

UTAH METHODISTS
AT ANNUAL SESSION

Twenty-Ninth Yearly Gathering
Is Now Being Held in
This City.

ELECTION OF OFFICERS
IS THE FIRST BUSINESS

Bishop Joseph F. Berry of
Buffalo, N. Y., Delivers
Pleasing Address.

- OFFICERS OF MISSION.
The Rev. Samuel Allison, Eu-
reka, secretary.
The Rev. Martin Thomas, Lo-
gan, assistant secretary.
The Rev. D. E. Carter, Mil-
ford, statistical secretary.
The Rev. Carl Anderson,
Beaver, assistant statistical sec-
retary.
The Rev. D. W. Crane, Mur-
ray, treasurer.

The Utah mission of the Methodist
Episcopal church met in the twenty-
ninth annual session at the First Meth-
odist church Thursday morning. After
the administering of the sacrament of
the Lord's Supper, the business session
of the conference was opened by
Bishop Joseph F. Berry of Buffalo, N.
Y., who is presiding. Following a brief
address by the bishop, the organization
of the mission was effected and officers
were elected. The officers are: The
Rev. Samuel Allison, Eureka, secretary;
The Rev. Martin Thomas, Logan, as-
sistant secretary; The Rev. D. E. Carter,
Milford, statistical secretary; The Rev.
Carl Anderson, Beaver, assistant statisti-
cal secretary; The Rev. D. W. Crane,
Murray, treasurer. The following
committees were appointed:

- Farm Mission—The Rev. J. P. Cooke,
Tooele; The Rev. D. E. Carter, Milford;
The Rev. C. Moore, Provo.
Home mission and church extension
—The Rev. D. W. Crane, Murray; the
Rev. C. L. Martin, Park City; the Rev.
R. M. Craven, Murray.
Education—The Rev. R. P. Nichols,
Price; The Rev. C. L. Anderson, Beaver;
The Rev. E. Vernon, Murray.
Woman Home and Foreign Missionary
societies and American Bible so-
ciety—The Rev. Martin Thomas, the
Rev. G. W. McGroarty, Ogden; the Rev.
H. J. Hansen, Salt Lake.
Temperance—The Rev. R. P. Gilpin,
Ringham Canyon; the Rev. T. P. Cooke,
the Rev. J. S. Anderson, Mercur; the
Rev. D. J. Morgan, Richfield.
Auditing secretaries accounts—The
Rev. Samuel Allison, the Rev. D. E.
Carter.
Worship—The Rev. H. J. Talbott,
the Rev. F. B. Short, Salt Lake.
Resolutions—The Rev. G. W. Mc-
Groarty and the Rev. Martin Thomas.

Address of Bishop.
The bishop's annual address was a
pleasing one. He said that it was his
pleasure and privilege to be here, but
his being present was not a matter of his
choosing, since a bishop of the Methodist
church was in the hands of others. His
appointments were made for him by the
will of the committee on plans in the
college of bishops and the appoint-
ment might be said to be divine, since
the man sent had nothing to say in
the matter. His acceptance of the plan
was in harmony with the spirit of his
church.

"I want it understood," the bishop
continued, "that I am simply one of
you. The idea of a bishop as an Epis-
copal functionary, is, thank God, a
thing of the past. I am just your
brother, here to serve you. So while
I am here, I am just Brother Berry,
since there are so many bishops in Salt
Lake, it is no particular distinction
to have this title, so I would just as
soon dispense with it."

The Rev. H. J. Talbott, D. D., su-
perintendent of the Salt Lake mission,
gave an excellent report of his work
for the past year, in conclusion he
spoke of the wonderful resources of
Utah in a mining and agricultural way.
"Why the agricultural possibilities
have remained so long undeveloped,"
said Dr. Talbott, "cannot be ascribed,
but with improved irrigation, which is
sure to come, the advantages in this
line are sure to be seen from afar.
Then the increase in population will
exceed that of the productiveness of
federal farms, or the efforts of Mor-
mon missionaries."

