BANKS RELATES BUSINESS WOES

Says His Competitor Has Damaged His Credit to the Extent of $15,000.

HIS MIND IS DISTRESSED

To Restore Normal Conditions, Asks Damages and Order Restraining Further Acts of Like Nature.

Asserting that his business credit has been damaged in the sum of $15,000, O. D. Banks today filed suit in the Third district court for judgment against L. R. Eccles and the O. D. Banks company of this city. In his complaint the plaintiff alleges that for more than five years prior to May 4, 1908, he was general manager of the O. D. Banks Millinery company, and built up a credit for that concern in business circles. On the date named plaintiff retired from the conduct of the business, selling his interests in the firm of L. R. Eccles and D. Eccles. In April, 1909, plaintiff organized the Banks Pattern Hat company, a wholesale firm, of which he became president and general managgy.

Since the organization of the last named company, plaintiff alleges that the defendants have conspired to injure his credit and the standing of his company, and said L. R. Eccles has ordered goods shipped to the address of O. D. Banks company which he has not ordered, and that he has been constantly in receipt of bills and statements of goods thus fraudulently ordered of which plaintiff had no knowledge, and that plaintiff is placed in the light of being dilatory in the payment of his bills, and he is continually harassed and annoyed with threats from the people from whom the goods were ordered.

Plaintiff claims that he has suffered great damage from the unlawful actions of the defendants, causing him great distress of mind and much anxiety. He therefore demands judgment against defendants in the sum of $15,000 with costs of suit, and a restraining order preventing defendants from ordering goods in the name or credit of plaintiff.

THROWN OUT OF COURT.

Judge Armstrong Dismisses Robinson's Action for Damages.

Judge Armstrong Wednesday threw out of court the $10,000 damage suit of John Robinson against Salt Lake City for injuries alleged to have been sustained by Robinson in being thrown from his wagon when the wheel went into a hole left in an excavation for water pipe on South Temple, between Sixth and Seventh West streets. It was dark when the accident happened and Robinson claimed there were no red lights placed on the spot to warn drivers of the danger. It was shown by the city that the hole made by the city had been filled with mud and water and that the city had not been notified that the place was dangerous. On this showing Judge Armstrong dismissed the case, but it is probable an appeal will be taken.

APPRAISEMENT FILED.

An appraisement of the Fruitland Water company was filed in the Third district court Wednesday, by E. W. Hammer, assignee for the company. In the assignee's report the indebtedness of the company is fixed at $6,500, with available assets amounting to $3,372.84. The company owns notes which are deemed collectable amounting to $21,600 and has water contracts valued at $335,600.

GIRL SENT TO REFORMATORY.

Lena Cracroft Committed for Incorrigibility Today.

Lena Maud Cracroft, 17 years old, was committed to the state industrial school at Ogden by Judge McMaster of the juvenile court this morning, for incorrigibility and general delinquency. The girl had been before the court several times before, and the last time was placed on probation, making promises to reform her conduct. She had been employed in a local restaurant and on the day of her last arrest, which was Wednesday, she was caught with a suit case on her way to the depot, intending to leave the city to take a position which she said was secured for her by a local employment agency. It was shown that she had violated the conditions of her probation in many ways, and the judge decided to commit her to the industrial school. The parents of the girl live at 560 Culley avenue.

ARGUED AND SUBMITTED.

At the session of the supreme court held this morning the following cases were argued and submitted:

A. C. Smith, Jr., respondent, against H. G. Clarke, and others, D. Barry, appellants, from Fourth district, Judge J. E. Booth.

J. H. Arnold, appellant, against Richard Pope, sheriff, etc., respondent, from Fourth district, Judge J. E. Booth.

James Gibson, appellant, against George G. Doyle & Co., respondent, from Third district court, Judge M. L. Ritchie.

IN POLICE COURT.

Frank Hand, whose real name is said to be Stockwell, waived preliminary examination before Judge Bowman in police court, and was bound over for trial by the district court, on the charge of having robbed Robert Alsworth, a Bingham mining man, of $116 and a valuable diamond ring said to be worth $325, Oct. 18.

W. H. Christensen will be given an opportunity, Nov. 24, of explaining why he obtained money under false pretenses. He is charged with having secured a number of blankets from the Z. C. M. I. on the credit of the Clayton-Daynes Music company, also when he is alleged to have sold the blankets to the music company for $50.

