

CHARGE COULD NOT BE PROVEN

Officials of Pioche County, Nevada, Not Guilty of Embezzlement.

SHORTAGE IS MADE GOOD

COUNTY STANDS EXPENSE OF TRIAL.

Pioche, Nev., May 24.—The trial of H. J. Goodrich, charged with embezzlement of the county funds, came to an abrupt end Tuesday afternoon. A jury had been impaneled and two witnesses for the prosecution had given their testimony, when Attorney for the Defendant W. W. Warner of Salt Lake moved for the dismissal of the defendant for the reason that it was not shown that he had appropriated any of the money himself. Civilly he could be held responsible for the acts of his deputies, but criminally it had to be shown that he had used and taken the money with a felonious and a criminal intent. It was proved there was a shortage, as shown by the experts' accounts, but who had taken the money could not be determined. The court ruled accordingly.

F. R. McNamee, prosecuting attorney, stated to the court that it was impossible to identify the defendant criminally with the taking of the money, and on motion of Attorney Warner the court instructed the jury to bring in a verdict of not guilty, which they did without leaving the jury box.

This is the last of the embezzlement cases wherein officials have been charged with embezzling the funds of the county. The bondsmen have made up the shortage, but the county will have to stand the expense of the prosecution, which will amount to a great many dollars, as the jury panel has been very large and a large number of witnesses have been in attendance from all over the county.

EXCURSION NORTH June 9th.

Via O. S. L. Greatly reduced rates to Northern Utah and Idaho points. See agents for particulars regarding limits, etc.

City Ticket Office, 201 Main street.

ONLY \$1.00 Ogden and Return.

Via Oregon Short Line Sunday, May 27. Leave Salt Lake 7:10 or 10:20 a. m. or 1:20 p. m.

HALF RATES To Northern Utah and Idaho.

Via the O. S. L. June 9th. See agents for full particulars regarding limits, etc.

City Ticket Office, 201 Main street.

PAPERHANGERS' STRIKE

Prevents us from hanging your paper, but we can sell you the goods at the right prices. You know our line is always the best and up-to-date.

W. A. DUVALL, Both 'phones, 110 W. 24 South.

EUREKA.

\$2 round trip, Sunday, May 27. Baseball game, Dubel Tailors vs. Blue Rocks. Train leaves via Salt Lake Route 7:45 a. m., returning leaves Eureka 7 p. m.

Going out of business, the china store of Davies & Co., 30 South Main. The sale will commence May 21 and will be a splendid opportunity to obtain at bargain prices, all kinds of chinaware, cut glass, bric-a-brac, etc. Just the place for June wedding presents.

The Bismarck

No. 30 West Second South street, dispenses the genuine imported Bavarian and Pilsener Beers, both on draught and in bottles.

BASEBALL EXCURSION.

To Eureka. Dubel Tailors vs. Blue Rocks. Sunday, May 27. Fare \$2 round trip. Train leaves via Salt Lake Route 7:45 a. m., returning leaves Eureka 7 p. m.

PAINTING

And general decorating. F. P. Keate, 33 E. 6th South. Bell 'phone, 1610-Y.

Everyone Invited.

To dance with the A. C. U. of Logan track team at Saltair, Saturday evening, May 26. Train at 8:15.

Don't overlook MOUNT'S Pickles and MOENT'S Ketchup when ordering your Sunday Groceries.

ACCUSED OF AWFUL CRIME.

Tacoma, Wash., May 24.—J. G. Clayton, city marshal of San Jacinto, Cal., is under arrest here on advice from California accusing him of assaulting a 5-year-old girl, of three robberies and minor offenses. He was joined in a crowd at which the little girl attended when the alleged assault occurred. Deputy Sheriff Call of Riverside county has come after Clayton.

NO CONCLUSION REACHED.

