

DISBARMENT CASES ARGUED

A. E. Snow, J. M. Bowman and W. H. Wilkins Show Cause.

CITED IN SUPREME COURT

DISCLAIM ANY DISRESPECT FOR JUSTICE BARTCH.

The supreme court has taken under advisement the disbarment proceedings brought by the Utah Bar association against Alviras E. Snow, J. M. Bowman and W. H. Wilkins. The alleged facts in the case, together with affidavits by the three defendants explaining their position in the matter, were submitted to the court yesterday morning, it holding a special session for the express purpose of hearing the cases.

The defendants were present in person and gave a personal explanation along the lines set forth in their respective affidavits. The pleadings were listened to by Chief Justice Baskin, Associate Justice Morrison and District Judge Thomas Marioneaux, the latter sitting for Associate Justice Bartch, who was disqualified because the defendants are being tried for statements made against him in a suit tried in the district court and then appealed to the state supreme court.

Cited to Show Cause.

The attorneys were cited to show cause why they should not be disbarred because of the alleged statements made against Associate Justice Bartch. The allegations were made in the files of the suit of C. D. Morrison vs. A. E. Snow and the Morrison Mining company et al. Associate Justice Bartch was an officer in the company at the time Morrison sued Snow to secure possession of 14,000 shares of stock. It was alleged that Associate Justice Bartch conspired with Morrison and used his judicial position to induce him to bring the action against Snow for the recovery of the stock, and that if he was successful he was to give Associate Justice Bartch one-half of the stock recovered.

In the district court a decision was rendered in favor of Morrison, but the charges against Associate Justice Bartch were stricken from the records. The case was appealed to the state supreme court, where the judgment of the lower court was sustained. It was then that the disbarment proceedings were begun.

Defense of Attorney Wilkins.

The first part of the affidavit of Attorney Wilkins relates the charges preferred against him by the bar association. Continuing, he says that he "at the present stage of the case cannot intelligently defend himself against charges of such a character," asking that "written charges be filed specifying in detail how and wherein said alleged unprofessional conduct occurred."

Attorney Wilkins emphatically disclaims any intent to show disrespect to the court and argues that his conduct as an attorney cannot be so construed. The allegations mentioned in the answer of Snow, his client, to which the court and bar association took exceptions because they reflected upon Associate Justice Bartch, were done so by him as Snow's attorney after the same had been vouched for as true by his client. He avers "that the matters and things contained in the affidavit of George W. Bartch were a proper subject for judicial investigation in the trial of the cause; that they were made against Associate Justice Bartch as an individual and not as a judge," and "that no charge was made of any abuse of his official position, but simply of the use of the 'weight and influence' derived from his official position."

Attorney Wilkins disclaims that he was actuated "in said proceedings by any malice whatsoever against the said Bartch," who was a stranger to him at that time.

Bowman's and Snow's Affidavits.

In his affidavit Attorney Bowman early recites that the allegations made in Snow's affidavit against Justice Bartch were in good faith, he believing that his client had good and sufficient grounds upon which to base his allegations; that in all the proceedings he simply acted the part of an attorney, and at no time intended to cast any odium upon the state supreme court, or with malice towards the associate justice.

Attorney Snow swears that the allegations he made were not "with intent to impugn the honor or reflect upon the integrity of the said George W. Bartch as a member of this honorable court, or as a judicial officer; that if anything he said was so construed, it was certainly not intentional upon his part. After citing the fact that his mining interests are small as

ONLY A SUGGESTION.

But It Has Proven of Interest and Value to Thousands.

Common sense would suggest that if one wishes to become fleshy and plump it can only result from the food we eat and digest and that food should be albuminous or meat forming food, like eggs, beefsteak and cereals; in other words the kinds of food that make flesh are the foods which form the greater part of our daily bills of fare.