In spite of the fact that M. Isenberg informed the court that he had struck his horse to keep it from running away, after the arresting patrolman had warned him to "slow down," Judge Bowman fined him $5 for violating the speed ordinance.

George Jepson was found guilty of having destroyed property in the Portland Coffee House, by a jury. George, it appeared, "cleaned out" the place, threw a big cash register through a $150 plate glass window, assaulted a waiter, addressed the girl cashier in anything but delicate terms, and made himself generally annoying, before the police arrested him. George will receive the sentence of the court today.

THE STARTUP BOYS

Shipped the first UTAH CANDY to Denver, St. Louis, Chicago, and the coast country eight years ago. Quality alone has made it possible for the Startup Candy Co. to market their products in all the centers of commerce of America and Mexico.

Sweetly thine.

STARTUP CANDY CO.
Prove "The Candy City."

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Or mail your orders to Z. C. M. I. Drug Store.

Cough Remedies.
Pure Drugs
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FREE DELIVERY TO ALL PARTS OF THE CITY.

The Pure Drug Dispensary

112-114 South Main Street.

FAIRBANKS ON ART CRITICS.

Utah Artist Takes Umbrage at Recent Review on Fair Exhibit.

To the Editor—In the Sunday issue of one of our local papers there was a very severe and uncalled for criticism on the late art exhibit at the fair. It was stated that "with a very few exceptions the pictures were an offense to every rule of art or sense of beauty."

The artists all know that this is not true. Many of them have said it was the best art exhibit that has ever been at our state fairs, and those who have traveled and are capable of judging say they have never seen as good an art exhibit at a state fair anywhere.

I will freely admit that there were some freakish and some very poor pictures but this can not be helped when any one is permitted to exhibit who pays an entrance fee of $1.50.

Such criticisms as the one referred to are of no use to the public and are very deterimental to the artists. The artists do not receive too much encouragement at best, and then to make such a wholesale onslaught on the best works of our best artists is entirely unwarranted.

It seems to me that the best criticism that can be made is to point out the good work done by the artists and if there is any adverse criticisms to be offered go to the persons and tell them that they may be benefited. To give it out to the public injures the artist criticized and does not help the people.

Utah art and artists compare favorably with any other in the United States and should not be debased by people who do not know what good or bad art really is.

There is no one technically speaking who really and truly knows what good art is,but the artists themselves. There are many people of very good taste who appreciate the beautiful and whose judgment as a rule is splendid, but when it comes to technical art they do not know it, having never studied.

I am of the opinion that as a rule the art critic does more harm than good, he is usually biased, and seems to think that criticising means tearing to pieces. Critics do not seem to realize that any one can find fault but it takes an expert to find the really good and praiseworthy in art.

I do not think the writer of the criticism mentioned intended to be malicious but what a man does and what he intends to do are sometimes two different things, and I think this is one of the cases.

The artists feel that they have been greatly wronged and nobody has been benefited.

J. H. FAIRBANKS.

TAYLOR CHARMS BIG AUDIENCE

The Gentleman From Tennessee an Able Advocate of Being Happy.

United States Senator and former Gov. Robert L. Taylor of Tennessee kept a good sized lecture audience in good humor for over an hour last evening in the Salt Lake theater. His theme was a general one on which a fluent, florid speaker with such a wealth of illustration and unlimited sources of interesting story telling as Senator Taylor has at his command, can stand and unravel, and unravel, "world without end."

Senator Taylor was accompanied on the stage by United States Senators Smoot and Sutherland, and Gov. Spry, the junior Utah senator making the presentation speech. The latter apostrophized the lecturer, ascribing to him a wide and assorted variety of virtues, couched in terms of quiet wit. The only thing Senator Sutherland had against his distinguished colleague was that he was a Democrat. But at the same time, the lecturer was "blessed with so many other and better traits of character," that the Utah senator really felt he could stand up under the affliction of Democratic association. Gov. Taylor then took the stand. He would come under the definition of "gentleman of the old school," a type not as numerous as it was, and is steadily growing less. He in turn apostrophized Senator Sutherland, and then referred to the plainly dressed, unpretentious aggregation of villians before him as "this magnificent audience," and "the exquisite pleasure" he took in addressing it. The audience aired this assault bravely.

