WEEK ON 'CHANGE.

The Election Affected Business Transactions Very Materially.

SALES AGGREGATED 1350 SHARES.

Better Business Looked for in the Week to Come—Mining in the Mercur and Tintic Districts.

A review of the past week's business on 'change is almost enough to make a person recall with horror, when he takes a retrospective glance at the trading done and begins to add up the week's column to ascertain the number of shares sold during that period. The work of the past six days, or five rather, for there was no call on election day, ran the total number of shares sold up to 1350. On Monday 150 shares of Sunshine stock found a taker at between fifteen; Tuesday the stock brokers (and a bullion) Wednesday a Wednesday was needed; Thursday 150 shares of Utah stock changed hands; Friday the trading was divided between East Golden State and Swansea, the sales made aggregating 1,100 shares, while Saturday was only a repetition of Wednesday, a complete "crash" being the result of the day's sale.

The foregoing record is the worst made by the stock exchange for any like period during its entire organization, but it should not be inferred from this that there was a reason for it. In the first place it was election week and all hands were brought up to a high pitch of excitement as to the result. Mining men in particular were greatly interested in the outcome and that interest drew all their attention from other things and caused them to suffer in consequence. Then again trading on 'change has heretofore been limited largely to silver stocks, and as time was given received a black eye, so to speak, because of the white metal's decay, the trading therein experienced a lull which has noted up to the present writing.

The prospects for future activity on 'change, however, seem to be in every way bright, and it is safe to anticipate that with the beginning of another week the daily sale may be characterized with a briskness, the like of which has been unknown where the exchange was organized. This suggestion is based upon the very fact that for some time past all branches of business have been affected because of the unsettled condition of things throughout the nation, but now that the great election is over, there must necessarily come a reaction, because of business people knowing better how to govern their affairs.

At today's call quotations generally were about stationary, although in one or two instances there was a slight advance in the figures. Bidding on Mercur was up to $5.25 and $5.10 was the stock offered at $5.30, while Daly was bid for at $5.25 and stood as an offering at $5.25. In the unlisted class the Swansea showed a degree of firmness, being offered at will figures and bid for similarly.

The closing figures were as follows:

LISTED STOCKS.

MINES.	Bid.	Ask.
Anchor	[illegible]	[illegible]
Alta		
Alliance		
Black Jack	[illegible]	
Boston Bank	4 00	4 50
Consolidated Kimberly		
Daly	5 00	5 25
Daly West		
Eureka Lake	[illegible]	
East Golden State	[illegible]	[illegible]
Eagle		
Ferd Ann	[illegible]	[illegible]
Grand Central	[illegible]	
Gold Mountain	[illegible]	
Iron Silver		
Mammoth	6 50	6 75
Mercur		
Mammoth	[illegible]	[illegible]
Ontario	[illegible]	[illegible]
Ontario		
Prince Consolidated	[illegible]	
Prince King		
Sunshine	[illegible]	[illegible]
Utah	[illegible]	[illegible]

UNLISTED STOCKS.

BANKS.	Bid.	Ask.
Bankers' Union	[illegible]	[illegible]
Utah National	[illegible]	[illegible]
U. S. National Bank	[illegible]	[illegible]
Union	[illegible]	[illegible]
Northern Light		
Tenderfoot		
Mammoth	[illegible]	[illegible]
Hollywood Amalgamated		
Uncle Sam		
Swansea	1 00	1 50
Bingham Copper Co.		
Bingham Copper Co. Prefd.		
Bingham Copper Co.		
Bingham Junction		
Bingham Co.		
U. S. Transit Co.		
Ontario		
Mt. Nebo G. A. L. Co.		
Ontario		
Omaha		
North Eureka		
Sunset		
South Swansea	1 00	1 50
Shebamon		
Wonder		
Sun Tunnel		
Lucky Bill	[illegible]	
Hawkeye		
Utah Consolidated	[illegible]	

MINING IN MERCUR.

Shipings of Some Firms from Fairfax's Some of the Mercur.

Supt. Garnick reports a marked improvement in the ores of the Sunshine below the 600 foot level of the incline. At the mill Kitty have of ore delivered are being treated at a saving which is constantly improving.

It is getting about time for the claim owners of mines in Camp Mercur to commence work, otherwise there will be a large amount of good ground open for location by the first of January.

Work is going forward at the Geyser on the addition to the mill. The foundation is to end it will not be long before the building will be under cover. Then it will take but a short time to put in the tanks, as they are on hand all ready to be put together.

The Wonder is now down 600 feet and indications are that pay ore will be encountered in the next ten feet. The rock now being taken is a dirty lime, impregnated with yellow and green stains. There is a small strain of yellow ore in the shaft, but assays have not yet been received thereon.