Washington, May 24.—Secretary Taft today authorized the statement that no conclusion had been reached regarding his prospective appointment to the supreme court of the United States. The subject has gone over until December, when congress will meet for its second session, and when the successor of Justice Brown will be named.

BARGAINS IN MEDICINE.

A woman once wrote us that she was not going to buy Scott's Emulsion any more because it cost too much. Said she could get some other emulsion for less money. Penny wise and pound foolish. Scott's Emulsion costs more because it is worth more—costs more to make. We could make Scott's Emulsion cost less by using less oil. Could take less care in making it, too. If we did, however, Scott's Emulsion wouldn't be the standard preparation of cod liver oil as it is to-day.

SCOTT & BOWNE, opp. Pearl Street, New York.

UNION FINALLY EFFECTED

Cumberland Presbyterians Once More Members of the Parent Body.

Des Moines, Ia., May 24.—I do solemnly declare and here publicly announce that the basis of reunion and union is now in full force and effect, and that the Cumberland Presbyterian church is now reunited with the Presbyterian church in the United States of America as one church.

With these words uttered before the general assembly today, Moderator Hunter Corbett officially established the union of the Cumberland church with the Presbyterian church in the United States of America.

The big ecclesiastical assemblage burst into a storm of rejoicing. Handclapping, cheering and waving of handkerchiefs gave expression to unalloyed pleasure. The consummation devoutly wished and worked for through many years, despite many obstacles, had become a reality.

Yesterday a telegram was received from Decatur announcing the adoption of the joint resolution by the Cumberland church. At the opening session of the Des Moines assembly similar action was taken and messages to that effect dispatched to Decatur.

Decatur, Ill., May 24.—Announcement that the union of the Presbyterian church had been consummated was made to the general assembly of the Cumberland Presbyterian church in the United States of America taken immediately afterward.

WORKMEN ALL ESCAPED.

Engleville Mine in Las Animas County, Colo., on Fire.

Trinidad, Colo., May 24.—Fire started late last night in the Engleville mine, one of the oldest in Las Animas county, and it is learned from the latest reports that all efforts to surround and smother it have so far been fruitless. Flames were first discovered in the seventeenth entry, within a few miles from the main entrance, and owing to the dense smoke which has filled the mine it is next to impossible to fight the fire. Smoke and gas have spread to the Starville workings, which connect with the Engleville mine, compelling the suspension of work there. The Engleville mine is owned by the Colorado Fuel & Iron company, which controls vast interests in the properties of Las Animas county, where about 2000 men are employed at the workings that are threatened with destruction, but all had deserted the mine before any real danger was threatened.

PROCLAMATION OPENING THE CROW RESERVATION

(Special to The Herald.)
Washington, D. C., May 24.—A proclamation was signed today by the president for opening 1,000,000 acres of land in the Crow Indian reservation, Montana, to sale and settlement. The proclamation designates Billings and Miles City, Mont., and Sheridan, Wyo., as places for registration, where will be held on June 4 to 28. The drawing will take place at Billings July 2 and entries will be received at that place until 125 days, commencing July 15. The lands will be sold at \$4 per acre, \$1 down and the balance in four yearly installments, commencing the second year after entry. The lands will be subject to homestead entry only during sixty days following the opening of the reservation and thereafter will be subject to mineral and other land entries.

ONE KILLED; FIVE INJURED

Collapse of a Two-Story Brick Building at Pittsburg, Pa.

Pittsburg, May 24.—By the collapse of a two-story brick structure on Baum street in the east end that was being remodeled here today one man was killed and five were more or less seriously injured. The building was formerly a livery stable and was being reconstructed for an automobile garage. The victims were with one exception carpenters and laborers employed on the building. Morgan S. Simms, proprietor of the building, sustained internal injuries. The accident was caused by the excessive weight of some heavy trusses that were being put in to support the second floor.

WILL RISK HIS LIFE.

Senator Heyburn Determined to Resume Active Duty.

