

ANSWER FILED IN SUIT TO RECOVER

Keith-O'Brien Company Says Nelson's Stock Was Sold for Assessment.

WORTH BUT \$25 PER SHARE.

Defendants Accordingly Ask That Plaintiff Take Nothing By His Complaint.

The Keith-O'Brien company and its board of directors filed their answer in the district court today to the action brought against them by H. A. Nelson, in which he seeks to recover the total sum of \$22,250, alleged to be the value of 222½ shares of the capital stock of defendant company, which he alleges was wrongfully appropriated by defendants to their own use. At the time of the alleged conversion it is claimed by plaintiff that the stock belonged to him, and that the defendants, by their conversion, had converted the same to their own use. The answer denies that the stock belonged to plaintiff, but alleges affirmatively that it was sold for the value of \$100 per share, and that the value of the same was \$22,250. It also denies that the defendants converted the same to their own use, and that the value of the same was \$22,250. It also denies that the defendants converted the same to their own use, and that the value of the same was \$22,250.

SHEEP CASE.
Suit Against E. W. Wilson and Hoyt Sherman, Jr. in District Court.

Suit was filed in the district court this afternoon by the Utah Commercial & Savings bank against E. W. Wilson and Hoyt Sherman, Jr., to recover the sum of \$1,565, said to be the value of 55 head of sheep, which defendants are alleged to have wrongfully taken and converted to their own use on July 21, 1903. The sheep belonged to Naylor & Clark and were mortgaged to the plaintiff at the time they were taken possession of by the defendants. The bank made for the return of the sheep, but this the defendants refused to do. Hence judgment is asked against them for the value of the sheep, as given above.

Deserted His Wife.

Maud B. Yeaman filed suit for divorce in the district court today against Vestal Yeaman on the ground of desertion. They were married at Victor, Kan., on Jan. 25, 1897. There are two children, an issue of said marriage, of whom plaintiff asks the custody.

OLD RESIDENT DEAD.

Thomas C. Beck of Pleasant Grove a Victim of Heart Failure.

(Special to the "News.")
Pleasant Grove, March 3.—Thomas C. Beck, one of the most highly respected citizens of Pleasant Grove, died suddenly at his home here last night of heart failure. Mr. Beck had just eaten a hearty meal and stepped out into the cellar adjoining his house, where he was found a few minutes later in the throes of death.

TUDDENHAM SURPRISED.

Leaded Patrol Wagon Drives Up to His Residence Amid Demonstrations.
The spectacle of a loaded police patrol wagon dashing up Second street last evening full tilt brought residents to their doors and windows in haste while boys on bicycles and youngsters out of breath followed in the wake like the tail of an animated comet. When the wagon pulled up outside the residence of William J. Tuddenham, 663 Second street, excitement reached fever heat especially when the driver commenced to clang the gong in a most aggressive manner.

DIED AT MODENA.

Frank Pusey Answers Last Summons En Route to St. George.

Frank Pusey, a well known young man of this city, died this morning at Modena, while en route to St. George, Utah. He had been an invalid for a long time, suffering from tuberculosis, and the trip to St. George was undertaken at a critical stage in his fight with the disease, with the hope of finding improvement in the warm and dry southern atmosphere. Wednesday evening the party, consisting of Mrs. Pusey, the mother of the deceased, a sister and himself, left on the San Pedro for the south. His condition which was not promising, grew worse instead of better and at Modena he died, with his mother and sister at his side.

DENVER'S RECOVERY.

Salt Lake Man Says it is Falling Itself Together in Fine Shape.
Architect J. C. Craig has returned from his Denver trip. He was all over the town in an automobile, and noted a general renaissance in the building line, for new dwellings are going up all over the city. Mr. Craig says there are comparatively few houses to rent in Denver, notwithstanding the stories about from 2,000 to 3,000 houses being empty. The city is fast recovering from the set back occasioned by the labor troubles that have racked and almost ruined the state, particularly as the turbulent spirit of the Western Federation of Miners have been driven from the state and into Nevada, where it is believed that experiences that distracted Colorado will be repeated. There does not seem to be much apprehension in Denver, but that the gubernatorial question will be settled without any violence, and Cripple Creek has recovered entirely from its troubles and experiences. Mr. Craig found the real estate market lively at Colorado Springs, where in February the local mining ex-

change did \$2,000,000 worth of business. Pueblo also is partaking of the general revival of commercial and industrial interests in the state, and great things are looked for in that city the current year.