Senator Taylor's topic was "The Happy Valley," on which he dilated and generalized, with a command of language and polish of diction. "The Happy Valley" was a most happy effort. It was a dissertation on the joys and treasures of youth, an exoltation of the fact that happiness is the ultimate object of all human action. At times serious, but oftener humorous, the speaker set forth the varied spaces of his theme in a panorama of word portraitures that charmed, if not enchanted. In the lights and shadows of word painting, Senator Taylor showed himself an artist. An illustration of this was his brief description of Colonel Ingersoll, whose wonderful powers of speech and forceful argument were put to sad use in his attacks upon religious faith. The speaker believed in the gospel of entertainment, the gospel of cheerfulness, of inspired hope, claiming that the greatest happiness consisted in giving pleasure to others. This trait he had manifested while governor in his use of the pardoning power. In his peroration on justice tempered with mercy, Senator Taylor was in his happiest vein. He closed with an earnest, forceful injunction for the young to enjoy themselves all they could with innocent amusements, for youth will not last long, and this is a period which should be the bright and sparkling period in life.

BOARD MAKES RULES UNDER CAREY ACT

Spirit and Letter of the Law Must be Lived Up to by Those Seeking Land.

At the meeting of the state board of land commissioners held yesterday, a number of new rules with reference to Carey act land filings were adopted by the board. For a number of years various entries under the Carey act have been in progress in Utah, and many of the entries have not been carried out according to the letter or the spirit of the law and the filings on some of them still remain incomplete. It was for the purpose of making uniform rules for all concerned with reference to these filings that the new regulations were adopted, many of them being the result of the labors of the secretary of the board, W. H. Farnsworth.

The new rules provide that in future all applications for reinstatement under the Carey land act must be made to the state board of land commissioners within a year after the date of cancellation. In case the application for reinstatement is held for more than a year after cancellation the lands will be reappraised before reinstatements are granted, or the lands will be offered for sale by the state, after an investigation by the commissioners.

Instances in point have been found where applications for segregation under the Carey act were made upwards of 10 years ago, when the lands could have been purchased for $1.50 per acre. The segregation was made in some instances, without any payment by the applicants. Then the land was allowed to lie idle and the state could do nothing with it. In the course of a few years the applicants applied for cancellation of their contract, but even then the state could do nothing with the land. The land was tied up as effectually as if all required work had been done. Then in recent years requests came for reinstatement, with an assignment of the rights of the original purchaser to some other. And in these instances the land which was originally purchased for $1.50 an acre has increased in value to more than $5 an acre in some instances, but the purchase price remained at the original figure.

Under the new ruling, however, where more than a year lapse of time is shown, the lands will be reappraised before reinstatements or transfers are allowed.

In this connection the board decided to fix a fee of 50 cents for each assignment of a certificate for record, and 25 cents each for the filing of an assignment on application, but upon which no certificate has been issued. No fees have been charged in the past for this tedious work.

In regard to loans, the board will charge 8 per cent, instead of 6 per cent, on loans past due, and will reduce the coupon interest from 12 per cent to 10 per cent.

Letters will be sent to all parties holding land under the Carey act to report to the board at once regarding progress made during the year, and in years past. This will be done for the purpose of eliminating some of the companies which have held the lands under the Carey act for years without doing any work upon the land as contemplated in the law. In these cases the contracts will be cancelled so that others may reclaim the land.

The board confirmed the appointment of Myrtle Olson and William Pardoe as clerks to fill the vacancies caused by the resignations of Laura and Eudora Miller.

DEATH OF MRS. MASON.

Mrs. Hannah Armstrong Mason, wife of John William Mason, died Oct. 19 in this city at the residence, rear 49 Sixth East street. Mrs. Mason was the daughter of Mr. and Mrs. Joseph Armstrong, and was born Jan. 18, 1844, at New Durham, Durham Co., England. The deceased was married to Mr. Mason Feb. 4, 1865, in Sunderland, England, and joined the Church in the fall of 1881. The family arrived in Utah Aug. 29, 1901. Mrs. Mason is survived by her husband, four children, 24 grandchildren and three great-grandchildren. She was a faithful member of the Church and was loved and respected by all who knew her. The body will be taken to Lehi Friday, and the funeral will be held there Sunday in the Lehi tabernacle and burial will take place in the Lehi cemetery.

THUGS NOT ARRESTED.

William Monden Furnishes Police Good Description of the Men.

William Monden reported to the police immediately after the commission of the crime that he had been held up by two thugs, near the Saltair depot, on Second South street, between Third and Fourth West streets, at 11:30 o'clock Wednesday night.