(Special to The Herald.)
Washington, D. C., May 24.—Senator Heyburn's physicians have warned him it will be dangerous to resume his seat during the present session, but he has decided to attend to public business. Notwithstanding this the senator has determined to go back to the senate as soon as strong enough. It is believed to be a physical impossibility for him to get out next week.

Congressman French and Ben C. Edwards of Burley conferred with Chief Newell today about the south side lands. Minidoka who will soon take the matter up with Secretary Hitchcock.

STARVED TO DEATH.

Arkansas Man Tried to Live on Ice Cream.

Little Rock, Ark., May 24.—An investigation by Dr. W. H. Abington of the Argenta board of health into the death of A. S. Roberts, a jewelry peddler, revealed today that Roberts had tried to live on 10 cents' worth of ice cream a day and starved to death.

Roberts believed that there was a great deal of nourishment in ice cream. Recently he had run short of funds and his income permitted him to spend only a dime a day. This he invested in ice cream. Starvation resulted.

MUST ADOPT MAXIMUM AND MINIMUM TARIFF

London, May 24.—Eugene N. Foss, vice-president of the reciprocity league of Boston, who has been looking into the question of maximum and minimum tariffs and reciprocity treaties in European countries, will sail on the White Star line steamer Arable tomorrow from Liverpool for Boston. During his stay in England Mr. Foss has been studying Joseph Chamberlain's tariff policy, and has had interviews with a number of leaders of the movement. As a result of his investigations on the continent Mr. Foss believes the United States must adopt a maximum and minimum tariff or enter into reciprocal relations with other countries. He also believes that the time is opportune to conclude a reciprocity treaty with Germany.

LANDS RESTORED TO THE PUBLIC DOMAIN

(Special to The Herald.)
Washington, D. C., May 24.—The commissioner of the general land office has ordered restored to public settlement 75,000 acres of land which was withdrawn for inclusion in a forest reserve in Idaho and Montana along the boundary line of these states and bordering on Flathead lake and the Kootenai river.

SALT LAKE REPRESENTED

Dr. T. B. Beatty Attending the National Medical Congress.

(Special to The Herald.)
Washington, May 24.—Dr. T. B. Beatty of Salt Lake City is here in attendance upon the National Medical congress.

Be frank—if you don't use pure and good extracts things don't taste just right do they?



FLAVORING EXTRACTS make cakes, puddings, custards, ice creams, etc., taste just as you like them.

HE WOULD SAVE HIS TREES

James H. Moyle Appeals to City Council From Decision of Moran's Kelsey.

James H. Moyle appeared before the city council streets committee last night petitioning them to allow him to save his beautiful horse chestnut trees, the oldest in the city, from destruction by the proposed sidewalk grade in front of his home at First South and Fourth East streets, which was recommended by City Engineer Kelsey. The committee recommended Mr. Moyle's proposition to put in a retaining wall abutting the sidewalk in order to preserve his trees, which are located near the property line.

The sidewalk on Fourth East street at First South was torn up and graded down about five feet last year. Mr. Moyle built a retaining wall nearly five feet in height, and the city paid for the expenses. It is now proposed to lower the sidewalk on East First South in front of Mr. Moyle's residence to the street level. In view of this Mr. Moyle proposes to extend the retaining wall east of First South street to preserve his trees.

The street committee also received a petition from the residents owning property on Second North, from Main street to West Canyon street, and from Capital from Second North to Paris avenue, to have those streets graded. The petition will be called up before the next regular council meeting.

The special committee will introduce a resolution at the next council meeting recommending the purchase of three additional voting machines.

The municipal law committee recommended the renewal of the old Harvey M. Bacon franchise to the Salt Lake Sanitarium company. This franchise is the piping in of hot springs water from the pump house north of the Bamberger quarry. The only change made in the new franchise is that the company be allowed to run its pipe along First West street, instead of Second West street.

