

ARBITRATION IS NOW SOUGHT.

State Board is Willing to Settle
The Coal Miners' Trouble
At Sunnyside.

GOV. H. M. WELLS TAKES A HAND

In His Reply to the Men He Counsels
Peace—Both Men and Operators
Make Charges.

The state board of arbitration stands ready to arbitrate between the Utah Fuel company and its striking employees, and the following communication was forwarded last evening to Sunnyside:

Salt Lake City, Nov. 19, 1903.
Messrs. Crawford and Lee, Sunnyside, Utah:

The board of arbitration, after conference with Governor Wells, tendered its services to settle dispute between the Utah Fuel company and its employees. Come at once to Salt Lake to confer with us. Will you arbitrate?

J. S. DAVELER, Secretary.

Governor Wells received a letter from the strike leaders on the situation at Sunnyside, which reads as follows:

Sunnyside, Utah, Nov. 15, 1903.
Heber M. Wells, Governor of Utah, I am writing you to inform you of the events taking place in Sunnyside. We, the coal miners of Sunnyside, have decided to quit work until such time as the operators decide to recognize the United Mine Workers of America.

I wish to bring to your notice an outrage committed on county road between Sunnyside and Price. We received telegrams this morning stating that the organizers would arrive at Sunnyside today. Wishing to give them a reception, six men were chosen to meet them on the road between Sunnyside and Price. So, proceeding with conveyance down the county road about 10 miles were met by armed men (supposed to be employed by Utah Fuel company) and stopped at point of rifle. One of our party was ordered from wagon, and ordered to state our destination and business, and after stating our business was maltreated by these armed men, and ordered to enter wagon; the whole party then being ordered back to Sunnyside. We were denied the right to proceed on our business. I may also state that organizers and two citizens were denied right of county road to proceed any further, and compelled to return to Price.

I will further state that everybody here is obeying the law. There has not been any unlawful act on part of miners, but we consider that Sheriff Wilcox is taking the law into his own hands. Hoping that you will consider this matter, as we are prepared to verify our statements, we remain, yours most truly,

WM. CRAWFORD,
JOSEPH E. PATRICK,
ROBERT LEE,
D. WILSON.

GOV. WELLS REPLIES.

Chief Executive Sends a Letter to Striking Miners at Sunnyside.

The governor's reply was as follows: Salt Lake City, Utah, Nov. 17, 1903. Messrs. William Crawford, Joseph E. Patrick, D. Wilson and Lee, Sunnyside, Carbon County, Utah:

Gentlemen—I have the honor to acknowledge receipt of your letter, dated Sunnyside, Nov. 15, 1903, in which you state that you, as coal miners of Sunnyside, had decided to quit work until such time as the Utah Fuel company would recognize the association known as the United Mine Workers of America; also complaining of an alleged outrage against certain coal miners committed on the county road between Sunnyside and Price; and further stating that while everybody at Sunnyside was obeying the law, you consider that the sheriff is taking the law into his own hands, etc.

Replying to these statements, I desire to say that I have communicated with the sheriff of Carbon county as to your allegations, requiring full and immediate investigation of the unlawful conduct charged against certain coal miners supposed to be in the employ of the Utah Fuel company, the facts to be reported to me at once. You may feel entirely assured that as far as lies in my power and authority, I will protect the law-abiding people of your vicinity may be suffering will be promptly corrected and removed.

Desiring that this pledge be considered universal in its application, I am compelled to inform you that complaints have been made to me as to unlawful and threatening conduct on part of some of the striking coal miners toward the Utah Fuel company. These complaints are in effect that armed bodies of striking miners have been guilty of disturbing the peace in seeking to compel non-striking miners to join their employment, joining the mine workers' society, or doing something which seems to be repugnant to them. You will recognize the propriety of my action in referring these charges to the sheriff for immediate investigation and report.

