

WRIT OF HABEAS CORPUS IS FILED.

Counsel for "Women's Doctor" Tries to Prevent Extradition.

WILL BE HEARD TOMORROW.

Petition Alleges That Dr. Maxwell Is Illegally Restrained, and Is Not a Fugitive From Justice.

Attorney Brigham Clegg today filed a petition for a writ of habeas corpus in the district court in behalf of Dr. David P. Maxwell, who is wanted in Cleveland, O., upon the charge of performing a criminal operation upon Cecil Switzer and thereby causing her death. Gov. Cutler yesterday honored the requisition of the governor of Ohio for the return of Maxwell, so the latter's attorney will now attempt to secure his release under a writ of habeas corpus.

The petition alleges that Dr. Maxwell is illegally restrained of his liberty in that he is not a fugitive from justice, and further because the indictment against him fails to charge a crime against the state of Ohio. In connection with the point that Dr. Maxwell is not a fugitive from justice, the petition alleges that he was not in the state of Ohio at the time the crime is alleged to have been committed.

Judge Armstrong issued an alternative writ in the case, and made it returnable this morning at 11 o'clock, as the officers who came here after Maxwell intended to leave this morning for Ohio with their prisoner. At that hour the matter was continued upon request of Atty. Clegg until tomorrow afternoon at 2 o'clock, when the petition will be heard and a decision rendered. In the meantime Dr. Maxwell will remain in the custody of Chief of Police Sheets.

SUIT FOR \$34.05.

Mayor Thompson and Other Property Owners File Action.

Eara Thompson and 25 other property owners whose property abuts on the alley running north from Second and Commercial streets filed suit in the district court today against Betsy Anderson to compel her to pay her proportion of the expenses incurred in the prosecution of a suit in the district court in 1902 against P. W. Madsen et al to restrain them from closing up the east entrance to said alley and preventing the plaintiffs and all other abutting property owners from using the same.

It is alleged that the defendant owns property which has a frontage on said alley of 20 feet and the total cost of prosecuting said action which resulted in benefit to defendant's property was \$1,301.35. Defendant has enjoyed the use of the alley but has failed to pay her portion of the expenses of the action which amounts to \$34.05. Judgment is asked that an accounting be had between the plaintiff and defendant and that she be compelled to pay her proportion of said expense and that the amount found to be due be declared a lien upon her property.

At the conclusion of the arguments on the demurrer of defendant to the complaint in the case of state ex rel Thomas Homer against Salt Lake City and the Utah Light and Railway company yesterday afternoon Judge Morse took the matter under advisement.

COUNTY'S FINANCES.

Treasurer Carbis Completes Report For Month of February.

The report of County Treasurer Carbis for the month of February has been completed and contains the following statement of the county's finances:

Balance on hand Feb. 1.....	\$65,072.91
Receipts for February.....	11,941.55
Total.....	\$77,014.46
Disbursements for February.....	18,723.49
Balance Feb. 28.....	\$58,290.97

General expense fund.....\$30,428.17
Salt Lake school fund.....\$12,148.11
County school fund.....\$2,135.17
State interest and juror fund.....\$35.29
Bond interest fund.....\$1,875.99

Total.....\$57,240.55

AMUSEMENTS.

Salt Lake Theater—Knighthood was in full flower on the stage of the Salt Lake Theater last night when Paul Gilmore and a capable company gave the swinging swashbuckler play of "Captain Debonnaire." Romance and revelry, sword thrusts and daring exploits, cavalier courage, delightful swaggers, fine scenery a mazy, enchanting dance, and fetching costumes, are all component parts of the production whose main theme is action and whose lesson is, all the world loves a lover.

