THE DESERET EVENING NEWS. 24 PHEES 24 PAGES TRUTH AND LIBERTY.

SATURDAY, JANUARY 5, 1901, SALT LAKE CITY, UTAH.

NUMBER 39

CONVICTED MAN CAINS FREEDOM

J. H. Williamson Discharged by Judge Cherry This Morning

ON WRIT OF HABAES CORPUS

Is Released From State Prison Under the Recent Bulling of the Supreme Court.

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J. H. Williams, a convict in the State prison, was a lucky man today, in that he gained his discharge from prison. The prisoners petitioned Judge Cherry and was brought before his honor this morning on writ of habeas corpus, who, under the recent ruling of the Supreme Court to the effect that where district attorneys signed informations in criminal cases instead of the county attorneys, the proceedings were illegal, ordered the prisoner discharged.

Williams was convicted of fornication in the Fifth district (Iron county) court on September 18, 1899, and sentenced to four years in the State building. The hall has been tasteprison, and has been in that institution for the past sixteen months. He walked out of court today a free man.

WANT WILL PROBATED.

Heirs of the Late Charles H. Crow File a Petition in Probate Court.

Mary S. Crow, Alma H. Crow, John E. Crow, Thomas W. Crow, Charles S. Crow and George H. Crow today filed their petition in the probate division of he district court for the probate of the Will of the late Charles H. Crow, who lied on the 27th of last month in this

The petition states that the deceased eft a will which was among his papers in possession of the petitioners unth the 31st of December, but since that time this valuable paper has been miss-ing and none of the above parties can account for it. The petitioners say, however, that they think the will was by mistake unintentionally destroyed with some valueless papers left by the deceased. The substance of the document is set forth as near as the peti-tioners can remember, which is: The deccased bequeaths all of his property of every kind to his widow. Mary S. Crow, and at her death the remainder to be divided emetion means the divided to be divided equally among his six sons who constitute the petitioners, ex-cept Alma H. Crow, and John E. Crow, who have already receive ten rods by thirty-six feet of real estate. The widow and five sons named above, tother with Franklin Crow, are the only eirs, the latter being absent from the

tled to Twenty Eight Appointments. The value of the property as stated in the petition is given: Cash in various banks, \$6.292; mercantile, saddle and harness business, at No. 58 east First South street, \$1,500; faree pleces of real property, and store building, at No. 58 east First South street, of the probable value of \$11,000; rotal, \$17,269. The heirs ask the court to appoint Alma H. Crow as administrator of the estate.



London, Jan. 5 .- Lord Kitchener reports to the war office, under date of Pretoria, January 4, as follows:

changes occur, the foreign exchanges will not advance sufficiently to turn the gold stream hitherward. Therefore 5 will not advance sufficiently to turn the gold stream hitherward. Therefore 5 per cent will probably be followed by 6 per cent and when it arrives even the most confident must discern signs of an approaching crisis."

Long. 85 Degs. 48 Hrs. 54 Mins.

reau today issued the following: "The center of population is in the

utes In ten years the center of population

has moved westward 16 hours, one min-ute, about 14 miles, and southward 2 hours, 20 minutes, or about three miles. It now rests in southern Indiana, at a point about seven miles southeast of the city of Columbus.

Judge Majarries' Suspension.

all the available arrangements in order to protect their homes. Law-abiding citizens of the county are endeavoring to quiet the apprehensions of the ne-groes. It is believed that the negroes will be left alone in the future. The notice which the regulators post-ed on the gate posts of the negroes' homes read: We, the white caps of Palatka, are notified not to let any negroes live in this place or on Harris Ridge."

WRECK OF THE IAQUA. Lies Upright on Duxbury Reef and

NEGROES ORGANIZING.

Preparing to Defend Themselves

Against White Cap Ourages.

