

SUES SISTERS OF HOLY CROSS.

Frank Gitzhoffen Wants Damages
In the Sum of Twenty Thou-
sand Dollars.

FOR LOSS OF HIS EYESIGHT.

Says it Was Due to Negligence of De-
fendants in Treatment He Received
At the Institution.

Frank Gitzhoffen today filed another damage suit in the district court against the Sisters of the Holy Cross Hospital association to recover \$20,000 for the loss of his eyesight which he alleges is due to the negligence of defendants in the treatment of his left eye. He alleges that he entered the hospital for treatment for his eye on July 25, 1903, and that, owing to the negligence and incompetency of the nurses at the institution, he was not given proper care and treatment, which resulted in the loss of sight in both of his eyes. The former action was filed on Oct. 1 and was to recover the same amount of damages on apparently the same grounds.

GUN CLUB GUNNING.

Two Injunction Suits Filed Against Al-
leged Trespassers.

Two injunction suits were filed in the district court yesterday afternoon by the New State Gun Club. One is against L. Putnam Duncan and W. E. Cotten and the other is against John Vinegar and William Luer. In each action plaintiff asks \$500 damages for trespass and also that defendants be restrained from tearing down the fence around the gun club's hunting ground to enable them to pass over the property with their teams and wagons.

Two Suits Against McKoon.

Two suits have been filed in the district court against P. B. McKoon. The first is a suit for \$1,233.11 alleged to be due for powder sold to defendant. The Salt Lake Hardware company is plaintiff in the other action, which is instituted to recover \$2,629.42 alleged to be due on a promissory note dated Dec. 15, 1902.

INFORMATION ALL RIGHT.

Supreme Court So Holds in Case Against
William Evans.

The supreme court today affirmed the judgment of the lower court in the case of the state vs William Evans, convicted in this county of an attempt to commit an assault upon a young girl and sentenced by Judge Morse to one year in the state prison. After the conviction of Evans, his attorney filed a motion for arrest of judgment on the ground that the information did not state facts which constituted a public offense, for the reason that it did not state the specific acts of defendant which constituted the attempt. The motion was denied by Judge Morse, from which ruling this appeal was taken. The opinion of the supreme court, which was written by Justice Barlow and concurred in by Chief Justice Basin and Justice McHenry, holds that the information was sufficient in its allegations, and hence the judgment of the lower court was affirmed.

DISBURSEMENT CASES.

Those Against Attorneys Snow, Wilkins
and Bowman Continued.

The supreme court this morning made an order continuing the order to show cause in the disbursement proceedings against Attyrs. Alviras E. Snow, W. H. Wilkins and J. M. Bowman from Tuesday, Nov. 3, to Saturday, Nov. 7. The change was made on account of Nov. 3 being election day and hence a holiday for the courts.

The following cases were argued and submitted today: Mary E. Stephens et al vs Sidney Stevens et al, appellants; Western Loan & Savings company vs Louis Garff et al, appellants. The case of the Montana Irrigation company, appellant, vs H. L. White was submitted upon briefs without argument. The case of the Dry Creek Reservoir and Irrigation company, appellant, vs the Draiser Irrigation company was ordered continued until the February term of court.

VICTOR CLEMENT'S ESTATE.

Judge Hall Makes an Order of Partial
Distribution

In the matter of the estate of Victor M. Clement, deceased, Judge Hall today made an order of partial distribution of the estate to Mrs. Flora L. Clement. The distribution was made upon condition that Mrs. Clement should file a bond in the sum of \$25,000 to insure the payment of all the debts, expenses of administration, taxes and assessments against the estate. The bond was filed today and approved by the court. The property distributed to Mrs. Clement is as follows: 1904 shares of stock and 304 shares of common stock of the Utah Sugar company; 7,122 shares of stock of the Bunker Hill and Sullivan Mining and Concentrating company; 23,341 shares of the preferred stock, and 70,560 shares of the common stock of the Santa Rosa de Maza Mining company; 2,000 shares of stock of the Santa Rosa Development company.