The story is old and the plot is simple, and that is why he people like it, even though it throbs with impossibilities. Of course the hero is Gilmore. Who else could it be with himself in the cast? The play revolves about a wager that the handsome and dashing Paul has made that he will win a fair maiden whom he has never seen except in so far as his eyes have accidentally fallen on her face in a miniature likeness. He must go from Quebec to Amsterdam and back at a specified time. After half raising experiences by the score and with victory ever perching on his banner he returns to the last stroke of the clock. In fact that is the way with all of his climaxes. They are ticked off at the last second and keep the interest going until the next one arrives, which is just what he needs. When he comes back, his bride-to-be, is at his side, and he is again proclaimed. It was to be expected that he would appear before the curtain and make a speech. To remain behind the scenes after he had received such a demonstration and oft-repeated welcome would have been ungallant, and ungallantry or ingratitude is not a part of the Gilmore makeup. He was very complimentary to "dear old Salt Lake," and naturally got another ovation. The audience was large, notwithstanding that the weather was the worst in the worst of winters for many seasons past.

Marie Pettes was the heroine and was very sweet and pretty, though her acting was not as strong as the part demands. Adelaide Fitz Allen, always a local favorite, made an irresistible and convincing Madame de Cadillac. The other roles, and there were several good ones, were excellently done, the play being particularly well balanced throughout.

"Captain Debonnaire" goes again to-

night and will be given twice tomorrow, afternoon and evening.

Grand—Miss Georgia Harper and her capable company put on "Niobe" at the Grand last night, and kept a large audience in a constant roar of applause and laughter. The play is old, but handled as it was last night, it still has fun-making properties enough left to make a decided hit. In the title role Miss Harper duplicated her success of the opening bill, and demonstrated that she has versatility as well as talent in handling her roles. The story deals with a Greek statue which was originally carved from a marble by the gods for crying too much, and turned back into life at the home of Peter Amos Dunn through being exposed to live electric wires, a thousand odd years afterwards. In the part of Peter, Joseph Detrick played a faultless role and won much favor with the audience.

The University of Utah Dramatic club attended in a body and presented Miss Harper with a splendid floral offering. "Niobe" was once a favorite production of theirs, and may be played again this year. The bill remains until Saturday evening when "Frou Frou" succeeds it for the last half of Miss Harper's engagement.

Orpheum—This is society night at the Orpheum and several box parties have been arranged for. The show closes tomorrow evening.

Lyric—Commencing tomorrow afternoon the "Yankee Doodle Girls" will hold the boards at the Lyric for one week. The company is said to be a splendid one, and to have a sum of brilliant specialties. In addition to a well trained and shapely ensemble, it is managed by George W. Rice.

LATE LOCALS.

Today's Book Clearings—Today's local book clearings amounted to \$396,949.43 as against \$355,221.07 for the same day last year.

Ladies' Social—Fully 125 people attended last evening, the Ladies' social session of the Elks in the club house. An excellent program was carried out.

"Jim" Leary Home—J. C. Leary returned from an Idaho business trip this morning. He reports less snow up north than here, and that there is a heavy movement in all directions of fast track.

Elkins a Bankrupt—A petition in bankruptcy was filed today in the United States circuit court by George W. Elkins, of Marysville. The schedule shows but one debt, the amount of some being \$625. The assets are placed at \$360.

Sale of Property—J. J. Reeder has bought from M. L. Marks for \$1,750, 27 1/2 x 150 feet, on "Eleventh" South street, near "Third" East, C. A. Hallstrom has sold to John Miller for \$2,750, 32 x 20 on Eleventh South street, near Ninth East street.

More Books Returned—Two more stolen books have been surreptitiously returned to the city library, but the librarian regrets to state that the most valuable works, those on mining and engineering, are still "out." It is evident that they have been carried out of town, and are in some of the mining camps.

Good Weather Tomorrow—The skies today are clearing, but the recent storm has played such havoc with the telegraph wires that the local weather office has been unable this afternoon to receive the usual daily reports as to the weather statistics from different parts of the country. However, the Salt Lake office predicts fair weather for the morrow.

Lockett Sent to Provo—Alfred Lockett, a man who wrote to Sheriff Emery yesterday afternoon asking to be sent to the State Mental hospital, an account of which appears in this paper, was examined as to his sanity this afternoon before Judge Armstrong by Drs. Whitney and Ostermann. The unfortunate man was committed to the hospital.