Monden said that as he was passing a billboard, one of the holdups leaped out on him from the darkness and ordered him to throw up his hands. Monden complied with the command. Another thug then seized him from the rear and held him in a powerful grip, with one hand over the victim's mouth so that he could not call for help, and with the other hand over Monden's eyes, so that he could not see. The thugs robbed him of $26 and ordered him to "get out." Monden "got." He gave a good description of the smaller holdup, but the police have not made any arrests in the case.

MISSING WOMAN FOUND.

Mrs. J. L. Forney Located by Police At Request of Husband.

Mrs. J. L. Forney, of St. Anthony, Ida., whose husband reported to the police Wednesday night that she had disappeared from the Colonial hotel about a week ago, and that he feared that she had become demented through worrying over the illness of her little son and had wandered away, or was the victim of foul play, was found this morning by Patrolmen Price and Simmons. It is said that she has been ill and that since leaving the Colonial she has been living with a private family near Warm Springs.

According to the story told to Forney by the police, when he arrived in Salt Lake City from St. Anthony Wednesday night, his wife had not received letters, one of which contained a check for $200, that were addressed in care of the Colonial hotel, and when he learned at the hotel that she had gone away a week ago, and had never appeared since then to claim her mail, he feared for her safety.

IMPETUS TO FLAX INDUSTRY.

After Many Years of Endeavor, Movement Now Promises Success.

After several years of endeavor, the efforts of John H. Riley to interest the people of Utah in growing flax seem about to be crowned with success. The mass meeting at the Sixteenth ward last night was attended by fully 250 people, and a number of talks were made by practical men which are calculated to give the new industry a big boost. Those who spoke at the meeting were, George P. Stenhouse, a mining man of Morgan, who came to Salt Lake especially for the purpose of attending the meeting, Attorney Frank E. Vickery, John H. Riley, the father of the movement, who has spent the last five years in promoting the activity; George K. Geary, a flaxmaker of Ireland; John Beck, C. H. Hilton, W. D. Bowring and D. F. Collett, secretary of the Manufacturers' association of Utah.

The meeting was held under the auspices of the Utah Flaxgrowing and Manufacturing company, and was presided over by S. G. Betty. Some discussion was indulged in and $5 and $10 subscriptions were invited from those who could afford no more. Other meetings will shortly be held in Summit and Morgan counties for the purpose of arousing interest in the project.

It was stated that about 1,700 acres of land have been offered in Juab county for the purpose of encouraging the enterprise, and no payment is required on it until after the fifth year. Some land is also under cultivation west of Beck's hot springs for the purpose of raising flax. In a letter which was read at the meeting, Prof. Ball of the Agricultural college at Logan, said that flax of good quality could be raised in Utah in paying quantities, the damp lands being adapted for raising the flax for feed purposes, and the better lands for raising the fine fiber.

It is proposed at the outset to only manufacture linseed oil and linseed cake for feeding cattle, though it is the intention after the industry is established to make linoleum and burlap.

HAD HIS IDEALS.

Well Equipped Beggar Will Get Nerve Cure at Barlow Inn.

"Why are you begging in such an open place?" inquired a patrolman of James Carmichael, when he caught the latter "mooching" passersby as fast as he could "panhandle" them, at the corner of Second South and State streets, Wednesday night.

"O' honest feller, I haint had nothink to chew for tree days an' nights, an' me stomick sure is up agin me spine. I hates dis, but youse knows I gotta eat somewise, haint I?" wailed the pathetic Jimmy.

When searched at the police station, Jimmy unloaded $22.20, a gold watch worth $50, a gold chain worth $25, a diamond ring valued at $250, and other articles which are not usually carried by starving men.

When an explanation was demanded, James said that he came here from New Orleans; that he wanted to reach the Pacific coast; and that he was begging in order to get money enough to buy a ticket to Los Angeles and a berth in the Pullman, "as sitting up in the smoker all night long makes him so nervous."

"We'll give you the nerve cure, all right," said the desk sergeant, as he gently tucked the begging Midas between two spotless sheets in the "tanks."

HOODLUMS BREAKING GLOBES.

Utah Light and Railway Company Suffers Extensive Losses.

