

WRIT OF MANDATE DENIED BY COURT

At 2:45 o'clock this afternoon a decision was rendered by the supreme court, denying the application of W. J. Barrette et al for a writ of mandate compelling Secy. of State Tingey to certify to the Republican electors on the "Taft Liberal Ticket." The decision was written by Judge Straup and concurred in by Judges Frick and Booth.

The demurrer to the application was sustained.

RAILROAD NEWS.

EASTERNERS HERE.

Rock-Island Frisco Officials Visit Salt Lake on Tour of West.

The arrival in this city yesterday afternoon of Fred. Wild, general freight agent of the Rio Grande, with a big party of prominent railroad officials, was a subject of considerable comment this morning. Those accompanying Mr. Wild were, Theodore Brent, a third vice president of the Rock Island-Frisco lines at Chicago; R. G. Brown, assistant general freight agent of the Frisco lines at Minneapolis; D. L. Ewing, of the third vice president's office in Chicago; George W. Martin, general agent of the Rock Island at Denver, and Col. A. H. Stevens of the Seaboard Air Line family.

Those of the party seen this morning say their visit through the west will be somewhat lengthy, as they are desirous of seeing this portion of the country. Upon arriving in this city, the entire party began a series of sight seeing trips, and the usual courtesies shown visitors were accorded them. All are lavish in their praise of this city and the state generally. Mr. Martin, as spokesman for the visitors, said the trip is one of eight seeing parties, the first of which was made by Mr. Brown, speaking for the easterners, said their trip has been a series of surprises. Salt Lake being one of the largest cities in the west, and the state and city long before we got here, of course, but not until we began passing through valleys and were taken around this city did we begin to know how great and growing Utah and Salt Lake really are. The stormy racing east of here spoiled much of the trip, perhaps. It was snowing and blowing when we left Denver, and we passed through storms all along the road.

Mr. Wild turned his charges over to Asst. Doolittle, general freight agent here, who took the party around the city. Mr. Wild went into conference with S. V. Derrah, assistant general freight agent of the Rio Grande in this city. At noon the Rock-Island men boarded a train for the northwest with Mr. Doolittle in charge. "We are going up through the north and northwest as far as Portland," explained Mr. Martin.

All asserted that the journey has no significance whatever.

ANOTHER WRECK.

The Rio Grande's tri-occasional wreck occurred yesterday near Helper. Two freight cars got away and running down a rather steep grade met other equipment. Damage done to the cars was considerable and traffic was interrupted but no one was injured.

APPOINTMENT MADE.

J. Frank Pfug has been appointed secretary to S. V. Derrah, assistant general freight agent of the Rio Grande here. Mr. Pfug will begin his new duties Oct. 25. He succeeds Mr. Drayton, who has been appointed traveling freight agent of the Rio Grande. Mr. Pfug was with the Rio Grande two years ago but left to accept a position with the Bingham Con. Mining company.

TARIFF IS HUMMER.

Copies of the new lumber tariff have been received in this city. The new rates—which mean a reduction, averaging 3 cents per 100 pounds on consignments to Utah points—apply on traffic between the northwest and 24 states. The tariff book is one of the largest and finest ever issued. It contains 422 pages and has more rates than the ordinary man could learn without going "figure-dippy." Three sets of rates known as "consolidated," "Spokane" and "Mont-Ore" are quoted.

FOOTBALLISTS COMING.

The Boulder School of Mines, Colorado, football eleven will arrive in this city Friday and continue to Logan, where the visitors will play the A. C. team Saturday. The Coloradoans will come to Salt Lake via the Rio Grande and Colorado Midland, and transfer to the O. S. L. here. From Logan they go to Los Angeles and returning leave there Oct. 31.

UNIVERSITY NEWS

The University medical students held a meeting yesterday afternoon at which athletic managers and captains were elected for the coming year. R. Leonard was elected manager of athletics; L. D. Stewart, captain of football; W. Henderson, captain of basketball. They are a husky crowd and promise to do things.