Mail by Automobile—An automobile mail route is to be established by H. J. Wells, of Oakley, Idaho, to ply between Oakley and Burley, one of the new western Idaho towns. Rambler machines have been purchased in this city and will be shipped at once to Idaho, to cover the mail run. They are regular touring cars, with tonneau, and a capacity of five passengers.

The French Bricklayer.

Samuel Gompers, the selected chief of the American Federation of Labor, was pointing out the good that unions have done for workers.

"In France," he said, "there are few unions, and a French bricklayer told me the other day that wages were in consequence unreasonably low there."

"The bricklayer said with a laugh that a friend of his in Nice, out of work, bought on the Avenue de la Gare a newspaper. He took the paper home to his wife, after turning to the advertisements, said eagerly:

"The very thing! You must look into this, Marcel. It says a man is wanted at the Palais de la Petee, and he won't be worked to death, and will be paid well for his work."

"The man started."

"Won't be worked to death?" he muttered.

"Yes," said his wife; "and paid enough to live on."

"He frowned."

"Ha," he said, "some catch about that!"

Wanted to Know Too Much.

Recently there was a series of burglaries committed in the fashionable section of Baltimore. So anxious were the police authorities to apprehend the culprits that instructions were issued to the roundmen to exercise extraordinary vigilance during their tours of inspection.

On one occasion, just after midnight, an officer saw emerging noiselessly from a house in Eutaw place a young man, who hastily darted down the street. The officer made at him as rapidly as possible. When he had stopped the young man, he said:

"Didn't you come out of the corner house just now?"

"The young man, though of quite a respectable air, seemed ill at ease. "I did," he answered, with some confusion.

"Do you live in that house?" sternly demanded the officer.

"That's an impertinent question," replied the young man in a tone of great indignation. "I don't see what business of yours it is, so long as her father doesn't object."—Success.

Catarrets

Relieve Nasal Catarrh, allay inflammation, soothe and heal the mucous membrane, sweeten and purify the breath. Best gargle for Sore Throat. 50c. or \$1. Druggists or mail.

Dyspeplets
Give instant relief in Sour Stomach, Heartburn, indigestion and dyspepsia. Pleasant and economical. Medium size, 25c.; Large, 50c.; Pocket, handsome aluminum, 10c. Druggists or mail.

C. I. HOOD CO., Lowell, Mass.

BIG EXCURSION NEXT WEDNESDAY

Manager Place of M. & M. A. Has Returned From Nephi.

HIS TRIP WAS SUCCESSFUL.

Says the People Are Taking Great Interest in the Movement—Towns to be Visited.

Gordon Place, manager of the Merchants and Manufacturers' association returned this morning from Nephi and intermediate points, on a junket which he commenced Tuesday morning. The purpose of his trip was to complete arrangements for the big "get acquainted" excursion scheduled for Wednesday, and he said this morning that his trip was entirely a success.

"The people are taking a strong interest in the new movement," he declared. "They believe the association is sincerely trying to carry out its purpose of bringing before it organized, and are merely waiting for the further demonstration of its intentions to plunge into the work with as much spirit as that shown in Salt Lake. They received the idea of the 'get acquainted' excursion with enthusiasm, and at every town the Salt Laker will be given a royal welcome. Lehi, Provo, and all the other towns each promise to send a delegation to join the excursion, and accompany it on its way south."

"At Nephi, where the train arrives at 1:45 the people promise to provide every accommodation, and to make the day there a most pleasant one. They insist that we stay longer than the schedule plans for, and this matter will be taken up at the board of directors' meeting Saturday night. On that day I insisted that we could not accept any meals, gratis, and in accordance with this suggestion, 50 cents will be charged for dinner at Nephi, and at Provo, where the evening will be spent, the smaller restaurants will be ready to care for the crowd at 25c each, and the Roberts house, for those who care to go there at 50c."

"At Provo a number of instances were mentioned to me, of southern Utah goods, against which Salt Lake merchants have been discriminating. It is alleged, and well secured data on the cases, which will be submitted to the executive committee."

