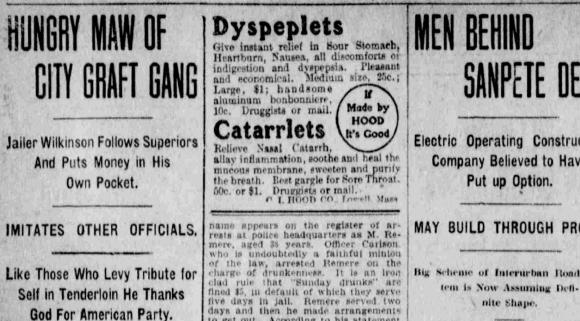
DESERET EVENING NEWS THURSDAY OCTOBER 11 1906



Meanwhile High Offenses and Sensa tional Disclosures Are Being Suppressed by Tribune.

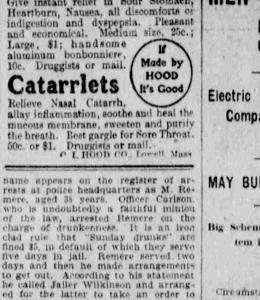
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Gradually the searchlight is being thrown on to the private peculations of the police department until it is about time for the taxpayers to rise up and take notice. Today the fact was disclosed that there is a leak between fines and labor-penalties imposed upon lawbreakers. It is a monied leak, too, and Jaller Wilkinson can tell how it happens for he gets the drippings. He knows how to collect 85 from a prisoner and give the city \$3 and himself \$2. It is great graft, but it should be kept quiet. The department injunction, "Thou Shalt Not Squeal" is supposed to hold good, but At doesn't-that is, all the time. The organ of the tenderloin wont publish the facts and when other papers do so it is either abusive or silent as it was this morning about the "News" exposure of the outrages perpetrated in Chinatown by the police to their own enrichment.

It certainly looked like a big drop to come from a \$10,200 bunco and robbery down to a matter of taking \$10 from a Chinaman, or asking for the price of a suit of clothes, but to drop from \$10,-200 to a matter of \$2 is certainly going

The story of the robbery of the Mc-Whirter brothers of over \$10,000 has been told. The public has been in-formed us to how the scheme was worked and how the guilty persons es-caped through the carelessness (?) of Chief George Sheets. Citizens were also informed through the columns of the "News" last evening that seven tambling joints have been running in "hinatown and that protection money had been paid to one of the officials of the police department, the "middle of the police department, the "middle man." Yip Sing, a merchant, de-clared to no less than three witnesses that he paid to Detective George R. Raleign the sum of \$10. These stari-ling disclosures were made by the "News" last evening, but the sheet which is published on Commercial street, and which is the organ of the Tenderloin and the "American" party, the rag which poses as a reformer, had renderioin and the "American" party, the rag which poses as a reformer, had nothing to say about the case. Of course, not because the facts reflect seriously on "American" party hench-men and the ery must continue to go up: "Thank God for the American Party!"

Party!" "According to a morning paper, "De-fective Lalley" declared that the stories published last evening were untrue; that he knew of no gambling in China-down and that he did not receive \$10 from one of the Mongolians. He ad-witted that he had frequently "heam mitted that he had frequently "been



ed for the latter to take an order to the Union saleon on east Second South, requesting the proprietors of the latter place to advance \$5 for the release of Remere. The order reads as follows: "Oct. 2, 1906 .- Please let Beare. Wilkinson Jaller Have 5.00 d, and Frank Meyer Will pay it to you Saturday. This is for Joe and Oblige Frank Meyer.

WHAT RECORD SHOWS.

When Wilkinson went to collect the \$5 he was asked if that amount was required. He replied in the affirmative although he knew that the Mexican. Remere, had served two of the five days and that it only required \$3 for his release. Nor was \$5 paid to the desk sergeant for the release of the prisoner. THE POLICE RECORD SHOWS THAT THREE DOLLARS WAS PAID ON OCT 2. Remere was released. On Oct 6 he paid to Bern-hart & Stahl, proprietors of the Union saloon the \$5 which had been borrowed for him. A receipt for payment of the same reads as follows: "Oct, 6, 1996. Received from M. E. L. Romero five dollars. BERNHART & STAHL." When Wilkinson went to collect the

SIMPLY KEPT CASH.

