

# SUES TO RECOVER ON MINING DEALS

**B. J. Smithson Makes Charges of Bad Faith in Stock Transaction.**

**HE WOULDN'T CASH CHECKS.**

After Giving Them for Payment, He Says, Bank Was Told Not To Honor Them.

B. J. Smithson has commenced suit in the Third district court against Ernest R. Woolley, F. O. McFall and Fred L. Schrott to secure judgment for \$250,000, the amount being claimed as money belonging to the plaintiff, but which was wrongfully converted by the defendants to their own use, according to the allegations made in the complaint.

The complaint sets forth that the plaintiff was the owner of 1,110 shares of the capital stock of the Amalgamated Nevada Mines & Power company on July 13, 1907, that the stock was held in trust by the defendants, and that the defendants, together with power of attorney authorizing him to sell the stock, with the understanding and agreement that McFall was to receive as commission one-half of all money secured for the stock over and above any charge per share. It is further charged that McFall was to receive the stock, to execute an agreement for the sale of the stock to the defendant, Ernest R. Woolley. After the sale of the stock on the agreed date, the defendants, together with the proceeds of the sale, were to be paid to the plaintiff. The complaint further charges that the defendants, together with the proceeds of the sale, were to be paid to the plaintiff. The complaint further charges that the defendants, together with the proceeds of the sale, were to be paid to the plaintiff.

## WOMAN SEEKS DAMAGES.

**Sophia Powers Sues for \$5,000, Claiming Carelessness of Railway Co.**

Sophia Powers seeks \$5,000 as damages for injuries sustained because of the alleged negligence of the Utah Light and Railway company in permitting an open trench to be dug at the corner of Sixth avenue and G street in this city. In her suit filed against the street railway company this morning in the Third district court, she claims that the company opened a trench at the intersection mentioned and that there were no warning signs or lights to inform passengers of the danger or to cause them to avoid the dangerous conditions. She declares that acting with usual care and precaution, she alighted from a Sixth avenue car on Feb. 7, 1907, and fell into the trench and sustained severe injuries, that her back and left hip were badly bruised, that she was rendered unconscious, lame and sick by reason of the fall. In addition to these injuries, her nervous system was greatly shocked, she asks for the amount named as damages for personal injuries and for the costs of the action. An oath of poverty was filed with the complaint.

## LAUNDRY SCORES ONE.

F. W. Wilson, originator of the "White Laundry," in the civil division of the city court, was beaten out on the second count of his complaint against the Model Steam Laundry yesterday, when a demurrer of the defendant company was sustained. The defense set up that the loss of social prestige and inhibition of inferior personal appearance was no cause of action. The court sustained the contention of the laundry. The suit, which was brought in legal circles at the time it was filed, was brought to recover the value of a vest claimed to have been destroyed in the laundry and to secure damages because of his inferior appearance when not adorned with the vest.

## JUDGMENT FOR ANDERSON.

Judge C. W. Morse, in the Third district court this morning, rendered judgment against Leonard Brugh, gas-station, in favor of the Colorado Investment Loan company, the defendant in the action for the use of S. W. Anderson, the plaintiff for \$200, together with interest. The action was brought to foreclose on a mortgage.

## PETITION IN BANKRUPTCY.

Reuben F. Swanner of this city, who gives his occupation as being that of a lawyer, filed a bankruptcy petition in the federal court today. The schedule shows that petitioner's indebtedness amounts to \$721.30, while his assets are only \$41, of which sum \$10 is claimed as being exempt.

## DISTRICT COURT NOTES.

Fred P. Madsen has filed a petition for letters of guardianship over Ruth R. Christensen, Ester E. Christensen, Perry Christensen and Ernest Christensen. These children, it is claimed, have an interest in a life insurance policy left by their deceased father, which cannot be paid until a guardian of their interests is appointed. The petitioner states that he is an uncle of the children.

## A PETITION IN BANKRUPTCY.

A petition in bankruptcy was filed yesterday afternoon by Joseph F. Thomas of this city, who is a miner by occupation. The liabilities are scheduled at \$430.85, while the assets are only \$14, and this amount is claimed as being exempt from execution.