In this connection I will be permitted to say that it is a matter of great regret to me that the coal miners of Sunnyside are not able to adjust their differences with their employers without recourse to the very doubtful expedient of striking, which is a source of consequences that inevitably ensue to both employer and employee from such a course. I call your attention to the fact that the state of Utah has done everything in its power to dignify the laboring man and protect him in his lawful rights. The Legislature has provided that eight hours shall constitute a day's labor for men who work in underground mines, and this law is rigidly enforced throughout the state. The Legislature, in further recognition of the rights, especially of coal miners, and for their better protection and health and safety, has provided for frequent inspections of coal mines by an adequate force of competent inspectors, together with a thorough efficient law patterned after the most approved methods of modern times, compelling mine operators to take every possible precaution for safeguarding the interests of the coal miners.

In view of these facts, I submit that the coal miners of the state for this protection extended to them by the state, owe the state something in return. They owe it the duty of being good citizens and conforming to its laws. Before going out upon a strike, therefore, and precipitating the evil consequences which must be obvious, I submit that if your grievances have become intolerable and your employers have refused or failed to redress them, you should have appealed to the authority provided by law for such redress. This authority is the state board of labor, conciliation and arbitration, whose duty it is to adjudicate and, if possible, settle all differences that may

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Cut loose and 52 inches long from English and Scotch checks and mixtures. Broad, concave shoulders; hand-made, close-fitting collars; pockets that won't rip; new one-piece belt in the back. The correct English ulster with American improvements. Just the coat for crisp, cold days on land or sea.

The price is right. Your money back if anything goes wrong. THE BENJAMIN "Crofton" is for sale by us only.

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Main St.

arise between employer and employee.

Said board is at present composed of three well known citizens of the state, especially selected by the governor and confirmed by the state senate for their broad-mindedness and experience in such matters. They are John Nicholson, chairman, who is neither an employer or employee of manual labor; Col. E. A. Wall, who is an employer of labor, and J. S. Daveler, who is an employee and belongs to a labor organization.

If you will make proper application to this board and your employers will consent to do the same (and I shall be so pleased to request them to do so) I now am in suggesting it to you, I have no doubt your differences may be adjusted peaceably and amicably and without the necessity of recourse to the emergency methods you have already undertaken, and which it is alleged you are insisting your fellow workmen shall also undertake.

I am not fully advised as to whether or not your list of grievances have all been adjusted, with the exception of your insistence that the United Mine Workers' society shall be recognized (which is the only grievance you have seen fit to mention in your letter), but surely this board is competent to arbitrate your difficulties whatever they are, and render a just and impartial verdict to which both parties concerned must be pledged in advance to faithfully abide.

Your appeal to me suggests this advice, and I shall be sincerely pleased to hear from you as to the willingness of yourself and the other striking coal miners to submit their cause to the arbitration of this board, and await an answer from you upon this proposition, meantime forwarding to you, under separate cover, a copy of the laws of Utah, 1903, in which, on page 88, will be found the statute referring to this board and its power and operation.

In conclusion I assure you that the state authority will use every effort to maintain, and feel itself entirely competent to maintain, law and order in and about the coal mines at Sunnyside, and to fully protect the rights of the citizens of that part of the state; and as governor, charged with the enforcement of the laws and the maintenance of the public peace, I call upon you and your fellow workmen to refrain from every act of violence or disturbance of the peace and good order of the community in which you reside, until such time as your differences may be adjusted. I have the honor to be very respectfully, HEBER M. WELLS, Governor of Utah.

KRAMER'S ANSWER.

Utah Fuel Company Absolutely Declines to Recognize the Union.

President Kramer of the Utah Fuel company went down to Castle Gate yesterday afternoon, to do a little investigating for himself, and last evening, wired to the Salt Lake offices of the company as follows:

"I am in receipt of a telegram from you dictated by the board of arbitration, to which they ask that I wire answer to J. S. Daveler, secretary of the board, the message of the board being as follows:

"After conference with Gov. Wells, we understand that you on behalf of the Utah Fuel company would be willing to arbitrate differences which now exist between the Utah Fuel company and certain of your employees. Is this correct?"