A Guaranteed Cure For Piles.
Itching, Blind, Bleeding or Protruding Piles. Your druggist will refund money for AZO Ointment if it fails to cure you in six to fourteen days. 60c.

ABOUT BAD CATSUP.

The Nutmeg State is Having Its Troubles as Well as Utah.

The staid people of the Nutmeg state are having troubles of their own with adulterated catsup, as well as Utah. Of 6,000 samples of food products examined during the past year at the Connecticut Agricultural Experiment Station, more than one-third were found to be adulterated, according to the ninth report, just issued. Most food adulterations are quite innocuous, apparently, but are frauds, and consist of cheap and worthless materials added to increase profits or meet competition in price. In this class are ground coffee, spices and cream of tartar.

ONLY A TRIBUNE STORY.

Sees Spooks and Blames Chairman Spry and Several Others.

In a column article the Tribune this morning endeavored to show that there were ulterior motives prompting the passage of H. B. 111, by Fishburn, extending the terms of city officers one year. It said the bill had some connection with the application of the Utah Light & Railway company for a franchise, and that among its strongest supporters were State Chairman Spry, who had pledged himself to get the bill through the senate; Speaker Hull, who had pushed the measure through the house, and several others who, it suggested, the senate had been reported favorably in the house. A meeting of the state senate and city chairman of the Republican party, was held in this city. At this meeting the measure was thoroughly discussed and the conclusion arrived at that the city election should be held as usual this fall, but that those elected should remain in office for the term of one year.

DIED OF PNEUMONIA.

Jonathan Mechem of Provo Passed Away Last Night.

(Special to the "News.")
Provo, March 3.—Jonathan James Mechem died at his home in the First ward last evening, the cause of death being pneumonia. The deceased was the son of the late J. B. Mechem and was born in this city 46 years ago. He leaves a wife and nine children. The funeral will be held in the First ward meeting-house tomorrow at 2 p. m.

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NATIONAL GUARD BILLS PASSED.

Appointments Sent to the Senate Held Up for an Executive Session.

ASSOCIATED PRESS MEASURE.

Chairman Spry Argues in its Favor in Hope of Getting Franchise for New Republican Paper.

The state militia bills 64 and 65, companion measures by Park on the reorganization of the National Guard to bring it into conformity with the regular army, were the most important bills before the senate this afternoon. They were both passed after slight amendments. Other bills up for final action were H. B. 203, on articles of incorporation; H. B. 223, on stock certificates; H. B. 151, on dismissal of actions; T. B. 176, on bribing of witnesses; H. B. 147, on trespass; S. B. 36, on voting machines; and S. B. 130 on boundaries. Gov. Cutler sent in one more batch of appointments, this time for members of the state board of sheep commissioners. The personnel of the list of appointments is withheld pending the action of the senate in its executive session late this afternoon.

ASSOCIATED PRESS BILL.

Some surprise was occasioned by the report of the judiciary committee favoring the passage of Lawrence's R. B. 110, aimed at prohibiting the Associated Press from discriminating against any newspaper. The report has originally been introduced by Lawrence, but the word "not" had been crossed out in ink, indicating a change of heart at the last minute. The same committee killed Merrill's H. B. 122, on the state board of equalization. It recommended favorably the following bills: H. B. 138, by Marks, defining the word "oath"; H. B. 77, by Holley, on the duties of county treasurers; S. B. 123, by Park, defining common barratry, and providing punishment therefor; H. B. 159, by Marks, on the fees of county recorders; H. B. 99, by Roberts, on the duties of county clerks; S. B. 37, by Lawrence, on bucket shopping; H. B. 86, by Tolton, on the fees of court stenographers; H. B. 157, by Marks, defining the duties of county recorders.