Poplar Bluff, Mo., Jan. 5 .- It is re-

ported that the negroes in the south-

east part of the county who have been

subjected to white-cap outrages the

past week are organizing and procuring

all the available arrangements in order

Eaby who had been watching from the next street corner at once notified the gang of the suspicious circumstances and all precipitately field to the Watt street place, carrying with them many of their dies, coins and blanks. The secret service officials, realizing the danser of further, delay, through San Francisco, Jan. 5 .- The steamer laqua Hes upright on Duxburg Reef, 20 the danger of further delay, immedi-

Will be a Total Loss.

mission has made permanent the sus-pension by Gen. MacArthur of Judge Majarries of the court of first instance. for improper administration of his duties. Yu Hsien's Execution Confirmed. Paris, Jan. 5 .- The foreign office is

advised from Shanghai under date of Jan. 3, that advices from Sian Fu conua lies upright on Duxburg Reef, 20 Jan. 3, that advices from Sian Fu con-les north of San Francisco. The life-The life of the reports of the execution of feated in South Africa saving station reports that men are SI, guilty of massacring about fifty missionaries, whom he had invited to accept his protection) Dec. 19, by orof the downger empress. Prince Tuan is still at Ninghl,

region, where the bands of maurauding

"The Boers have reappeared along the rallway in the neighborhood of Rheinoster, but it is doubtful if Dewet is with them. With regard to the situation in Cape Colonoy, the western commando seems to be making towards Calvin and the eastern party appears to have broken up into small parties. Another small body crossed the Orange river west of Aliwal North yesterday.

CENTER OF POPULATION.

It is: Lat. 39 Degs. 9 Hrs. 36 Mins.;

Washington, Jan. 5 .- The census bu-

following position: "Lat. 39 degrees, 9 hours, 36 minutes; longitude, 85 degrees, 48 hours, 54 min-

Manila, Jan. 5 .- The Philippine com-

Views of a Prominent Attorney School Boards May Resist. HE ADVISES A TEST CASE.

Daniel Marrington Gives His Opinion in Regard to the Compulsory Vaccination Order.

na en

county are being subject to, under the

present irrational rule of the board of health of this State. The people feel deeply the question involved in this

controversy, and the mere sneers of any

individuals or the "mountain grammar" and "club logie" of any papers will not drive them from their rational stand on

this matter. Are we to be governed by our constitutional rights and privileges

or are we to be governed by a Junta of

individuals calling themselves the board of health? The physicians and medical

boards have their functions, and the

people have theirs, and each should re-

"Of course there is no provision spec-ially in the law that will enable a board of trustees to pay the expense of a de-

fence to any suit that might be brought against them, but I think before this

rule is submitted to finally, the trustees

of this county ought to make a test case of the reasonableness of this rule of the

board of health, and the probabilities

to that enough citizens in any distric would guarantee the expense to make that defence. It is probable, however, and I have enough confidence in the

ceedings to be Held Monday.

Interest is centering upon the inaug-

to twenty-five pieces for the occasion

the chief executive enters the building

piece of music specially written by John

spect the other.

tion received by the "News" this morning over his signature, calses some legal points in the compulsory vaccination order not hitherto brought up in the controversy. He says:

attorney of this county and others have Boers are crossing a bare and desolate district and looting the farms of the "poor white trash" or in Buchanaland, where a mysterious westward trek is tion. in progress. The dispatches from Cape-town describing the landing of marines

Cox vs Board of Education, decided in April last by our Supreme court epi-tomizes, states and interprets the law amazement especially when the invad-ers are reported to be without guns as to certain rules which the board of health may make regarding vaccina-tion; and while this decision is contrary to the recent holdings of the Supreme court of Wisconsin and other States, it Roberts, who knows what is wanted, is where he can strengthen Lord Kitchenis sustained by a recent case in Indi-ana and other cases, and it is now the law of this State on the question involved