## PERSONALS.

Dr. Parler Madsen returned this morning from southern Utah, having performed two successful operations. He visited the mines in the Tintic district with Mrs. C. E. Luce. C. E. Miller has returned from San Francisco. He reports wonderfully pleased being made there in rebuilding this city, notwithstanding the labor pains.

## LATE LOCALS.

Hallie G. Foster to Wed.—A marriage license was issued this morning to Hallie G. Foster and W. O. Sutherland. Gov. Cutler in Provo—Gov. John C. Cutler is in Provo today attending a meeting of the state board of health. Mayor Signifies Approval—Mayor

## RANDALL PARRISH SEPT. 21



## "BEAT ME" NOW

Frankford this morning approved the action of the city council of Friday night. Returns From Idaho—John P. Meakin returned last night from a trip to Lincoln, Idaho, where he visited with his sister, Mrs. Willard Johnson, and his father, James Meakin. The elder Meakin is 81 years of age, and is believed by the entire village, Lincoln, to be a prosperous little town near Idaho Falls. Mr. Meakin entertained a congregation of 125 people at the meethouse there on Wednesday evening, all having a very enjoyable time.

## MILITARY SECRETS.

**More Arrests for Betrayal of Those Of Germany.**

Coblenz, Prussia, Sept. 11.—Further arrests have been made in connection with the recent exposure of military secrets. There are now 11 persons in custody, of whom 12, including civilians, one of whom, it is said, belongs to the nobility, will be charged with high treason. In the meantime, all the prisoners are in the closest confinement. The two who will not be arraigned on the charge of high treason will appear as witnesses for the state.

## PETTIBONE VERY ILL.

**Will be No Further Prosecution of His Case at Present.**

Boise, Idaho, Sept. 13.—George A. Pettibone, charged with being implicated in the recent exposure of military secrets, was taken to the hospital today in a critical condition, and an operation probably will be necessary. There will be no further prosecution in the case at present as a result.

## TRIAL BY JURY ON ISTHMIUS.

Washington, D. C., Sept. 13.—The war department was advised today that the writ of error granted by Chief Justice Fuller in the case of Adolphus Coulson, the West Indian negro sentenced to death for poisoning his wife in the canal zone, was taken to the judicial authorities on Sept. 4. The case involved the right of trial by jury in the canal zone. Coulson was to have been hanged today.

## ARMORED MOTOR CAR.

Berlin, Sept. 13.—The Sax war ministry has accepted the delivery of an armored motor car, capable of resisting rifle fire, carrying a machine gun and having accommodations for 10 men.

## FATAL FREIGHT WRECK.

Los Angeles, Sept. 13.—Engineer Leslie T. Sullivan was fatally injured today in a freight wreck on the Southern Pacific at Buena Vista bridge. Four boxcars and eight loaded box cars were cut loose from a train in the midway yards and ran wild down the grade. Sullivan was just backing out of the yards on the same track when the cars collided with his engine. The engine was completely wrecked and the box cars were badly demolished. Sullivan was hurled to one side of the track and sustained two broken ribs and internal injuries. Sullivan was brought in his cab, which was broken off by the impact of the cars and carried a considerable distance. He was found unconscious inside of the cab. He was securely inclosed and it required considerable time to remove the steel hood so that he could be taken out. He is reported to be dying.

## HELD FOR EMBEZZLEMENT.

Chicago, Ill., Sept. 13.—Benson Bidwell, president of the Bidwell Electric company, was today held to the grand jury in Chicago on a charge of embezzlement. Benson Bidwell was charged with selling stock in the concern without consent and appropriating the proceeds to his personal use.

## A UTAH PIONEER DEAD.

Bağs, Wyo., Sept. 13.—Henry Brown, pioneer of Utah, died today, and who came to be Snake river country over 40 years ago, is dead.

