

## COAL FAMINE AND RAILROADS.

Officials Claim to be Hauling More  
Fuel Than Ever This  
Year.

### REASON FOR THE SCARCITY.

Country is Growing Faster Than the  
Development of the Mines—House-  
holders in Sore Straits.

While the average householder throughout Utah and Idaho has been saying unkind things during the past six weeks about the railroads and accusing the Oregon Short Line of neglecting to haul sufficient coal the fact of the matter is that that railroad company during the last month hauled 32,000 tons more of fuel from the mines located along its system than it had during November of 1904.

In this connection General Supt. E. Buckingham when asked for an expression on the situation said to the "News": "The Oregon Short Line is hauling more coal today than it ever did. It has simply come down to a proposition where this western country is growing too fast for the existing coal supply. The coal is not being dug it is being used up. The growth of the various industries in this country during the past two years. Aside from the increasing population there are small industries springing up on all sides that require coal."

"The only solution I can see is for people who want coal to order it in the summer and fall and get the dealers to store it for them in their yards. It stands to reason that no dealer is going to tie up a lot of money in coal and the consequence is that when the rush does set in his yard soon becomes cleaned out. After we have passed through this winter people will probably take the hint and instead of spending their money during the fall they will put it into coal for the winter."

Inquiry among the local coal dealers elicits the fact that nearly everybody is ten days behind on their orders. Even should 10,000 carloads be dumped into this city it would not immediately relieve the situation, as there are not enough available teamsters to deliver fuel promptly. Each customer is now being taken in the order in which he gave the order for his coal and when his turn comes the consignment will be delivered.

The Union Pacific Coal company is delivering from 15 to 20 carloads of coal a day in Salt Lake with the Utah Fuel company coming in with 10 or 12 carloads. Even on the basis of 25 cars a day the wholesale orders are being some two weeks late. The increasing residents here are economizing as far as possible even to the extent of closing up part of their houses and keeping as few fires going as possible.

### CHANGE FOR GEO. H. DANIELS.

Official circulars over the signature of Vice President Nathan Guilford of the New York Central have been received in this city. Among the changes announced is a shakeup in the passenger department. George H. Daniels, agent of the system, has now charge of the general advertising department of the road with office in the Grand Central station, New York, while Warren J. Lynch has been appointed passenger traffic manager in Chicago, and C. F. Daly in a similar position in New York.

### SPIKE AND RAIL.

General Manager R. E. Wells of the Salt Lake Route left for Los Angeles on last night's regular train.

The Salt Lake Route dance excursion to American Fork last evening was a success, despite the inclement weather. In all 110 passengers were carried.

The regular Christmas exodus of students from Salt Lake for Provo and Logan will commence on Friday, and the railroads are making arrangements to handle the business.

### WATCHING THE MILKMEN.

The analysis by the city chemist of the samples of lard and sausage submitted him by the city food inspector, prove to be of fairly good quality about which no special complaint can be made. The chemist has now a lot of milk samples for analysis. "The city and state inspectors are watching the milkmen very closely, and when the knights of the milk can least expect it, the inspectors are after them for samples. So the milk dealers have every reason to be careful and walk circumspectly."

### A THOUGHTFUL HUSBAND.

What is more touching at the holiday season than to see an old man planning a pleasant surprise for his aged wife? "It's tryin' ter raise money enough ter git my wife a new dress for Christmas, sah," said Uncle Ebony to Mr. Featherstone.

"Ah, I see. You want me to give you some clothes to do, uncle, eh?"

"Well, no, sah. I ought perhaps you could get de old lady a job at washin' sah."

### TO MY FRIENDS AND THE PUBLIC.

After three months' rest, I am again in business and expect to get your trade for the following reasons:

That my experience in the Meat Trade extends over a period of 30 years—nearly 22 years located on Main street, opposite Z. C. M. I.

That everything sold at my Market is of the best quality.

That should you phone your orders or call at my Market or send a child the same uniform treatment will be accorded.

That you can depend upon the price and weights being right.

That I have built a spacious store spick and span on my own premises with facilities attached for handling hay, straw, grain and salt.

That you can depend on prompt delivery.

ROBT. SHERWOOD.  
Globe Market, Established 1884.  
Both 'phones. 749 and 751 State St.

## MANUFACTURERS WANT MEMBERS.

Send Out Circular Letter Urging  
Representative Business  
Men to Enlist.

### LEHI ENDORSES MOVEMENT.

Excursion Will be Run to Sugar Factory Town for the Purpose of  
Whooping Things Up.

The Manufacturers & Merchants' association has begun a regular campaign for membership, and to present the matter fairly to all parties interested, has prepared a circular letter, copies of which will be sent to merchants and manufacturers all over the state.