FAVORABLE REPORTS.

Committee men today were on their good behavior and sent out for the most part only bills with a clear bill of health. Favorable reports were submitted as follows:

S. B. 94, by Hollingsworth, on the inheritance tax.
S. B. 106, by Hollingsworth, on real estate.
S. B. 99, by Walton, on an annual convention for health officers.
S. B. 43, by Walton, on reservoirs and reservoir sites.
S. B. 27, by Tolton, on reports on cases of tuberculosis.
S. B. 114, by Clegg, on transient stock.

H. B. 123, by Hopes, on the expenditure of public money.
S. B. 105, by Hollingsworth, on the duties of county auditors.
S. B. 98, by Walton, on sanitation in schools.

H. B. 155, by Kinney, on fees of precinct officers.

ONE DISPUTE IN COMMITTEE.

The only bill of which the committee had a bad opinion was Johnson's osteopathy bill (No. 92). The majority report recommended its passage, while the minority, headed by McKay, recommended its passage.

RECEPTION FOR TOMMY.

Utah County Man Suggests That He Be Met by Tin Whistle Delegation

Pleasant Grove, March 3.—Editor "News"—Utah has the name of being a patriotic state for its distinguished citizens, and those also of national fame. Let us not forget that we will soon witness the return of one of these great (?) characters—Tom Kearns. Remember our demonstrations to our returning volunteer soldiers. Also our reception to Mr. Roosevelt while he was a candidate for the presidency. Let us give him a similar reception to our returning hero.

The writer, who has been an ardent Republican ever since the advent of national politics in our state, feels that a delegation of several thousand young Republicans armed with tin whistles and toy balloons (as symbols of his effort) should be at the depot to meet this great (?) ex-senator on his return home. One county furnished a quota of rough riders to meet the rough rider hero. We will furnish ten times that number now to tin whistle Tommy on his return home; to drum into his ears the history of our state and in the hearts of his citizens, when posterity will ask, "Who was Tommy Kearns?" Let's give him a rousing reception.

A REPUBLICAN.

HOW HE DID IT.

They led Martin W. Littleton, president of the Borough of Kings, up to the White House this morning and presented him to President Roosevelt. Representative Browning of Tennessee, was the high contracting party. "Mr. President," he said, "I want you to know the man who did more for you in the last campaign than any other on earth."

"How's that?" asked the president, looking Littleton over carefully. "Why," Brownlow replied, "Littleton is the person who made the nominating speech for Justice Parker at the St. Louis convention. — Chicago Inter Ocean.

OFFICE EXTENSION BILL WILL PASS.

Said That it Will Go Through the House Without Great Hindrance.

SNAGS AHEAD IN THE SENATE.

Many Amendments Are Made to the Fish and Game Measure—Dist. Atty. Bill Nearing its End.

Among the bills scheduled for third reading in the house this afternoon is H. B. 111, by Fishburn, extending the terms of city officers one year. This measure will doubtless provoke considerable discussion, and there are many in the house known to be emphatically opposed to this bill. However, as the Republican caucus agreed to support it, the bill will likely pass the house in its present form, but it is expected that it will meet with obstacles in the senate. The committee on fish and game met this morning, and decided to report favorably on the measure providing for the protection of fish and game. The bill was severely amended. The "bag" being cut down from 40 to 25 and the anti-marketing clause being stricken out. In its present form the bill requires non-residents to pay a fee of \$25 for the privilege of shooting game within the state. Another change was that the clause closing Utah lake to fishermen was stricken out. Miller's bill, abolishing the office of district attorney and investing such authority in the attorney general and his assistant, was also reported favorably this morning. This is the measure under which Mr. Miller sought to save the state sums approximating \$200,000 every year.

COMMITTEE REPORTS.

The committee on labor recommended the non-passage of H. B. 156 by Pankratz, providing for licensing stationary engineers. The committee on judiciary recommended the passage of H. B. 224 by McCrea, making cities, towns, village or school districts liable jointly with contractors upon public works, in actions substituted by sub-contractors or material men.