## GOUDAINE STILL HAS DELUSION.

Washington, Sept. 13.—Louis A. Goudaine, the eccentric millionaire courier of Chicago, who attracted so much attention some time ago by the method he employed to be admitted to the federal penitentiary at Joliet, Ill., today was delivered today by the Atlanta authorities to the government hospital for the insane. A preliminary examination of Goudaine was made by Dr. White head of the government hospital for the insane. The examination developed that he had a delusion that his time was expired. He was convicted of using the mails for lottery purposes.

## KANSAS LEGISLATURE.

**Pressure Being Brought to Bear on Gov. Hoch Not to Call Session.**

Topeka, Kan., Sept. 13.—Pressure is being brought to bear on Gov. Hoch to prevent him from calling a special session of the legislature to act on the 3-cent fare question. Atty.-Gen. F. S. Jackson thinks he can secure the 3-cent fare without a special session. He suggests that the legislature be called to order to consider another hearing before the railroad commissioners. Gov. Hoch, it is understood, from his close friends wants to call a special session, and thinks it the best way to settle the question.

## TEACHERS PLAN NEW SYSTEM OF PROMOTION.

New York, Sept. 13.—An investigation conducted by a committee of the Brooklyn Teachers' association, a report of which has just been published, shows that educators throughout the United States favor a system of promotion by grade, instead of grades in the ordinary schools, and believe that a liberal education course should be devised to stand up to the competition of the present. It is likely that an effort will be made to lay the matter before the National Educational association at an early meeting and have that body take official action. The reforms suggested would mean a revolution of the school systems throughout the country.

## CASORIA

**For Infants and Children.**

The Kind You Have Always Bought

Bears the Signature of *Dr. J. C. H. Hatcher*

# SPORT CALENDAR FOR COMING WEEK

New York, Sept. 14.—Among the important sporting events in the calendar for the coming week are the following: Monday—Racing meet of Brooklyn Jockey club begins at Gravesend track, lasting 12 days. Harness meet will begin at Louisville in connection with Kentucky state fair.

Wednesday—Candidates for places on Yale football team will appear at Yale field for practice. Fourteenth annual exhibition of Youngster horse show association begins at White Plains, N. Y. Saturday—Eastern football season will open with game between Cornell, Ithaca and Albion college. Twenty-fourth annual Canadian track and field championships will be held in Montreal. Annual swimming dog show will be held at Atlantic City.

## ILLINOIS HAS STRONG TEAM.

Urbana, Ill., Sept. 13.—Spurred on by dreams of coming victories on the gridiron, with the championship of the west as its goal, the Illinois university team will begin its practice season Monday. Many of the players are on hand and others will arrive tomorrow. Tradition has it that the wearers of the orange and blue develop into a strong team every three years—and this is the third year. Not since the team of 1904 has gone so far to uphold the football honors of Illinois.

Urbana, Ill., Sept. 13.—The old halfback and end, is the head coach who is expected to produce a team able to wipe out the memory of the overwhelming defeat last year. The Illinois team last year finished in turning out the strong 1906 and 1907 teams, and the roster, however, he can more than repeat the performance now that he is chief coach. He will be assisted by Joe L. Lough, last year's coach, and by many football stars of the Illinois of former years. They will be joined by Illinois nine of 1906, who will be the strongest team to give advice and assistance in whipping the team into shape. Several other former coaches and players will be on hand, and their aid in producing a winning team for their alma mater, among them Fred L. Lough, Harry Nelson, Jimmie Cook and Jack Stahl.

For the first time in a decade, the Illinois team will play a series of games on the same gridiron, the date having been set for Oct. 15. Purdue will also be played at home, while Wisconsin, Iowa and Indiana will be played away.

## FIGHTING WARRIORS LOOM IN SIGHT

New York, Sept. 13.—Before the cheers of the frenzied fans have ceased to resound from the diamond, the pugilistic warriors will make their appearance in eastern gridiron in the inaugural games of the football season. The opening is set for next Saturday, when four college games will be played, the most important being the clash between the varsity Indians and Amherst college. The teams are expected to be in good shape for the season, and will doubtless win an easy victory. Yale candidates will begin practice this week, and the training of the team will be under the supervision of the coach, who will have developed by the time set for the game with Harvard, Princeton and Cornell, Nov. 2.