"This company is at all times willing to arbitrate any differences that may arise between the company and its employees pertaining to wages, hours and any and all questions incident thereto, but it declines to arbitrate any question that has as its purpose the recognition of the United Mine-Workers of America or any other union that arrogates unto itself the right to shut down at its own will or pleasure, the operation of the mine, and for the whether organized or not, and for the

HOME TESTING

A Sure and Easy Test on Coffee.

To decide the all important question of coffee whether or not it is really the hidden cause of your physical ailments and approaching fixed disease, one should make a test of 10 days by leaving off coffee entirely and using well made Postum Coffee.

If relief follows you may know to a certainty that coffee has been your vicious and killing enemy. Of course you can take it back to your heart again if you like to keep sick.

A lady says: "I had suffered with stomach trouble, nervousness and terrible sick headaches ever since I was a little child for my people were always great coffee drinkers and let us children have all we wanted. I got so I thought I could not live without coffee and I would not acknowledge that it was causing my suffering."

"Then I read so many articles about Postum that I decided to give it a fair trial. I had not used it two weeks in private until I began to feel like a different person. The headaches and nervousness disappeared and where I used to be sick two or three days out of a week while drinking coffee I am now well and strong and sturdy seven days a week, thanks to Postum."

"I had been using Postum three months and had never been sick a day when I thought I would experiment and see if it really was coffee that caused the trouble, so I began to drink coffee again and inside of a week I had an awful sick spell. I was so ill I was soon convinced that coffee was the cause of all my misery and I went back to Postum again in a hurry with the result that I was soon again well and strong and determined to use Postum the rest of my days and to leave coffee alone in the future." Name given by Postum Co., Battle Creek, Mich.

Look in each package for a copy of the famous little book, "The Road to Wellville."

further reason that it would give any such union absolute control of the selection, employment, and retention in service and discipline of all employees, including mine officials who would not be members of the union.

"It is understood that the law creating the board of arbitration does not provide that the board take jurisdiction pending a strike, and only when there is not a strike or lockout, and when matters of differences exists between employer and employees.

"No grievances whatever have been presented to the Utah Fuel company by any of its employees and were disturbing work. At Sunnyside, out of 550 employees, some 200 who had gone out on strike submitted twelve grievances several days after they quit work—all of which were answered to their committee.

"The concessions made by the company, so far as its officers are aware, were satisfactory, as no further communication has been received from this committee. We are unofficially advised that at a subsequent meeting held by the men they voted to continue the strike for the reason that the company declined to comply with their demand for the exclusive recognition of the United Mine-Workers of America. Upwards of 400 of the employees at Sunnyside refused to join in this demand and are now at work."

"Within the past few days national organizers of the United Mine-Workers of America have been at Sunnyside, and we are informed they declined to officially organize the 200 men for the reason that the constitution of the organization prevented recognition or authority to form a local lodge composed of men who are upon a strike, and thereupon organized a probationary membership and advised these men to go back to work pending a legal organization under their constitution.

"Proper and sufficient notice was given to all employees that unless they returned to work Nov. 14 they would be discharged from further service with this company. Thereupon about 200 of them did not go to work and were discharged. At Castle Gate outside national organizers succeeded in getting about one-third of the employees who were at work to join the union and immediately thereafter a strike was called without submitting to the company any grievance whatever, and we are therefore unadvised that there exists for arbitration any grievance on the part of the men who have gone out on strike. The strikers at both Castle Gate and Sunnyside have undertaken to intimidate and by coercion to prevent majority of our people from going to work."

GEORGE W. KRAMER.

Infants Thrive on cow's milk that is not subject to any change of composition. Borden's Eagle Brand Condensed Milk is always the same in all climates and at all seasons. Ask a general household milk. It is superior and is always available.

THE HILTON CASE.