The Utah Light & Railway officials are becoming apprehensive at the continued damage done to their street arc lamps by conscienceless hoodlums. In a statement made today by Electrical Engineer Honnold of the company that official says:

We are continuing to have street lamp globes broken over the city, particularly in the northwest section. Only last night we had one globe broken at Second North and Third West and two globes (inner and outer) broken at Third North and Third West. This breaking of globes is nothing short of maliciousness or hoodlumism to which the attention of the public is called. It is not only a great loss to the company to have these globes smashed but to the public being without lights. The company is spending close to $100,000 on the new street lighting system for Salt Lake and asks the press and public to look out for parties doing such damage and report either to chief of police or to the Utah Light & Railway company. The company has a standing reward of $20 for information leading to the conviction of parties breaking globes, wires, insulators, etc. The police department is co-operating with us in this matter.

DEATH OF DUNCAN M'FADYEN.

Duncan McFadyen, a well known resident of this city, died at his home yesterday after an illness of three weeks. The deceased was born in Glasgow, Scotland, May 4, 1860, and emigrated to Utah in June, 1889, settling in this city, where he has resided since. Mr. McFadyen was an accountant by occupation and was an employe in the office of Z. C. M. I. for 20 years, and was much respected by those with whom he was associated. He was married in this city to Miss Mary Jane Gillespie, formerly of Falkirk, Scotland, in 1890, who, with one son and three daughters survive him, two other children having died in their infancy. Mr. McFadyen accepted the gospel in his early boyhood days in his native land. He was the grandson of Elder Laughlan McFadyen who will be remembered by many of the saints from Scotland as a stalwart Church worker for many years. Funeral services will be held on Sunday from the Twenty-fourth ward meetinghouse. The time of commencement will be announced later. Friends of the family are invited to attend.

ENTERTAINMENT FOR BLIND.

Governor Spry Will Make Address and Good Program Is Arranged.

The adult blind will hold a house warming in their new quarters in the old tithing yard building this evening, when a program will be rendered and a general good time result. Quite a number of the blind will participate in the entertainment. The program, which starts at 8 o'clock, includes singing by all present, an invocation, selections by the blind orchestra, an address by Gov. Spry, a speech on "Our Workshop," Mrs. E. E. Riches, vocal selections, the Fowler sisters, Mrs. E. E. Riches and Howard Assell; a recitation by Miss Maud May Babcock; flute solo, James Standing, and an address by President James Standing of the adult blind organization. The public is invited to be present.

NEW INCORPORATIONS.

Articles of incorporation of the Mason & Douglas Construction company were filed with the county clerk Wednesday. The company has a capital of $500,000 in shares of $1 each, of which 450,000 shares are held as treasury stock. Officers are: F. M. Orem, president with 9,997 shares; W. C. Orem, vice president and treasurer with 40,000 shares and F. J. Sullivan secretary, with one share. The other two directors are to be named later. F. D. Brown and C. B. Oliver each hold one share of stock in the company.

A copy of the charter of the Rossia Insurance company of St. Petersburg, Russia, has been filed with the secretary of state, together with an acceptance of the constitution of the State of Utah, as a preliminary to the transaction of business in this state by the Russian company. Carl F. Sturhahn is named as the representative of the company in the United States. The company has a capitalization of 4,000,000 roubles, divided into 16,000 shares of the value of 250 roubles each. R. Peni is president of the corporation and C. Cyon is secretary. The charter is certified by Ethelbert Watts, consul-general of the United States in Russia.

POLITICAL NOTES.

The "American" club was the scene of another rally last night with the regular audience in attendance. Joseph Cohen was chairman and introduced W. Mont Ferry, who recited a list of figures that had been compiled at his request of the public improvements that had been constructed by the "American" party and paid for by the property owners. Harper J. Dinning gave a talk on taxes. He said that the county was responsible for the increase, together with the board of education. Then William S. Dalton abused the Mormon Church, which brought forth bursts of applause.

Frank R. Christensen, secretary of the "American" campaign committee, has issued a call for a consternation meeting to be held Friday evening at 8 o'clock in headquarters over a saloon in west Second South street. In the rank and file of the "American" party an alarming situation exists. Joseph Lippman, who became disgruntled because he was not nominated for mayor, is arming his supporters with knives to go after Mayor Bransford on election day. Another faction is following H. G. McMillan, who also failed to obtain a place on the ticket. There is still another element; in fact, the better element, who are ready to vote the fusion ticket. This meeting has been called with the purpose of getting these factions together in a last effort to elect the ticket. Christensen admits that it is a trying ordeal to manage, but this effort will decide the life, or death, of the party in the election.

The Democratic women will meet at headquarters in the Colonial theater building at 2:30 o'clock Friday afternoon. The purpose of the meeting is to effect an organization for the campaign. It is probable that William R. Wallace, fusion candidate for mayor, will deliver an address.