## WEATHER REPORT.

**TODAY'S TEMPERATURES.**

8 a.m.	51
9 a.m.	51
10 a.m.	51
11 a.m.	51
12 m.	51
1 p.m.	51

## YESTERDAY'S RECORD.

Highest	52
Lowest	45

## NEW YORK CLOSING STOCKS.

New York, Sept. 13.

Atchafalca pfd.	90 1/2
Baltimore & Ohio pfd.	90
Canadian Pacific pfd.	109 1/2
Chicago & North Western pfd.	109 1/2
Colorado Fuel & Iron pfd.	23 1/2
Denver & Rio Grande pfd.	62
Elgin, Joliet & Eastern pfd.	23 1/2
Illinois Central pfd.	109 1/2
Louisville & Nashville pfd.	109 1/2
Mexican Central pfd.	17
Missouri Pacific pfd.	109 1/2
New York Central pfd.	109 1/2
Pennsylvania pfd.	109 1/2
Reading pfd.	109 1/2
Southern Railway pfd.	109 1/2
St. Paul pfd.	109 1/2
Southern Railway pfd.	109 1/2
Union Pacific pfd.	109 1/2
Wisconsin Central pfd.	109 1/2
Great Northern pfd.	109 1/2

## MISCELLANEOUS.

Amalgamated Copper	60 1/2
American Smelting & Refining	57 1/2
American Locomotive	57 1/2
American Smelting & Refining	57 1/2
Brooklyn Rapid Transit	44 1/2
Colorado Fuel & Iron	23 1/2
International Paper	109 1/2
National Biscuit	109 1/2
National Lead	109 1/2
Pacific Mail	25
Pope & Talbot	25
Pressed Steel Car	15 1/2
Pullman Palace Car	15 1/2
Standard Oil	11 1/2
Sugar	11 1/2
Tennessee Coal & Iron	15 1/2
Union Pacific	109 1/2
Western Union	109 1/2
Int. Met. pfd.	90
Mackay pfd.	23 1/2
Mackay, pfd.	23 1/2

## TODAY'S MONEY MARKET.

New York, Sept. 14.—Money on call nominal. Time loans easier and very dull; 60 days 6 1/2, 90 days 5 1/2, 6 months 5 1/2, 9 months 5 1/2, 1 year 5 1/2. Prime mercantile paper, 6 1/2 to 7 per cent. Sterling exchange steady with actual business in bankers' bills at \$4.85, 40 to 45 for demand and at \$4.81, 70 to 85 for 60 day bills. Commercial bills, \$1 1/2 to \$1 1/2. Bar silver, 67 1/2. Mexican dollars, 53 1/2.

## MUSIC TEACHERS.

All who desire to consult the list of the representative professors and music teachers of Salt Lake City should read the "Musicians' Directory" in the Saturday News.

## Extraction of Teeth "Free"

All other work half price.

Take advantage of our get acquainted offer.

## MECHANICAL Co.

65 Main Street.

# CLOSE UNSETTLED FOR ONE LEAVY

**Market Opened Irregular Some Sharp Gains Mingling With A Few Small Losses.**

## COPPERS AGAIN PROMINENT.

**Big Liquidation of Steel Stocks Affected Whole List, Causing Heavy Falls.**

New York, Sept. 14.—There was a good deal of irregularity to the opening movement of stock prices today, a number of sharp gains mingling with a few small losses. Among the latter were Union Pacific and the United States Steel stocks, the former recovering at once. Northern Pacific and American Smelting rose a point and Great Northern preferred and Iowa Central preferred 3/4. Amalgamated Copper gained 3/4 and then lost 1/2. The volume of transaction was small.

Priced were inclined to advance under the leadership of Reading, but liberal offerings of Amalgamated Copper, American Smelting, Reading and Union Pacific undermined the whole market. The 1 point advances in American Smelting and Reading were converted into losses in nearly as much as Amalgamated Copper also dropped 1 1/2 below yesterday's closing to 9 1/2. St. Paul, Union Pacific, Union Pacific, Missouri Pacific, American Smelting, Reading, and Union Pacific, the former recovering at once. Northern Pacific and American Smelting rose a point and Great Northern preferred and Iowa Central preferred 3/4. Amalgamated Copper gained 3/4 and then lost 1/2. The volume of transaction was small.