C. W. Penrose and Emmeline B. Wells Give Testimony.

Almost the entire time of the court in the case of Hilton vs. McCormick was taken up, on Thursday, by questions, objections and rulings, leaving very little for the witnesses to do in the shape of answers. Mr. C. W. Penrose was on the witness stand in the morning, Mrs. Emmeline B. Wells and he in the afternoon. Cross-examined by Attorney Jones, the gist of his testimony in the morning was that since 1896, when marriages were performed by ministers of the Church they were made public by the return of the license to the county court, but that at the time the Church neither published nor withheld publication of marriage sealings. That there are now no plural marriages. That the ceremony of sealing was not the fact of its occurrence was not.

In the afternoon Mrs. Wells, after repeated objections, and tilts between the attorneys, was permitted to state that she was sealed to D. H. Wells for time in 1882, and had been previously sealed for time and eternity to Newel K. Whitney, who was deceased when she was sealed for time to Mr. Wells. Also that she knew that Daniel H. Wells had women sealed to him for eternity only and that they had no marital relations in time. To the last statement there was vigorous objection by Mr. Jones, but the testimony was permitted, the court reserving a decision as to its going into the record.

Mr. Penrose was further cross-examined on points that had been gone over before, answering them, several times, and declining to give either the words of the sealing ceremony or the names of the officiating ministers. A hypothetical question was put by Mr. Stewart which embodied a narration of the facts in the union of John R. Park and Anne Armitage, and took up a long time in reading; the witness was asked whether in view of all that testimony the union was for time and eternity or for eternity only. Lengthy objections were interposed, but the answer for time and eternity the court did not decide then whether it should stand or not. The answer was that in the judgment and opinion of the witness in view of the facts related, it was for eternity only.

The court desired the witness to explain one point and said, in substance: "I want to know if in the Mormon Church there is any rite of cross-examination in relation to sealing or celestial marriage, where the young lady is a member of the Mormon Church, single, and about to die, and so realized by her friends about death, the young lady by being sealed would be better off after her seal had departed from the body in the spiritual world?"

"She would be in a better position, according to the Mormon religion," answered the witness, "as to exaltation by being sealed to a good man, on the doctrine that the man is not without the woman nor the woman without the man in the Lord."

Mr. Jones asked whether there would be any difference as to exaltation if they were sealed for eternity, when Mr. Druehl said: "I have been asked for time and eternity. The witness answered 'No difference for eternity.'"

FATHER IS NOW SICK.

Frank E. O'Reilly, the father of the family so sadly stricken with diphtheria, down in Wyoming, and now sick with the terrible scourge himself. He is a Woodman, and the fraternity has been doing everything possible for him and his family.

Amusements

At the Grand last night a good sized audience turned out to greet the sensational and pathetic play entitled, "In Court's Stripes." That the audience was hungry for an entertainment of this special sort was evident from the applause which greeted the work of the principal performers, and the various scenes of the play. It was presented by the B. C. Whitney company, and all the characters are in fairly capable hands, the best work probably being that of the Bovey walt, enacted by Miss Freacott.

The same bill runs for the remainder of the week with a Saturday matinee. The sale for "The Dairy Farm" is now going on at the Theater.

ELKS' CIRCUS AT THE THEATER.

Red Lemonade, Barkers and All
The Other Adjuncts Hold
Full Sway.

SOME LUDICROUS SPASMS.

Big Audience Greets the Burlesque—
Accident to One of the Trapeze
Performers on Stage.

Red lemonade, barkers and all the usual adjuncts to a circus were in evidence at the Salt Lake Theater last night. It was Elks' night, and those purple B. P. O. E. s who could not get on the stage occupied conspicuous places in the parquet and dress circle. There was not a vacant seat downstairs. Above, the attendance tapered off toward the ceiling.