Bankruptcy Court.

The following bankruptcies were discharged in the United States district court today: Geo. Johnson, Park City; Robert W. Davidson, Tucker; Henry J. Krause, American Fork; Ernest G. Willardson, Ephraim; and John Green, Peterson in Morgan county.

A petition in bankruptcy was filed against Friend Grant Fanta by Lyon Bros. of Chicago. Lovewenberry, a Tuesday evening he delivered another address at Vernal. Superintendent Nelson was agreeably surprised to find so many modern schoolhouses in that county and also at the interest taken in school work by the residents. To-

BACK FROM VERNAL.

Supt. Nelson Reports Great Interest in
School Work in Uintah.

State Superintendent of Schools Nelson returned last evening from Vernal where he inspected the schools and delivered an address on Sunday evening at school work. On Monday morning he addressed the students of Uintah State academy and on Monday night he delivered an address at Millward. On Tuesday evening he delivered another address at Vernal. Superintendent Nelson was agreeably surprised to find so many modern schoolhouses in that county and also at the interest taken in school work by the residents. To-

Schilling's Best Coffee is al-
ways the same; but four kinds;
the teas are five; it's a matter
of taste.

Your grocer's; moneyback.

OGDEN NEWS ITEMS.

Edmundston Found Guilty of Assault—
Slight Railroad Wreck.

(Special to the "News.")
Ogden, Utah, Oct. 23.—E. M. Edmundston was found guilty this morning by a jury, of assault with a deadly weapon, and will receive sentence tomorrow morning. When the case opened this morning Atty. Stout for the defense moved that certain of the jurors be discharged on the ground that they had attended a meeting last night at which the duties of jurors were set forth and this, he thought, would influence them against his client. The court, however, thought otherwise and denied the motion, whereupon the jury retired and in 10 minutes brought in a verdict of guilty.

This morning Frank Cunningham, who was sent to the State Industrial school two weeks ago with Thier Thompson, was brought to the county jail pending the filing of an information against him charging burglary. If found guilty of the charge, that of burglarizing Mrs. Philip's store, he will be sent to the state prison. Thompson, his partner in crime, has not yet been apprehended.

A slight wreck occurred in the Union depot yards this morning at 10 o'clock, when U. P. passenger No. 5, enroute to Salt Lake, was derailed by the pilot and otherwise injuring the locomotive. The conclusion reached by the baggage car from its trucks and threw it upon the tender of the engine. The passenger car was badly shaken up, but John Griffin was the only one hurt, he having been hurled against a seat with such force as to break the bridge of his nose. Joynt attention was given.

The State School for the Deaf and Blind has a fine display of apples in one of the Z. C. M. I. windows. The beauty of the display lies in its freedom from worms, all running very high in this respect. The Winesap runs 92 1/2 per cent, the Jonathans 88 3/4, Bellflower, 85 1/2, and Ben Davis 76 1/2, an average all told of 86 per cent. Superintendent attributes this condition to the spraying of the trees three times during the season with a mixture of arsenic and lime. The school has raised 300 bushels this season.

A warrant has been issued for the arrest of May Smith, on the charge of "jumping" her board bill at the Reed hotel. Miss Smith came here several days from San Francisco and rented one of the best rooms in the house, since which time she has been putting on all kinds of style. Last night she suddenly disappeared and nothing has been seen or heard of her since. Her bill amounts to \$23.75.

A GUARANTEE CURE FOR PILES.
Tearing, Itching, Bleeding or Protruding PILES. Druggists will refund money if PAGO OINTMENT fails to cure in 6 to 14 days.

COMING TO SALT LAKE.

Friend of Discharged Convicts to Speak
Here Next Sunday.