What did Jaller Wilkinson do with the \$2 change from the \$5? Remere, or Romero, swears that he did not re-ceive it. Meyer did not get it and the ceive it. Meyer did not get it and the saloon men say they did not get it. The Mexican further says that he did not offer to pay Wilkinson \$2 or any other sum. Even if he had the graft would have been just as flagrant. There is a clear rake off of \$2. Is it possible that Wilkinson thought to emulate the example of those who par-ticipated in the big \$10,200 deal. or did he know that Yip Sing declared he had paid \$10 to "Defective Lalley" for pro-tection? tection

PLEASE ANSWER.

If a jailer grafts \$2 on a \$5 fine, how much will be graft on a \$10 fine, a \$100 deal or a \$10,200 bunco and robbery game--if he gets the chance? Wijkinson is an "American" party appointee. At one time he was jailer at the county jail but for certain reasons he was retired from that position. "Thank God for the American-

Party!

NEVADA ROBBERS BUSY. Round Mountain Stage Held up and

A private message received this afternoon from Louis D. Gordon from Round Mountain, Nev., conveyed the information that the stage from Tonopah containing the money required to pay off the miners working in the mines in that camp, had been held up and robbed, the bandits succeeding in getting away with the booty. The message did not indicate how much cash they obtained, but stated the loss will be

Money Taken.



\ nite Shape.

Circumstantial evidence points to the Cifeumstantial evidence points to the Electric Operating Construction com-pany of Wall street, N. Y., as being the mysterious parties who have put up an option on the purchase of the Sanpete Valley railroad which operates between Nephi. Juab county, and Manti and the coal mines at Sterling further south. Thirty days ago this corporation, which is interested in the franchise re-cently granted to build and operate an interurban road between this city, Garinterurban road between this city, Gar field and Bingham, sent a man down to field and Bingham, sent a man down to Sterling to pass expert opinion on the coal deposits there and the general source of revenue for the road through-out Sanpete county. It was following his return that the option was put up for the purchase of the road as already detailed in the "News." This morning J. Ross Clark, vice president of the Salt Lake Route, who arrived here from Los Angeles in com-pany with E. P. Clark, president and general manager of the Los Angeles & Pacific electric and interurban system emphatically set at rest all stories to the effect that the San Pedro road was

the effect that the San Pedro road was

Should the Electric Operating Con-struction compariy, which is represented here by A. D. Bowen, G. E. Purcell and H. P. Clark, cashier of the Commercial A P. Clark, casher of the Commercial National bank, take up the option to go ahead, it is a foregone conclusion that the property will be worked in-dependent of the Sait Lake Route, which connects with the Nephi termin-

al. From good authority the "News" has it that the promoters of the prospective line to Garfield and Bingham have an-other card up their sleeve. This is nothing more or less than an inter-urban line to Provo, taking in all the settlements through Sait Lake valley on to Lehi. They are now consider-ing extending the line on south and east of Provo to connect with the Sanpete Valley and the rich coal fields fur-

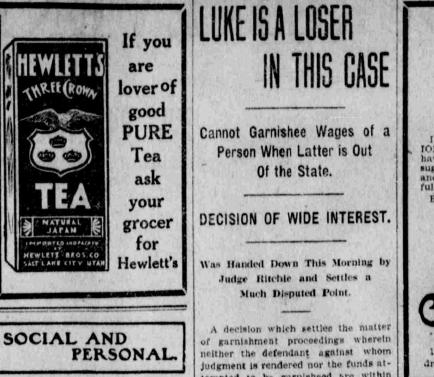
ther east. Since the inter-state commerce commission has opened the ball on the in-vestigation of the operations of the so-called coal trust in Utah, the out-look for the independent coal operator has assumed a roseate hue and there is every indication that private proper-ties that have laid domant for so long will be developed in the near future and their product placed on the mar-ket. This should mean cheaper coal

for Salt Lake, for Sait Lake. In the meantime the company is go-ing ahead with its preparations to ear-ly commence work an its line to Gar-field under its franchise, and J. H. Gold-man has been engaged to look after the preliminary real estate and right-of-way deals in connection with the

THE CEBALLOS FAILURE.

Will Not Affect the Operation of Horn

Will Not Affect the Operation of Horn Silver Mine Relative to the fullure of J. M. Ce-ballos & Co., of New York and its pos-sible bearing on the Horp Silver Min-ing company of this state, Manager P. T. Farnsworth of the company said this morning, that the failure would not affect either directly or indirectly the Horn Silver company of which Mr. Ceballos is the vice president, The defalcation of the Havana corresponheavy. A big posse has been organized defalcation of the Havana correspon-dent house was due to the destruction of property by the Cuban insurrection-ists who are responsible for so many other losses on the island. Mr. Farnsother josses on the Island. Mr, Farns-worth had received no intimation of the trouble in advance, and knew nothing about it in fact until he read it in the morning dispatches.



