

For Subscription and Advertising Department, Call Phone No. 56.

RANDOM REFERENCES

Good watches, 14 Price, 278 25th. Visitors—C. P. Barrett, general passenger agent of the Lookawanna railroad, with headquarters in Chicago, accompanied by Mrs. Barrett visited in Ogden yesterday several hours. They are en route east from California and while here were guests of Paul Bremer, city ticket agent of the Union Pacific railroad.

Kodak films developed 10c each roll. Velox paper used. McIntyre Drug Butte Prosperous—W. P. Toye, traveling passenger agent of the Pennsylvania lines, accompanied by E. W. De Foe of Butte, Mont., was in Ogden yesterday visiting local railroad traffic officials. He was en route from Butte to Salt Lake and in speaking of his recent visit to the Montana city, said he had found it in an almost unprecedented condition of prosperity.

It's a good idea to pay particular attention to the Butter you buy. If it's B & G it's all right all the time. Minnoch—in the estate of Peter Minnoch, deceased, a petition for an order to sell certain real estate has been filed in the district court.

Spargo's for rubber stamps, seals, etc.

Quit Title—in the case of Mary A. Pignon against J. S. Carman et al., a decree quieting title to certain real estate has been given in favor of the plaintiff. Default of the defendants was entered.

MITCHELL BROS. FOR MONUMENTS. OPP. CITY CEMETERY. A Boundary Dispute—in Judge James A. Howell's division of the district court has been taken up the trial of Sarah W. Christensen against William D. McGregor et al., in a suit to settle a dispute as to the boundary line of certain parcels of real estate.

ICE. Pure distilled artificial only. We do not handle pond ice. M. L. Jones Coal & Ice Co., 419-24th St.

To Visit Relatives—Blair Owen departed today over the Denver and Rio Grande for Thomasville, Colo., where he will visit relatives for several weeks.

Randall Auto Livery, stand phone 288, Culey Drive, Res. Phone 836. On a Visit—Dr. and Mrs. C. K. MacMurdy departed today over the Denver and Rio Grande railroad for New York, for an extended visit.

Hotel Hudson—Under new management. Mrs. Benjamin Howell, manager; formerly of Wyoming and Idaho.

Born—The birth of a daughter to Mr. and Mrs. C. W. Albright, April 19, was reported at the city health office today.

Coupons, tags and certificates bought, sold and exchanged. 2562 Washington Ave.

Now doing business: Downs' Cafe, 176-25th, Marion Hotel building.

Stopped Over—Judge H. H. Rolapp stopped off in Ogden a short time today on his way to Seattle where he has business in connection with the Great Western Sugar company of Denver, Colorado.

Baseball Game—Substituting, at an eleventh hour invitation, for the Kayville high school team, the Weber academy baseball team went to Salt Lake yesterday and played a game with the Westminster college nine. The contest was won by the Salt Lakers, the score being 14 to 13.

W. L. Russell Seriously Ill—It is reported today that W. L. Russell of the Russell-James, who has been dangerously ill since his return from California, is showing signs of improvement.

Marriage License—A marriage license was granted today to Henry R. Prouty of Tooele and Mrs. Alice Chandler of Ogden.

Retail License—A retail liquor license has been granted to the Railroad Porters & Waiters Social club of Ogden. It is a colored organization.

Marriage License—A marriage license has been issued to John Jensen of North Ogden and Frances Perry of Ogden.

Democrats Meet—The Weber county Democratic committee on organization is holding a session in the office of State Senator Joseph Chey this afternoon for the purpose of selecting a county chairman, secretary and treasurer.

When a door knob is turned a new burglar alarm rings an electric bell and flashes a light in any desired direction.

See Charlie Chaplin as a farm hand, at the Lyceum today.

Deaths and Funerals FARR—The funeral of Mrs. Leon Farr will be held in the Fourth ward meeting house tomorrow at 12 o'clock noon, with Bishop E. A. Olsen presiding. The body may be viewed at the home of Mrs. Ashton, 574 Cross street this afternoon and tomorrow until the funeral hour. Interment will be in the city cemetery.

Funeral designs and flowers for all occasions. City Floral Co., 413-24th street. Phone 1603. 3-mo. Advertisement.

Call FOUR-ONE-O, where the flowers grow, cut flowers, floral designs. Weber Floral Co., 740-28th St.—Advertisement.

