

# REPRESENTATIVE MEMBERS of the UTAH BAR

**James T. Hammond**  
315-316  
McCormick Block

**William H. King**  
Ann Arbor '88  
King and Burton

**O. W. Powers**  
Michigan '71  
Powers and Marineaux

**James H. Moyle**  
University of Michigan '85  
Moyle and Van Cott

**Albert R. Barnes**  
Michigan 1877  
Attorney General

**Benjamin L. Rich**  
Columbia University '03  
Booth, Lee, Badger, Rich and Lewinsohn

**Joseph L. Lewinsohn**  
University of Chicago '05  
Lewinsohn, Rich and Booth

**P. C. Evans**  
Evans and Evans  
Boston Bk. Ann Arbor and University of Chicago, Adm. Dec. 7, 1891 '94 '95 '96

**Claude T. Barnes**  
University of Chicago  
University of Michigan

**Ray Van Cott**  
Cornell University, Law '95  
Moyle and Van Cott

**William E. Rydahl**  
Michigan '00. 305-310-311 Boyd Park Bldg.

**Culbert L. Olson**  
Weber and Olson  
1121 Boston Block

**Nephi Jensen**  
Admitted to Bar of University of Chattanooga '00  
Jensen and Jensen

**Brigham Clegg**  
410-411 Boyd Park Bldg.

**J. W. McKinney**  
of Powers and Marineaux

**Douglas S. Kimball**  
Harvard Law School '08

**William E. Booth**  
United States Attorney  
Senior Member Booth, Lee, Badger, Rich and Lewinsohn

**E. O. Lee**  
of Booth, Lee, Badger, Rich and Lewinsohn

**Carl A. Badger**  
George Washington University, 1906  
Booth, Lee, Badger, Rich and Lewinsohn

**Maurice M. Kargin**  
Columbia University 1869  
Kargin and Jensen, 414-15 D. F. Walker Bldg.

## United States Assay Office

WHEN Uncle Sam informed the citizens of Utah that he would accommodate the mining interests here by establishing an assay office, which is really a branch office established by the government for the purchase of gold bullion, it was little dreamed that it would grow to such great proportions as it has now attained. When the year 1910 opens this office will, in the 11 months of its existence, have purchased over a million dollars in gold from the mines. Nearly all of this has come from Utah.

When the office opened it was expected that about \$50,000 a month would be all that was necessary for the purchase of the metal. The office has continued to increase until it now averages close to \$100,000 a month for the purchase of gold. Yet there are many people in the state who are unaware that there is an assay office here and that Uncle Sam will purchase their gold bullion here at the same price as they could get in New York or San Francisco and the expense of expressing it that distance would be saved.

Up to Dec. 2, the following was the amount of gold and silver and its value as received at the United States assay office and also an estimate to the end of the year:

Ounces.	Value.
Gold received.....50,714	\$ 944,000
Est'd rec'd to Jan. 1, 1909	74,500
Total of gold.....54,714	\$1,018,500
Silver received.....33,603	15,596
Est'd rec'd to Jan. 1, 1909	225
Total of silver.....34,103	\$ 15,821
Grand total value.....1,034,321	

PAY FULL VALUE.

The silver that is purchased is what

has been found in the gold bullion. The purchase price of this metal is governed by the director of the mint, who is governed principally by the market price of the metal. The gold purchased is paid for at full value, \$20.67 an ounce. This price does not fluctuate as does the silver.

Although most of the gold purchased this year came from Utah and nearly 75 per cent of it from Mercur, there is a growing tendency for Nevada to send its bullion to Salt Lake. Indications are that another year will see close to half a million dollars worth of gold purchased at the office each month. The old Park Valley district in Boxelder county is just beginning to send in bullion and with the Century and Susannah mills running it will greatly add to the amount of gold taken from Utah.

One of the advantages of the local assay office is its splendid equipment which will allow a return on almost any amount of bullion within 24 hours. Among the latest additions are two balances from the mint at Philadelphia. They are probably the finest of any owned by the government. The largest balance will weigh as high as 2,000 ounces and as low as one-hundredth of an ounce. The small set is capable of weighing up to 500 ounces and is sensitive to one five-hundredth of an ounce. All the heating at the office, for furnaces and office room, is by gas and the equipment throughout is up-to-date in every particular.

EMPLOYEES MANY.

Seven persons are employed at the local assay office, J. U. Eldredge, Jr., being the assayer in charge. J. L. May, is cashier and assayer in charge in the absence of Mr. Eldredge. The others are: D. C. Clayton, clerk; James H. Hance, assistant assayer; Arthur E. Oster, melter and assistant assayer; Charles Cannon, assistant melter; Norman C. Hopper and Arthur A. Macke, watchmen.

## Utah's Valuable State Law Library

IN the State Law Library, which has grown from a handful of books to 15,000 volumes, are to be found some rare old tomes, that have outgrown their usefulness with age, but are still valuable to the scholar and an oddity to the curious. While revising the catalogue, Harry Griffith, ex-officio librarian and clerk of the supreme court, has relegated these ancient works to the vault in order to make room for the recent case and text books.