The friends of Sir Henry Colvine are seeking to stir up strife in military circles. They are asserting that Lord Lansdowne consulted Lord Wolseley before exonerating Colville and as-signing him to duty at Gabraitar, and that Lord Roberts hearing at Madeira what had been done, intervened and inion of the county attorney is that it as-sumes that a refusal of a board of trus-tees or all of the trustees of this county to exclude unvacchated children would raise, and would be identical with, the question that came up in the sisted that Mr. Broderick should re-call him. They also assume that Sir Evelyn Wood was not consulted, but that the secretary for war acted in a most arbitrary way. Their stories Cox case. This would not be true. In the Cox case the matter was decided on an issue raised by demurrer, and this demurrer admitted as true the allegations of the defendant's answer, which said that smallpox was "epidemic in are probably as irresponsible as the current gossip that the Colville affair current gossip that the Colvide affair marks the final stage of an old feud be-tween Lord Wolseley and Lord Rob-erts. Gen. Colville has lost the sym-pathy of military men by his indiscre-tion in bringing on a trial by newspa-pers and in reproaching Lords Roberts and Kitchenge for the follower of the follower the community and included types of the most malignant and deadly characetc. In the case referred to, too the board of education of Salt Lake City acted concurrently with the board of health and virtually admitted and said that the rule of the fatter board was reasonable and opportune, and nd Kitchener for the failures of staff that smallpox was epidemic and malig-nant. In the case of a majority, if not all, of the various school districts of this county, however, there is not a single case of so-called smallpox. Cu-ban itch, or any other allied complaint The return of Gens. Kelly-Kenney and Ian Hamilton has been celebrated already by their Aldershot friends.

judgment of the incoming county at torney to believe that he will say to any doctors or the board of health in this county, that there is not sufficient evi-dence to justify him in issuing a war-rant against the trustees of any dis-Daniel Harrington, in a communicatriot for a misdemeanor: and I think he will refuse to attempt to prosecute." INAUGURAL CEREMONIES.

"In view of the fact that the county

from that of the distinguished gentlemen who have given quasi-legal as well as official expressions on this decidedly lively, not to say burning, ques-

"Of course the case of State ex rel

Held, and entitled "Governor Wells' In-augural March." After the party arrives in the hall, the proceedings will "The trouble, however, with the opinbe opened by an invocation delivered by the Right Rev. Bishop Scanlan, Following this the oath of office will be ad-ministered to the State officers by Chief Justice Miner, Then Governor Wells will be presented and he will proceed to deliver his inaugural address. At the conclusion of which he will announce himself as being ready to take the oath of office. Upon the oath being admin-istered, the battery outside the building will be apprised of the occurrence by a signal from one of the windows, and will proceed at once to fire a Governor's salute of seventeen guns simultaneously with the rendition of "America" by the band. POSITIONS FOR UTAH MEN. Under New Apportionment State Enti-

Further Details Regarding the Prorecently given their views on the question of the legality of the orders of the State board of health, and some county uration ceremonies attendant upon the administering the oath of office to Gov. boards directing school trustees to exclude unvaccinated children from schools, I desire briefly to present what might be considered the contra position

ernor Wells and the State officers. The eremonies will take place in the hall of representatives in the city and counfully decorated for the occasion, and the platform enlarged for the accomo dation of those who will take part in the ceremonies. Seats will be reserved for officials only, and the general public will be admitted at 11 o'clock, Held's band, which will be increased

will march down from the Armory with the gun battery. On arriving at the city and county building the musicians will discourse music until the arrival of Governor Wells and party. As soon as he will be greeted by the rendition of

taly forced an entrance II houses, where they found several of the men, eight in all, at work. The Mangin street house, as well as the house on Watt street, was fully equipped on Watt street, was run; or rolling with modern machinery for rolling silver, punching blanks, etc. In one of silver, punching blanks, etc. the places a screw press, weighing five tons, was in operation. About a hundred ounces of silver and quite a large asket full of steel dies were secured. Many of the dies, however, had been to mutilated as to be beyond use. It emed that as soon as the policeman had given the alarm, the counterfeiters began to file away the faces of es to prevent them from being used 179 85