A large number of weddings tool place yesterday, the most elaborate being that of Miss Helen Buckingham and Wayne G. Hemphill, the event taking place at St. Mark's cathedral with Dean Brewster officiating. The church was beautifully decorated in white and green, palms, ferns, white asters and chrysanthemums being used with streamers of white tulle. The bridal of the district court and the decision party entered to the strains of the handed down by Judge Ritchie is conurred in by a majority of the judges "Bridal Chorus," Richard Oglesby and of the court. Leland Swaner coming first with ribbons to form an aisle, and the ushers, Lynn Kemper, J. Buckingham and Frank Dole following. Then came the bridesmaids, Miss Judith Evans and Miss Bess Hall, and after them the maid of honor, Miss Beth Buckingham followed by Mrs. Lynn Kemper, the matron of honor. They were met at the chancel by the groom and his best man, W. P. Hemphill, and the ceremony was performed to the strains of "Annie Laurie." The bride's gown was of white chiffon with trimmings of rose point lace, and the matron and maid of honor were in white and pink respectively, while the bridesmaids were in pale blue crepe de chine, and wore wreaths of blue forgetmenots. After the service, a buffet supper was served at the home of the bride for members of the party, the decorations here befollows: ing also in white and green. The bride is the daughter of Mr. and Mrs. Everett

is the caughter of an and arts. Evert Buckingham, and the groom a son of Mr, and Mrs. David E. Hemphill, and have a host of friends who wish them well. They left on a late train for a trip to the coast and will be at home after Dec. 1, at 262 J street.

One of the prettlest home weddings of the season was that of Miss Leone Wiscomb and Arthur J. Skidmore, the event taking place at the home of the bride's parents, Mr. and Mrs. John E. Wiscomb, with Rev. C. E. Perkins offi-ciating in the presence of a large num-ber of relatives and friends. The rooms were decorated in various colors, while ciating in the presence of a large num-ber of relatives and friends. The rooms were decorated in various colors, white and green in the parlor, where the brid-al party stood in a bower of ferns and flowers capped by a floral bell, the din-ing room in yellow with yellow ribbons and roses forming a pretty effect, and the library in the national colors, with flags and autum leaves, while all about were autumn leaves and vines. Testooning the chandelists and making a pretty picture. The bride wore a gown of white silk mull with trim-mings of Irish lace and carried a bo-quet of bride's roses. Her brides maid, Miss Edna Wiscomb, was gowned in pink mull and carried white asters. James Collins was best man. Miss Vera Brown furnished appropriate music during the service. Assisting in receiving were Mr. and Mrs. Wiscomb

tempted to be garnisheed are within the State of Utah was handed down by Judge Ritchie of the district court today and settles that matter so far as the district court is concerned. The case which is entitled Walker Bros. & Fyler company against Charles Havens, defendant, and the Chicago & Northwestern Rallway company, garnishee, was heard en banc by the four judges

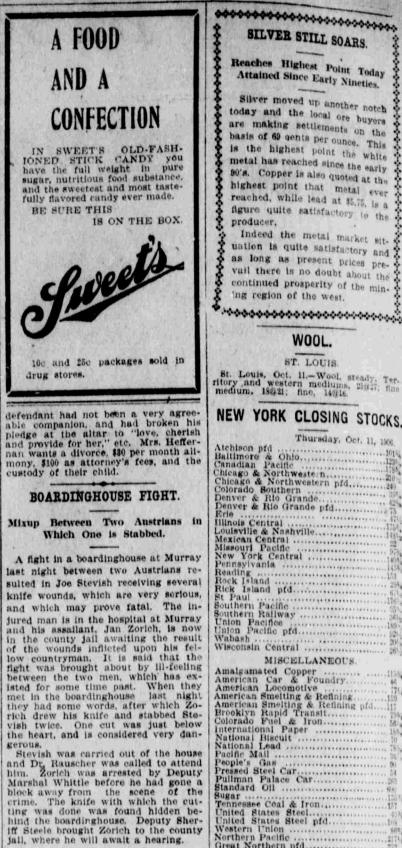
of the court. The decision holds that where neither the defendant nor the property or funds garnisheed are within this state the garnishment will not hold good. The judgment of the court in this case is therefore in favor of the manufactor is a very imthis case is therefore in favor of the garnishee. The decision is a very im-portant one and will no doubt put a stop to a number of garnishment pro-ceedings of a like characier. It ap-pears that judgment was rendered against Havens in the justice court of Gustave Kroeger in this city in 1901. The defendant left the state and se-cured employment with the Chicago & Northwestern in the east. Francis G. Luke, the attornew for plaintiff, served garnishment proceedings upon the Luke, the attorney for plantit, served garnishment proceedings upon the agent of the railroad company in this city and tied up about \$90 wages com-ing to Havens for services rendered for the company in the east. The company the appealed to the district court and the decision today is is favor of the rail-road company, which is the garnishee. The decision, which is of great interest,

gerous.