PERSONALS.

Ex-Warden C. E. Arney of the Idaho state prison, is a guest at the Culver hotel. He is a guest of Harry Shearman of this city.

Everett Ames of Portland, Ore., a noted manufacturer is a guest at the Alta club. He is a friend of Harry Shearman of this city.

Eat Sweet's Society Chocolates

They are the purest and most delicious Chocolates made—Finest Ingredients, Rarest Flavors.

ASK FOR THE PURPLE BOX

Steaming Hot Drinks At Our Fountain.

Tomato nectar, clam and tomato bouillon, malted milk, chocolate and coffee served at a moment's notice.

HOT TAMALES, Chicken and Beef, home made, delicious and satisfying, with coffee makes a most enjoyable lunch.

We will send a pot of fresh coffee to stores or offices in our immediate vicinity. Phone 118.

Civility
Promptness,
Cleanliness
Features of Our
Fountain.



DRUG STORE.

The Pure Drug Dispensary
115-114 So. Main Street

WANTS \$5860 DAMAGES

Administratrix of James Young Estate
Claims R. G. W. Railroad is Responsible for Disastrous Fire.

Claiming that sparks from the Rio Grande Western Railroad company's locomotives set fire to a number of cedar trees, grasses, etc., growing upon certain lands in sections 23 and 24, in Salt Lake county on the 19th of July, 1907, Martha Young, administratrix of the estate of James Young, deceased, today filed suit in the Third district court against that corporation, asking for judgment in the sum of \$5,860 and costs.

The complaint sets forth that the trees in question were valuable for the purpose of conserving the soil moisture and for the production of hay, and that the grasses growing on the premises named, which were used for pasturage purposes, and that 1,100 of the trees were destroyed by the flames, damaging the property to the extent of \$5,860. The damage to the grasses and pasturage is fixed at \$300.

ECHO OF REDMAN FIRE.

Storage Company Files Counter Claim
In Suit of C. O. Whittemore.

An amended answer and counter claim was this morning filed in the Third district court by the Redman Van & Storage company in the suit brought against the company by C. O. Whittemore to recover the sum of \$3,000, the alleged value of certain household goods and chattels stored with the defendant company in its warehouse, which together with its contents, were consumed by fire on the night of November 1, 1907.

The defendant company states in answer to the complaint that neither the company nor its employees were in any way responsible for the fire, and sets up in the nature of a counter claim, the allegation that at different times, and at the special instance and request of the plaintiff, the company performed services in the way of packing, hauling and storing furniture and household goods, and preparing freight on certain goods, for plaintiff from Salt Lake to Los Angeles, aggregating the sum of \$102.82, and for this amount the defendant asks judgment, with interest and costs of suit.

DECREE IN HILL CASE.

Judge Morse Gives Wife Custody of Property for Joint Benefit.

Judge Morse this morning filed his findings of fact, conclusions of law and decree in the case of Elmer Hill against Jennie Hill, suit brought by plaintiff to recover possession of certain mining claims, a three-story hotel and other personal and real property. The judge finds that defendant is entitled to the title of the property in question, but that only the joint benefit of the couple, who are man and wife. The plaintiff set up the claim that he had deeded the property to his wife while he was under a delirium and when it seemed like he could not live. He afterwards sought to recover the property, but his wife resisted the claim, saying he was unable to manage the same. The decree gives the wife the right to manage the property, but only for their joint benefit.

SILVER KING COALITION SUED.

Richards, Richards & Ferry Seek Compensation for Services.