Difficulties encountered.
"Many difficulties are encountered
by Christian workers in Utah. One is
Mormonism, another the restlessness of
the population and another a general
indifference to religious influences. But
the ministers of Methodism are not dis-
couraged. They feel a need of their
services and have faith in a change of
conditions. They believe that the Lord
will work wonders with this Gideon
band."

NOT YET ADVISED OF
CHANGE IN HEARING

A dispatch was received here from the
Associated Press at Washington, D. C.,
Wednesday and printed in Thursday
morning's Tribune, that the hearing of
the interstate commerce commission on
its Pacific coast trip had been changed.
It was expected that the commis-
sion would hold its first hearing at
Salt Lake City, September 22.
S. H. Babcock, manager of the Com-
mercial club traffic bureau, stated Thurs-
day that he had received no advice of
the change. The last information he had
was that the commission would meet at
Spokane, October 4. This word was re-
ceived August 15, and no change in the
plans, so far as he has been advised, has
been made since that date. But, as Mr.
Babcock says, advice may now be in
the mail advising him of the change.
A hearing is known here, so far as
officially known here, the commis-
sion will hold its first meeting at
Portland, San Francisco, Reno and Salt
Lake City, arriving here about the end
of the month.

What is to be considered here are the
rates between Utah common points and
Chicago, the Mississippi and Missouri
roads for the red wire that brought
discriminations against Utah being alleged.

Expert Kodak Finishing.
Shipley commercial photographers,
151 South Main st.; second floor.
Says Wife Is "Boozer."
Habitual drunkenness, followed by de-
scription, is Frederick Herman's charge
against Kate Herman in his suit for di-
vorce, filed in the third district court
Thursday. They were married at Cleve-
land, O., July 3, 1908. Herman says, and
Mrs. Herman ran away from him three
months afterward. In the three months
she remained with him, she showed a
fondness for the red wine that brought
her within the habitual drunkard class.
Herman says. There is no mention of
any children.

World's Greatest Drummer.
Major Friedley, at Saltair all this week.
Plays five drums with two sticks.
—Inter-Mountain Packing Co.

NEW FIRMS
IN A BITTER WAR

O. D. Banks & Co. File Action
Against Banks Pattern Hat
Company.

INJUNCTION IS ASKED
AGAINST LATTER CONCERN

Attempt Is Being Made to Put
O. D. Banks Out of
Business.

There is a bitter war on between O.
D. Banks & Co. and the Banks Pat-
tern Hat company, rival South Main
street millinery establishments, and
Thursday this war reached the third
district court in the form of a suit by
the former company to put the latter
out of the feather juggling business in
Salt Lake City, at least under any name
containing the word "Banks."

Alleging that O. D. Banks has vio-
lated his agreement, made when he
severed his connection with O. D. Banks
& Co., not to re-enter the millinery
business in Salt Lake City, the O. D.
Banks company is also demanding \$10,
000 damages for alleged loss of trade
to its rival.

The defendants to the suit besides
the Banks Pattern Hat company are
O. D. Banks, Blanche Emerson, Clara
Howard, Kate Condie and W. O. Kay.
Banks is a former heavy stockholder in
the plaintiff company, while the other
defendants are heavy business sales-
women for this concern.

The O. D. Banks company was or-
ganized April 25, 1905, the complaint
sets out, with Banks, who owned almost
one-half the outstanding stock, as pres-
ident and manager. A heavy business
was worked up, not only in this city,
but throughout this state and Idaho,
Nevada and Wyoming, but discontent
grew up among the stockholders and
Banks was ousted at a meeting held
April 23, 1908. May 4, 1908, it is
alleged, the new management bought
Banks out, paying him \$12,000 for his
120 shares of stock and the good will,
Banks also agreed not to re-enter the
millinery business in Salt Lake City,
at least not under the name of
"Banks," it is alleged.