At a meeting of the Commercial club of Lehi last night, the association was endorsed, and a resolution was passed favoring the view it has taken on the question of railroad rate legislation. C. O. Harris and Geo. Austin of the board of directors of the Salt Lake association were present, and arranged for an excursion to be run from Salt Lake to Lehi in the near future. The excursion is to carry members of the association, and will be followed by a rally and demonstration in favor of western goods, by the Lehi people, at which the Salt Laker will have a chance to get better acquainted with Lehi and its people.

### TEXT OF THE LETTER.

The text of the circular letter on the association's aims is as follows:

Your attention is respectfully called to the organization of the Manufacturers and Merchants' association of Utah, and we ask your co-operation with us in the matter of securing those benefits for which we are organized:

This association has already secured upon its membership lists a large number of the most substantial business houses in the state. These firms are united in their desire for the betterment of conditions with regards to freight tariffs, for the upbuilding of infant industries of the state, and for the development of the undeveloped resources which Utah possesses in great abundance.

The organization has in mind the importance of the co-operation of merchants, manufacturers and citizens of the state for promoting the use of goods produced and manufactured at home, as well as for the patronage of those institutions that are already established here.

It is understood that these interests singly cannot cope with the combined interests that discriminate against certain industries and the smaller merchant. We also recognize the fact that with a thorough working organization we may gain certain concessions that individuals cannot secure.

A comprehensive exhibit of the products of the mills and factories of the state is being collected and will be placed in the offices of the organization. An attendant will be present at all times to explain to visitors the superiority of these goods over imported articles. The patronage of home factories will thus be encouraged. Raw materials will be shown to prospective investors and the building of new factories and plants will be accelerated.

The association has organized a tariff bureau to which all members are invited to submit matters pertaining to discrimination in freight rates, or classification, or matters of like character. Every effort will be made by the association to secure a prompt, reasonable and satisfactory adjustment of all matters pertaining to this department that are brought before the organization.

The organization is not in any sense designed or intended for purely local purposes. The scope of its work extends throughout the state. The interest of each part being considered equally with that of any other section.

We feel that with the development of new industries in the state and with the corresponding increase in the population, and in the increased volume of money placed in circulation that this organization will be of great benefit to the community at large.

### WHY TOMMY IS DOING PEN-ANCE.

Grandma—Are you looking forward to your Christmas dinner, Tommy?  
Tommy—Yes, grandma, but not so much as Johnny Jones.  
Grandma—Why so, Thomas?  
Tommy—His grandma died last week, and he'll get all her Christmas turkey.

## CASTORIA

For Infants and Children.

The Kind You Have Always Bought

Bears the Signature of J. C. Fitch.

## The 13th Ward Store.

THE PLACE OF  
HONEST TREATMENT  
72 MAIN STREET.

Make your selection of Hand Painted China, and other China ware while you can get them at such bargains, come and see for yourself.

Our Jewelry line is going at Half Price, as the entire stock is to be sold out.

Then you need Candies and Nuts, Lemon and Citron Peel, Currants and Raisins. Mince Meat, etc., etc.

We have the best line to select from, all reasonably priced.

## QUESTION OF JURISDICTION.

Supreme Court Holds That Court  
Of One County May Rule on  
Property in Another.

### CASE OF SNYDER VS. PIKE.

Suit Was Brought in Utah and Emery Counties to Secure the Payment of Money.

The question of jurisdiction of the courts of the state is again gone into extensively by the supreme court in its opinion in the case of C. Beldin Snyder against W. R. Pike, appellant, which was handed down today. The opinion was written by Justice McCarthy and concurred in by Chief Justice Baruch and District Judge C. W. Morse. It holds that the court of one county has jurisdiction in an action brought to foreclose a mortgage given in that county, but covering property in another county, but the ruling holds only where the question of jurisdiction is not raised in the lower court by the party in interest asking to have it transferred to the county where the property is located. It is his privilege under section 2953 of the Revised Statutes.

### THE CASE AT BAR.

The facts in the case are that the Copper Globe Mining company, gave a note to Pike at Provo for the sum of \$2,000, payable in gold coin and issued a mortgage to secure the same upon its mining claims located in Emery county. Subsequent to that Phillips & Childs secured a judgment against the company in Emery county for \$200 and the claims were sold.

Suit was then brought in Utah county to foreclose the mortgage and Phillips & Childs were made parties defendant. They afterwards assigned their judgment to Snyder. A decree of foreclosure was rendered in favor of Pike, and the property was sold for \$3,305. Just before the time for redemption expired, Snyder offered to redeem the property and tendered the sheriff a certificate of deposit upon the Provo Commercial & Savings bank for the amount of the Pike judgment. Pike demanded of the sheriff the payment of the amount due in gold coin, as provided in the note, and refused the certificate of deposit. Upon the sheriff failing to pay him the gold, Pike asked for a sheriff's deed to the property, which request was granted.