FUNERAL designs, cut flowers, bedding plants, lowest cash prices. Ogden Wholesale Florists, Phone 325-W, or 52, Grant 1/2 blk. north of 17th St.—Advertisement.

GILT EDGE INVESTMENT Newly built Apartment House—6 apartments—modern in every respect. Will pay 8 to 10 per cent on investment. Owner must sell at once. Bargain to right party. Phone 443-W.

VERDICT 'NOT GUILTY' IN THE PHILBROOK MURDER CASE

After considering the Frank Philbrook murder case since a late hour yesterday afternoon, the jury today appeared in Judge Harris' court for advice respecting a recommendation of mercy in case a verdict of guilty should be rendered. The jurymen wanted to know whether it would be necessary for the court to impose the penalty with hard labor in case they should recommend mercy in connection with a verdict of guilty of murder in the first degree.

The communication caused the court to modify its instructions and offer another form of verdict. The court's observations to the jury were as follows: "In answer to the question heretofore submitted by you to the court, the court charges you that the penalty for first degree murder is death unless you in your verdict recommend that the defendant be imprisoned in the state prison at hard labor for life, and the court, upon such recommendation, but not otherwise, may in its discretion impose a sentence of imprisonment at hard labor in the state prison for life, but in such event must impose either the death penalty or imprisonment for life.

"And the court further withdraws the form of verdict heretofore submitted to you reading as follows: "We, the jury empaneled in the above entitled action, find the defendant, Frank Philbrook, guilty of Murder in the First Degree, as charged in the information, with a recommendation for mercy," and herewith hands you another form of verdict to take the place of said form of verdict withdrawn, and reading as follows: "We, the jury empaneled in the above entitled action, find the defendant, Frank Philbrook, guilty of Murder in the First Degree, as charged in the information, with a recommendation that the defendant be imprisoned in the state prison at hard labor for life."

"But the court charges you that neither by withdrawing the form of verdict heretofore submitted to you nor by the foregoing instruction given in answer to your inquiry, should you in any wise imply that this is the form of verdict which you should return, but that you are to determine the verdict that you should render in accordance with the instructions given you by the court and the evidence in the case.

"The court further withdraws from your consideration the third paragraph of instruction numbered 22, being the last numbered instruction of the court, said paragraph reading as follows: "Can you find the defendant guilty of murder in the first degree, or guilty of murder in the first degree with a recommendation for mercy, or not guilty, as your deliberations may result," and substitute therefor the following: "You may find the defendant guilty of murder in the first degree, as charged in the information, or guilty of murder in the first degree, as charged in the information, with a recommendation that the defendant be imprisoned in the state prison at hard labor for life, or not guilty, as your deliberations may result."

Not Guilty. A few minutes after two o'clock this afternoon the jury came into court with a verdict of not guilty and, on the order of the court, Frank Philbrook again became a free man. The jurors were: David J. Johns, Joseph Bullough, Solomon Shupe, Jesse Powers, Claude Armstrong, Alex Leatham, C. F. Mortenson, F. F. Towns, D. J. Hammon, Thomas England, H. W. Beckett, Sr., and W. A. Reese.

Immediately after the adjournment of court, Philbrook hastened to grasp the hand of each jurymen and to thank him for his consideration. As the clerk read the verdict, Philbrook's face was pale and he was nervous, but when the reading concluded a broad smile passed over his countenance and his face became quite flushed.

After leaving the court room Philbrook stated that he expected a position as a steam shovel engineer with a construction company in grade work on the Union Pacific, in the vicinity of Echo canyon. He said that he is capable of earning \$175 to \$200 a month and that he was going to attend strictly to business.

PASSENGERS TELL OF THE WORK OF A ROBBER ON U. P. TRAIN

Dancing Girls on Observation Car Suddenly Confronted by a Man With Two Guns—Conductor Bruce Brown of Ogden Has an Exciting Experience—Colored Porters in a Wild Scramble—Bandit Well Dressed and Nervy.

Passengers on Union Pacific train No. 81, who were among the victims of a lone robber last night when near Hanna, Wyo., had an interesting story to tell this morning when the train arrived at the Ogden terminal station shortly after 7 o'clock.

The robber boarded the train at Greeley, Colo., purchasing only a seat ticket. He wore a light overcoat, a Stetson hat, a suit of blue serge clothes, black pointed-toe shoes and carried a small satchel. He was smooth shaven and a pleasant spoken individual and, during the afternoon, talked congenially with several of the passengers.