The Democratic district committees of the ward organization of the Fifth municipal ward will hold a meeting in the Citizens-Democratic headquarters in the Colonial theater building at 8 o'clock tonight. Matters of importance in regard to the campaign will be discussed and all the members are requested to be present.

MORE IMPROVEMENTS.

After having spent to date $5,700 in improvements in Glenwood the new subdivision on Twelfth South street, between Fifth and Sixth East streets, Kimball & Richards state that before the work is completed, it will require even a greater expenditure. The original plan called for the expenditure of only $5,000. The large force of men and teams, which has been busy on the subdivision during the week, was augmented yesterday by the installation of a cement mixer. Today satisfactory progress is being made in the laying of cement sidewalks. All streets are graded and the tract, once rolling, is now as level as a floor. The California monuments at each street intersection are now in place and present a unique and artistic appearance. The firm reports about three-fourths of the subdivision sold and an active demand for building sites. Over a score of building sites have been sold during the week.

RENIGER IS ARRAIGNED.

Although George Reniger is accused by the military authorities at Fort Douglas of having lured soldiers to his rooms in the Angelus rooming house, at Commercial and First South streets, where he got them drunk and kept them under the influence of drugs until they were classed as deserters, so that he could "cut" the $50 reward money with the arresting police officer, he was arraigned in police court on a charge of vagrancy. Reniger pleaded not guilty and his hearing was set for Nov. 5.

United States District Attorney Booth stated Wednesday evening that the government had the case in hand, but declined to give out any particulars as to what would be done by the federal authorities in the matter.

"We are not ready to make our position in the case public," said Mr. Booth.

RAILROAD NEWS

TO RETIRE BOND ISSUE.

The Salt Lake route stockholders will hold a special meeting in this city, Dec. 21, to consider retiring the $50,000,000 first mortgage bond issue of July 1, 1903, to the Equitable Trust company of New York; and to consider issuing in their place $60,000,000 first mortgage bonds, dated July 1, 1909, and other details not yet determined. The transfer books will be closed at 12 o'clock noon, Dec. 1, and opened again at 10 a. m., Dec. 22.

MEXICAN NATIONAL MEETING.

The Mexican National Railroad stockholders met Wednesday afternoon in Parley L. Williams's office and the following directors were chosen: E. N. Brown, Javier M. Cuncine, Guillermo de landa y Escandon, Jose M. de Landero, Luis Elguero, Pablo Macedo, Santiago Mondez and Roberto Nunez, all of the City of Mexico; and Joseph P. Cotton, Jr., L. F. Loree, Cayetano Romero, Walter T. Rosen, Henry Rubleder, James N. Wallace and George W. Wickersham, all of New York city.

SPIKE AND RAIL.

H. S. Kerr, representing the Haggin railroad interests in Mexico and formerly engaged in Peruvian railroading, leaves tonight for the City of Mexico, where he has his headquarters, after a pleasant visit of several weeks with his brother, Kenneth Kerr, district passenger agent of the Salt Lake Route in this city.

The Japanese commission, including 75 people, in a special train, are due to arrive in this city Nov. 19 next, over the Rio Grande from Denver, which city they leave Nov. 17. The special includes six standard Pullmans, a diner, baggage car and an apartment-observation car.

The trend of events in Gould circles is believed to point toward a transfer of C. H. Schlacks from the Denver & Rio Grande to the Western Pacific, probably as vice president and general manager, leaving Mr. Clark as the executive officer of the Rio Grande.

A. T. Lewis, chief rate clerk of the Salt Lake Route in Los Angeles, is in town for a few days.

Assistant General Freight Agent Tuttle of the Short Line has returned from a stage in the witness chair at a trial at Malad, where the railroad company was being sued for alleged nonfurnishing of cars for cattle according to contract. The company nonsuited the complainant.

WEATHER REPORT.

Fair Tonight and Friday.

TODAY'S TEMPERATURES

6 a.m.	47
7 a.m.	49
8 a.m.	51
9 a.m.	54
10 a.m.	58
11 a.m.	61
12 noon	63
7 p.m.	53

YESTERDAY'S RECORD

Highest	61
Lowest	44

UNIVERSITY NEWS

At a meeting of the Medical society Wednesday afternoon it was decided to subscribe for two prominent European medical magazines, which are to be placed in the new medical library in the Museum building.