The schedule for the excursion, is as follows:

Leave Salt Lake, 7:30 a. m., leave Murray, 8:10 a. m., arrive Sandy, 8:22 a. m., leave Sandy, 8:37 a. m., (15 minutes); arrive Draper, 8:45 a. m., leave Draper, 9 a. m., (15 minutes); arrive Lehi, 9:31 a. m., (15 minutes); arrive American Fork, 10:06 a. m., leave American Fork, 10:44 a. m., (30 minutes); arrive Pleasant Grove, 10:42 a. m., leave Pleasant Grove, 11 a. m., (15 minutes); arrive Provo, 11:20 a. m., leave Provo, 11:35 a. m., (15 minutes); arrive Nephi, 1:05 p. m., leave Nephi, 3:05 p. m., (two hours); arrive Santaquin, 3:50 p. m., leave Santaquin, 4:05 p. m., (15 minutes); arrive Payson, 4:15 p. m., leave Payson, 4:30 p. m., (15 minutes); arrive Spanish Fork, 4:50 p. m., leave Spanish Fork, 5:05 p. m., (15 minutes); arrive Panguitch, 5:15 p. m., leave Panguitch, 5:30 p. m., (15 minutes); arrive Alton, 5:40 p. m., leave Alton, 5:50 p. m., (15 minutes); arrive Provo, 6 p. m., leave Provo, 6:30 p. m., arrive Salt Lake, 11:15 p. m.

A GUARANTEED CURE FOR PILES.

Itching, Blind Bleeding, Protruding Piles Druggists are authorized to refund money if F&O OINTMENT fails to cure in 6 to 14 days. 14c.

AFTERNOON ON EXCHANGE.

This afternoon the following sales were made on the floor of the mining exchange:

Daily West, 25 at \$10.
Little Bell, 4,695; 100 at 4.62; 100 at 4.60; 100 at 4.58.
May Day, 800 at 20%; 1,500 at 20%; 200 at 20%.
Star Con, 100 at 13.

If Traveling in Japan

Or any civilized country, you can procure Laxative Bromo Quinine at any drug-gist. All nations use it. E. W. Grove's signature on box.

Forceful Argument.

The little man was expounding to his audience the benefits of physical culture.

"Three years ago," he said, "I was a miserable wreck. Now, what do you suppose brought about this great change in me?"

"What change?" said a voice from the audience.

There was a succession of loud smiles, and some persons thought to see him collapse. But the little man was not to be put out.

"Will the gentleman who asked 'What change?' kindly get up and tell me what he meant?"

"Then, grabbing the witty gentleman by the neck: 'When I first took physical culture I could not even lift a little man; now (sustaining the action to the word) I can throw one about like a bundle of rags.'"

And, finally, he flung the interrupter a dozen yards along the floor.

"I trust, gentlemen, that you will see the force of my argument and that I have not hurt this gentleman's feelings by my explanation."

There were no more interruptions.—Tit-Bits.

Words of the Wise.

A friendly thought is the purest gift a man can give man.—Caryle.

Sincerity is the face of the soul as dissimulation is the mask.—S. Dubay.

Blessings ever wait on virtuous deeds, and though a late, a virtuous deed succeeds.—Congreve.

Jealousy is the greatest of misfortunes, and the least pitied by those who cause it.—Rochefoucauld.

Principles last forever, but special rules pass away with the times and conditions to which they refer.—Seeley.

There are always two ways of looking at a thing; frequently there are six or seven.—Frances Hodgson Burnet.

SENATOR SPOONER

Statesman From Wisconsin Has Plenty to do in Important Legislation.

IS ON THREE COMMITTEES.

Fry Surprised Senate by the Remarkable Way He Reeled Off Actual Figures of Trade and Commerce.

Special Correspondence.

Washington, Feb. 26.—Senator Spooner is in demand. In fact the Wisconsin senator is always busy during a session of Congress, but his time is particularly occupied just now. He is a member of three very important committees—finance, foreign relations and judiciary—but in addition to his activity on these committees, he is expected to do much more. There is a general belief that he will write the most important provision of the rate making act, because the suggestions which he has made meet with most favor at the White House. As he was the author of the law under which we are constructing the Panama canal, Spooner will no doubt have much to do with any legislation that is passed relating to the canal. If the treaty concerning the Island of Pines and Santo Domingo are ratified at this session it seems quite probable that amendments will be written into them by the senator from Wisconsin.