About 5 o'clock he went into the dining car and, approaching the conductor, Bruce Brown of Ogden, asked if he had anything in stock that would relieve hoarseness, as he had strained his vocal chords while rooting at a ball game. His voice boomed out the statement and, as he refused whiskey, stating that he had never tasted that kind of liquor, Conductor Brown gave him a drink of hot lemonade.

At supper-time, he entered the dining car with his overcoat flung over his shoulder after the manner of a cape. This was done, it is thought, both to carry out the impression that he was suffering of a cold and to hide the revolver that later figured prominently in the holdup. He ordered and ate his supper and then went into the observation car.

The Ruth St. Denis classic dancers, fourteen in number, with their manager, were on the rear platform of the observation car, and when their fellow passenger came into view, the manager turned to ask him to join the party. His attention was distracted for a moment, however, and when he turned his gaze into the car again, he, with the other fourteen girls, looked into the muzzle of a big revolver in the hands of the robber and saw another gun trained on the guard. The command, "Throw up your hands!" followed and was obeyed. The robber disarmed the guard and, just as he was finishing this job, a brakeman appeared and was covered, this drawing the attention of the robber away from the theatrical people.

Without delay, the robber forced the guard and brakeman to proceed toward the front of the train ahead of him. Going through the narrow corridor of the observation car, they encountered the conductor of the train. He was commanded to throw up his hands but, thinking the command a joke, was a trifle slow in doing so. To hasten him, the robber fired a shot over his head, the bullet going through the top of the car.

A passenger who was closely following the conductor heard the shot and, realizing what was up, ran back into the Pullman car and hid his wallet. A moment later, the robber, with the brakeman guard and conductor ahead of him, entered the first Pullman car and, with the brakeman holding the hat, forced the male passengers to produce their valuables and throw them into that receptacle. The women were un molested.

That his visit to the dining car during the supper hour had been for a purpose other than that of eating, was evidenced when he reached the passenger who had hidden his wallet. This man took \$5 out of his pocket and threw the money into the hat. Following this action came the words "That went do; drop your wallet," and the frightened passenger confessed that he had hidden the wallet. Lack of time prevented a search for it and the robber and his unwilling collector proceeded into the second Pullman.

The male passengers on this car were also forced to disgorge, but either by accident, caused through fright, or purposely, the robber's progress was effectually stopped when he reached the vestibule of the third Pullman car, and he was forced to leave the train, which was then traveling at a rate of about twenty miles an hour.

In Dining Car. This part of the story was related by Conductor Bruce Brown of the dining car and, in effect, was as follows: Brown was checking up his day's receipts in the diner, when one of the negro waiters and then another dashed through the car. A third followed, but the conductor managed to stop him. In frightened tones, the negro said the train was being robbed. At this, Brown started toward the supposed scene of the robbery and went through one sleeper, endeavoring to secure a gun. The gun, however, was not forthcoming and finding the next Pullman in darkness, the conductor decided not to take a chance.

The porter of this car had also learned what had been going on in the cars behind and, thinking to stop the further progress of the robber, decided to lock the door to the vestibule. The desperado—who was now alone—however, saw him before he could put the thought in action and ordered him to "Come out of there!" "I'm your porter, boss" was the reply and the robber followed with, "I don't care if you are my porter, come out of there."

The negro obeyed the second command, but shut the door behind him—the latch catching and dashed ahead into the car from which the robber had just emerged, also locking that door.

Caught between the two cars, the robber seemed to instantly realize his danger of capture and, taking a desperate chance, opened the vestibule door and leaped from the train. The conductor, who had been following him after he left the second Pullman, saw the leap and said that he also saw the desperado, after rolling a short distance, raise to his feet, still holding one of the guns.

Before leaving the train guard, whom he sent back into the first Pullman car to give the passengers permission to drop their hands, the robber presented him with a gold watch, saying, "I got this when I robbed the Overland Limited and promised them to give it to some one on the next train that I held up."

Attempting to drive an automobile and a laundry wagon that were nearly abreast of each other at the east end of the Twenty-fourth street viaduct, Clyde Shupe, driver of the automobile, failed to clear the two horse-drawn vehicles. All three rigs were headed for the city.

The automobile struck the buggy, throwing its only occupant, Joseph Facinello, a Wilson lane farmer, to the board surface of the viaduct and dragging him on to the pavement at the end of Twenty-fourth street. The farmer, who is 58 years of age, was picked up in a badly bruised condition and taken to the police station. He was given first aid there by Dr. E. R. Dumke, and later removed to the Dees hospital.