The garnishee in this case is a corpora-tion not organized under the laws of this state and not operating a railroad withir, this state. It has an agent of the sort commonly called a "commercial agent." who solicits business for it, to be under-blem and corride out by that contorataken and carried out by that corpora-tion upon its lines of railroad in other states.

tion upon its lines of railroad in other, states. There was no personal service upon the defendant, who was an employe of the Chicago & Northwestern Railway com-pany, the garnishee, in Michigan, per-forming his duties there, with his wages payable in the state of Michigan. The gar-ishment was served on the commercial agent of the garnishee in this state. The cases upon which the plaintiff relies and among others C. R. 1. - P. Ry, vs Sturm, 174 U. S. 215, have been carefully con-sidered. The article in 61 Central Law Journal, 265, entitled "Exit of the Doc-trine of Situs," has been filed as a brief and also considered. It seems elementary, aside from the cloud of sophistries which have been woven around the discussion of cases of this character, that the defendant must either, be personally within this state in oder to afford a foundation for a judg-ment against him. We think the true doctrine on principle is each stark and the discussion of cases of

ment against him. We think the true doctrine on principle is set forth after a very able discussion by the supreme court of appeals of West Virginia in the case of Pennsylvania Rall-road Co. vs Rogers, 52 W. Va., 450; 62 L. D. A. 178



	American Smelting & Refining
	American Smelting & Refining ofd 117
	Brooklyn Rapid Transit.
2	Colorado Fuel & Iron
6	International Paper
1	National Biscuit
	National Lead
	Pacific Mail
	Patolola Con
	People's Gas 90
r	Pressed Steel Car
1	Pullman Palace Car
	Standard Oil
٢.	Sugar
	Tennessee Coal & Iron
•	United States Steel
•	United States Steel pfd
,	Western Union
	Northern Pacific
	Great Northern pfd
	Int. Met
2	Int. Met pfd
	Mackay
	Mackay pfd
	mackay bed second second second second

TODAY'S MONEY MARKET.

New York. Oct. 11 .- Money on call steady, 3% @4 per cent, ruling rate 3%, closing bid, 3%, offered. 4.

Time loans easier, 60 and 90 days 6 per cent, six months, 515 New York, Oct. 11 .-. The stock market @% per cent.

opened strong and prices advanced throughout with heavy dealings in Penn-Close: Prime mercantile pasylvania and U.S. Steel at an advance of Great Northern preferred rose 2%.

per, 60612 per cent. Sterling exchange, strong, with actual business in bankers' bills at 485.25 for demand and at 481.15020 for 60 day bills; posted rates 48116 @ 482 and

the favorites and apart from these there was little to notice in the railroad list. A large number of specialties were in demand, and U. S. Steel made a little fur-

Bar silver, 69.
 Mexican dollars, 53.
 Government bonds, steady;

railroad bonds, irregular.

through" Plum alley and Commercial and is out searching for the robbers, avenue, but how often he had "been through" to the extent of \$10 he did not Bay.

A MILD DENIAL.

A MILD DENIAL. The big boss of the detectives, not Sheets, says there is not a word of truth in the story. Yip Sing, who con-ducts a store at 15 Commercial avenue, declared to three reputable witnesses on as many different occasions, that he paid to "Defective Lalley" the sum of 10, and that protection was promised. He also declared that. Chief Sheets asked him for the price of a suit of clothes. The evidence is abundant that certain Chinamen have been paying for protection. Does any sahe man who is protection. Does any sale man who is fumiliar with the condition of affairs in Salt Lake at the present time doubt that proprietors of poker games are paying for protection?

WHOLESALE GAMBLING.

"Gambling has been stopped." shricked Judge Street. Is that so? Well, visit the places named by the "News" last evening. Then take a lit-lie trip down Commercial street to Brue Johnson's so-called club. This give is located at 43 Commercial street. The formation wisited by Chambers It is frequently visited by Chambers, the notorious negro policeman who, it is said, does the bidding of Bruce Johnson, the boss. Then take a trip over to Hatfield's joint on Second South, just west of the Grand Theater. In both west of the Grand Theater. In both these places poker and "Black Jack" games are played. These places have never been raided by the police since the great "reform" party took charge of affairs here. Are the colored gamb-lers placed on the same scale as that of the Mongolians? Do they have to pay only \$10 per week to the so-called "mtd-dle map" or do they have to purgle in dle man" or do they have to pungle up \$25? Those who do not want proof will what their eyes and say: "Thank God for the American Par-ty!"