But contrary to his agreement, it is
charged, Banks organized a new com-
pany and re-entered the feather juggling
business. When he was ousted from
the old company, the three women
defendants were employed there as
saleswomen, and Banks, it is alleged,
loitered about within the store and in-
duced the women to enter into the
conspiracy to establish the Banks Pat-
tern Hat company.

Relief Asked For.
The new company incorporated April
30 and started into business near the
old company's establishment, it is al-
leged. The incorporators of the new
company were Banks, the three women
and Melvin Peterson. Peterson is also
named in the incorporation article as
a director holding 125 shares of stock,
while Banks is shown to hold only one
share of stock, but Peterson's, 125
shares, it is charged, have been issued
to W. O. Kay on the order of Banks,
and Peterson's name is used as a di-
rector merely to conform to the state
law requiring boards of directors of
such corporations to have five mem-
bers.

It is further alleged that while
Banks is shown to hold only one share
of stock he actually owns a controlling
interest, having caused most of the
3400 shares of stock reserved for treas-
ury purposes to be issued to himself,
this to deceive the plaintiff company
and others concerned as to the person-
ality of the stockholders of the new
company, it is charged.

Owing to the similarity of names,
much trade has been diverted from
O. D. Banks & Co. to the Banks Pattern
Hat company, it is alleged, and many
mail orders intended for it have gone
to the new store and been filled. To
prevent a continuation of these things,
the O. D. Banks company wants the
new rival concern restrained from us-
ing the word "Banks" in its name,
and Banks restrained from entering
the millinery business in this city. The
\$10,000 damages demanded is for al-
leged loss of business to the new com-
pany by reason of Banks' violation of
his agreement not to re-enter the mil-
linery business.

Go search the north, south, east and
west.
For ham and bacon, just the best!
For lard that stands the housewives'
"Wasatch" will quickly end your
quest!
—Inter-Mountain Packing Co.

HOUSE PAINTING TIME

Fall is the best house painting time,
and if the painting is done before the
early storms set in the paint has a bet-
ter chance to set hard and firm, which
makes it last longer. Be sure you get
Acme Quality. Culmer Glass & Paint
Co., 37 East First South.

Salt Lake Route, \$1.25 round trip.
Sno, Sundays; three trains daily from
Union station.

Diminny a Candidate.
The announcement of George F. Goodwin
before the American party convention
last night, and the abandonment of
the field, previously announced, is Judge H. J.
Diminny, the incumbent for the last two
years.

Kodak Finishing.
Salt Lake Photo Supply Co., 142 Main
street.

Take Dinner on the Ship
"Leviathan" restaurant at Saltair.
Ask for anything. City prices.

Mitchell Van and Storage Co. re-
moved to 273 South West Temple.

Signs that attract—Haulin paints.
Both phones.

PATRIOTIC GIVING
AT SALT AIR SUCCESS

Many Enjoy Day at Resort Un-
der Auspices of W. R. C. and
Ladies of G. A. R.

The Woman's Relief corps and
Ladies of the G. A. R. day at Saltair
Thursday was a marked success. The
crowd was not so large as expected,
and the inability of Major Bostaph to
be present, was a disappointment, but
the receipts were flattering and the
friends of the two patriotic organiza-
tions found the outing a delightful
one.

The programme in the hippodrome
building was postponed until early in
the evening, with the hope that Major
Bostaph would arrive on a late after-
noon train. When it was found that
it would not be possible for him to
come, an informal programme, in which
several local celebrities appeared, was
arranged.

Col. M. M. Kaiglin, past department
commander, gave an excellent address
entitled "George Washington," and
a thrilling story entitled "Last Signal
Message of the War." Lieut. Round
was general signal officer under Gen-
eral Sherman at the close of the war,
and the story relates his own experi-
ence with the signal service. Major
Friedley's drum corps furnished music.

