken in the divorce case of Edith Bennett Best vs. Alfred Best, Jr. From the evidence the referee recommended that a decree of divorce and alimony in the sum of \$300 be granted plaintiff as prayed for.

Mrs. Best swore that she and defendant were married in this city on Nov. 30, 1898, and that since Jan. 1 of last year he had wilfully neglected to provide for her support, necessitating her depending upon her parents at Taylorville. She also averred that defendant had provided her with a scanty living even before the separation, and that he is physically capable of earning a living for both. There is no issue between the parties.

James Hendry, a merchant of Forest Dale, testified that about a year ago Best notified him not to let his wife have anything more from his store. He said that Best's bills had been very moderate in amount for a family of two.

The defendant was represented at the hearing by Attorney J. M. Hamilton, whose client some time ago put in answer to plaintiff's complaint denying that he had neglected or failed to support her, and alleging that about the middle of January his wife deserted his home and ever since has refused to live with him.

Last summer the court ordered Best to pay his wife \$25 monthly for temporary alimony, but he never complied with the order. Attorney John M. Cannon was counsel for plaintiff.

Another Wertz Case. Ex-Armour Agent on Trial in Justice Pardoe's Court. Henry C. Wertz was on trial in Justice Pardoe's court yesterday on a charge of embezzling \$600 from the Armour Packing company on the 15th day of June last. The defendant entered a plea of not guilty to the charge. He was represented by Attorney Frank Gustin, and the prosecution was looked after by Assistant County Attorney Gunter.

The prosecution introduced evidence to show that Wertz, as the agent for the company, had collected the money in question and failed to turn it over to the company, and, in fact, had it in his possession at present.

The defendant admitted that he collected the money and had it now. He claimed, though, that he had agreed to turn the money over to the company at a certain time, but was arrested for embezzlement before that time.

The defense tried to show that the company had made no demand on the defendant for the money, and even though he had it he was not guilty of embezzlement. The justice took the case under advisement until Tuesday.

Stylish Hats. Are Miller, Warburton, Denney, Schottle and Wellington derby hats. Sole agents. BROWN, TERRY & WOODRUFF CO., 166 Main St.

POLITICS AT A COLLEGE DAY

PRINCETON FACULTY USES COMMEMORATION TO BOOM HAY.

Confers a Degree on the Secretary and Lauds the Course of the Administration. Princeton, N. J., Oct. 20.—The commemoration day exercises of the one hundred and fifty-fourth year of the founding of the university were held in Alexander hall today before a large audience. The board of trustees and faculty led by President Patton, Secretary of State John Hay and Bishop Henry Bates Satterlee of Washington, marched in a body to the hall. President Patton made an introductory address.

Bishop Satterlee delivered an address on "The Progress of American Civilization," in which he denied that the government had developed imperialistic tendencies.

At the close of Bishop Satterlee's address, Professor Woodrow Wilson presented Secretary Hay to President Patton, who conferred upon him the degree of doctor of laws.

Professor Libbey placed the official gown upon Mr. Hay, who was the recipient of a rousing cheer and a prolonged applause. Mr. Hay addressed the audience as follows:

My gratitude for this distinguished honor is not diminished, it is rather enhanced by the sense of my personal unworthiness of it. I accept it, sir, with deep appreciation, for I am allowed to interpret it as a sign of your approval of the manner in which I and my colleagues in the government have, under the direction of the president, conducted the foreign relations of the country for the past two years. They have been years of much labor and many perplexities, and if any measure of success has attended our efforts it has been due, not to any strength of ability of mine, but to the fact that our course was so clearly marked out for us by a century of national traditions, from which we have never swerved. We have believed in the country, our fathers did, in its high and beneficent destiny, and so believing, we needed to admit no other considerations than those of the national welfare, we have borne our burden, but the call of duty and honor. I hope I may even say that the light which has guided me has been of the kin to that bright fulness of the light which has made this university for so many generations a radiant beacon to the continent of learning and morals. In the brief space of public service which may yet be mine, I can have no loftier inspiration than the desire to become less unworthy of the honor you have done me and the responsibility you have laid upon me."

For Evening. Street and Living use Perrin, Fisk, Dent, and Fowles Gloves; all sizes and new shades. BROWN, TERRY & WOODRUFF CO., 166 Main St.

Try a Quarter's Worth of "IMPORTS"

(The new South American Perfecto, with blended combination filler.)

That will be about enough to demonstrate how they excel ordinary cigars. One isn't enough. One "IMPORT" won't win the smoker used to the straw-tasting domestic nickel cigars, any more than one 25-cent perfecto will win over a man used to cigarettes—

So get a Quarter's Worth

It's no idle tale. Nothing at 5c at all compares with their delicious, free, even, pleasant-smoking richness. And a dozen running wouldn't sicken you. Like with a friend, however, acquaintance alone reveals the merits of an "IMPORT."

So try a quarter's worth and realize fully what they are. For sale by all dealers.

Wholesale Distributors, Hemenway & Moser, 108 W. Second South.

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