Word was received in this city, this noon, from Secy. E. A. Fredenhagen of the Kansas state board of charities and corrections at Topeka, to the effect that he will speak today before the Colorado State Congressional association at Colorado Springs, hold a prison conference this evening, in Denver, and reach Salt Lake City some time tomorrow night. Dr. Fredenhagen will stop at the Kenyon hotel over Sunday and Monday. The object of his visit in this city is to enter an active interest among citizens and local authorities in the establishment of an organized society for the purpose of helping discharged convicts and jail prisoners to start anew in life, and to put them in the way of becoming useful citizens; also to extend as far as possible the interest in evangelical work among the inmates of the state prison and city and county jails.

Secy. Fredenhagen's plan for next Sunday is to address the First Methodist Sunday school at 10 a. m., the Christian church, and the First Congregational Sunday school in the morning and at noon; to address the Reservoir and Irrigation company, appellant, vs the Draiser Irrigation company was ordered continued until the February term of court.

SPECULATIVE HACKMAN.

Jehu Sells Eighty Tickets for Ben Hur
At Premium.

A city hackman secured 80 tickets for Ben Hur, which he has nearly all disposed of at a handsome premium. A woman was crowded out of the line this morning at the Theater front in the rush and almost thrown down the steps, which so enraged her that she consigned the whole outfit to where Cerberus barks, and left the field in disgust.

CONTAGIOUS DISEASES.

One Case of Smallpox and One of
Diphtheria Reported Today.

One case of smallpox, one of diphtheria and one of typhoid fever were reported to the board of health today. Mrs. William Rodgick, aged 22, 917 South First West street, is afflicted with smallpox. The case of diphtheria is Elsie McMillan, aged 12, 887 First street, and the typhoid fever patient is Joseph De Haan, aged 18, 416 West Seventh South.

One Dose

Tells the story, When your head aches, and out of time, with your stomach sour and no appetite, just buy a package of

Hood's Pills

And take a dose, from 1 to 4 pills. You will be surprised at how easily they will do their work, cure your constipation and make you feel happy again. 25 cents. Sold by all medicine dealers.

DENIES HAVING SOLD TO INDIANS.

Firm Alleged to be Implicated in
Liquor Traffic Declares That
Such Was Not Case.

BOTH MEMBERS WERE IN CITY

As Soon as News Reached Salt Lake
One Went to Price to Inves-
tigate Matter.

An article from a correspondent of the "News" at Fort Duchesne, charging that there had been a general orgy at that place last Sunday, by a band of drunken Indians, has created a good deal of stir in this city. The charge was made that the liquor had been sold by the firm of Lowenstein & Nichols and that while attending some of their races the Indians became wildly intoxicated and fired hundreds of shots, although nobody was hurt.

J. F. Nichols, of the above named firm, was met by a "News" representative at the Hotel Wilson this morning, and interviewed regarding the alleged orgy. It seems that both members of the firm were here in Salt Lake when the alleged liquor selling and drunken round-up took place. Mr. Lowenstein at one took the train and went to Price to ascertain the true facts in the case.

Mr. Nichols made the following statement: "The firm of Lowenstein & Nichols are mercantile doing business on what is known as the 'Strip,' two miles from Fort Duchesne, on the Uintah reservation. The nearest railroad point is Price, 100 miles away, and the nearest other place where liquors can be had is Vernal, 25 miles away. I have been in business the last time down there one year, but spent five years there from 1887 to 1893 in the same line of business, viz general merchandising, hotel, feed corral and saloon."

"In 1887 or 1888, I forgot which, the Utah Legislature passed an act prohibiting the sale of liquors within 10 miles of the Uintah reservation. At the request of many of the best citizens the county commissioners of the county granted me permission to sell beer, wines and liquors, for which privilege I paid them, and we pay now \$2 a month, into the county treasury. There is much travel in that section, and the stages stop at our place, and we furnish commodious rooms to travelers. Our store within a few rods of the reservation."

"This is not the first charge that has been made against us. I was here in May at a half-breed Indian camp to the store in a drunken condition from Vernal and made a good deal of disturbance, firing two shots into the ceiling. An account of it appeared in the Vernal paper, to which I replied, and when the matter was explained that he did not obtain his liquor at our place a proper retraction was published."