Since the library was formally established by the territorial legislature on March 6, 1852, it has grown until now it is considered one of the best working collections in the west. Attorneys come from all parts of the state to prepare their cases and consult authorities. The law students of the University of Utah also make it a study room in pursuit of the degrees in the law. These old English authors were secured by the state shortly after the death of Judge C. W. Bennett. His library was the best in the west in those days and he gathered most of his books in London. After his death Judge Andrew Howatt purchased the collection. Publishing houses in the east and the west offered bids for the books but Judge Howatt decided to keep them within the borders of Utah and sold about 250 volumes to the state for a nominal sum. Among these is a facsimile of the Domesday Book of Cheshire and Lancashire compiled in manuscript. The book contains a survey of England authorized by William the Conqueror in 1086. It was called the Domesday book because it contained the data on which the legal decisions were made in real property and there was no appeal from it. Glanville's Election cases, published in 1775, Calthrop's reports, published in 1870, Year Books of Edward I. Blackstone's original edition, English Equity cases, published in 1791, Reports of Cases in Westminster Hall (Fortisquae), published in 1748; Sir Thomas Raymond's reports, published in 1689; Benlow & Dalison, published in 1689 are also among the rare volumes to be found in the library.

Some of the books obtained from the Bennett library are in Norman-French and an old style script. One authority says that these books are valuable on the origin of laws and that for a good many years the attorneys at bar used to

make their notes in this barbaric dialect. Now many of these works are being translated and published for the student in law. The state library is purchasing a translation of many of these books and they can be found on the shelves of the working library.

Before the territory authorized an appropriation for the maintenance of a library, it was practically a circulating library. When an attorney obtained a case he would gather up the law books and prepare his argument in his office. Then possibly another lawyer carried the borrowed books to his office to consult them. The legislature of 1852 authorized an appropriation of \$375 a year which included the salary of a librarian and funds to purchase and exchange books. The library followed the territorial court from one building to another. It was first in the building now occupied by the Kenyon hotel and later in the Dooly block when the court moved there. Each year the librarian purchased as many books as possible and several hundred volumes were donated to the library.

When Utah was admitted as a state the judges of the supreme court took the library in charge and it was practically under their supervision. A yearly appropriation was secured which has now been increased to \$2,000 a year and the library has grown to be one of the best in the western states.

At the time of statehood, the library had about 5,000 books catalogued but a good many of them had evidently acquired legs and walked off. Under the direction of the supreme court an order was issued to the sheriffs of different counties to make a search for library books, and get a search warrant if necessary. As a result volume after volume was found in private libraries all over the state and brought back to Salt Lake where the library was established in connection with the supreme court.

After that experience, the rules of the library were changed and nobody now can remove a book without a written order. Now the books can be taken to the court rooms for reference or citation.

For a good many years the abstracts and briefs of every case in the supreme court have been found and placed in the library. It is found to be one of the best references in the library on Utah cases and was done by Mr. Griffith.

## Tennessee and Prohibition

ROBERT GALLAGHER tells in the Rural New Yorker how the prohibition war was won in Tennessee, after a bitter and long drawn out fight:

About 20 years ago our legislature passed what is known as the four mile law, prohibiting the sale of intoxicants within four miles of any schoolhouse, outside of incorporated towns. The country soon took advantage of this and was soon rid of all the cross-roads grogshops. This law was amended from time to time, first including towns of 2,000 population and under and finally up to cities of 150,000, which included all within the state. Under this law there remained only three cities within the state that permitted the sale of liquor. These were Nashville, Chattanooga and Memphis. The whiskey power had such a hold on these places that no election had ever been ordered, the friends of prohibition well knowing that it was useless when no one would be allowed to vote only those inside the corporate limits, and that every means known to the saloon power would be used to buy and debauch the ballot. They determined last year to make the issue one of state-wide or statutory prohibition, and after one of the most bitter campaigns ever known in the state, Senator Carnack, who was the candidate of the prohibition wing of the Democratic party, was defeated by a small majority, and this by the most brazen and shameful frauds in these large cities. The country went almost solidly for the state-wide candidate.

Knowing that the whiskey ring won by the most glaring frauds and misrepresentations, the temperance people determined to capture the legislature, the members of which were elected some months later, and in this they were successful, getting a safe majority in both houses. Again the country people showed themselves on the side of morality and good government, while these cities elected solid delegations of whiskey

men. When the legislature convened two bills were introduced, one prohibiting the sale of intoxicating liquors within the state, the other prohibiting the manufacture. Every obstacle known to the unscrupulous politician was thrown in the way, and every means known to the corrupt whiskey lobbyist was resorted to to defeat these measures. When passed, the governor vetoed them and did everything in his power to defeat them, but they were passed over his veto and then followed such a scene as was never before witnessed in the Tennessee legislative halls.

Now as to the question, does prohibition prohibit?—I answer it does. The saloons were driven from our town, Shelbyville, which has a population of about 5,000, seven years ago. I personally know men who were habitual drunkards when our town had saloons, who are sober men now, and heads of families who formerly spent a good part of their wages for whiskey, now spend it for the comforts of life and in this way legitimate trade of all kinds has increased, the town has taken on new life, rents are higher and property has increased in value. There is not a vacant house in the town, and its growth has been greater the past two years than in any 10 while it had saloons. It is a rare thing to see a drunken man now, while formerly it was an every day occurrence. If prohibition does not prohibit or lessen the amount of liquor consumed, why do the distillers and brewers fight it so bitterly? All laws are violated more or less, but you may set it down that not a town in this state would think of voting the saloons back.

In order to prevent future legislatures from repealing these laws the people demanded and obtained a mandatory primary election law, under which it will be impossible for the politicians to pack the legislature.