The Silver King Coalition Mines company was today made defendant in a suit filed in the Third district court by Franklin S. Richards, J. T. Richards and Edward S. Ferry, co-partners doing business under the firm name and style of Richards, Richards & Ferry, for \$100 for legal services alleged to have been rendered to the defendant company at its request. The complaint states that, between the 1st day of May, 1908, and the 1st day of May, 1907, the plaintiff firm performed legal services for the Silver King Mining company, and that the Silver King company has not paid for such services, neither has its successor, the Silver King Coalition Mines company, although payment has been repeatedly demanded by said plaintiffs. The court is asked to render judgment for \$100 in favor of the plaintiffs, with interest at 8 per cent from May 1, 1907, and for costs of suit.

NEGLECTS HIS CHILD.

A complaint was this morning issued from the county attorney's office against E. Marble, charging him with neglecting his six-year-old daughter, Dora Alice Marble, the mother is the complainant, and it is alleged by her that Marble has failed to provide necessary food, clothing and shelter for her child since Jan. 1, 1908. The father is asked to be in Sevier county.

STATE ART EXHIBIT.

To Be a Feature at Richfield During Second Week of December.

The second week in December the annual exhibition of the handicraft of Utah artists will be held at Richfield. It has been decided by the State Art institute that the exhibition will be held in the assembly room of the Richfield High school. The meeting was held at the home of Miss Myra Sawyer, 753 Fifth East street, and plans were formulated for a bigger display than has ever been on exhibition before.

President Edwin Evans, head of the art department at the state university, will open the exhibit, and will also deliver one of the lectures which will be given during the exhibit week. Donald Boureghard will also lecture.

The Alice art collection, which belongs to the State of Utah, and which is in the care of the State Art institute, is at present at the Agricultural college. In the near future it will be transferred from the Agricultural college to the state university for the rest of the year.

During the winter the institute will give a course of art lectures, devoted to architectural and kindred subjects.

FRANK THE PENMAN IN TROUBLE AGAIN

F. H. Hamilton, Formerly Queen's Counsel in Australia, is Accused of Forgery.

FRIENDS DO NOT DESERT HIM

Several Members of the Local Bar Standing With Him to Save Him from Prison.

Frank H. Hamilton, white haired and with the pallor of the prison still marking his features, pleaded not guilty to forgery before Justice Dana T. Smith this morning. Thus for the second time the aged attorney is facing the charge of forging a friend's name to bad paper. Four checks are to be offered in evidence against him. Hamilton came to this city from San Francisco west, just after the San Francisco earthquake. He claimed to be at one time queen's counsel in Australia and subsequently a member of the bar in several states and sought a practice here. He was in poor health and with little money. His friends gave him a good start and tried in every way to help him. He seemed to be progressing and had opened a law office. Then a check appeared with the name of one of his benefactors signed to it. He was forced to confess that he had come to his assistance trying to effect a compromise, the law took its course and a sentence of five years in the state prison at hard labor was meted out to the old man.

PARDONED RECENTLY.

Two months ago, through the efforts of his old friends, Hamilton was pardoned. He returned to his old circle of acquaintances and they were willing to help him again. They did not know and for time Hamilton seemed to be repaying his debt of gratitude by trying to do better. Among his friends, none were more devoted than John P. Lyman, a prominent county attorney and now candidate for county attorney. He offered a friendly hand to Hamilton in his every predicament. Hamilton agreed to turn over his checks to Lyman, and Lyman, in turn, offered to pay his debt of gratitude by trying to do better. Among his friends, none were more devoted than John P. Lyman, a prominent county attorney and now candidate for county attorney. He offered a friendly hand to Hamilton in his every predicament. Hamilton agreed to turn over his checks to Lyman, and Lyman, in turn, offered to pay his debt of gratitude by trying to do better. Among his friends, none were more devoted than John P. Lyman, a prominent county attorney and now candidate for county attorney. He offered a friendly hand to Hamilton in his every predicament. Hamilton agreed to turn over his checks to Lyman, and Lyman, in turn, offered to pay his debt of gratitude by trying to do better.

LEADING QUESTION.