"I emphatically disavow having sold any liquor to Indians or of permitting any of my employees to do so. It is true that white men purchase liquors and it is quite probable that some of them have taken them to the Indians. This is unfortunately the case near all Indian reservations. As soon as I saw the accusation in the 'News' my partner went to Price where he has his merchandise store and telephoned over to our place regarding the matter and here is his reply just received."

Here Mr. Nichols showed the "News" man the following telegram from Mr. Lowenstein:

"I have talked with Benny through the telephone. He knows of no public everything is as good as when you left."

While the reporter was talking with Mr. Nichols, Mr. Lowenstein came in on the P. & R. G. train and showed another telegram just received as follows:

"Talked to Ben. Situation the same to date. Signed, SAM STEIN."

Mr. Nichols made the further statement that U. S. Marshal Ben Heywood stopped and took dinner at their place the day before yesterday. He referred the reporter to several well known citizens of Salt Lake as to his standing and character.

Judge J. T. McConnell was interviewed and said: "I have known Tom Nichols for about 10 years. My headquarters were formerly at Fort Duchesne where he was for several years United States commissioner; afterwards I was at Vernal engaged in the practice of the law; at present I am engaged in mining. I knew Mr. Nichols at the Fort when he was there years ago engaged in business and have known him at Price and I do not hesitate to say that I do not believe he ever sold a drop of liquor to an Indian in his life, nor do I believe any reputable citizens of Fort Duchesne or of Utah county can ever establish a case against him. The citizens are with him and have begged him to stay. While the firm of Lowenstein & Nichols are permitted to sell intoxicating drinks to the public, I do not believe they have ever disposed of it to a person, or through their employees to Indians."

Maj. H. P. Myron, who was Indian agent at Fort Duchesne and White Rocks agencies for four and one-half years, was then introduced, who said: "During the time I was Indian agent at the Uintah and Ouray agencies, I prosecuted more persons for selling liquors to Indians than all the other agents put together. While at Fort Duchesne I employed detectives to watch Mr. Nichols' store and other places to learn if liquor was being sold to the Indians and in no instance did I discover that it was being done by Nichols or his employees. I regarded Mr. Nichols as perfectly straight. I have not been down there recently and do not know anything about the charges made in this case."

PENSIONS FOR IDAHOANS.

(Special to the "News.")
Washington, D. C., Oct. 23.—Pensions granted, Idaho—Julia E. Forester, \$5; Hanson M. Smith, \$12; George W. Travis, \$12.

WILL VISIT THE SCHOOLS.

The Eureka teachers, 14 in number, will spend next Tuesday in Salt Lake visiting the city schools. The pedagogues will be in charge of Superintendent Carlson and will doubtless see much to interest them during their visit here.

INFORMATION WANTED.

Madison Shattuck of Ellenton, Pa. is anxious to learn the whereabouts of the wife and children of his brother-in-law, Henry Williams, deceased, who had a brother named Almon, also deceased. He has some important news for members of the family, who are believed to be residents of this state.

Always Remember the Full Name

Laxative Bromo Quinine

Cures a Cold in One Day, Grip in 2 Days

E. H. Snow on every box, 25c

HOBOS TO BE TAKEN CARE OF.

Acting Chief of Police Burbidge
Sounds a Note of Warning
To That Element.

MUST STATE THEIR BUSINESS

If They Cannot Give a Good Account of
Themselves They Will be Arrested
On the Charge of Vagrancy.

In order that both parties may be fully protected from the inroads of the hobo element on election day, Capt. John B. Burbidge, acting chief of the police department, has concluded to "jail" every one who cannot give a good account of himself. These men will be charged with vagrancy and if convicted will receive sentence sufficient to keep them within proper bounds until such time as the election is over.

When seen by a "News" reporter this morning Capt. Burbidge said that at present there were not more than a few characters in the city. "A few came in yesterday morning," said he, "but we don't look for any great influx before election. If they come and are unable to give a good account of themselves, they will be looked after by the department and I think we will be able to handle them all right."