ly well made, they readily passed wher-

ever presented, and rendered extremely difficult the task of locating the mak-ers and passers. The arrests came

ever presented, and relative mak-difficult the task of locating the mak-ers and passers. The arrests came about in this way: Some time ago two Italians called on Messrs. Flatt & Company of Gold street. New York, dealers in sheet silver and gold and purchased a thousand ounces of sheet silver. One of the men was observed at the time of the pur-chuse to compare one of the sheets with a coin which he took from his pocket. The circumstance was made known to the secret service officials. The men took only part of their purchase with them. After a time they again ap-peated and took away another small quantity, to 111 Mangin street on the teast side of New York. From there they were shalowed to 95 Watt street on the west side. Detectives shadowed them with the result that their lodging places ware discovered and the fact es-tablished beyond doubt that at both roomers in the Mangin street house be-came suspicious that the men on the foor below were doing some sort of croaked work and he notified a police-

came suspicious that the men on the floor below were doing some sort of crooked work and he notified a police-man on that beat of his suspicions, which fact came near rendering inef-fective all the work that had been done. The policeman, not knowing the nut-

fective all the work that had been done. The policeman, not knowing the au-thorities were watching the house, went to the door and pounded for ad-mittance. He was not answered, how-ever, and soon went away. One of the gang who had been watching from the part street comer at once notified the

Chief Wilkle said today that this gang probably was responsible for at least 50 per cent of all the sliver coun-terfeits which have been put in circulation in New York during the last two years.

Spanish Ministerial Crisis.

Madrid, Jan. 5 .- It seems certain that a ministerial crisis will occur after the suspension of the sittings of the cham-

hysterically about town, looking for a

three-year-old girl, who had been kid-

happed by its father, was the cause of

a great deal of excitement at the po-

lice headquarters in this city and Og-

den between eight and ten o'clock last

night, and incidentally kept the tele-

phone wires between the cities affected

Last evening, Mrs. Nesbitt and her

daughter, Mrs. Maggie Kempland,

rushed breathlessly into the police sta-

tion and asked to see Chief Hilton.

When an addience with the chief was

obtained, Mrs. Kempland burst into

lears and informed the officer that her

husband, George Kempland, had de-

serted her and had stolen their three-

After telling her story to the chief,

Mrs. Kempland rushed out to continue

Later she came back to the station

and said that she had reason to believe that her husband had taken the train

for the north, presumably for Spokane,

Chief Hilton at once communicated

Soon afterwards the telephone bell be-tan to ring like mad. The message

was from the chief of police at Ogden, and announced that Mr. Kempland and

his little daughter had arrived O K,

builder of the Tabernacle organ, is al-

ready an assured success. After the

musical and dramatic pages of the

"News" had gone to press, it was

learned that the Church authorities

had not only granted the free use of

the Tabernacle for the event, but that

they had agreed to subscribe for 500 they had agreed to subscribe for 500 tickets and had appointed Messrs. Heber J. Grant and Reed Smoot a com-

that he would have a man

and were on their way to Spokane. I follow on tonight's train.

The testimonial to Joseph Ridges, | mittee to take charge of the financial

to him.

with the police authorities at the Junc-tion city, and the chief of police there

her search for the missing child.

at a white heat.

year-old daughter,

Wash.

replied

watch the train.

gan to ring like mad.

seen on the deck. Seventeen people were on the Iaqua when she left here; two passengers and a crew of fifteen. Only one life is reported lost-a sailor named Chris, killed last night while attempting to land in a small boat. Two men landed safely last night, leaving fourteen people now on board. They have made no attempt to get ashors but are walting the arrival of the life saving crew from San Francisco. The steamer will probably be a total loss.

CAPTURED BY FILIPINOS.