The market closed unsettled and with heavy undercurrent. Heavy liquidation of the United States Steel stocks carried them to low levels of the year. The common stock fell 1/2 to 22 1/2, the preferred 1/2 to 24 1/2. The whole list was affected in sympathy. St. Louis Southwestern preferred dropped 1/2, Amalgamated Copper, American Smelting, American Copper, Republic Steel and Colorado Southern second preferred 1/2 to 2 1/2. Union Pacific, St. Paul, Brooklyn Transit, Railway Steel Spring, Colorado Fuel and Iron, American Smelting, Reading, and Union Pacific, the former recovering at once. Northern Pacific and American Smelting rose a point and Great Northern preferred and Iowa Central preferred 3/4. Amalgamated Copper gained 3/4 and then lost 1/2. The volume of transaction was small.

## LIVESTOCK.

**CHICAGO.**

Chicago, Sept. 14.—Cattle—Receipts, 500. Market steady. Beef, 4.00 to 4.05; cows, 3.50 to 3.55; calves, 3.50 to 3.55; hogs, 3.50 to 3.55; sheep, 3.50 to 3.55; pigs, 3.50 to 3.55.

## WOOL.

**ST. LOUIS.**

St. Louis, Sept. 14.—Wool, steady. Territory and western medium, 20 to 25; fine medium, 15 to 20; fine, 10 to 15.

## PRODUCE.

**CHICAGO.**

Chicago, Sept. 14.—The wheat market today opened firm because of higher prices on the coast. Live corn, however, was slightly lower. Prices declined sharply in sympathy with the break in corn, but soon recovered the loss. December wheat, 1.00 to 1.05; corn, 1.00 to 1.05; soybeans, 1.00 to 1.05; cotton, 1.00 to 1.05; sugar, 1.00 to 1.05.

## SUGAR AND COFFEE.

New York, Sept. 14.—Sugar, raw, steady. Fair refining, 14 to 15; central, 16 to 17; molasses, steady, 3 to 4; powdered, 3 to 4; granulated, 3 to 4; coffee, quiet, No. 1, 10 to 11; No. 2, 9 to 10; No. 3, 8 to 9.

## BANK CLEARINGS.

New York, Sept. 14.—Bradstreet's bank clearings report for the week ending Sept. 13, shows a decrease of \$1,000,000 over the week ending Sept. 6, 1907. The total for the week ending Sept. 13, 1907, was \$1,000,000,000, compared with \$1,001,000,000 for the week ending Sept. 6, 1907.

## BANK STATEMENT.

New York, Sept. 14.—The statement of clearing house banks for the week shows that the banks held \$1,000,000,000 more than the legal requirements of reserve. This is a decrease of \$1,000,000,000 as compared with last week. The statement follows:

Loans	\$1,000,000,000
Deposits	\$1,000,000,000
Reserve	\$1,000,000,000
Legal tenders	\$1,000,000,000
Increases	\$1,000,000,000
Decreases	\$1,000,000,000
Net	\$1,000,000,000

## SIX BEST SELLING BOOKS

FOR MONTH OF AUGUST

According to reports from the leading book sellers of the country, the six books which have sold best in the order of demand during the month are:

1. The Lady of the Decoration. \$1.00
2. Little. \$1.00
3. The Brass Bowl. Vance. \$1.00
4. The Mayor's Wife. Green. \$1.00
5. The Mayor's Wife. Green. \$1.00
6. The Mayor's Wife. Green. \$1.00

## NATIONAL BANK OF THE REPUBLIC

Capital and Surplus, \$1,000,000.00

Safe Deposit Boxes for Rent.

WALKER BROS., BANKERS.

Established 1854.

WALKER BROS., BANKERS.

Established 1854.

WALKER BROS., BANKERS.

Established 1854.

WALKER BROS., BANKERS.

Established 1854.

WALKER BROS., BANKERS.