SALISBURY'S CHARGES.

Were Directed Only to Those They
Sued, He Says.

This morning's Tribune contained a long list of names of delegates to the late Republican city convention, alleged to be indignant over the contents of the Salisbury interview, published yesterday in the "Idaho" paper. When asked whether, either by implication or otherwise, he had made charges of corruption against any of the men whose names were published, Mr. Salisbury said: "I made charges against none but those guilty of such conduct. It was not a general arraignment of the Republican party but simply a denunciation of the methods employed by those who sought to accomplish certain ends by whatever means. My statements applied only to those they sued and I have no fear that they offend any others."

WHAT MR. JAMES SAYS.

Party Should be Purged of Any
Suspicion of Corruption.

Stating his position on the present political situation, W. F. James, one of the candidates for the Republican mayoralty nomination, says in an interview in the Herald:

"I endorse every word of what Mr. Salisbury said in his interview," declared Mr. James. "When the Republican city convention adjourned, I fully determined to say nothing more on the subject, but the attack on Mr. Salisbury was so vicious and uncalled for that I feel it my duty to condemn it, and to say that I feel as he does. I know of no man who has done more to build up the Republican party in Utah than Mr. Salisbury. He has the courage to come out and denounce the vicious practices that took place at the primaries is no reason why he should be the victim of an attack which is both vicious and ridiculous."

"For my part, nobody dare question my Republicanism. I voted for Grant in 1868, I have voted the Republican ticket at every national election since, and I expect to vote it at the next national campaign. I was one of the founders of the Republican party in Utah in 1871. After the division on party lines James D. Vane was the first Salt Lake county Republican chairman, and I succeeded him, holding the position from 1891 to 1894. I was a member of the national committee four years. In 1896 my wife and I walked through two feet of snow to cast our votes for McKinley. This was only a short time after Tom Kearns, head of the present machine, and owner of the Tribune, was trying to read Mr. Salisbury out of the party, bolted the Republican national convention—not because of any corruption, but because the majority did not agree with him. When I was vetting for a Republican for president, he was voting for a Democrat. Surely, he can't read me out of the party for expressing my views on corruption in politics."

"All during my campaign for nomination for mayor, we were met by threats that if I were nominated an inquiry would be made into my record in the field against me. Certainly Kearns and his papers are in no position to attack as bolters men who are opposed to ring rule and corruption in this Republican party."

"I am a Republican, and have always been a Republican, and I don't propose to be driven out of the party, but I shall fight to the bitter end any such corrupt and vicious methods were brought into our recent primaries."

"I believe all Republicans who wish to preserve the high standard of the same party should unite to purge it of any suspicion of corruption. I want to see discontinued and prohibited such vicious methods as Prim alley and commercial street have introduced. Good citizens should prevent such methods getting a foothold in our politics."

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POLITICAL POINTERS.

So busy are Chairman Elchorn and Secy. Loofbourou of the Republican city committee, that they have found it necessary to post on the door of room 2 at Republican headquarters the following inscription: "Private; keep out."

Chairman Leary of the Democratic city committee is one of the busiest men in town—busy in a quiet way, so to speak. Mr. Leary has the reputation of being a hustler and he is maintaining it in his present position.

Room 1 at Republican headquarters is a veritable hive of industry these days. The boys, to all appearances, are putting in their very best ticks.

It is important that those who have not yet registered do so next Tuesday, Oct. 27, the last day.

If you're a Democrat, call up 431, if a Republican \$29 for information relative to election matters. They'll gladly give it you.

MRS. ANDERSON DEAD.

Wife of County Commissioner Suc-
cumbs to a Long Standing Affliction.