Insurgents Take a Party of Americans and Native Policemen.

were, of course, permitted to continue

is not unmixed: During the time the messages were being flashed between

Salt Lake and Ogden, the mother of the

lost child was running back and forth

to the police station, apparently almost

crazed with grief. About ten minutes after the chief of police at Ogden an-

side there. Soon after their return to this city it is said, that some trouble

cording to current rumor, that they parted. Last evening Kempland went

to the Nesbitt residence, and taking the

part of the affair. George D. Pyper, manager of the Theater, has consent-

ed to act in conjunction with these

gentlemen, and all requests for tickets,

arose between man and wife, and

little girl, departed.

ounced that father and daughter were

which the element of mystery

Manila, Jan. 5 .- Private George H. Ray, of the engineer corps, his assist-ant, Private Lyons, of Company K. ant, Private Lyons, of Company Fifth infantry, five native policer and two scouts have been captured while on their way to Bataca by insurgents. An American column was

MYSTERIOUS KIDNAPPING CASE.

accordingly did.

story, ir

cently

There are thirty thousand Chinese regulars at Sian Fu. The court has made no preparations to return.

THE REORGANIZATION BILL

mittee Amendments Are Concerned.

Has Been Completed So Far as Senate Com-

Mr. Money Speaks on Volunteer Officers in Regular Army-They Should

be Appointed He Says.

Washington, Jan. 5 .- The army reorganization bill, so far as the committee amendments are concerned, has been completed. All committee amendments except those to which objection had been offered were agreed to. When the Senate convened today two

resolutions offered yesterday by Mr. Pettigrew were continued until Monday. A mother and grandmother running | There being no law to detain them, they A bill extending the mining laws to saline lands was passed. It declares all their journey, which it is supposed they unoccupied public lands containing salt deposits to be subject to location and Now comes the strange part of the

purchase under the mining law. The Senate then proceeded to the consideration of the army reorganization bill.

Mr. Proctor of Vermont offered as an amendment to section 22, the provision introduced by himself yesterday, con-cerning vacancies in the position of of staff. The amendment was chief adopted. When the section of the bill was

there, another announcement came over phone, which made the police here reached providing for the appointment of volunteer officers to be officers in wonder whether they knew or not. It of volunteer officers to be the regular army, an extended discussion ensued.

officers in the volunteer army who were as clearly entitled as gentlemen and officers, to commissions in the regular army as the cadets, who, by hazing and by their testimony before in-vestigating committees, "are today distracing the whole country at West A few weeks ago Kempland took his wife and children to Spokane, to visit Kempland's relatives, who re-Point.

The committee amendment providing that volunteer officers might be ap pointed to second lieutenants was dis. agreed to, thus restoring the House provision that volunteeer officers might e appointed to the grade of first lieutenant,

HOUSE PROCEEDINGS.

The questions now arise: "Who has the child?" "Is she in Salt Lake with Washington, Jan. 5 .- Speaker Henderson was again today detained at his home by illness, and Mr. Dalzell of "Is she in Salt Lake with her mother, or is she en route to Spo-kane with Kempland?" Pennsylvania, by designation of the Speaker, presided over the delibera-tions of the House. Without inter-Mrs. Kempland, at a late hour this afternoon, averred that the child was on its way to Spokane and that she would

Burleigh bill. That bill provided for a House of 386 members. Mr. Little-field declared that the Hopkins bill could properly be entitled "An Act to Cripple the State of Maine in Her Representation in the House and in the Electoral College." He resented what

he termed Mr. Hopkins' "assault" on the State of Maine. That statement drew from Mr. Hopkins an indignant denial, which led to a sharp exchange

subscriptions, etc., should be forwarded Prof. Stephens will be at the to him. Prof. Stephens will be at the head of the program committee and the work will be begun at once with a view to making the testimonial a record breaker both in point of attend-ance and in brilliance of musical num-bers. nois to give distinction to that State he said, "the gentleman's speech yesterday was saturated with a petty-fogging assault upon Maine." The colloquy between Mr. Littlefield

maining in the field out of a dozen out a year ago are Gens, Rundle, French and Methuen.

and guns and the enrollment of a new colonial defensive force are read with

and only a few hundreds in strength.