FRYE'S FIGURES.

Senator Frye has participated very little in debate since the death of Vice President Hobart, for nearly all the time since he has been presiding over the senate as president pro tem. When the ship subsidy bill came under consideration Frye was again heard in the debate and was welcomed by the senators. He again exhibited that marvelous knowledge of figures which has so often surprised senators without reference to a book, paper or even notes he will reel off figures by the score, not in round numbers, but the actual figures of trade and commerce of the world. There is no other like him in this respect.

CLASSED ALLISON DOUBTFUL.

A newspaper man made an alleged poll of the senate on the railroad rate bill and in it he classed Senator Allison as doubtful.

"What right has he to put me in a doubtful class?" asked the Iowa senator of another newspaper man. "If he had come to me I would have told him where I stood."

"Where do you stand on the bill?" asked the newspaper man.

"Are you making a canvass?" asked the senator.

"No," was the reply.

"Well," remarked Allison, his eyes twinkling, "when you get ready to make a poll of the senate come around and I'll tell you how to class me."

TILLMAN WAS SURPRISED.

Senator Tillman is so accustomed to introducing reform measures and having them rejected by the senate that he has not yet recovered from his surprise over the ready acceptance of his resolution providing for the investigation of the relations of the railroads to the bituminous coal business. He suggested the resolution in the senate committee on interstate commerce, and Chairman Elkins told him to put the resolution in shape and he would guarantee that it would be adopted by the committee unanimously.

"Yes, but will you choke it off in the senate?" asked Tillman.

"No, I won't. I will extend my guarantee to the senate, too," replied Elkins.

Tillman didn't believe it, but he offered the resolution, and the committee passed it. Senator Elkins tells the story and says that Tillman looked around in astonishment. "I thought he had strayed into the wrong row, but I told him he need not gather his skirts so tightly about him, as he was in no danger of getting them soiled. Do you know, I think he mistook me for a stick to aim in the senate and saw that the resolution was adopted," said Senator Elkins, "and I am afraid we made him a little doubtful of his own proposition. He would have been a little better satisfied if we had protected his plan."

HEPBURN BROKE A RECORD.

"In all the years I have been here," said Representative Hepburn, "I have never changed my vote when once it was cast, but I voted inadvertently on this bill, and I am going to break my record."

And the Iowa veteran, before the vote was announced on taking up the bill for the consolidation of collection districts, changed his vote to support chairman Elkins, and the Iowa house leader had already suffered an overwhelming defeat.

LONGWORTH'S REPORT.

Among the documents printed for the use of Congress is one dated Feb. 16, which says: "Mr. Longworth, on the committee on foreign affairs, submitted the following report." It was not published until Feb. 17, the day when Longworth took a star part in one of the most interesting events in Washington. The bill was one which Longworth has been urging ever since he has been in Congress, and he has been for the purchase of homes for ambassadors and ministers in foreign capitals. Probably more attention has been given this bill because its author has recently become the son-in-law of the president. There is interest in it also, as there has been a rumor afloat that Mrs. Longworth would like to have her husband make an ambassador before her father leaves the White House.

Her Essay.

A little Kansas girl who had been told to bring to school an essay of 250 words on a bicycle, wrote the following: "I sat upon a bicycle. One day she went out for a ride. When she got about a mile from home, her dress caught in the chain and threw her off and broke the wheel. I guess this is about fifty words, and my aunt used the other 240 words while carrying her bicycle home."—Cleveland Plain Dealer.

WEATHER REPORT

YESTERDAY'S RECORD.