Mrs. Mary A. Anderson, wife of County Commissioner James H. Anderson, died at 10:35 this morning at the family residence, 317 West Fifth South street, of stomach troubles, from which she had been a sufferer for six months. The deceased was an estimable woman with a wide circle of friends and her demise will occasion much sorrow among her acquaintances. Mrs. Anderson was the daughter of Nehemiah and Eliza Abbott and was born in Abertown, Monmouthshire, South Wales, Feb. 5, 1861. She was baptized into the Church of Jesus Christ of Latter-day Saints in 1876, came to Utah in 1878 and became the wife of J. H. Anderson in 1881. She was the mother of five children, three of whom survive. She also leaves a mother, two brothers and three sisters, the latter being Mrs. Lizzie Watson, and Mrs. Emily H. Pugh of Salt Lake, and Mrs. Mary Buttle of Provo. She was a faithful attendant at church, and had many excellent qualities which endeared her to all with whom she came in contact.

The funeral will be held in the Sixth ward meetinghouse on Sunday at 11 o'clock, noon. Friends are invited. The remains may be viewed at the residence from 9:30 to 11:30 the day of the funeral.

LATE LOCALS.

Today's local bank clearings amounted to \$615,170.42 as against \$639,824.02 for the same day last year.

Hugh Allred, a miner at the Bullion Rock, is at the Keogh-Wright hospital suffering from gas poisoning received while engaged in assisting to extinguish the fire in that property. His condition is quite bad and it will be some time before he is himself again.

Elder Heber J. Grant expects to set sail for Liverpool from this city, to assume charges of the European mission. He will be accompanied by his wife and three children.

The steamers heretofore sailing under the banner of the Dominion line have been renamed and will carry the White Star colors from this on. This is occasioned by the recent steamship merger and affects such boats as the Mayflower, Commonwealth, New England and Columbus, Republica and Credit to the North Sea. These boats all sail between Liverpool and Boston, calling at Queenstown en route.

Lieut. Smith, commanding troop A at present, has received a letter from Captain-elect Uman at Baltimore stating that the latter is taking a special course of instruction under two army officers to prepare him the better for his work on arriving here, and in other ways. Lieut. Smith is showing such lively interest in his new command that the boys are becoming very hopeful.

Local parties interested in the great irrigation enterprises in southern Idaho say that all the effect that the recent ruling by the land office on the Idaho legislature's interpretation of the Carey act, will be to prevent patents being issued to the companies. It will not in any wise hinder the settler from taking up his 160 acres and dividing upon it. The legislature acted illegally in granting large tracts to individual companies, and when that body meets in January, 1905, it will have to undo its work of last session. However, the companies at present engaged in construction will not be at all interfered with in their work; only they can not acquire any patents to lands.

BEN HUR EXCURSION.

Special Train to Salt Lake City, October 26th, 1903.

Via S. P. L. & S. L. R. R. from Payson and intermediate points. Rates: Payson, \$1.50; Provo, \$1.25; Pleasant Grove, \$1.00; all other stations equally low rates. See agents for particulars and reserved seats for Theater.

Special train returning leaves Salt Lake City at 11:45 p. m., directly after performance.

WANTED DALY-JUDGE.

Stock Sold at \$11.25 This Afternoon—
One Found in the New York.

Daly-Judge sold up to \$11.25 this afternoon and seemed to be in fair demand. Although a strike was reported early in the day from the New York Bonanza it failed to affect the price of that stock any. A three-foot vein was encountered on the 600 level. While the ore is not rich it has favorable indications. Salt Cpn. remained unchanged.

And Pay a "Little-at-a-Time"

Is a most popular proposition, and one which is meeting with approval among the many who have visited this great Furniture Store.

King Economy Ranges.

Have no equal and at the price we offer them are within the reach of every buyer. King Economy, 4-hole range, without reservoir, a beautiful article at \$37.50

The same with reservoir \$43.00

And Pay a "Little-at-a-Time."

It's all the same to us and it may be more convenient to you. Our plan of installment is so attractive that you cannot afford to pass it by. Allow us to explain its many advantageous features. We trust you at this store.

SELECT NOW

And Pay a "Little-at-a-Time."

It's all the same to us and it may be more convenient to you. Our plan of installment is so attractive that you cannot afford to pass it by. Allow us to explain its many advantageous features. We trust you at this store.

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