The committee on mental hospital recommended the non-passage of S. B. 57 by Kinney, relating to government and control of the state mental hospital. The committee on public health recommended the passage of H. B. 207, by Pankratz, providing for the sale of cold storage eggs; also the passage of S. B. 91, by Rasband, to prohibit the sale of foods below the standard of purity; also the passage of H. B. 170 by Hays, to prevent deception in the sale of renovated butter and licensing manufacturers and dealers in the same; also the passage of S. J. M. 3 by Williams.

The committee on judiciary recommended the non-passage of H. B. 187 by Kuchler, relating to crimes against good morals and barbarous and noisy amusements on Sunday.

The committee on public health recommended the passage of H. B. 122, by Kinney, regulating the practice of medicine and surgery.

The committee on enrollment and engraving reported favorably H. B. 134, by Kinney, for the approval and custody of official bonds of state officers; H. B. 46, by Kinney, providing an additional method for taking depositions without the state; H. B. 59, by Austin, creating a state board of park commissioners, and H. J. M. 4, by Austin, praying grant of lands for state park.

The committee on judiciary recommended the passage of H. B. 204, by Kinney, requiring local boards of health to report certain diseases.

The committee on judiciary recommended the non-passage of H. B. 149, by Miller, relating to change of venue from justices' courts; also the passage of H. B. 109, by Kinney, relating to homesteads.

The committee on salaries and fees recommended the passage of H. B. 129 by Hawley, regulating the salaries of county officers.

The committee on agriculture and horticulture recommended the non-passage of H. B. 41, by Lyman, creating the office of state veterinarian.

The committee on judiciary recommended the passage of H. B. 122, by Peterson, providing a change of venue in civil cases in district courts.

JUVENILE COURTS.

School Principals Endorse Measure Now Pending.

The bill pending in the Legislature providing for juvenile courts, and the approval of the principals of the various schools.

The committee proposed that a general mass meeting be called in support of the movement that is being made against the cigarette evil, but a special committee appointed by the principals have concluded that it would be better to have a series of meetings held in the school buildings, and a report to this effect was adopted at a meeting held by the principals yesterday.

The pedagogues then visited in a body the Independent telephone exchange, the police headquarters and the fire department. At the latter place a drill was given for their special entertainment.

LATE LOCALS.

W. E. Fife has removed to Butte to engage in business. The state board of examiners is holding another session today.

Sheriff J. B. Whitehead of Eureka, Juab county, is in the city today on business.

Wallace Bransford will return on the 12th inst. in his \$5,000 automobile with which he has been touring California, with Frank Knox.

The past week has been a busy season at the Salt Lake stock yards, with quite a stream of sheep and other live stock in transit east.

A large consignment of California vegetables and fruits reached this city last night, and were distributed among the local markets this morning.

ent that even country horses are losing their fear of them.

C. M. Bell, the representative in this city of Krause, Brandegee & Co., of Utica, N. Y., reports the change in his firm owing to the death of Mr. Krause, to Brandegee, Kinkaid & Wood.

Sergeant James E. Chadbourne of the Port Douglas has left this noon for his home in Boston, on a 30 days' vacation, preceding his re-enlistment. Mr. Chadbourne is solo cornet player, and a valuable member of the band.

The funeral of T. L. Billups, formerly connected with the Salt Lake Herald, was held this morning, from the undertaking rooms of S. D. Evans, with interment at Mt. Olivet. Rev. E. I. Goheen conducted the services.

W. W. Hall has gone to the southern part of the state and Nevada for a rest and change. He has taken with him "Tuffy," the amiable brown dog that has for so many moons posed in front of Mr. Hall's Main street store and stared the sun out of countenance.

The mercury went up two points higher yesterday, and is further on the rise today, and a beautiful open weather is anticipated. But the rain also continues in the south, and 10 of an inch of cold rain was falling at Santa Fe this morning. In central Texas it is raining also.

Three cases of smallpox were reported to the board of health late yesterday afternoon. They are Ernest Jones, aged 22, residing at 417 South Sixth East; Maud Heavyside, aged 21, residing in the rear of 65 north First West; Minerva Helmsman, aged 34, residing at 65 north First West.