This morning when Deputy Sheriff Ike Emery took him from the city jail to be given a hearing before Justice Smith, the first step in his second trial, his manner was faltering. His face was pale and his eyes watery. Still he maintained the peculiar attitude that has marked all his actions since he first came to this city after losing all he had in the San Francisco earthquake. Lieut. John Hempel bluntly asked him how many years he had put in at Folsom, the California state prison. For the moment Hamilton was staggered. "Not very long. Where did you dig that up?" Hamilton asked Hempel. Hempel pressed him for an answer, but Hamilton tried to turn the talk in another line. When Hempel said his record could be got from California, Hamilton seemed to falter a little more, but still he did not answer and he left the door of the desk sergeant's office, he said.

WESTERN UNION'S EARNINGS DECREASE

Owing to Strike and Business Depression Dividends Are Cut—Figures of Annual Report.

Revenue of the Western Union Telegraph company for the year ended June 30 decreased \$4,274,194, according to the annual report, made public yesterday. Further, it was shown that, notwithstanding the payment of \$1,714,572 in dividends during the year, the company's earnings were less than in the previous year as follows:

Revenues	\$28,526,212 Dec.	\$4,274,194
Operating and general expenses	24,352,018 Dec.	1,562,961
Interest on bonds	1,722,250 Dec.	312,189
Balance	2,451,944 Dec.	3,152,424
Cash dividends	1,714,572 Dec.	70,573
Deficit	48,255 Dec.	26,063
Previous surplus	16,949,956 Dec.	43,325
Less stock dividend	2,447,100 Dec.	2,447,100
Final surplus	14,502,856 Dec.	2,490,925

The report shows that the average cost to the company of messages transmitted during the year actually exceeded the toll by three-fourths of a cent per message. Robert C. Clowry, president of the company, explains this as follows:

"The number of messages decreased 12,433,264, due to the depression in business and to the strike of operators, which began early in August and lasted until Nov. 7, 1907. The average toll per message transmitted by the company was the same as the previous year, but the cost was increased by the strike to such an extent that that branch of the business showed a small loss for the year. This loss ceased as soon as conditions became normal. Notwithstanding the abnormal expense during the strike, the expenses for the year were reduced \$1,352,980, which left the net loss in revenue \$2,921,213 as compared with the previous year."

WOMEN IN SESSION.

The Utah Federation of Women's clubs convened today at Mantl. The delegations from the eastern part of the state left Salt Lake by the Rio

Grande at 7:30 this morning. There was something more than 50 delegates on the train. A meeting of the board of directors was held while en route. After luncheon is served the following program will be given:

Song, "America."
Invocation, Rev. G. W. Martin.
Address of welcome for the city, W. B. Lowry, mayor of Mantl.
Address of welcome for the club, Mrs. Kate Snow.
Response, Mrs. A. E. Corey, vice-president of U. P. W. C.
Song, Miss Dean Farry.
Presentation of program, Mrs. Goham.
Report of officers:
President, Mrs. Cummings.
Vice-president, Mrs. Corey.
Recording secretary, Mrs. Yates.
Corresponding secretary, Mrs. McMahon.
Treasurer, Mrs. A. R. Weaver.
Federation secretary, Mrs. Leatherwood.
Presentation of new clubs, Mrs. Beles.
The meeting will be held in the Mantl tabernacle and Mrs. C. E. Allen will be the parliamentarian.

AMUSEMENTS.

Theater—The concert company engaged by the U. of U. lecture and music course, opens at the theater this evening.

The advance sale is now going on at the theater for the engagement of Richard Jose, which opens tomorrow night.

Orpheum—This week's bill is drawing heavy patronage, and the advance sale is heavy for the remainder of the week.

Grand—Mr. Dodge gives the last presentation of "Faust" tonight, to be followed by "The Three Guardsmen" tomorrow night.

Next week the house will return to musical drama in "The Yankee Doodle Boy" presented by the Powell & Cohan company.