While the situation is perplexing, there

no feeling of anxlety here, for Earl

r's hands and wind up the campaign. The friends of Sir Henry Colville are

Smallpox in Colorado.

fficers.

Denver, Jan. 5 .- Dr. W. G. Stimpson, of St. Louis, past assistant surgeon of the United States marine hospital service, has come to Colorado to assist in getting under control the smallpox epi-demic which is prevalent in the State. will consult with the board of He health for about two weeks. Tonight

he will go to Cripple Creek and later he will visit various infected towns in Colorado. There were over 400 cases SECRETARY EARL RESIGNS.

He Has Accepted a Position With the Fidelity Mutual Life Insurance Co.

A big surprise was created this after. noon when L. M. Earl, secretary of the fire department, announced his resignation, to take effect immediately. The resignation was handed to Chief De vine on December 21st, but the announcement was not made till this afternoon. Mr. Earl has accepted a posttion with the Fidelity Mutual Life In-surance company of Philadelphia. He the position of general will assume nanuger for Idaho, and agent for Utah for this company. As to Mr. Earl's successor in the fire department Chief Devine has nothing to say at present The retiring official has been with the fire department for three years, entering upon his dutis as secretary in June 1898; for six years previous to that Mr. Earl held the position of private sec-retary and investor of surplus capital for O. J. Salisbury. He has be en an efficient secretary to the department, and doubtless his servives have been much appreciated. A host of friends wish him unbounded success in his new position.

NO NEW CASES.

Up till the close of the "News" report no new smallpox cases were reported to the health board today. Two hundred and fifeen children were vaccinatd this forencon. Yesterday developed seven new small-

pox cases in the city, which were re-ported to the board of health late in the afternoon, Four of the afflicted ones are children of Mr. Hugh Watson, aged om 2 to 14 years, residing at 344 south West street. Katle Wallace, Fourth aged 22, at 422 south First West, also has the disease. The other two cases, Mrs. Clarence Maxwell, lately from lately from Murray, and Dan McGinnis of 1039 south First West street, were taken to the isolation hospital.

LATE LOCALS.

Funeral services over the remains of Ruth Laraine Freebairn, whose sad death was chronicled in last night's "News," will be held in the Fifth ward meeting house, at 11:30 tomorrow

Marriage license was issued from the county clerk's office today to Orson E. Johnson, 25, of Union, and Elizabeth M. Leunberg, 23, of the same place.

A. B. Hays, district attorney for the Second judicial district, has filed his-bond with Secretary of State Hammond in the sum of \$5,000, assured by the Fidelity Guaranty company.

The regular Wednesday evening dances at Christensen's will be resumed next Wednesday, Jan. 9th.

Apostle A. H. Lund will speak in the Eighteenth ward chapel tomorrow evening under the auspices of the Im-provement associations of the ward. His subject is "Experiences in the Orient.'

that is contagious, to say nothing of its being of a "malignant and deadly" character. To say, therefore, that a board of trustees who admitted healthy, unvaccinated children at the seno guilty of crime, would be to put them n a similar class as those who admit ted children into schools where a contagious disease exists, or to say they had violated any law of the State,

is entirely irrational and untenable.

'In view of the facts, therefore, as they exist in the county, and in consideration of the fact that not more than about 10 per cent of the school children of the country have been vaccinated, I say it is the duty of the trustees, under their oath of office, to open the schools to unvaccinated chil-iren, where no epidemic exists in their district. To exclude healthy children from school without reasonable cause ould be to interfere with the rights taxpayers and to usurp the legal and constitutional rights of patrons of the school. And in this connection, I firmly believe that no jury in this county. or in any other part of the State, could be selected and impaneled that would convict a board of trustees of any offense for so opening the schools. The people of all classes in the county, not a single cotorie of people, but a ma-jority of, all classes, are opposed to any arbitrary rule being enforced against them. While all the bona fide citizens of the State stand ready and willing to work for the education and for the sanitary and healthful growth of the people and their children, they do resent arbitrary and unseemly rules that are urged against them by terie of doctors and persons who have a fad to enforce. It seems from the condition of matters as they exist, that the board of health has started out to give themselves an entity and force in the State that is not warranted, and they have started out to crowd a certain policy and they will push it through at all hazards.