Established 1854.

WALKER BROS., BANKERS.

Established 1854.

## SCIENTIFIC MISCELLANY.

The fog-dispersing station proposed by M. M. Dibos includes a very large Ruhmkorff coil, giving a spark of about one meter with a primary current from accumulators or a dynamo. In the primary circuit are a rotating interrupter and a condenser, in parallel. The current induced in the secondary circuit is converted from alternating into intermittent by two series of four Cooper-Hewitt mercury vapor rectifiers, and then passes to the inner coatings of two large Leyden jars, with connected outer coatings. From one jar a wire leads to earth. A wire from the other—the positive electrode—runs to the top of an antenna mast, and there a crown of points scatters the electric waves into the air. With such apparatus clear spaces 300 to 400 feet across have been formed in dense fog. Such stations would be useful in harbors and on railways, but every vessel at sea needs clearness for at least a quarter of a mile in every direction.

Temperature and humidity can be recorded accurately, but the figures have only a vague idea of how we feel climate. W. F. Tyler of Shanghai has a way of comparing climates by the varying degrees of comfort or discomfort produced. Indicating mugginess by the term "hyphar," he divides his hyphar scale from 1 to 10, and sets to represent the worst possible day—the hottest, dampest and most enervating day of China; while 0 applies to the ideal summer day—warm, bright and bracing. Experiments show that normal persons estimate the varying degrees very accurately.

A 14 years' study on an English railway has shown that the wear of rails is largely due to differences in structure of the metal from varying temperatures and speeds of rolling the rails.

The model animal park opened by Hagenbeck at Stettin, near Hamburg, contains 25 acres, and is designed to effect the work of nature in making familiar the habits of wild animals in their native state. The conditions of the native haunts of the animals are imitated as closely as possible. There are no cages, but the various species are kept within prescribed bounds by concealed ditches 20 feet wide and 12 feet deep. A shaded avenue leads the visitor to favorable points for observation. A spacious lake holds all kinds of water fowl; a mound beyond is alive with zebras, buffaloes and other hoofed animals; a distant range of artificial mountains is the home of mountain beasts, and an immense artificial leaguer of boulders is covered with polar bears, with seals, sea lions, and cormorants at the base. Though restricted in range, the animals have much more than the usual freedom, living in quite a homelike manner. The park contains 15 lions, 24 elephants and 7 tigers, with rhinoceroses, hippopotami, birds, reptiles and other creatures.

Soft-shelled eggs are not due, as is so generally believed, to lack of lime in the food of the hen. Such eggs are really a case of arrested development, produced by nervous interference with the functions of the ovary. Extreme mental disturbance may cause it, and at the Kansas experiment station, soft-shelled eggs have resulted from the continued excitement of confined hens. It was further shown that on an ordinary diet a hen's system could be so affected as to lay soft-shelled eggs. Laying will cease after this number if lime is not supplied, but on a small amount of lime eggs that are really slightly thinner shelled than usual may be laid, though careful weighing is necessary to show that the shells are not normal.

The "Soul house" lately found at the cemetery of Heliopolis, upper Egypt, are tiny structures of clay in which the souls of the dead were supposed to take refuge. They date from about 3000 B. C.

An institution that is quite unique, forming a class by itself, is the Radium Biological laboratory at Paris. It was organized about a year ago to test the curative possibilities of radium, and it comprises chemical, physiological and clinical research departments as well as that specially given up to radium. The work already done was recently demonstrated to visiting medical men. The large number of cases treated have included those of the skin and lungs, and skin and other diseases of the skin have been cured. Radium treatment seems to have given positive results in reducing the disfigurement of strawberry marks and other natural marks on the skin of children and others. Radium seems to have proven at least equal to electricity in many cases where it has been customary to use the latter, and has the advantage of causing no pain. In this connection it may be mentioned that a French physician claims remarkable results in treating chronic rheumatism with metal shields coated with radium powder.

The electrically conducting glass of C. E. Phillips is made by adding 125 parts of sodium silicate and 32 parts of borax to 4 parts of soda ash. It can be worked like ordinary glass, but has