6 a. m.	.....	27
7 a. m.	.....	26
8 a. m.	.....	25
9 a. m.	.....	24
10 a. m.	.....	23
11 a. m.	.....	22
12 m.	.....	21
1 p. m.	.....	20
2 p. m.	.....	19
3 p. m.	.....	18
4 p. m.	.....	17
5 p. m.	.....	16
6 p. m.	.....	15
7 p. m.	.....	14
8 p. m.	.....	13
9 p. m.	.....	12
10 p. m.	.....	11
11 p. m.	.....	10
12 m.	.....	9

TODAY'S TEMPERATURE.

Highest.....
Lowest.....

NEW YORK CLOSING STOCKS.

New York, March 2, 1906.

Atchafalpa	.....	80 1/2
Atchafalpa pfd.	.....	102 1/2
Baltimore & Ohio	.....	109 1/2
Canadian Pacific	.....	119 1/2
Chicago & Alton	.....	29 1/2
Chicago & Alton pfd.	.....	75 1/2
Chicago & North Western	.....	25 1/2
Colorado Southern	.....	30 1/2
Denver & Rio Grande	.....	41 1/2
Denver & Rio Grande pfd.	.....	57 1/2
Erie	.....	42 1/2
Illinois Central	.....	103 1/2
Louisville & Nashville	.....	109 1/2
Manhattan L.	.....	129 1/2
Metropolitan St. Ry.	.....	114 1/2
Mexican Central	.....	21 1/2
Missouri Pacific	.....	135 1/2
New York Central	.....	110 1/2
Pennsylvania	.....	104 1/2
Roadway	.....	150 1/2
Rock Island	.....	30 1/2
Salt Lake	.....	62 1/2
Southern Pacific	.....	56 1/2
Southern Railway	.....	25 1/2
Union Pacific	.....	15 1/2
Union Pacific pfd.	.....	9 1/2
Wabash	.....	22 1/2
Western Union	.....	135 1/2
Northern Pacific	.....	21 1/2

MISCELLANEOUS.

Amalgamated Copper	.....	106 1/2
American Car & Foundry	.....	41 1/2
American Locomotive	.....	52 1/2
American Smelting & Refining	.....	124 1/2
Brooklyn Rapid Transit	.....	124 1/2
Canadian Pacific	.....	119 1/2
International Paper	.....	21 1/2
National Biscuit	.....	6 1/2
National Lead	.....	80 1/2
People's Gas	.....	36 1/2
Pressed Steel Car	.....	29 1/2
Pullman Palace Car	.....	20 1/2
Standard Oil	.....	60 1/2
Sugar, extra dividend	.....	135 1/2
Tennessee Coal & Iron	.....	11 1/2
United States Steel	.....	40 1/2
Western Union	.....	135 1/2
Mackay Co.'s pfd.	.....	60 1/2
Mackay Co.'s	.....	21 1/2

THE MONEY MARKET.

New York, March 2.—Money on call steady, 3 1/2% per cent, ruling rate 1/2% per cent, closing bid 1/2% per cent, offered 4 per cent. Time loans firm, 60 and 90 days 5 1/2% per cent, six months 5 1/2%.

Prime mercantile paper 5 3/4% per cent.

Sterling exchange weak with actual business in bankers bills, at 48 1/2% for 60 days and at 48 1/2% for 90 days.

Posted rates, 48 1/2% for 60 days and 48 1/2% for 90 days.

Commercial bills, 48 1/2%.

Bar silver, 54.

Mexican dollars, 50 1/2.

Government bonds strong; railroad bonds, irregular.

DIED.

LEGER—In Salt Lake City, March 1, Louisa M. Leger, daughter of A. A. and Susan Leger, aged 14 months.

FUNERAL at 2 o'clock Saturday afternoon at the residence, 168 South First West street.

STEPHENS—In this city, March 1, 1906, Arthur Stephens, native of Utah, aged 20 years, of pneumonia.

FUNERAL notice later.

DALLEY—In this city, March 1, 1906, Phoebe Grace Dallely, daughter of Mr. and Mrs. Edward Dallely, in her seventh year.

FUNERAL services will be held at the residence, 227 E street at 2 o'clock Saturday afternoon. Interment in city cemetery.

R. E. Evans, Florist, 36 S. Main St.

Floral Designs a Specialty. Phones 251.