

MINING, BUSINESS AND STOCKS

DECISION FAVERS
VALLEY FARMERS

Circuit Court of Appeals Decides
Smelter Smoke Cases
At St. Paul.

SUSTAINS JUDGE MARSHALL.

Injunction Made Permanent Forbidding the Emission of Poisonous Fumes and Smelting of Ores.

The Salt Lake valley smelters will not be permitted to operate their furnaces in a manner that will result in the emission of fumes containing sulphur dioxide and arsenic, lead and copper and will be forbidden to smelt ores containing in excess of 10 per cent sulphur. This injunction was ordered by Judge Marshall in the federal court in this city at the time the smelter suits were first decided. Word has been received in this city to the effect that the injunction has been sustained by a decision of Judge Riner in the circuit court of appeals in session at St. Paul, which it is understood the case was taken by the smelters after the decision of Judge Marshall was rendered adverse to their interests.

The injunction is directed against the United States, Highland Bay and Bingham Consolidated and the capital taken was in the suit brought by over 100 farmers against the valley smelters, the case being known as Godfrey and others against the United States Smelting & Company and others. The suits were fought by the farmers as an association which was formed to raise the necessary money to carry on the fight. Edward L. Rawlings and William H. King conducted the case for the farmers and Dickson, Jackson & Ellis, Howell & McMillan, Sutherland, Van Cott & Allison and Street & Bramell. The American Smelting & Refining company was originally a party to the action but a compromise was effected and action against them was dropped by the farmers.

MANY CLAIMS PENDING.

In the suit no claim for damages was made, the farmers holding them to be irreparable. A bond of \$50,000 was filed by the smelting companies when their appeal was taken. Now it is believed that a settlement will do little more than save some consequential damages. There are now pending about 150 claims of farmers against the smelting companies.

MAY NOT MOVE.

The decision of Judge Riner in full has not been received in this city and officials of the smelting companies desire to discuss the probability of staying the decision until their attorneys have read the opinion in full. Mining men say that the smelter experts will doubtless devise some method of handling the ores from the Utah mines in a way to prevent further trouble to farmers from the fumes emitted. It is the effect that the smelters will have to move in consequence of the decision in the appellate court appear to be unfounded from admissions made by smelter operators—as consideration of the problem will not be begun until the decision has been read and explained to the management by the attorneys for the various smelting interests in this city.

TWO PLANTS WILL MOVE.

The defendants in the suits brought against them by farmers were the American Smelting & Refining company, Bingham Consolidated Mining & Smelting company, Utah Consolidated and United States Smelting, Refining & Mining company. The fact that the Bingham plant is soon to cease the operation of its plant entirely and the Utah Consolidated is preparing to build a new plant in Tooele county next year, practically eliminates those corporations from further participation in the fight with the ruralists, narrowing the contention down to the two remaining—the American Smelting & Refining and United States Smelting companies.

Judge Marshall, in his decision rendered several months ago, enjoined the smelting companies from issuing smoke from their stacks containing arsenic and lead and from treating ore containing more than 10 per cent sulphur in the charge; but they were permitted to continue to operate their plants as usual under bond pending the appeal to a higher court.

AGREEMENT WITH AMERICAN.

The American Smelting & Refining company, however, later entered into an agreement with the farmers whereby the latter were to loan the smelting company in asking for modification of the decree, but in the agreement it was stipulated that the smelting company was to go to the expense of building a "bag house" and instead of other mechanical devices for the arrest of the solid portions of the fumes and in that way abate to a considerable degree the nuisance. Complainants of other concessions were granted and the payment of a large sum of money was made by the company to the farmers.

ON MINING EXCHANGE.

Trading Has Been Active But Prices Are Lower.

The past week has been a fairly busy one on the door of the Salt Lake Stock Exchange, but has closed with trading generally lower. Nearly all of the 200 stocks have suffered, which is due largely to the present stringency of the money market. Uncle Sam has gone down in the face of the statement from official sources that the company is in shape to continue the payment of dividends for several months, even if producing

This Morning's Metals.

Local ore buyers are making settlements today on the basis of 5½ cents per ounce for silver; 17½ cents a pound for casting copper; 13½ cents a pound for cathode copper and \$4.75 per 100 pounds for lead.

NEW YORK QUOTATIONS.

LEAD, quiet. - 4.50@4.75

COPPER. - 13½@14

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were shut off entirely. Beck Tunnel sold down to 45 cents today, but the impression is general that this company will not make the usual distribution this month. Ohio Copper sold on the open board at 45¢.

The closing quotations and sales were:

LISTED STOCKS.