### SUED IN EMERY COUNTY.

Snyder then brought suit against Pike in Emery county to quiet title to the claims, and in that action he raised the point that the Utah county court was without jurisdiction in the matter as the property involved was located in Emery county. The lower court found in his favor on that point, and also held that the sheriff's deed issued to Pike was valid, and quieted Snyder's title to the claims.

The ruling on the question of jurisdiction was appealed from by Pike. The supreme court holds that the lower court erred in its rulings on that matter and that the Utah county did have jurisdiction in the case. It holds that under section 2953, which was then in effect, Snyder had the right to raise the question of jurisdiction in Utah county and ask to have the case transferred to Emery county. He did not take advantage of that opportunity, however, hence the supreme court holds that he waived the question of jurisdiction and consented to the claim that the Utah county court had no jurisdiction. The court cites the case of Sherman vs. Droubay, in which it was held that the action should have been brought in the county where the property is located and not where the note and mortgage are payable. At that time section 2953 had been repealed, and hence the party in interest could not ask for the removal of the case, but in this case that statute was in force and was waived by Snyder. The judgment of the lower court is reversed and Pike's title to the claims is quieted.

### JURORS DISMISSED.

Those Serving in Federal Court Go Home for Christmas.

The holiday season reached the Federal court room this morning and the petit jurors who have been on duty through the November term of court, were allowed to depart for their homes, with the exception of the panel hearing the one case remaining on the docket. The men were dismissed by Judge Marshall at the end of this morning's session, and many of them started at once for the railway station, determined to lose no time in getting back home. A new panel will be called for the January term.

### MINING CASE ON.

The trial of the case of Sullivan vs. the Centennial Eureka Mining company was begun this morning in the Federal court. It is the last case on the docket and on its termination the jurors will be dismissed. This morning was spent in securing a jury, and unless it is brought to a termination before being submitted, it will not, it is thought, be finished for several days.

### COURT NOTES.

On Friday morning at 10 o'clock Judge Ritchie will make a resetting of non-jury cases for trial in his court.

The clerk's office today issued jury certificates to the amount of \$1,254.60. All of the jury cases for this year have been completed and all jurors have been discharged from further service.

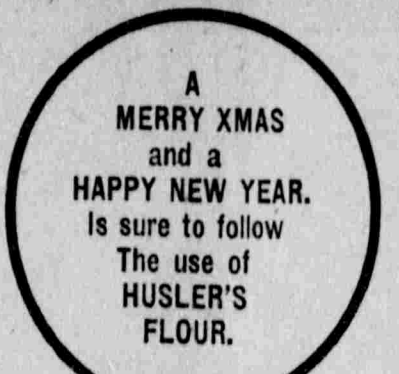
The damage suit of R. C. Yorganson against the Rio Grande Western Railway company, which was commenced in Judge Ritchie's court yesterday, has been continued indefinitely by the court as it will probably be settled out of court.

### CHILDREN'S DAY IN RUSSIA.

In Russia New Year's is especially the children's day. Among the peasants the old time frolics and games are renewed. It is a practice among the boys to arm themselves with a supply of shelled wheat and dried peas and to go from house to house in the small hours of the morning. They present themselves unbidden in a neighbor's house, where the doors are always unlocked, and pelt him with wheat or peas till he offers cakes or fruit.

### ROBERTS' COMPLETE WORKS.

"Outlines of Ecclesiastical History," \$1.75, \$2.50, \$3.75; "The Gospel," 75c \$1.25, \$1.50; "New Witness for God," \$1.50, \$2.50; "Succession in the Presidency," 30c, 50c, 75c; "Rise and Fall of Nauroo," \$1.25, \$2.25; "Missouri Persecutions," \$1.75, \$2.25; "Mormon Doctrine of Deity," \$1.00, \$1.25 and \$1.75. Deseret News Book Store, Salt Lake City, Utah.



### A GALA DAY IN FRANCE.

New Year's, not Christmas, is the French day of days. Cards, flowers

and bonbons are exchanged in profusion, and visits are made. In the dining room on New Year's morning are assembled the gentlemen of the family to greet the ladies with courtesy bow and gallantly to kiss their hands. The day breakfast over, the children, the youth and those of the family in the prime of life make ready to pay visits. They start forth with pockets and hands filled with remembrances. The older ones, ensconced in easy chairs before the fire, wait for the younger relatives and friends who will come with light and merry talk to make good cheer.

### "FIRST FOOTING."

"First footing" is an old, old custom which still lingers in Ireland. It is considered a lucky sign if the "first foot" is a fair man. A dark man, a woman, a red haired or squinting person is supposed to bring bad luck. In the north of England, however, a dark man is preferred as a "first foot."