To attempt to give in detail the aggregation of talent which went to make up the entirety of the big show would be impossible. Ludicrous "spasms" followed so fast on the heels of events that all track was lost of the plot. The affair commenced with a slide for life from the third circle to the stage by a daring doll, and wound up with the extraordinary feat of Madame Macaroni on horseback. Incidentally there were other features which had been secured at great expense—of profound thought. Lester Fred's oration at the opening was in itself a Marc Anthonian gem, prolonged and resonant. Jim Leary, arrayed as a sort of George Washingtonian ring master, also made some announcements that were of the burden of their refrain that "the ushers will now pass among you with tickets for the grand concert and after-piece."

Everybody worked hard, especially the orchestra. By 10:45 Director Shepherd exhibited signs of collapse. Possibly one of the most unique features of the evening was the selection by the "country orchestra" of "Annie Laurie," "Ben Bolt," "Swanee River" and other well known melodies in a fashion that gave the audience musical neuralgia and made all squirm in their seats.

The joyousness occasioned by the antics of the performers was somewhat marred, however, by an unfortunate accident which occurred during the high trapeze act by the La Verne Brothers, two Salt Lake boys. Bert Cushing, one of the performers, crashed to the stage below and was picked up in a semi-conscious condition and carried to the dressing room. It was during the climax of a very good act that the accident occurred, when the knotted rope was released and the gymnast shot through space. Through an oversight the ropes were too long and when released to their full length, the young man struck the stage with his hands and face. He sustained a bad scalp wound, but states that he will appear again tonight.

Topical songs and local gags were not featured by the Elks. The circus was a straight burlesque on the real thing. Among the turns that bordered on the professional were the Toreadore dance by Harry Loiselle, the cake walk by the Peony children, a banjo duet by Donaldson and Kenyon, and a character song by Kenneth Kerr. George Gray also furnished a clever trick-bicycle riding turn.

The fun naturally centered around the well known people who appeared. John R. Critchlow, the erstwhile saintly Eva of Tom Show fame, with one George Westervelt, led the superlatively as Reuben and Cynthia, Critchlow then sang. Then Parley Christensen manipulated the grafter's dial as to the manor born. H. G. Sheridan was very much in evidence as an Irish cop with a lot of comedy legs. In the side show Fred Dern was the snake charmer, Ben Luoe the Phil islander, Billy Barnett the Circassian beauty, George Armitage the man-eating lion, and the fat lady and W. L. Hassell the applier. Incidental to the side show Dana Smith and Frank Redman gave a burlesque on the Corbett-Jeffries fight.

The performance will be repeated this evening, and indications are that the receipts of last night will be duplicated.

THE UNANIMOUS DECISION.

Much Satisfaction Over Fact That Supreme Court Was "Solidly One."

There is much satisfaction over the fact that all of the three judges of the supreme court were "one" in the decision in the Mortensen case handed down yesterday afternoon. The decision was written by Judge McCarty and not by Judge Marionneux, who wrote a dissenting opinion on another phase of the case a week or two ago. As already stated, Chief Justice Eakin and Justice Baruch concurred.

APT ILLUSTRATION.

How Mr. Druehl of Druehl & Franken Showed the Difference to a News Man.

A News man was talking with Mr. Druehl of Druehl & Franken lately, discussing a very interesting subject, when Mr. Druehl said:

"See here, I'll show you now just what I mean."

He went out and soon returned with a bit of board and two bottles. Resting one end of the board on the counter, he supported the other end with his fingers, and poured on the board from one of the bottles a drop of thick, oily medicinal emulsion, Vinol, and down the slope. Then Mr. Druehl took the other bottle and poured out just a drop of a clear, delicious, dark red liquid. This drop shot down the incline in the twinkling of an eye.

"This first bottle," said Mr. Druehl, "is the old-fashioned cod liver oil, or emulsion, as it is called. The second bottle contains Vinol. Now slowly but steadily pour the emulsion down the slope. The emulsion creeps along the board. It is thick, sluggish, unwholesome. But the Vinol dashes to the bottom at once. These two substances act like this in the human body—the cod liver oil is so thick and clogging that it merely upsets digestion, and its medicinal value is lost, while Vinol goes at once to the seat of trouble and corrects the difficulty by creating an appetite and building up the strength and general health."