Stocks	Bid	Asked
Alice	1.50	2.50
AJES	.50	2.50
Bullion Beck	2.00	2.00
C. & G.	.20	.20
C. & G. Co.	.05	.05
Com. Miner.	2.50	2.75
Columbus Com.	1.00	1.25
Daly	8.62½	9.25
Daly Judg.	10.50	11.25
Eagle's Nest	.50	.50
Eagle Blue Bell	2.40	2.55
Gold Central	2.40	2.60
Iron Silver	.50	.50
Little Bell	1.12½	1.15
Lewer Mammoth	.50	.50
Lou Dillen	1.85	2.00
Mammoth	1.75	1.85
May Day	1.75	1.85
Nevada Gold	4.00	4.25
Ohio Review	.05	.10
Ontario	2.60	1.00
Sacramento	.05	.05
Silver Shield	.05	.05
Sunshine	.05	.05
Utah Mine	1.50	1.725
Uncle Sam Com.	.50	.67
Boston Com.	19.25	—
Edgar Liberal	1.50	1.50
Elk Tunnel	2.25	2.75
Black Jack	2.85	2.85
Colorado Mining	2.50	2.50
Crown Point	.05	.05
Dalton	.05	.05
Emerald	.15	.15
Ingot	.05	.05
Bex	.25	.25
Iron Blossom	.50	.50
Lead King	.15	.15
Little Chief	.05	.05
Mountain Lake	.35	.37
New York	.40	.42
Rev. H. Florence	.15	.15
Rio Anacona	.15	.15
South Columbus	.25	.25
South Com.	.25	.25
Seven Troubles	.44	.44½
Tetro	.05	.05
Victor Com.	.05½	.05
Wabash	.10	.20
Yankee Com.	.36	.45

UNLISTED STOCKS.

Stocks	Bid	Asked
Copper Glance	.14½	.15
Ely Witch	.44	.49
Cold Copper	2.30	2.25
Standard Copper	.15	.15
Newhouse	1.00	1.25
Maze Valley	1.00	1.00

REGULAR CALL SALES.

Lo.	Mammoth	200	at 1.15;	200	at
May Day	5.100	at 35;	500	at 37½	
Uncle Sam	1.100	at 65			
Beck Tunnel	1.100	at 49			
Black Jack Com.	1.000	at 23;	500	at	22½;
Colorado	2.90	at 22			
Crown Point	2.90	at 23;	600	at 24;	700
MI. Lake	100	at 27½;	600	at 31	
Seven Troubles	1.300	at 42½;	1,600	at	43½;
Victor	1.400	at 44;	600	at 45½	
Yankee Com.	1.10	at 20			
May Day	1.00	at 35			

OPEN BOARD SALES.

Ajax	200	at 27;	2,000	at 26.
Beck Tunnel	100	at 48;	1,000	at 48
S. & G.	60			
Colorado	200	at 2.87½;	8, 60;	at 2.87½
Crown Point	500	at 33;	500	at 33½;
Seven Troubles	500	at 44;	500	at 44½
Victor	300	at 35;	300	at 35
Yankee Com.	1.00	at 35		
May Day	1.00	at 35		
Seven Troubles	1.300	at 42½;	1,600	at
Victor	1.400	at 44;	600	at 45½
Yankee Com.	1.10	at 20		
May Day	1.00	at 35		

RECAPITULATION.

Shares	Value
Regular call	7,600 \$ 1,431.50
Open-board	18,250 12,851.75
Forenoon totals	35,250 \$ 20,283.25
Week's totals	36,613 20,171.27

A. S. CAMPBELL.

Stock Broker, 215 D. P. Walker Block.

E. M. West & Co., stock brokers.
D. P. Walker Bldg. Both phones of
fice and residence.

GEO. Q. CANNON ASSOCIATION.
BROKERS, 24 E. So. Temple. Both
phones 919.

Bird-Cowan Co.
Custom Assayers and Chemists, 169
South West Temple St.

F. H. Snow & Co., Stock Brokers,
22 Commercial Bldg. Both phones 1973.

UNION ASSAY OFFICE.

M. E. Hanner, J. V. Badger,
120 So. West Temple, P. O. Box 1448.

ZENOLA SHIPMENTS.

This Nevada Property is Making Fine
Showings.

The Zenola Mining company is making
a good account of itself at its prop-
erty near Parasols, Nev. A certain
amount of work has been done
there, which is due largely to the
present stringency of the money mar-
ket. Uncle Sam has gone down in the
face of the statement from official
sources that the company is in shape
to continue the payment of dividends
for several months, even if produc-
tion ceases.

A number of Zenola parties are inter-
ested in the Zenola.

CONCENTRATES.

The ore and bullion settlements re-
ported late yesterday by McMoran &
Company were: Crude ore and con-
centrate, 118,000; base bullion, 360,000.

John Dern, Harry S. Joseph, W. E.
Andrew and George W. Hitter departed
yesterday afternoon for Dept. of
Commerce in the session of the Ameri-
can Mining Congress, which convenes
next week.

Call or write for particulars.

EDWARD L. BURTON
6 East First South, A. L. City.

BLUE BELL IS
IN FINE SHAPEFind Made Recently by American
Mines Syndicate is Im-
portant One.

SHAFT AT OPEX DOWN 1170 FT

Mammoth Has Cuttled Output Some
—Development at Clift
Mine.

Special Correspondence.

Erica, Nov. 7.—Frank P. Swindler,
general superintendent of the Helms
mining enterprise, was in the district
this week and regarding matters con-<