A protest signed by 150 residents along the Salt Lake & Ogden railroad line was received by the municipal laws committee. It is to the effect that the company has no time schedule advising its patrons which trains will stop at Superior and other stops north of Salt Lake. The matter was discussed in the committee and referred back to the counsel of the road. Attorney E. B. Critchlow was notified to appear before the committee with a time card and straighten out the matter.

The same committee will introduce a resolution at the next council meeting recommending that the Salt Lake Waste Paper Box company be notified to remove its waste paper boxes from the street corners. It is stated that the company has violated its contract with the city in not paying 5 per cent of the gross receipts on advertising placed on the boxes. It is further stated that the company has failed to keep the boxes in a sanitary condition.

No Tired Brains when Grape-Nuts food is used.

FACT !!!
Bread dyspepsia is common. It affects the bowels because white bread is nearly all starch, and is not digested in the intestines, not in the stomach proper.

Up under the shell of the wheat berry Nature has provided a curious deposit which is turned into diastase when it is subjected to the saliva and to the pancreatic juices in the human intestines.

This diastase is absolutely necessary to digest starch and turn it into grape-sugar, which is the next form; but that part of the wheat berry makes dark flour, and the modern miller cannot readily sell dark flour, so nature's valuable digester is thrown out and the human system must handle the starch as best it can, without the help that Nature intended.

Small wonder that appendicitis, peritonitis, constipation, and all sorts of trouble exist when we go contrary to Nature's law. The food experts that perfected Grape-Nuts Food, knowing these facts, made use in their experiments of the entire wheat and barley, including all the parts, and subjected them to moisture and long continued warmth, which allows time and the proper conditions for developing the diastase, outside of the human body.

In this way the starchy part is transformed into grape-sugar in a perfectly natural manner, without the use of chemicals or any outside ingredients. The little sparkling crystals of grape-sugar can be seen on the pieces of Grape-Nuts. This food therefore is naturally pre-digested and its use in place of bread will quickly correct the troubles that have been brought about by the too free use of starch in the food, and that is very common in the human race today.

The effect of eating Grape-Nuts ten days or two weeks and the discontinuance of ordinary white bread, is very marked. The user will gain rapidly in strength and physical and mental health.

"There's a reason."

SATURDAY SPECIAL

12 GO-CARTS, JUST LIKE CUT, TO BE SOLD AT ACTUAL COST, \$7.75



Orders by mail Promptly Attended to \$7.75

Orders by Phone 56 Promptly Attended to \$7.75

Reed body, varnished. Upholstered with Mattress Cushion, Parasol any color, all Steel 16-inch Rubber Tire Wheels, Whitney Patent Anti-Friction Wheel Fastener, Whitney Patent Foot Brake. Enamel Finish.

P. W. Madsen Furniture & Carpet Store

51-53-55-57 East First South



The Tan and White Shoe Sale of the Season

STARTS TOMORROW MORNING.

\$2.65

THE PRICE.

Worth \$3.50 and \$4.00.



GARDNER DAILY STORE NEWS.

Sacrifice Sale of Bicycle Suits and Pants.

Your chance to secure a Bicycle Suit or a pair of Bicycle Pants at a fraction of their real worth.

If you would make a long ride more easy, or a Sunday spin more genuinely delightful, get a Bicycle Suit, and get it NOW.

You will not have another chance to make such a saving as is offered in this sale.

SUITS
Regularly priced at \$4.50, \$5.00, \$7.50 and \$10.00. Select the one which suits you at \$2.50.

PANTS
Regularly priced at \$2.50, \$3.00, \$3.50 and \$4.00. Select the pair you like at \$1.00.

Another genuine Gardner Sale, giving the genuine bargains, found in the sales of this store.

ONE PRICE J. P. Gardner 136-138 MAIN ST. THE QUALITY STORE.

SPONGES.

New shipment just arrived. Sponges of every kind and size. Bath, Turkish, Mediterranean and for Buggy and Auto use. Livymen find better tough, hard-wearing Sponges here than at any other place in town. Chamols skins, all sizes. Bath requisites of every description. Prices way down. Both 'phones 457. Remember the number.