Lyric—The third act of "The Chimes of Normandy" and other pleasing features presented by the Camperphone are pleasing the audiences this week.

LATE LOCALS.

Sings at Logan Tonight—Horace Ensign has gone to Logan where he is to appear on a local concert program this evening.

Shrivers in Ogden—Members of El Kahlo Lodge Mystic shrivers will hold a meeting this afternoon, at the order's hall, and at 6 o'clock a special train will convey a large party to Ogden, where a meeting will be held tonight.

From Jail to Hospital—Frank Gustafson, who was taken from the city jail to the Holy Cross hospital last night, passed the night in a wild delirium. The cause of his suffering has not yet been ascertained.

Music at Club—Invitations are out today for the informal musicale to be given in the parlors of the Commercial club, on the evening of Tuesday, Oct. 27. Members of the club have been extended the privilege of inviting not to exceed one non-member as a guest.

Woman Has Hearing—Marcelle Benoit, a foreign woman, located in a disorderly house at Bingham has had her hearing and the testimony sent to Washington. If good cause it not shown why she should not be deported this action will be ordered to be carried out by the local immigration office.

Married in Temple—Miss Elizabeth Spencer of Taylorville, and Frederick Abbott of Farmington were married this morning, in the temple. The wedding reception will be held this evening at the home of the bride's parents, Taylorville, after which Mr. and Mrs. Abbott will take the 11:45 p. m. train for Farmington where they are to reside.

Deposition Taken—Deposition in the case of Ham Sing, a Kansas City Chinaman in this country under what the government believes, misrepresentation is being taken here. A brother-in-law of the Chinaman, who furnishes will be made a portion of the records of the case. The U. S. was represented by William McCrea, assistant U. S. district attorney.

The regular monthly meeting of the Liberty Stake Relief societies will be held in the Ninth ward meetinghouse, Thursday Oct. 22, at 2 a. m.

HOW TO GET A GOOD DAIRY HERD AT LITTLE COST

Good cows cost little more to keep than scrub stock, while they produce much more butter fat.

If a farmer starts in with a pure-bred bull on scrub stock and keeps on breeding his grade stuff to a pure breed bull for six generations, he will have a stock that is 98% per cent pure. That is within 1% per cent of purity, and no man on earth could discover so small a trace. It is therefore possible for a farmer to get a herd of high-bred cows in eight or 10 years.

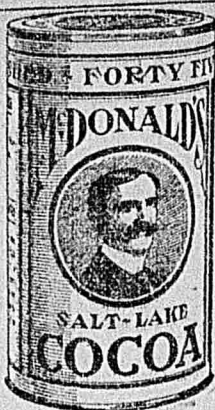
Life is short. Why not begin immediately by purchasing a thoroughbred pedigree Guernsey, which will cost from \$150 to \$300, and begin improving your herd. Many people take good care of their milk cows, which produce 150 pounds of butter-fat per year, or less; whereas, were they to improve their stock by introducing thoroughbreds, they could increase their income many fold without any additional labor.—Blackman & Griffin Bulletin.

FUNERAL NOTICE.

The funeral services of the late Thos. Aubrey will be held at the Eleventh ward meetinghouse, corner of Eighth East and First South, next Sunday afternoon at 2 o'clock. The remains may be viewed at the late residence, No. 2337 South Ninth East street, from 12:30 to 1:30 p. m. Sunday.

LEGAL BLANKS.

Of every character and description, arranged from the best legal forms, and brought strictly up to date. A full supply always on hand at the Deseret News Book Store.



Everybody knows that McDonald's name stands for quality. This statement then should carry weight.

McDONALD'S SALT LAKE COCOA IS THE FINEST ON THE MARKET.

No other cocoa possesses this blend, that rich, smooth taste that satisfies. You cannot imagine what a pleasurable drink it is during a meal. Get a can, make it carefully and serve at dinner. Your husband will say it is fine—a luxury. You will say in return: "Yes, it is a treat, but not expensive."