Dr. Hale's process of reducing gravities to gold bullion having proved so successful and economical, it is probable that hereafter he will treat the ores of the Mercur, Geyser, Sunshine, the Dexter (a Nevada property) and most likely the Mercur and Sunshine. The ores are being sampled, crushed and a number of other items of expense and the product goes to Denver on a basis of assays made right in the camp and not according to the lowest assay made on the 10 at the eastern refinery whereby as much as $1,000 has been lost to the past on one shipment.

The miners of rich ore in the Omaha property proved to be well founded. The strike is on the croppings and the ore runs from a few dollars up to $147 per ton. Of course such a showing is bound to cause great activity in the western foothill in which many properties there will now be developed. Since the arrival W. S. Fagan has secured a bond including one third of the property and will develop the find. The amount of the bond is not stated.

A fine street of ore is now being stoped in the Sunshine, which averages from $32 to $35 per ton. Sunset is working from a vein known as a low grade camp into a product of rich ore. The low grade is about 18 in the center of the company's workings, which increases its value greatly to that company. The company is now treating from 100 to 110 tons daily and as a great deal of it comes from this new discovery the accumulation will soon be pushing for transcriptions.

Yesterday witnessed a renewal of activity at the Golden Gate very gratifying and encouraging to the people of the camp. The force of men, which has been employed for some months past, numbering about thirty-two, was more than doubled, and now there are at least sixty men on the payroll. A new and much heavier gallery-tram was put up over the east of working shaft and the old machinery was taken out to be replaced by a much heavier engine, which will arrive today. All about the property there is new life and activity and though all the people employed by the company profess to know nothing in regard to the future, it is evident that from this time forward the Golden Gate will be one of the centers of progress and activity.

Tintic Mineer Notes.

The run at Ajax ore through the dump mill has been completed and it is reported to have given good satisfaction. The North Star is now preparing to make 500 tons run through the same mill to test the process on their ores and it is expected if satisfactory that the erection of a custom mill on the North Star will immediately follow.

Shipments from the district for the week are as follows:

From the Bullion-Beck mine 20 carloads of ore, from the Centennial-Eureka 7 carloads ore, from the Humbug 5 carloads ore, from the Ajax 21 carloads, from the Gemini mine 4 carloads ore, from the Sunset mine 1 carload ore, from the Mammoth 7 carloads concentrates, from the Mammoth mills 8 carloads concentrates, from the Dragon 1 carload ore, from the Swansea 1 carload ore, from the Dragon Iron mine 2 carloads ore daily.

A delegation of employes of the Bullion-Beck company surprised Mr. and Mrs. E. X. Kirby last Friday evening and presented Mr. Kirby with an elegant silver tea service, as a token of the esteem of the men for the retiring superintendent. The presentation speech was made by J. W. Jenkins, after which a pleasant hour and many good wishes the party separated.

The board of directors of the Swansea Mining company held a meeting at Silver City last Friday and declared another dividend of 5 cents a share or $5,000. This payment brings the total of the Swansea dividends to $18,000. The following directors were present at the Silver City meeting: Thos. Gedge, Geo. W. Robinson, C. W. Jackson, S. O. Sayer and Wm. Hatfield. The report of the property is said to have been uniformly satisfactory.

David Rees of Mammoth, who is working the Empire Claim on Mt. Nebo has received word from Supt. Jaques, who is in charge of the work, that he has encountered a four foot vein of galena ore, eighteen feet of the vein being exposed. The property is about five miles from the railroad with an easy road, and it is expected to at once commence shipments. The property of Hyde Bros. on Nebo is also reported to be showing up big and preparations are being made for a shipment. Nebo promises to come out as a big mining district.

Dips and Spurs.

No developments of unusual importance are forthcoming from the camp of Sunshine this week.

President Airis of the Mercur went out to the mine this morning, his purpose being to gather up a $25,000 shipment of cyanides.

Fifteen tons of Uncle Sam assaying 66.6 per cent lead and 114 ounces of silver to the ton, were sold on the market yesterday. The Utah and Galena companies are expected to declare their regular monthly dividends on Monday next.

At a meeting of the governing board of the stock exchange held yesterday afternoon it was decided to make a demand upon those members in arrears for the payment of the recent $2.50 assessment at once. It was also agreed to wave the roll from by putting up a stove, the work was attended to this afternoon.

The Evans boys, owners of the Dipper mine in Little Cottonwood canyon, made a five-ton shipment from the property this week which averaged $60 to gold to the ton. The Dipper company has stated over the contract at the mine and propose to push development work with greater vigor than ever during the winter season. The boys believe that they have a property worth sinking and the encouragement they get, seem to bear them out in their belief.