44 MAIN STREET. Anstee-Brice Drug Co.

E. F. Amussen Jewelry Co.

Watches, Diamonds and Jewelry. FINE WATCH AND JEWELRY REPAIRING. 70 Main Street. Salt Lake City, Utah.

ESTABLISHED 1864

F. Auerbach & Co.

ONE PRICE TO ALL. NEVER UNDERSOLD

FOR THURSDAY AND FRIDAY. A SALE OF White Linen Damask Table Sets FOR THURSDAY AND FRIDAY.

Hemstitched and Bordered Damask Sets—John S. Brown, Richardson's and German Damask—AT LESS THAN IT COSTS TO WEAVE AND BLEACH THEM! BE PROMPT!

THESE WILL GO FAST, TOO.

Eight Linen Table Sets, cloth and napkins to match, hemstitched and bordered sets; 8-4-8x10 and 8x12 sizes. Regular price \$7.50. On sale Thursday and Friday. \$4.60 per set.

Six fine bleached Linen Damask Bordered Pattern Sets, cloth and napkins to match; 8-4 and 8x10 sizes. Regular price \$12.00. On sale Thursday and Friday. \$5.70 per set.

10.00 Table Sets, in table patterns, bordered all around, all linen 8-4, 9-4, 8x12 and 8x14 sizes. On sale Thursday and Friday. \$6.90 per set.

About one-half dozen Austrian Linen Damask Table Sets, cloth and napkins to match; 8x10, 8x12; all new designs; worth \$12.00. On sale Thursday and Friday. \$7.95 per set.

All \$14.00 Table Sets, Irish and German Linen Table Sets. On sale Thursday and Friday. \$9.80 per set.

Extra large Linen Damask Table Sets, bordered and hemstitched; value \$16.00. On sale Thursday and Friday. \$11.00 per set.

A few \$22.50 and \$24.00 Table Sets, extra fine damask, hemstitched and bordered. On sale Thursday and Friday. \$16.40 per set.

JUST THE PROPER THING FOR WARM WEATHER.

A PRETTY SHIRT WAIST SUIT

An assortment of over 200 Suits, made of fine quality Organdie, white ground with fancy flowers, waist trimmed with lace and insertion, elbow sleeves, button down back, pretty skirt to match, sizes 32 to 40. Not a suit in the lot worth less than \$5.00. Special for Thursday and Friday—

\$2.45

If 6 Hours 250 Miles or 20 Dollars CUTS ANY FIGURE WITH YOU ON A TRIP TO MANHATTAN, ROUND MOUNTAIN AND ADJACENT NEVADA CAMPS,

You can save it by going over the Nevada Central Railroad (via Austin.)

Enquire at the city ticket offices or write J. M. Hiskey, Superintendent, Nevada Central Railroad, Austin, Nev.

The Benj. Franklin

Is one of several new patterns of sterling silver tableware displayed exclusively by this season. Especially suitable for weddings.



Established 1862 Park's JEWELRY STORE 170 MAIN ST.

BENJ. FRANKLIN. A famous man after whom a famous pattern of colonial silver has been named.

DR. J. B. Keysor, DENTAL PARLORS 240 MAIN STREET (Over Davis Shoe Store.) Bell 'phone 1499-Z.

When you come here with YOUR TOOTH TROUBLES you have at your service the MOST PERFECT MODERN APPLIANCES in charge of SKILLFUL OPERATORS. CROWN, BRIDGE AND METAL WORK A SPECIALTY.

Best Set of Teeth, Fit Guaranteed, \$10. We make teeth that fit the mouth.

SICKLE, THE LOW PRICED RELIABLE JEWELER.

233 So. Main St.

GODBE-PITTS PRESCRIPTION DRUGGISTS.

101 SOUTH MAIN STREET.