The last of the Rhodes scholarship examinations was held at the university Wednesday afternoon, and the papers have been sent to the Oxford university, England, by registered mail. The results are expected to reach this city some time next January.

Hereafter it will be considered a misdemeanor for students to place numerals on any university property without first receiving permission from the president. This was decided by the faculty at a recent meeting, owing to numerals being put on the smoke stack and other places this year.

The executive board of the student body will hold a meeting this afternoon for the purpose of determining the best method of handling the incidental fee.

Miss Mildred Jensen has been appointed instructor in English for preparatory students.

FUSION ON COUNCIL TICKET AT PROVO

Insures Success of Prohibition in Garden City at November Election.

(Special Correspondence.)

PROVO, Oct. 21.—In order that the prohibitionists may be more sure of electing councilmen at the coming election the Republican and Democratic city committees have arranged with the consent of the candidates, that the following councilmanic candidates withdraw: First ward, R. E. Allen, (R.); Second ward, Andrew Knudsen, (R.); Third ward, Jesse Manwaring, (D.); Fourth ward, J. M. Holdaway, (D.); Fifth ward, J. Challen Smith, (R.). Their places will either be left blank on the ballot or the remaining councilmen will be placed on both tickets. There is some doubt about the best method. The prohibition councilmen remaining and who are supposed to receive the fusion vote of prohibitionists in the several wards are: First ward, Wilford F. Giles, (D.); Second ward, W. A. McCullough, (D.); Third ward, A. W. Harding, (R.); Fourth ward, George Powelson, (R.); Fifth ward, E. S. Hinckley, (D.).

SINGLE TAX CAMPAIGN FUND.

PROVO, Oct. 21.—In the single tax article in Saturday's News the amount contributed by Joseph Fels to the single tax committee of the United States is given as $250 a year for five years. This is a typographical error. The amount is $25,000 a year for five years.

DIVORCE WANTED.

PROVO, OCT.—21.— M. M. Nelson, of Pleasant Grove has commenced suit against Marie K. Nelson on the ground of disertion and cruelty, the latter consisting of calling plaintiff vile and obscene names and using abusive language towards him. There is one child Ella, seven years of age, the issue of the marriag. Nothing is said as to the custody of the child. The parties were married at Pleasant Grove Sept. 22, 1897.

THESE WILL WED.

PROVO, Oct. 21.—Marriage licenses have been issued to the following couples:

Charles C. Murray, of Topeka, Kansas, and Dora Schley, of Payson.

Alvin A. Loveridge, of Provo Bench, and Pearl Skinner, of Beaver City.

MRS. SCHWARTZ'S FUNERAL.

PROVO, Oct. 21.—There was a large attendance of relatives and friends at the funeral services held over the remains of Mrs. Maud Richmond Schwartz in the Third ward meetinghouse Wednesday afternoon. The speakers were Elder J. A. Buttle and George H. Brimhall. Beautiful vocal selections were rendered by the ward choir.

NEGROES PRESENT GOLD MEDAL TO FORAKER

Cincinnati, O., Oct. 21.—A committee of 15 colored men from Ohio, Kentucky and Indiana, representing the colored citizens of Fairbanks, Alaska, presented former United States Senator Foraker with a gold medal here today in recognition of his efforts in behalf of the colored soldiers who were dismissed from the United States army for alleged participation in the Brownsville, Tex., riot.

BIG FIRE IN DAYTON, O.

Dayton, O., Oct. 21.—Fire here early today destroyed the plant of the Computing Scale company, the big storage company's building adjoining and one of the structures of the Big Four freight station. The Pasteur-Chamberlain Filter company and the Kiee building works were practically destroyed. The total loss is estimated at $250,000.

BURSTING DAM DROWNS TWENTY-FIVE PERSONS

Constantinople, Oct. 21.—Twenty-five persons were drowned today following the bursting of a dam at Lake Derkos, 20 miles northwest of this city. The lake supplies water for the capital.

RATE CASE HEARINGS.

San Francisco, Oct. 21.—After hearing arguments and testimony on the Phoenix rate case and a complaint by California shippers against the Wells Fargo Express company, the interstate commerce commissioners last night left for Reno, Nev., where further cases will be heard.

UNKNOWN BURGLAR SHOOTS TWO MEN

Reno, Nev., Oct. 20.—An unknown burglar after shooting two men and stabbing a third in a battle, when he was surprised in the Vinton hotel, at Vinton, 35 miles northwest of Reno, on the Western Pacific railroad, tonight, escaped and a posse is in pursuit.