### THE PAST VS. THE PRESENT.

O Christmas time is coming fast. So cheer up, girls; be pleasant And shake the fellow with the past For that one with the present.

### HAVE YOU THE CHURCH WORKS?

No Latter-day Saints' home should be without a set of the standard Church publications on the center table or in the library. Send for the new free catalogue, Deseret News Book Store, Salt Lake City, Utah.

### FINE JOB WORK

Turned out on short notice at the Deseret News. A big shipment of new types and supplies just in. Our facilities for letter heads, bill heads, tags, envelopes, pads, etc., etc., are unequalled by any establishment in the west.

THE DESERET NEWS.

**WHAT IS YOUR MOTIVE POWER ?**

**Publicity.**

We can furnish that—if your business has merit.

**TRY THE "NEWS."**

# AT BARTON'S

## USEFUL CHRISTMAS GIFTS—HIS CHRISTMAS.

What are you going to get him for Christmas? Nearly everybody has a "him" or two to buy for. Perhaps our suggestions will aid you to get him just what will please him.

### SUGGESTIONS.

OVERCOATS  
SUITS  
FANCY VESTS  
RAIN COATS  
HATS  
ETC., ETC.

CAPS  
UMBRELLAS  
HOUSE COATS  
BATH ROBES  
NECKWEAR  
ETC., ETC.

MUFFLERS  
GLOVES  
NIGHT ROBES  
HOSIERY  
SUSPENDERS  
ETC., ETC.

SHIRTS  
UNDERWEAR  
SWEATERS  
HANDKERCHIEFS  
COLLARS AND CUFFS  
ETC., ETC.

We invite ladies looking for a gift for a man's Christmas to come here. Every article fairly and rightly priced. Always at your service. **STORE OPEN EVENINGS.**

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# LET US HELP YOU CHOOSE!

We have an excellent assortment of suitable Christmas Presents for Ladies' and Gentlemen, Boys and Girls. Our clerks are attentive and obliging, and the goods are reasonably priced.

## Appropriate Presents FOR LADIES!

A BOX OF HURLBUT, WHITING OR BERLIN JONES' Fine Holiday Stationery. The Latest Shape and Cut of Linen Lawn and other Fabric Papers; In Decorated Boxes from 50c to \$5.00.

A VIENNA WRIST BAG: This Fall's Latest New York styles. Purses, card cases, etc. Name in gilt free during the holidays.

BEAUTIFUL TRIPLICATE and HAND MIRRORS: Goehring's Celebrated goods in Ebony and all the beautiful hard woods.

SOUVENIR SPOONS: Emblems of City or State.

A Dainty GIFT BOOK in Ooze Calf, Burnt Leather, Limp Leather and other exquisite bindings. In these we have all the classics and standard authors.

A VOLUME OF MODERN FICTION. We have the last of the most popular authors of today.

A BEAUTIFUL ART BOOK—Gibson's, Christy's, etc.

AN ART CALENDAR: we have them in all styles, 25c to \$5.00 each.

INK STANDS, Art Metal and Cut Glass.

BEAUTIFUL LEATHER WRITING SETS and Portfolios.

## For Boys' and Girls.

BOOKS, DOLLS, TOYS, Games and Puzzles of every description—See our Window Display.

## Appropriate Presents FOR GENTLEMEN!

FOUNTAIN PENS, Plain and Mounted. L. E. Waterman, A. A. Waterman and the Celebrated Swan makes. The best in the market and all guaranteed.

COLLAR AND CUFF SETS: Shaving Sets, etc., in Austrian Court ware and Fine Leather.

DESK PAD, Office and Library Ink Stands, etc.

STANDARD SETS, Shakespeare, Dickens, Scott, etc.

BIBLES, Oxfords, Bagster and Cambridge—all sizes from Vest Pocket to Family, in all styles of binding.

CHURCH PUBLICATIONS, including New, Revised and Enlarged Editions of the Latter-day Saints' Psalms and Hymn Book. Just out of the Press Today.

## Presents For The Household!

HARGREAVES, TABER-PRANG and ART NOVELTY Framed Pictures: New Subjects and Copies from the Standard Masters. The newest and latest styles of Fine Hard Wood Frames—Just Arrived and this week.

JAPANESE CHINA: Highly decorated in Chocolate Sets, Cream and Sugars, Nut Bowls, Cracker Bowls, Vases and Bric-a-Brac.

Polite Attendants—Goods Delivered. Open Every Evening.

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Stops the COUGH and Heals the LUNGS

FOR SALE BY F. J. HILL DRUG COMPANY, SALT LAKE CITY.