But go back to the beginning of this story-what a drop from \$10,200 to a measley \$2!

WILKINSON'S STEAL.

On Sunday, Sepi. 20, Officer Carison President Nephi L. prested a Mexican laborer named M. missionary, Contril Remere, or M. E. L. Romero. His ceived at the door.



There is something in the style of a Knox hat that makes it distinc-There is a wearing quality tive. that is distinctive, too.

Exclusive agency for Salt Lake.

Rackardon Villang

172 SOUTH MAIN STREET.

Stephens' children meet in the As-sembly Hall Saturday, 2:30.



Thirty-first Ward—Friday evening, Oct. 12, a farewell entertainment will be given at the Thirty-first ward meetbe given at the Thirty-first ward meet-inghouse in honor of George Arthur. Hill, Jr., who leaves shortly for the German-Swiss mission. The following program will be rendered:

Opening chorus ... Sunday School Choir

Sixteenih Ward-Tomorrow evening the Young Ladies' Mutual Improve-ment association will give a dance in the Sixteenth ward amusement hall.

Ninetcenth Ward—A farewell testi-monial will be given in the Ninetcenth ward hall this evening, in hon-or of Elder Thomas Hancock who or of Elder Thomas Hancock who leaves shortly on a mission to Eng-land, in which there will be vocal solos by Esther Davis, Mrs. Trace Berg Pye and Walter Lamoreaux, plano solos by Edith Burns, Alvin Beesley, Lela Thompson and Leona Moury, Saxaphone solo by Charles Berry, musical selections by Thayne Bros, the Oriole quartet and Ethel Davis, Emma Frewin, Horace Vin-cent and Ivor Chugg, with remarks by started.

cent and Ivor Chugg, with remarks by President Nephi L. Morris and the missionary. Contributions will be re.

J. ROSS CLARK HERE.

Says That Work Will Soon Start on Pioche Branch.

Pioche Branch. J. Ross Clark, vice president of the Salt Lake Route and president of the Las Vegas & Tonopah, arrived in Salt Lake this morning from Los Angeles, accompanied by E. P. Clark, president and general manager of the Los Ange-les & Pacific, and ladies. Mr. Clark stated to the "News" that the dafe had been definitely fixed for the celebration of the entry of the iron horse into Beatty, Builfrog, and that it would be Monday and Tuesday, Oct. 22-23. He himself would be present, but beyond the fact that there would be various railroad officials of Salt Lake and Los Angeles he said he was not prepared to say just who would be there. there.

Regarding the building of the branch line to Pioche. Mr. Clark said: "We are now at work assembling the various material needed such as rails, ties and bridge timbers, but it will be some time before this is accomplished and there has been no date set for the commence-ment of work. The greater portion of the grade is still standing, so it will not require a large amount of work to get the line into shape when it is once started."

TYPHOID AT BINGHAM.

Salt Lake Medical Officials Alarmed Over Health Conditions in Camp.

President Bascom of the state board of health calls attention to the number of typhoid cases at Bingham, and also to the indifference of the local population to the dangerously septic conditions existing in that municipal-ity. Dr. Bascom says that unless something is done to remedy matters, the number of cases of typhold fever will continue to increase, and the fact that the great corporations whose plants occupy so prominent a place there are apparently giving the situa increase are apparently giving the situa-tion no serious thought is discourag-ing. The doctor holds that these cor-porations ought to have some regard for the physical welfare of their heip and the maintenance of a healthy hy-genic status in the canyon. The state board of health has for a long time there are a state of the s been endeavoring to battle with the growing evil, but finds the legal en-tanglements so intricate as to be em-barrassing, and this situation Secy. Beatty claims, is not improved by the "masterly inactivity of the county at-terner." torney

BUSINESS NOTES.

The annual meeting of the stock-holders of the Sugar City Townsite company was held in the Deseret News company was held in the Desert News Annex yesterday. President Joseph F. Smith was elected chairman of the meeting and H. G. Whitney scretary. The financial reports for the last year were read, showing the company to be in a prosperous condition with no debis whatever, and with the sum of \$10,000 loaned out at interest. A dividend of 10 per cent on the capital had been paid during the past year, and the sale of lots was reported as progressing steadily. The old board of directors was re-elected as follows: Joseph F. Smith, Richard W. Young, John R. Winder, John Henry Smith, John C. Cutler, W. S. McCornick and Heber J. Grant.

music during the service. Assisting in receiving were Mr. and Mrs. Wiscomb and Mr. and Mrs. Skidmore, the pa-rents of the bridal couple, and Mrs. Ernest Anstee and Mrs. Waiter Squires. Mr. and Mrs. Skidmore will be at home after Nov. 1 at 726 Seventh East street.