Col. R. G. Sleater, past department
commander of Utah, was master of
ceremonies. Other distinguished per-
sons present were Mrs. Mary B. Law-
rence, president of the local chapter
Daughters of Veterans; Mrs. Louise
Winegar, president Maxwell post, La-
dies of the G. A. R.; Mrs. Augusta
Dean, president McKean post, Wom-
an's Relief corps; Mrs. Mary E. Lacey,
national president of the Army Nurses'
association; Mrs. W. H. Jones, national
juvenile vice president of the woman's
relief corps and chairman of the woman's
citizens committee for the entertain-
ment of the veterans. Major Elmer
Friedley, secretary of the woman's citi-
zens committee; Col. J. H. Walcott, past
commander, McKean post, G. A. R.
Souvenirs of the G. A. R. arranged
by Thomas & Lynch, were given to
each visitor to the resort on entering
the gates.

A number of parties were given in
honor of the day. Among these was
one given by the Paysonian club, in
honor of Major and Mrs. George Fried-
ley, of Huntington, Pa.; Major Elmer
Friedley, of Bedford, Mass., and
Major Barlow of Columbus, Ohio,
guests of Mrs. Emma Ramsey Morris,
who have been in the city since the
G. A. R. encampment. The table was
spread with red, white and blue,
and the menu was elaborate. An elaborate
picnic menu was served. The guests
numbered thirty.

Mrs. Jennie I. Jones entertained a
party of five at supper. They were
Mr. and Mrs. W. B. Gaby, Mrs. L. C.
Schwartz and Master Loraine Jones of
Idaho.

FREE AUTO TRIPS EVERY HOUR
To Laurelhurst ACRE lot addition on
East Bench. Phone and make appoint-
ments. Chandler & Soules Co. Ind.
167; Bell 2159.

Tony Arnold Carriage Co.
Day and night, Bell Main 26. Ind. 26.

BINGHAM BADLY IN
NEED OF CLEANSING

Dr. John Sundwall Makes Some
Important Recommendations
Regarding the Camp.

The sanitary conditions of Bingham
are bad, indeed. This is the statement
made by Dr. John Sundwall in a report
which he has submitted to Dr. T. B.
Beatty, secretary of the state board of
health. Manure piles and garbage and
refuse of all kinds are seen in back
yards and on the main street of the
city, which is very narrow. The creek
is very dirty, and a water system
not used in Bingham, and water
pumped from the vicinity of outhouses
and the wonder is an epidemic of ty-
phoid is not prevalent.

All this and more Dr. Sundwall re-
ports, and recommends universally, the
use of piped water and the abatement
of wells. Stables should be con-
centrated in one place in town, and
garbage and waste should be placed in
cans and removed at least twice a
week, he says. Every effort should be
made, he adds, to educate the people
in the use of water, and the doctor re-
commends that this subject be empha-
sized in the higher grades of the
schools. A sewerage system should be
installed, and the physician says he is
informed that Col. E. A. Wall had of-
fered to build this system.

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and if the painting is done before the
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Mitchell Van and Storage Co. re-
moved to 273 South West Temple.

Signs that attract—Haulin paints.
Both phones.

Funeral This Afternoon.
Funeral services over the remains of
Miss Ida Lyon will be held at 2:30 o'clock
today at the residence of Mrs. May
Angell, No. 154 East Fifth South
street. Friends are invited.

MECHANICS LIEN
CASE IS DECIDED

Supreme Court Passes Upon an
Action From the Second
District.

LOWER COURT IS TOLD
WHAT TO DO IN MATTER

Attempt Is Made by Higher
Tribunal to Obviate An-
other Appeal.

Chief Justice Straup of the supreme
court, in an opinion handed down Thurs-
day in the case of the Volker-Sawcoff
Lumber company and Halvorsen Bros.
against Mary Flinders Vance and Irving
Peterson, a contractor, upon whom service
was not made, dismissed at length the
different effects of a mechanic's lien as
against homestead exemption rights.