The mining excursion to Tintic tomorrow, given by the Rio Grande railroad, promises to be well attended. The Tintic people will receive the visitors with welcome if they follow the advice of the Tintic Miner which says:

Agent Nikirk, of the Rio Grande Western, advises us that there will be a grand excursion for all the miners from Salt Lake to Tintic next Sunday, November 8th. The fare will be $2 for the round trip, and it is expected that the excursion will be taken advantage of by many who are interested in this camp, as well as others who desire to be interested. We hope that the citizens of the district will take hold in this matter and assist in showing the prospects of Tintic in our visitors. They will cannot fail to be to our advantage and we look for good results to follow the excursion.

Nameless Duck Hunters.

County Fish and Game Commissioner Heath arrested three nameless and unknown duck hunters a few evenings ago. The officer took the hunters' guns from them and cited them to appear before Justice Harvey at 4:30 this evening.

THEIR TERM OF OFFICE

Two of the Judges in This District Will Hold Till January.

AN OPINION TO THAT EFFECT

From the Attorney General—First Monday in January Fixes the Terms of Street and Hicks.

In view of the election of Moses Thatcher and Neibaur to the bench in this district, Judge Street asked Attorney General Bishop for an opinion as to the time in which the present incumbents shall hold, and the following reply was transmitted today:

Hon. John A. Street, Judge of the Third Judicial District, Salt Lake City, Utah:

Dear Sir—I am in receipt of your communication asking my opinion on the following question: "Will the judges of the third judicial district, elected at the late election, take possession of their offices on the first Monday in January next or can they under the law take possession before that time?"

I have examined the Constitution and election law bearing upon this subject and I find the following provisions:

Section 9 of Article 8 of the Constitution provides: "All general elections shall be held on the Tuesday next following the first Monday in November of the year in which the election is held. General elections may be held on such other days as may be provided by law. The term of all officers elected at any general election shall commence on the first Monday in January next following the date of their election."

Section 10 of article 7 of the Constitution, being provision for the filling of vacancies caused by resignation or death, provides among other things: "If the office of the Justice of the Supreme or District Court, secretary of State, etc., be vacant by death, resignation or otherwise, it shall be the duty of the Governor to fill the same by appointment. And the appointee shall hold the office until the next election and qualification of his successor to fill the vacancy, which election shall take place at the next succeeding general election, and the person so elected shall hold the office for the remainder of the term."

It will be noticed that section 9, just above quoted, is identical with that of section 10, article 7, of the Constitution above quoted, except that it fixes the time of said election on the first succeeding general election and also determines the term of office (not in the unexpired term of the person creating the vacancy) of the person elected.

Section 2 of chapter 115 fixes the time for holding general elections and provides that they shall be for the purpose of electing, in proper years, officers, including district officers. Section 5 provides: "Special elections such as are held at other times for any purpose required by law, except municipal and school elections."

So far as it is provided by law there is no authority for the calling of an election to fill a vacancy in the office of district judge, at any other time than a general election, and section 2 of chapter last quoted expressly provides that said election shall take place at the next succeeding general election.

Sections 32 and 33 of the act provide for the transmission of election returns to the secretary of State. Section 34 provides that on the first Monday in December after the date of election at 12 o'clock noon, or in case of special session at 12 o'clock noon on the day following recess, the secretary of State of the last or the returns of said special election, the State auditor, State treasurer and attorney who shall constitute a board of State canvassers, must meet in the office of the secretary of State and compute and determine the vote; and the secretary of State who is a member of said board must make and file in his office statement thereof and transmit a copy of such statement to the Governor. Section 37 of same act provides that upon receipt of such copy mentioned in section 34 the Governor must issue commissions to the persons who from it appears to have received the highest number of votes for offices to be filled at such election.

It is my opinion that so far as the district judges are concerned, the late election was a general election within the meaning of section 9 of chapter 122 of the laws of 1896, above quoted, and that as in law it was not a special election, so a special election as defined by the statute, is such as is held at other times and therefore there is no reason why the terms of all judges elected at such general election shall commence on the first Monday in January next following the date of their election.

The provisions of the election law above quoted, 34 and 35, touching the time for canvassing the returns of a vote relative to a board of state canvassers and the transmission of a copy of the information to the secretary of State, are merely directory, the authority of the Governor, upon the receipt of the copy to issue commissions to the persons receiving the highest number of votes, does not depend upon a law to be enacted which any of the other provisions of the election law, it will be noticed that section 10 of article 7 merely provides for the filling of vacancies in the office of judge of the supreme court, and does not provide that they shall hold office or be entitled to fill office upon qualifying from the Governor's commission, and in order to determine the time of taking possession of the office