The accident happened about 12:30 o'clock and the horse attached to Facinello's buggy ran away, damaging the vehicle to some extent.

The driver of the automobile was booked at the police station on an open charge.

DELEGATE TO A CHURCH CONGRESS

Rev. W. W. Fleetwood will depart tomorrow evening to attend the National Missionary congress in Washington. He is one of 125 delegates selected by the Episcopal church to represent that body at the congress.

HIGH SCHOOL TO GIVE RECITAL

The musical department of the Ogden High school is to sponsor another complimentary recital Tuesday night. The program will be in charge of Prof. Marcellus Smith and will be as follows: Selection—Ogden High School Orchestra.

"Miserere Scene" (from II Trovatore)—Agnes Warner and High School Chorus.

"Pilgrim's Chorus"—High School Chorus.

Reading—Jennette Stephens.

Violin Duet, "Andante, from Bache's concerto for two violins—Winnie Hutchinson and Sarah Albert, with piano accompaniment by Frances Marsh.

Soprano Solo—Agnes Warner.

Selection, "Slavic Dance"—High School Girls' String Orchestra.

The recital will begin at 8 o'clock.

AUTOMOBILE STRIKES WAGON AND MAN IS INJURED

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REAL ESTATE TRANSFERS

The following real estate transfers have been placed on file in the county recorder's office: William Taylor and wife to C. T. Fuller, part of the northeast quarter of section 33, and part of the southwest quarter of section 34, township 7 north, range 2 west, Salt Lake meridian. Consideration \$5500.

Hattie T. Fuller to William Taylor, lots 5 and 6, block 15, plat B, Ogden survey. Consideration \$4000.

Seima C. Holther to Albert M. Wilcox, part of lot 8, block 2, plat B, Ogden survey. Consideration \$1800.

SOCIETY

MODERN WOODMEN ENTERTAINMENT. Wednesday evening in the I. O. O. F. and Woodmen of the World halls in the Fraternity block, Utah Camp No. 9990, Modern Woodmen of America, was host at one of the most enjoyable affairs of the season.

In the Odd Fellows hall, a card party was staged and the Woodmen's hall was utilized for dancing, with the two types of entertainment proving well suited to the desires of the guests.

In addition to this diversion, refreshments were served in the banquet rooms of both lodges. The social was attended by about three hundred persons, and the arrangement committee received many congratulations on the splendid manner in which the crowd had been entertained.

FARMERS ARE TO BUY DAIRY CATTLE

The past few days Professor R. J. Evans, organizer of farm bureaus for the agricultural college in Utah, and W. Preston Thomas, Weber county agricultural agent, have visited many of the farmers of Weber county with a view to interesting them in joining with farmers of other counties in the purchase of a train load of thoroughbred dairy stock.

It is planned to have Professor John T. Caine of the agricultural college, who is an expert on dairy cattle, go east and buy some of the best cattle to be found.

BALL GAMES

The "Utahmaden" baseball team of the Northern Utah Tri-county league, went to Brigham City today to engage in a contest with the Brigham City team of the same league. The two teams will open the local season tomorrow afternoon at Glenwood. These games, however, are not on the official schedule, which will open on May 8.

ORPHEUM—WEDNESDAY, MAY 3RD

Warmest Winter Garden Baby of Them All THE PASSING OF SHOW 1915 GEORGE MONROE EUGENE and WILLIE HOWARD MARILYNN MILLER and 125 OTHERS Prices 50c to \$2.00. Seats on Sale Friday.

Drysdale, Kellar, Cox, D. Williams, Layman, Watkins, Checketts, Fosgren, White, Ramshaw, Williams, Fosgren, Foster, Morgan, Scott, Jones

ALL-BRITISH ATTENTION

The all-British association, will give a concert and dance on Tuesday evening, April 25 at the Mads' and Matrons' hall, Twenty-fourth street and Washington avenue. Commencing at 8:15 p. m. Prompt Admission 25c each. Refreshments, 10c extra—Advertisement.

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EAGLES ATTENTION

On Sunday, April 23, at 2:30 p. m., there will be a meeting of all members interested in our new home. Matters of importance will be discussed informally and you are urged to be present.