Only a small amount, \$179.75, is in-
volved in the appeal, but this is the sec-
ond time the case has been before the
supreme court. The appeal of the lum-
ber company and Halvorsen Bros. from
Judge J. A. Howell's decision in the sec-
ond district court, giving them a personal
judgment instead of a mechanic's lien
against Mrs. Vance's property, the court
says, is not well taken, but the case is
sent back for more evidence as to whether
Mrs. Vance is entitled to homestead
exemption. Justice Straup's associates
concurring.

The lumber company set up a me-
chanic's lien and sued for \$575.77 for ma-
terials furnished for Mrs. Vance's house,
and Halvorsen Bros. subcontractors, came
in with a demand for \$179.75. Mrs.
Vance's demurrer was sustained, and the
court said she had two children and was
the head of a household and this was her
homestead, giving her a right to exemp-
tion. Mrs. Vance's attorney, however, en-
tered as demanded. Mrs. Vance appealed
and the appeal was sustained. The sec-
ond trial resulted in a dismissal of the
demand for a mechanic's lien on the
property, the plaintiffs setting up that
adjoining property owned by Mrs. Vance,
except a small portion, was her homestead,
and that she was not entitled to homestead
exemption upon the other property.

What Court Says.
The supreme court says its records do
not show whether the adjoining property
was Mrs. Vance's homestead or not;
neither is there anything to show whether
the value of the property, including the
services exceeded the \$225 exemption. Mrs.
Vance claimed, if it does not, the plain-
tiffs cannot collect.

The court takes a snap at the
way the case has been handled by the
lower court. The issues in some re-
spects were poorly presented, the evi-
dence bearing upon them is meager and
indefinite, and the findings by the court
are incomplete and insufficiently respon-
sible. The court says that the lower court
is not responsive to the evidence, and
the higher court says.

To obviate another appeal, the supreme
court directed the lower court to ascertain
the intent and purpose of a stipulation
found in the record, although no ap-
peal is made with respect thereto.

Halvorsen & Pratt were the plaintiffs'
attorneys, and J. D. Skeen was Mrs.
Vance's counsel.

EXCURSION TO LUCIN CUT-OFF
Sunday, on cruiser "Irene." See S.
H. Lund, 51 E. 1st St. Phones 56.

Swimming at Saltair—it's glorious!

LAMONT AND BURT
CHOSEN DELEGATES

Much Interest Manifested in
Special Election Held in
Tribune Building.

J. H. Lamont and A. H. Burt, president
and secretary, respectively, of the local
union of street railway employees, were
Thursday chosen as delegates to the an-
nual convention of the Amalgamated As-
sociation of Street and Electric Railway
Employees of America to be held at
Toronto, Canada, at a special election
held at the Tribune building. The other
candidates were J. D. McCarthy, J. A.
Reeder, A. F. Nelson and Joseph Wilkin-
son, who received 85, 55, 5 and 5 votes,
respectively.

Much interest was taken in the elec-
tion, which was carried out without a
 hitch. The voting was very orderly,
and through much enthusiasm and interest
was manifested.

A fine address was made to the society
by Bishop Joseph F. Berry of Buffalo,
N. Y. His subject was "The Woman's Part
in Christian Work." He paid a tribu-
tute to women and their noble
efforts in the cause of Christianity.

The society renewed its pledge to sup-
port the Salt Lake boys' club, and the
plans home at York. He is the eight-
year-old son of Mrs. Coats of this city,
and has been supported by the Utah
Home Missionary society for the past
four years.

The report of the past year's work
showed the society in a good finan-
cial condition. An increase in membership
and collections was made over the pre-
vious year.

\$57.75, Los Angeles, back via Port-
land, Salt Lake Route. \$40, Los An-
geles and return. \$46, return via San
Francisco.

BUILDING PERMITS
ARE SENT TOWERING

Record for the Year Is Rapidly
Nearing the Four-Million
Mark.

Building permits for August shot
towards the skylight Thursday with a
velocity that startled even Building
Inspector A. B. Hirth. Seven permits
calling for a total expenditure of
\$1,295,800 were issued by Building In-
spector Hirth Thursday morning.