The thought in every parent's mind in this matter is that if smallpox is really epidemic and malignant, close all the schools and all other meetings, charity balls, inaugural balls and operas and all dances and meet-ings, and not discriminate against a cleanly children. Whoever heard of schools being opened in the face of scourge! "Another phase of this matter

constantly recurs also to the observant person, that vaccination. he very nature of things, if it tends to render immune and is beneficial, it should affect the circulation of their blood and effect them functionally in their health for a time, in short should make them unwell. But in some cases the doctors are satisfied if they simply perform a vaccination; and in about 53 per cent of the cases the vaccinated person is not affected at all, one way or another, and he is allowed to go school or where he pleases; and thus he has probably not "taken" and is not immune, even from the board of health's standpoint. On the other hand if the vaccination process is successful the victim under present conditions is worse off than a person who has the called "smallpox" or Manila itch, and is made more sick than 99 cases out of a hundred of persons who have the socalled smallpox.

"In this matter I feel as a great many other²citizens, parents and taxpayers of the county feel, that while we stand ready, of course, to do all in our power to resist the encroachments of any malady or disease when it is virulent and malignant or dangerous to the well being of the people and our children, we do not wish to be subject to the ipse dixit and whim of somebody's fad that they wish to crowd down our throat. "I doubt whether, in any State or in

any part of the Union, there has ever | Barnes Banking Co., Kaysville., 180 00 heen enacted such a highhanded piece

Washington, D. C., Jan. 5 .- Miss Barbara M. Hoffer of Salt Lake has been appointed a teacher at the Uintah Inn school service examination will be

[SPECIAL TO THE "NEWS."]

held on February 5th at Salt Lake and Ogden for the position of United States immigrant inspector.

The civil service commission has approved the apportionment of the de partmental service made under the census of 1900 upon the basis of one appointment to every 10,000 of population. Under this apportionment Utah is ne titled to twenty-eight positions, while now only receives twenty-six

BUSINESS NOTES.

places.

The year opens with money plentiful, with a good demand, for it, with collections fair, and with a generally hopeful feeling throughout business circles. The sole cloud on the horizon is anxiety among stock men over a second year's drouth, and the snowfall in the mountains, in the immediate future will be watched with most anxious interest.

In local securities there is a general atiffness, although many of the stocks are now quoted ex-dividend, and show a slight faling off from last week's quotations. January is the big dividend and interest paying month of the year, about \$100.000 being disbursed to stock holders and bondholders during that month. Payment of the interest Church bonds, amounting to \$30,000 for the six months, was anticipated in December, but aside from that the following payments are to be made during the present month:

Home Fire Insurance Co., 2 per \$ 5,000 cent State Bank of Utah, 2 per cent. Descret Savings Bank, 2 per 6,000 2,000

cent Commercial National Bass, 3 6.000

Utah Commercial and Savings Bank, 1½ per cent Zion's Savings Bank and Trust

1.000

750

4.000 Co., 2 per cent Provo Commercial and Savings Provo 1,500 Lehi

Bank, 1½ per cent Thatcher Bros. Banking Co., Logan, 2 per cent First National Bank, Ogden, 3

4.500 per cent Rocky Mountain Bell Telephone 18.000 Co., 1½ per cent Davis Co. Bank, Farmington, 3 per cent

Barnes Banking Co., Kaysville, 4 1,000

per cent 25.200

The following are the latest quotations in local stocks, Home Fire, Utah Sugar, Deseret Savings, and Co-op. Wagon being ex-dividend:

Deserat Savings Bank Co-op. Wagon & Machine Co.... Zion's Savings Bank & Trust Co. Provo Commercial & Sav. Bank. Lehi Com, & Savings Bank ... Thatcher Bros. B'k'g Co., Logan ...