SHEEP KILLED IN UTAH BY RAIDERS

Grand Junction, Colo., April 22—Thirteen hundred thoroughbred sheep were shot by raiders last night near the Mesa-Delta county line, according to reports reaching here today. The sheep belonged to R. E. Baker, who is said to have had frequent clashes with cattlemen over the use of the range. Information received here stated that Baker threatened to arm herdsmen to repeat future attacks.

SHERIFF'S SALE

In the District Court of Weber County, State of Utah. Theros E. Harnes, Plaintiff vs. Anton N. Boedrookos, Defendant, ss. To be sold at Sheriff's Sale on the 28th day of April, 1916, at 12 o'clock noon of said day, at the South Front door of the Weber County Court House, in Ogden City, Weber County, Utah, the following described property, to-wit:

Situate in Weber county, Utah, and described as follows: All of the Southeast quarter of the Northeast quarter of the Northeast quarter (S. E. 1-4 of N. E. 1-4 of N. E. 1-4) of Section 14, in Township 4S, Range 2 West of the Salt Lake meridian.

Dated at Ogden City, Weber County, Utah, this 6th day of April, 1916. T. A. DEVINE, Sheriff of Weber County, Utah, by Curtis Allison, Deputy Sheriff.

NOTICE OF SALE OF REAL ESTATE BY ASSIGNEE In the District Court of Weber County, State of Utah. In the matter of the assignment of The H. L. Griffin Co. Notice is hereby given that the undersigned will, on May 17, 1916, sell in one parcel at private sale, to the highest bidder for cash the land and premises in Ogden City, Weber County, State of Utah, described as follows: A part of Lot 5 in Block 34 in Plat 1 of Ogden City Survey; beginning at a point 131 feet north from the southwest corner of said Lot 5, and running thence north 85.5 feet;

Easter Sunday Music

Continued from Page Four)

EASTER SERVICES AT ST. JOSEPH'S ON TOMORROW

The Easter services, at St. Joseph's church, masses will begin at 6 o'clock, first mass at 6 o'clock, second at 7 o'clock, third mass at 8:30. The boys of the Holy Name society will furnish the music at the first mass; the Children of Mary will sing appropriate hymns at the 8:30 mass.

The last mass, a solemn high mass, will be at 10:30. At this mass Rev. T. Roser, vice president of All Hallows' college, will be the celebrant, Rev. Father Lagan deacon, and Father Cushman sub-deacon. The sermon will be by Father Cushman.

The decorations are rarely artistic and never did the beautiful church look better than it will on the morning. The music, under the able direction of Miss May Conroy, will be exceptionally fine, and a treat is in store for all lovers of the beautiful.

The musical program is as follows: Kyrie. Soloist, Ruth Ragan. Gloria. Soloists, Choir. Solists, Miss M. McNulty, Miss B. Ahern, Mr. Ed. Brophy. Credo. Soloist, Mr. Jack Fisher. Benedictus. Duet. Miss G. McNulty, Mr. J. Junk. Agnes Dei. Choir. Solists, Mrs. S. Dobbs, Miss Frances Smythe. Offeratory Solo. Menard Miss M. McNulty. Regina Coeli. Choir. Benedictus. The Blessing Sacrament will follow immediately and will be sung by the chorus.

Was He Armless? Teacher—Why do you not write your lesson? Freshie—My feet are so cold that I can't hold my pen.

NINTH WARD TO GIVE PROGRAM

Prof. James L. Barker will be the speaker at an Easter program to be given in the Ninth ward chapel tomorrow evening, beginning at 7 o'clock. His subject will be "The Origin of Easter."

Specially prepared musical numbers will also be a feature of the meeting. The ward choir will sing several numbers; Mrs. George W. Wanggaard, Mrs. Clyde Jackson and William J. Koww will contribute vocal solos and the Nylander string quartet will play several selections.

The service will be held under the auspices of the Ninth ward parents' class.

POWERS AND FLYNN CONNECTED WITH QUIGLEY CASE

"Dick" Powers and "Paddy" Flynn, arrested in connection with the case of the State of Utah vs. Frank Philbrook, were charged with grand larceny today, in complaints filed in Municipal Judge George S. Barker's court.

The complaints allege that the two men robbed Patrick Quigley of \$9 on the night of January 18, 1916.

Read the Classified Ads.

ALBERT STUDIO 257 1/2 Washington Ave. Ogden, Utah. SIGNIFIES INDIVIDUAL EXCLUSIVE QUALITY