This raises the permits for this
month to approximately \$1,500,000,
which is only about \$1,202,800 ahead of
the whole of last August, which was
\$358,000, and sends the record for the
first eight months of the year to approxi-
mately \$2,500,000 ahead of the record for
the first eight months of last year, and
there is something like a half million
more that I have to fight yet for this
month. I am too tickled and too tired
to figure it out today, but tomorrow I'm
going to take an hour or so and figure
up just where we stand."

The permits for 1908 amounted to
about \$4,750,000. Mr. Hirth optimisti-
cally declares that this year will al-
ready exceed that of 1907. The permit
that sends the records not only for the
month but for the year towering is that
of the Utah Hotel company for its ten-story, 365-room
brick building, reinforced with steel,
with terra cotta finishings, to be erect-
ed at Main and South Temple streets
for hotel and store purposes. The cost
is \$1,200,000.

Then the Corvay Investment company
helped things along Thursday by tak-
ing out a permit for a seven-story, 17-
room brick apartment house at 330
East Brigham street, to cost \$80,000.
Joan Anderson would Mr. Hirth's busy
day up with a permit for a four-room
cement-block dwelling to be erected at
1144 West Pacific avenue, cost, \$1500.

Try a New Orleans Fizz today
when you are warm. Only at Kenyon
Buffet. Duran-Weed Co., proprietors.

NEGRO ATTORNEY BRINGS
FIRST SUIT INTO COURT

Lawrence Marsh, the negro attorney
recently admitted to the bar, brought his
first suit in the Third District court
Thursday. The suit is that of William
Barker, a hackman, against Leo E. Pe-
louse, to recover \$300 damages for the al-
leged destruction of a hack and the
death of a horse in an automobile ac-
cident at Second West street near the
High School building, June 20 last. Mr.
Barker says that Pelouse recklessly
drove an automobile into his hack,
smashing it up, killing one of his horses
and injuring the other.

SUNNYSIDE ADDITION.
The best buy in Salt Lake is where
you will double your money in less
than a year. A. N. HUMPHRIES,
78 W. 2nd South st.

Do You Kodak?
We finish and sell the supplies. Salt
Lake Photo Supply Co., 142 Main st.

ANNUAL CONFERENCE
OF MISSION SOCIETY

Bishop Joseph F. Berry Deliv-
ers Address, and Officers
Are Elected.

The Woman's Home Mission society of
the Utah Methodist mission held its an-
niversary at the First Methodist church
Thursday afternoon. Officers were elect-
ed for the coming year and reports of
the past year were heard and approved.
Mrs. Clarence Post of this city presided
over the meeting.

The officers chosen were as follows:
Mrs. H. J. Talbott of Salt Lake, presi-
dent; Mrs. Wherry of Ogden, first vice
president; Mrs. Nichols, Price, second
vice president; Miss Josephine
Provo, recording secretary; Mrs. Mc-
Groarty, Ogden, corresponding secretary;
Mrs. J. R. Bowditch, Salt Lake, treasurer;
Mrs. Vera Peterson, Mercur, secretary
of Young People's society; Mrs. S. Morn-
ingstar, Salt Lake, secretary of mite
boxes.

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FEDERAL BUNCH MAY HAVE
AFFECTED HIS MENTALITY

James Kenworthy, a sheepherder from
Wyoming, who has been in the city about
a week, was arrested Thursday by the
plate glass door of Postoffice Inspect-
or D. C. Lowe, just on the right hand
side of the north entrance to the Federal
building, Thursday afternoon. Mr. Lowe
was not at his desk at the time or he
would doubtless be in the hospital now.
Kenworthy is now at the county jail,
and can give no coherent explanation of
his action. He says that he (meaning
the postoffice inspector), stole \$10,000
belonging to him. Then, in answer to As-
sistant United States Attorney McCrea,
he said it was some "students on the hill"
who were trying to steal his money.
The case would certainly have struck
him, as it landed on his vacant chair.
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