Last night about 50 friends gathered to celebrate the marriage of Miss Hat-tie Castleton and Theophilus Hughes which had been solemnized in the tem-ple during the day, the reception be-ing held at the home of the bride. The rooms were bright with autumn leaves and flowers, the pattern and reception hall in red dahlias, smilax and autumn leaves, and the dining room in yellow masturtiums and yellow autumn leaves, while all about were paims and vines. The bride wore a dainty costume of white batiste with lace trimmings, and carried flowers. Assisting were Mrs. white batiste with lace trimmings, and carried flowers. Assisting were Mrs. Wallace Castleton, and the Misses Alice and Fannie Castleton. Mr. and. Mrs. Hughes will make their home here and will reside at 733 O street.

Rev. Benjamin Young officiated in the service which united Miss Estelle Davis and Clayton Herrick last night, beautiful music being rendered during and after the ceremony by Miss Leone Morse and Robert Goodwin. The par-lor was in red carnations and autumn beaues and the dinks lor was in red cannot so in hyellow dahlias and hasturtiums. Mr. and Mrs. Herrick have gone the groom's home in Ely. Nev., to reside.

Another home wedding of yesterday was that of Miss Clara L. Deighton and John E. Broaddus, with Rev. E. I. Goshen officiating at the home of the bride in the presence of the near rela-tives and friends, and with Miss Jessie Harper acting as bridesmaid and Mr. Charles Broaddus best man. The rooms were beautifully decorated, the Charles Broaddus best man. The rooms were beautifully decorated, the parlor having a canopy of plumosa extending from the chandelier to the bay window which was banked with pains and draped with vines and flow-ers, while all about were white chrysan-themums and asters. The library was in pink and white, dahlas being used and the lights shaded in pink, while the dining room was in red, with au-turn leaves and sweet weas used in charming effect. The table was spread with a red satin cloth over which was Mexican hand drawn work, and a bowl of sweet peas formed the centerpiece while festoons of autumn leaves and smilax were brought from the chandelier to the four corner. Red shaded candles completed the pic-ture. The bride's gown was of white stik mull over silk and trimmed with Irish point lace, and she wore a wreath of white roses. The brides-maid wore white mull over green silk and carried pink roses. Assisting were Miss Ethel Radeliffe. Miss Mary Mc-Masters and Miss Bessie Ames. Masters and Miss Bessie Ames.

Mr. and Mrs. Broaddus will be at home after Nov. 1, at 657 Sixth St.

Clyde Squires and George Barratt, who have been spending the summer here visiting with relatives have re-turned to New York, where they will continue their art studies.

Mr. and Mrs. Ellsworth Daggett have returned from a trip to the coast.

Mrs. Harold Davnes and Miss Mae Taylor left yesterday for the coast.

Miss Ella J. Kingsley and Frank E. Schott, both of Pueblo, Colo., were married in this city yesterday after-noon, by Rev. Frank F. Eddy, at the home of John Green, 406 east Eleventh South street. A wedding luncheon fol-lowed, the table being prettily decorat-ed in autumn flowers.

Stephens' children meet in the As-sembly Hall Saturday, 2:30.

Virginia in the case of Pennsylvanio Rall-road Co. vs Rogers, 52 W. Va., 460; 62 L. R. A. 178. We think the argument contained in the case above cited. brief extracts of which have been given, is unanswerable. As there pointed out the opinion of the su-preme court of the United States in C. R. I. & P. R. Co. vs Strum, 174 U. S. 710, is not inconsistent with the views so ex-pressed, 62 W. Va.) in that case the Chi-cago, Rock Island & Pacific Rallway com-pany garnished in an Iowa court, was a corporation of the state of Iowa, and the service was made upon it in the state of its domicile, which is not the fact in this case.

case. The argument in favor of the conclusion reached by this court is also well stated in the opinion of the supreme court of Kansas in the case of Missouri Pacific Railway Co. vs Sharritt, 43 Kans, 375; 23 Pac. 430.