Manager A. E. Wilder of the Postal Telegraph company in this city has resigned his position to return to the company's offices in Chicago, on account of the ill health of his wife at this elevation. Mr. Wilder's successor is Mr. H. C. Shaw, until recently manager at La Junta, Colo., and Mr. Shaw is now in charge here.

Grain and flour men continue cutting under the prices set by the Produce Exchange Tuesday last, noticeably in the way of trade of stamp devices, premiums and prize drawings. Complaint has been made to the Salt Lake postmaster, by members of the trade who do not approve of this sort of thing, that the alleged delinquents are advertising the price list drawings in a morning paper, and they ask that this does not prohibit that paper from circulating in the morning.

Local real estate men say that reports about there being so many empty houses in town are exaggerated, and that there are not possibly more than 200 of them in the number, and many of these are undesirable. The completion of the great Emery-Holmes apartment house has taken care of 55 families, and of course that makes a big difference. There are always numbers of families who move out into the suburbs, and that explains why some houses are empty in and near the central parts of the city.

The report that County Clerk Eldredge took offense at an alleged statement of his predecessor in office, Mr. John James, as to who was in charge of the office at the time a large portion of the bounty frauds was committed, is not correct. There will be a meeting of a number of persons interested in the anti-cigarette and juvenile court movement Saturday, March 4, at 2 p. m., in room 204, city and county board of education department.

This meeting is for the purpose of forming an adult anti-cigarette and boys' betterment league for Salt Lake City. With this purpose in view, a meeting of the anti-cigarette and juvenile court movement Saturday, March 4, at 2 p. m., in room 204, city and county board of education department.

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Rules were adopted by the joint convention after receiving the committee reports today giving the attorneys on each side eight hours for arguments. Atty. John M. Waldron, chief counsel for Peabody, opened the argument, and will speak for five hours. Arguments for Adams will be made by Milton Smith, Samuel W. Belford, James A. Orr, John A. Rum and Charles S. Thomas. After they have finished Mr. Waldron will make the closing address on behalf of Peabody.

NO MOTIVE KNOWN FOR POISONING MRS. STANFORD

San Francisco, March 3.—Although every effort was made to find a motive for the reported poisoning of Mrs. Jane Stanford, and to fix the guilt, if such a crime has been committed, no reason has yet been made, and those engaged in investigating the case decline to discuss the matter, pending the completion of their work.

Acting Chief of Police Spillane, Captain of Detectives Burnett and Capt. Callaghan of Morse's private detective agency are all working in harmony and diligently in pursuit of the supposed criminal or criminals, and are alleged to have several people under surveillance.

It was said today by Atty. Mountford Wilson that Mrs. Stanford's will would not be made public for some time yet. "I am not the one to decide when the will will be published," said he. "That is something to be decided by the persons interested."

It is a fact, however, that the local detectives are keeping their eyes open. Albert Beverly, the former butler, and Elizabeth Richmond, the former maid of Mrs. Stanford and upon the six or eight employees, mostly Chinese, in the Stanford house, are being watched. One is permitted to enter or leave without permission of the authorities.

PRESIDENT HAS A VERY BUSY DAY.

Washington, March 3.—President Roosevelt's day before his formal inauguration to the presidency was almost a continuous run. So great was the pressure from visitors upon the president's time that the regular semi-weekly cabinet meeting was abandoned and Mr. Roosevelt gave up an much of his time as he possibly could, coming from executive business to greeting and shaking hands with callers. He said to his friends that this day of all others, he belonged to the people and it afforded him genuine pleasure to meet them, and exchange with them even a transient greeting.

The people came from every part of the country to the White House to extend heartfelt greetings with President Roosevelt.

The president appeared at his office early and plunged immediately into the mass of work which has accumulated since yesterday. Many senators and representatives called to talk a moment with the president regarding measures either pending in Congress, or already before the executive for approval. Most of them, in addition to their official duties, presented constituents who are in Washington to witness the ceremonies affixing his signature to bills which had been enacted by Congress. He approved several hundred measures during