Being of double strength it goes further than ordinary cocoa.

DIED.

FREDERICKSON—In this city, Chris Frederickson, aged 36 years. Funeral from O'Donnell & Co.'s chapel, on 233-271 south West Temple street, on Wednesday, at 11 a. m. Interment in Mt. Olivet.

BERRY—At her residence, 573 south Third East street, this city, of old age, Julia A. Berry, mother of Ellen and Charles L. Berry; born at Bristol, Eng., June 25, 1821. Funeral announcement later.

WOODS—At his home in Brda, Teo-doro Co., Oct. 12, 1908, Roy O. Woods, son of the late Jas. A. and Charlotte H. Woods, of typhoid fever, aged 22 years.

R. E. Evans, Florist, 36 S. Main St., Floral designs a specialty. Phone 961.

HELP WANTED—FEMALE.

GIRL TO COOK AND ASSIST IN ironing; no washing; best wages. 355 First Avenue.

Union Dental Co.

Are now permanently located in their new and handsomely equipped rooms.

212 MAIN STREET.

Remember us. WE TREAT YOU RIGHT. Painless Extraction of Teeth or no pay.

THE RIGHT MOVE!

A commission of the most prominent English and German physicians have declared that the germs in Milk may contract Consumption, Typhoid Fever, Diphtheria and Scarlet Fever.

The Elgin Dairy Creamery & Supply Co., have just installed in their plant one of the latest up-to-date pasteurizers. All their milk and cream is now pasteurized, heated to 180 degrees, and immediately cooled to 50 degrees, making all their products absolutely pure. Pure Milk is the greatest life giving food. Why not buy the best. Ask for ELGIN DAIRY products.

YOUR DOCTOR

will tell you that you are always safe in having your prescriptions filled by us.

HOT SODAS for COLD DAYS

Bridge Drug Co.

(Prescription Druggists.)
12 Main Street.
Phones—Ind., 480. Bell, 1520.

Sale
Thursday
Friday
Saturday

In the
centre aisle
of our
main store

Now comes the greatest sale of embroideries you ever had the opportunity of attending Begins Thursday morning at 8:30. Lasts three days.

With 20,000 yards of the prettiest, daintiest embroidery flouncings and all-over's we've ever shown.

All embroidered on fine sheer hand loom swisses and Nainsooks in a selection of designs superior to any you've ever seen in the west.

There are dainty rose designs, effective scroll patterns—dotted effects, and a myriad of other new, effective patterns in open and blind work—it's a collection of the finest productions of the season and the widths are unusual for such a sale—no narrow ones—in fact, everything complimentary that could be said of embroideries will apply to these beautiful pieces; and there's no limit to them—tull 20,000 yards in the collection.

We bought these from a great eastern concern months ago—should have been here early in fall—the factory was late in delivery and we refused to accept them without a big reduction on the bill—consequently we are able to offer them to you at just what they would have cost us under ordinary circumstances—it's a great piece of good fortune to embroidery lovers of Salt Lake City.

Choose from actual 75c, \$1.00 \$1.25, \$1.50, \$1.75 and \$2.00 33c the yard values at only

Every piece you saw in the windows will be found in the sale—that is if you are here early, for of course the best ones will go first. It's a sale exactly as advertised—it's the way Walker's conduct all sales. There'll be no reserves—you must be here to get them.

The entire centre aisle will be devoted to this splendid event—from the entrance clear back to rear of the great store—A hundred and seventy feet of tables laden with the world's richest embroideries.

So thoroughly have we prepared and arranged this sale, that there will be no congestion—the values will be the same all through the aisle—licurously selections will thereby be provided for and the "scramble" that usually lends an unpleasant feature to "sales" will be avoided.

Come early Thursday morning—Store opens at half past eight—it will be the greatest embroidery sale you ever attended—and you'll be glad you came.