Mailway Co. vs Sharnit, is Kuns, see, 25 Pac. 430. The only opinion of our own supreme court hearing upon the question is con-tained in a few lines in the cases of Loseo vs McCarthy, 5 Utah 529. The decision is made to rest solely upon the proposi-tion that the Union Facille Railroad com-pany, the garnishee in that case, was operating its read and doing business within the Territory of Utah. Such is not the fact in this case. Some courts have entertained the idea that a mere debt is of so intangible a character that it has not actual situs any-where and therefore can be seized by fol-

that a mere deat is of so intangible a character that it has not actual situs any-where and therefore can be setzed by fol-lowing one who owes the debtor wherever he may go, regardless of all written in-structions. The injurious effect of at-tempting to found a principle upon that notion were not so apparent when the person only of the debtor was to be fol-lowed. He seldom left his domicile and could in any event be in but one place at a time. Under conditions of the pres-ent day corporations, such as the gar-nishee, have what are called commercial agencies in nearly every important city in the United States and frequently in El-rope. To adopt a doctrine which would give the creditor practically the option of selecting any forum he pleases where such an agent could be found to garnish, no matter how remote from both creditor and debtor, would frequently inflict great hardship.

The agent could be from both creditor and debtor, would frequently inflict great hardship. When the amounts involved are small, the hardship of detending a case in some remote region would be great, and in many, if not the majority of cases, would amount to a practical denial to the de-fendant sued of his "day in court." whether he had a just defense or not. It would generally deprive him of his rights of exemption. Such a doctrine would be periodous in the extreme in its practical application as well as vielous in princi-ple. To quote the language of the supreme court of Wisconsin with reference to a different matter "the unanimity with which this view is stated by some courts is perhaps only equalled by the mucity of reason by which it is supretted." Neuenaker vs State, 168 N W. 628. The majority of the judges concur in this opinion. Judgment will be for the garnishes.

garnishee. MORRIS L. RITCHIE, Judge.

AN UNDERTAKER'S TROUBLES.

Sarah Heffernan Files Suit for Divorce From Husband.

Sarah Heffernan has a long list grievances against her husband, Frank E. Heffernan, an undertaker at Bing-ham, in her complaint for divorce filed in the district court today. Mrs. Hef-fernan alleges that her husband has failed to support her, has been guilty of habitual drunkenness and has treat-ed her in a cruel and inhuman manner for the past year, causing her great mental distress and physical suffering. She claims that he threw all kinds of things at her and also best and choked her and ordered her to leave their They were married Feb. 14, 1905, and

They were married Feb. 14, 1965, and it seems that from almost their wed-ding day he began to abuse her. In November, 1905, she alleges that he abused her and threatened to "lay her out cold." On other occasions he broke up the dishes, cursed and swore at her, choked her, ordered her out in the street, threw a heavy mirror at her, slapped her on the street, accused her of improper conduct, threw a shoe at her, threw the dishes and the meal she had prepared in the slop bucket, slapher, threw the dishes and the mean such had prepared in the slop bucket, slap-ped her, drove her and their infant child from the house, and threatened

A number of other minor grievances are enumerated, all showing that the

ther progress upwards touching 43%. A disposition to take profits in some

Northwestern 2, Smelting 1 and Union Pa-

Union Pacific and St. Paul were made

cific and Reading large fractions.

Stephens' children meet in the As-sembly Hall Saturday, 2:30.

TO GO BOOMING

STOCKS REFUSE

A disposition to take profile in some stocks which advanced occurred in fresh points and made the market irregular. Some of the market leaders sagged to be-low last night and transactions diminished considerably. Bonds were steady. Revived buying of the Hill stocks and Pennsylvania stimulated an inquiry for other railroads, but the response was slight Great Northern preferred improved 2%. Northern Pacific 2 and Pennsylvania and Denver & Rio Grande 1. In the afternoon U. S. Steel reached 50. Great Northern preferred ran off 2 points from the highes but Northerhr Pacific continued upwards until it was 2% above yesterday's closing.

CHICAGO.

LIVESTOCK.

CHICAGO. Chicago, Oct. 11.—Cattle—Receipts, 5,-600; market steady, Beeves, 4.1067.30; cows and heifers, 1.6565.25; stockers and feed-ers, 2.3694.59; Texans, 3.7564.35; western-ers, 2.3695.59; catves, 6.2267.75. Hogs—Receipts, 17.000; market strong Mixed and hutchers, 6.2066.67%; good heavy, 6.3566.69; Sheep.-Receipts, 12000; market strong. Sheep. 3.5065.60; catves, 4.7568.00. EXEAS CITY

R E Evans Florist, 36 S. Main St. Floral Designs a Specialty. 'Phones 951.