First National Bank, Ogden Rocky Mt. Bell Tele, Co. (issued) Davis County Bank, Farmington 100

BONDS.

Estate of S. M. Barratt Deceased.

Mrs. Matilda M. Barratt filed a petition, asking the court to appoint George A. Smith administrator for the estate her son, Samuel M. Barratt, ed in this city December 25th last. The petition says the deceased died possessed of a part of lot 5, block 76, plat A, Sali Lake City survey, valued at \$6,000; and personal property as fol-lows: 152 shares of the Utah Sugar company; 10 shares of State Bank stock; 500 shares of Lucky Bill mining stock; 5 shares of stock in Z. C. M. L; shares of Cunnington Company's stock, and a promisory note for \$200, signed by W. J. and J. A. Yard, all of which, together with income from the real estate is given at \$6,000.

The deceased was unmarried and left no heirs except his mother.

Short Orders.

The following orders were made by Judge Cherry in the civil division of the

Abial B. Sawyer vs Salt Lake City, motion for new trial heretofors submit-

S. L. City Water and Electric Power Co, vs Salt Lake City et al; Dey & Street withdrew as counsel for plain-

Fred Martin vs Highland Boy Gold Mining Co.; suit dismissed on plaintiff's

Edward Home vs Buckeye Mining company: thirty days given in which o prepare, serve and file bill of excep-

ions. Stay of execution granted. Addison Caln vs Gill S. Peyton et al; judgment for plaintiff in sum of \$452.27. Chas, Hirschorne vs Nelden, Judson Drug company. Continued by consent. M. E. Mulvey vs J. Schenck et al: demurrer withdrawn, and ten days given to answer

Ellen Maris vs Mark E. Swan et al; demand for security for costs withdrawn.

PLEASING INCIDENT.

Judge Hiles and Lawyers Exchange Mutual Compliments This Morning.

A large number of attorneys belong-ng to the Salt Lake bar gathered in Judge Hiles' court room this morning, and after his honor disposed of a few matters of minor importance, he ad-fressed the lawyers before him, thank-ng them for the respect they had shown while practicing in his court, and said hat he retired from the bench with tindly feelings toward all. Attorney Frank Pierce, on behalt of the mem-sers of the bar, thanked the judge for its kind words, and said during his ungeship he had won the profound rejudgeship he had wob the product Pe-spect and esteem of all the atterneys who had bad the pleasure of practic-ing before him. Mr. Pierce further re-marked that Judge Hiles' decisions had heen in the interest of equity and jus-(ice, and in accordance with the law, and he believed his services had given entire satisfaction to all the people of this judicial district. The lawyers regretted his retirement. The incident went a long way toward showing the exteem and respect in which Judge Hiles is held after years of service. Some of the new judges were also pres. ent and they also concurred in the foregoing sentiments.

Warranty Deed.

A warranty deed was filed in the re-corder's office today conveying from Jeannette Richards Young Snell Eas-ton to the estate of Nabble Y. Claw-son, for \$7,156.66, 35 10-12 feet by 10 rods of lot 5, block 74, plat A. Salt Lake (the encoder

Mr morning.

vening business, the debate on the re apportionment bill was resumed. Mr Littlefield of Maine was the first speak His argument was in favor of the **CONCERT FOR THE ORGAN BUILDER**

between the two members. Mr. Littlefield sarcastically called Mr. Hopkins' attention to the men who, like Loveloy and Fuller, had gone to Illi-

was from Mrs. Kempland, who an-nouned with a sigh of relief that the Mr. Money declared there were many officers need not trouble themselves any more, as the little girl had been found, and everything was all right. Four or five years ago George Kemp-land, who is well known here, married Miss Maggie Nesbitt of this city, and all has been well with them until re-