"Vinol, you know, is a cod liver oil preparation, and while it contains all the medicinal elements which have made cod liver oil famous, it contains not a drop of oil, and is delicious to the taste. We cannot guarantee old-fashioned cod liver oil or emulsion, but Vinol is guaranteed to tide you over, and if it fails to give satisfaction it costs nothing. We stand the loss. But it won't fail. Try it on our guarantee and see." Druehl & Franken and The Smith Drug Co.

Face to Face With Starvation

Deprive your stomach of its digestive function and you starve to death.
However much you eat, you derive no nourishment from your food.
Gradually the flesh built up in health, is absorbed by the hungry, shriveled bloodvessels. You become gaunt and emaciated. You cannot sleep. Dark forebodings assail you. Complete collapse, and—death.

Dyspepsia is the name given this process of starvation—this disease which fills the land with physical wrecks.

We have watched its progress with horror.
We have seen beautiful women fade away like flowers on broken stalks.
We have seen strong men become tottering invalids.
Nothing could be done.
But now Science has provided a weapon—a real cure for dyspepsia.
Paincreatin and similar remedies are swept aside—sent to join the lancet and other medical blunders of the past.

In their place we offer you **Rexall Dyspepsia Tablets**, a modern remedy that is revolutionizing the treatment of disordered stomachs.

Dyspepsia Tablets Rexall

TRADE NAME

We know **Rexall Dyspepsia Tablets** will make you well and strong as they did Mrs. Swanson.

Results Are What Count

"I want everyone to know how **Rexall Dyspepsia Tablets** have helped me. I suffered with stomach trouble for two years and was in a terrible condition. I had lost thirty pounds in weight and looked twenty years older than I am. I was half starved, for nothing that I ate seemed to give me strength. A friend told me of **Rexall Dyspepsia Tablets** and after taking three boxes I believe I am cured. I can eat anything without the least discomfort; my complexion has become clear, and I am rapidly gaining flesh."—*Mrs. M. J. Swanson, Minneapolis, Minn.*

If you are losing flesh and becoming weak and irritable; if your food distresses you, or if you are unable to sleep, we want you to purchase a package of these tablets. The cost, trifling! The relief, invaluable!

Sold only at our stores as by mail. *Reckitt & Co. per full package.*

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Handsome Hat Pins, 75c to \$1.25

Kinds—42c.

Gold, Sterling Silver and French gray finished Silver. Variety is broad—all sorts of beautiful Stone Settings and others. One hundred or more. The kind of Hat Pins sold always at 75c to \$1.25 each, Saturday night for two hours—42c each.

\$1 and \$1.25 Side and Back Combs—62c.

Some have stone settings, others quite plain. Choice side and back hair combs sold regularly at \$1 and \$1.25 each. Saturday night two hours—62c.

50c Face Powder—27c a Box. The 30c for—16c.

Imported French powder—made by Pinaud, the Roman brand, excellent powder, daintily perfumed, Saturday night for two hours the 50c boxes reduced to—27c; the 30c to—16c.

35c Box Fine Note Paper—18c.

The Hurlbut favorite Court of Empire note size stationery, white and beautiful tints, Saturday night for two hours instead of 35c a box—18c.

Walker Brothers Dry Goods Co.

ROBERTS' COMPLETE WORKS.
"Outlines of Ecclesiastical History," \$1.75, \$2.50, \$2.75; "The Gospel," 75c, \$1.25, \$1.50; "New Witness for God," \$1.50, \$2.50; "Succession in the Priesthood," 30c, 50c, 75c; "Rise and Fall of Navvoo," \$1.25, \$2.25; "Missouri Persecutions," \$1.25, \$2.25. Deseret News Book Store, Salt Lake City, Utah.

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