P. M. Canonica, son of the proprietor, heard the intruder up stairs and on going up to investigate, was forced to retire at the point of a gun.

He returned with his father, Joseph Canonica, Bert Questa, the bartender and a blacksmith and a desperate battle ensued on the stairs. Robert Canonica fell seriously wounded with a bullet in the adomen and Questa was perhaps mortally wounded with another bullet in the groin.

Joseph Canonica, the father, remained and grappled with the burglar who bit him on the arm and after stabbing him on the right arm, succeeded in escaping.

ROBBER FOUND DEAD.

Reno, Nev., Oct. 21.—Early this morning the lone highwayman who robbed the Vinton hotel at Vinton, Cal., was found in a barn near the scene of the trouble dead. His death is said to have been due to a fractured skull received from a blow by a pistol wielded by Robert Canonica, while the latter engaged the robber in one of the hotel rooms. Bert Questa, the barkeeper who was shot by the robber will probably die, having been shot in the groin. Robert Canonica and his father, who were also wounded by the robber will recover. The identity of the robber has not been discovered, although he is said to have been working on a threshing machine near Vinton.

SIR CHARLES RIVERS WILSON IS VERY HOPEFUL

London, Oct. 21.—Sir Charles Rivers Wilson who was to retire from the presidency of the Grand Trunk Railway of Canada at the close of the present year, presided today for the last time at a meeting of the board of directors.

In addressing the board, Sir Charles expressed a hopeful view of the business situation and said that there had been a marked improvement in the commercial conditions so far during the latter half of this year. He referred to the absence of sufficient help in British Columbia and said that he feared that the lack of laborers to be secured there would make it impossible to fulfill the promise of completing the road's extension to Prince Rupert on the Pacific coast, by December of 1911.

President Wilson complained that the government authorities of British Columbia had given but little assistance in solving the problem of obtaining laborers and had absolutely refused permission for the introduction of Chinese and Japanese. He said that personally he was opposed to the appointment of an advisory board in Canada, but that he would offer no strong objections to the plan if it should be favored by a large proportion of the Grand Trunk shareholders. It was indispensable, he added, that the fiscal control of the company should remain in London.

The meeting became noisy when it was proposed to grant Sir Charles an annual pension of $7,500.

After the adoption of an amendment deferring consideration of the matter for one year, the temporary chairman announced that a poll would be taken to determine whether the directors were in favor of the original motion.

The poll proved an overwhelming sentiment in favor of the motion, and accordingly a pension for Sir Charles is assured.

PERSONAL.

Mrs. Fred Presbry is at the Kenyon today from California, en route east on a visit. Mr. Presbry was formerly chief clerk of the Kenyon.

Secy. Beatty of the state board of health returned this morning from a California trip.

DIED.

MASON.—Hannah A., died at the rear of 49 south Sixth West, of myocarditis, Oct. 18.
Remains will be shipped to Lehi, Oct. 22.

McFADYEN.—Duncan, died at 43 Columbus street, Oct. 20, at the age of 8 years.
Funeral will be held Sunday from the Twenty-fourth ward meetinghouse.

TIRWEEK.—In this city, Oct. 20, 1909, Annie R. Armstrong Tirweek, aged 48, at the home of her daughter, Mrs. Nellie Couton, 167 south Fourth west.
Notice of funeral will be given later.

RADEMAKER.—In this city, Oct. 19, 1909, Agnes Rademaker, aged 79 years.
Remains at O'Donnell & Co.'s parlors.
Notice of funeral will be given later.

WILSON.—At 667 north Second West, Oct. 20, 1909, Harry E. Wilson, in his 78th year, native of England. Father of F. T. Wilson. Deceased leaves two sons and three daughters.
The remains are at the funeral parlors of Joseph William Taylor, 35 south West Temple street. Notice of funeral later.

LONSDALE.—At the residence, 116 south Third East street, of apoplexy, James Mathew Lonsdale, native of England, aged 56 years.
Notice of funeral later.

LONSDALE.—Of apoplexy, James B. Lonsdale, at the residence, 116 south Third East street. Deceased was a native of Staffordshire, England.
Funeral from the Twelfth-Fifteenth ward meetinghouse Sunday; time to be announced later.

R. E. Evans, Florist, 36 S. Main St. Floral designs a specialty. Phones 95.

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