Kansas City, Oct. 11.-Cattle-Receipts. 8.600; market steady to strong. Native steers, 4.26G6.25; native cows and helfers. 1.7565.00 stockers and feeders. 2.6063.475; bulls. 2.1063.25; calves, 1.7566.50; western steers, 3.2565.25; western cows, 2.0663.60. Hogs-Receipts, 7.000; market steady. Bulk of sales, 6.3066.40; pigs and lights, 6.766 6.85.

KANSAS CITY.

6.85. Sheep--Receipts, 6,000; market 5 to 10 cents higher. Muttons, 4.50005.50; lambs, 5.7507.30; range wethers, 4.25005.25; fed ewes, 4.0006.00.

OMAHA.

OMAHA. Omaha, Oct. II.-Cattle-Receipts, 5,000: market steady. Native steers, 4,0066.25: cows and helfers, 2,5064.25; western steers, 3,2565.35; canners, 1,2562.46; stockers and feeders, 2,7564.50; calves, 3,00660; buils and stags, 1,7563.85. Hogs-Receipts, 5,500; market weak to 15 cents lower. Heavy. 6,0066.25; mixed, 6,15 96.25; lights, 6,2066.30; pigs, 5,5096.00; builk of sales, 6,15666.25; Sheep-Receipts, 12,000; market steady. Yearlings, 5,2566.75; wethers, 5,0065.25; ewes, 4,4064.75; lambs, 6,2567.00.

PRODUCE.

CHICAGO.

CHICAGO.
Chicago, Oct. II.-The wheat market
openend strong, December was 4: to 4,
ingher at 74% to 74%, and sold at 74%.
December corn opened unchanged to 4,
ingher at 74% to 74%, and sold at 74%.
The oats market was weak, December,
aud sold at 33%.
The oats market was weak, December,
aud sold at 33%.
The oats market, was weak, December,
aud sold at 33%.
The date market, and sold at 74%.
The date market, was weak, December,
aud sold at 33%.
Chick at 33%.
Chick

New York. Oct. 11.-Sugar, raw, quiet. Fair refining 34: centrifugal, .96 test, 4: molasses sugar, 34. Refined-Quiet. Crushed, 5.79: powder-ed, 5.10; granulated, 5.00. Coffee-Steady. No. 7 Rio, 515.

ers for further information. In the Third Judicial District Court, in and for Sait Lake County, State of Utah. Department No. 4. In the matter of the setate of Samuel Kirk, Deceased. Notice-for the admission to probate of a certain and the granting of Letters Testamen-tary to James H. Kirk, has been set for hearing on Saturday, the 5th day of O-tober, A. D. 1996, at 100 o'clock a m. et and for the granting of Letters Testamen-tary to James H. Kirk, has been set for hearing on Saturday, the 5th day of O-tober, A. D. 1996, at 100 o'clock a m. et alt Lake County. Utah. With County Court House, in the Court Room of said Court, in Sail Lake Cirk. Sait Lake County. Utah. "With the solution of the formation of the set of the there of affixed, this 10th day of Octo-ber, A. D. 1996. Sait Lake County. The Said Court, In Sail Lake Cirk. "Sait Lake County, Utah." "With the set of the set of the formation ber, A. D. 1996. "Sait Lake County, Utah." LIVERPOOL GRAIN.

Liverpool. Oct. 11.-Opening quotations: Wheat, Dec. 68 45d; March, 68 5d. Weather fine.

REAL ESTATE TRANSFERS. TODAY'S

Edward M. Lund to Francis M. Lund. part of block 25. plat F. L. M. Merrill to H. P. Freece et al. lots I. etc., block 3. Perkins' Grand View Edward M. Ashton and wife to Robert Brazler, part of lot 3, block 15. plat A. H. C. Hoffman et al to M. C. Mat-teson et al. lots 5. 6. 7. 8, block 2. Baltimore Sub.

YESTERDAY'S.

XESTERDAY'S. Houston Real Estate Investment Co. to Robert Frederick Balley. part of lot 8, block 17, piat B. William C., Greene to William R. Peterson, part of lot 6, block 27, piat B F. D. Shepherd to Alice Butter-worth, lots 1, etc., block 11, High-land Park E. B. Henderson to Mary A. Hen-derson, lots 32, etc., block 17, Oak-ley

UNION DENTAL CO., 218 South Main.

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TONIGHT. Methodist Episcopal Church.

Gogorza and University of Utah Course.

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Anson's and Clayton Music Co.

PROBATE AND GUARDIANSHIP NOTICES. Consult County Clerk or respective sign-ers for further information.