But the trouble is that while we eat enough and generally too much, the stomach, from abuse and overwork, cannot properly digest and assimilate it, which is the reason so many people remain thin and under weight; the digestive organs do not completely digest the flesh forming beefsteak and eggs and similar wholesome food.

There are thousands of such who are really confirmed dyspeptics, although they may have no particular pain or inconvenience from loathing stomachs. If such persons would lay their prejudices aside and make a regular practice of taking, after each meal one or two of Stuart's Dyspeptic Tablets the food would be quickly and thoroughly digested, because these tablets contain the natural pepsines and diastase which every weak stomach lacks, and by supplying this want the stomach is soon enabled to reach its natural tone and vigor.

Stuart's Dyspeptic Tablets digest every form of flesh forming food, meat, eggs, bread and potatoes, and this is the reason they so quickly build up, strengthen and invigorate the dyspeptic men, women and children. Invalids and children, even the most delicate, use them with marked benefit as they contain no strong, irritating drugs, no cathartic nor any harmful ingredient.

Stuart's Dyspeptic Tablets is the most successful and most widely known of any remedy for stomach troubles because it is the most reasonable and scientific of modern medicines. Stuart's Dyspeptic Tablets are sold by every druggist in the United States and Canada as well as in Great Britain, at 50 cents for complete treatment. Nothing further is required to cure any stomach trouble or to make thin, nervous, dyspeptic people strong, plump and well.

compared with his legal business, he asks that the citation made to him be expunged from the records of the court. He adds that if it is the intention of the court to prosecute him for unprofessional conduct, that the court file more detailed and specific charges against him and employ counsel for his defense.

District Court Notes.

In the state supreme court yesterday David Hague, the attorney from Michigan, was granted permission to practice before that bar.

Thomas Perkins has brought a \$30,000 personal damage suit against the Oregon Short Line for the loss of a leg. On July 12, 1903, in Idaho, while acting as head brakeman on a run between Pocatello and McCammon, he was thrown under the wheels of the train. One leg was so badly crushed that it had to be amputated above the knee.

Judge Thomas D. Lewis yesterday morning granted Willela Moth a divorce from William Moth on the grounds of non-support.

Judge Thomas D. Lewis yesterday refused to issue a writ of certiorari in the case of Louise B. Barnard vs. Justice of the Peace Frank H. Clark. She asked for a review in the district court of a case in which she was defendant, and in which judgment was entered against her, charging irregularly on the part of the justice in not giving her proper notice of the entering of the judgment.

The suit of Mary Olson against the Highland Boy Gold Mining company was dismissed at plaintiff's cost yesterday by Judge Samuel W. Stewart. She brought suit Dec. 15, 1900, to recover \$1,400 damages against the company for erecting an aerial tramway over her property in the southern part of the county.

All law and motion matters which were not disposed of yesterday by Judge Samuel W. Stewart in the civil division of the district court will be taken up Monday morning, Nov. 9, at 10 o'clock.

In the matter of the condemnation suit of the Oregon Short Line Railway company against Harry C. Hill and the Citizens' Coal company, Judge Charles W. Morse yesterday fixed the bond of the railway company at \$40,000. The plaintiff seeks to acquire property on First South street between Third West and Fourth West streets for depot site and tracks for its purpose.

In the criminal division of the district court yesterday Judge Charles W. Morse denied the motion for a new trial in the case of Edgar S. Darling et al. vs. Ann Parsons. Plaintiff was awarded judgment in the sum of \$90 as commission in negotiating sale of some property.

Nora Baum sues Frank Baum for divorce on grounds of failure to provide and threatening to choke her. She asks \$25 alimony. They were married at Heber City on April 15, 1898.

HAS LIMITED EFFECT.

General Strike of Bridge and Structural Iron Workers.

New York, Nov. 7.—President Buchanan, of the Bridge and Structural Iron Workers of America, has ordered a strike the country over, on all contracts held by the Iron League of New York.

Forty thousand men in the building trades, and 250 buildings under construction, are affected by the order. Outside of New York, the contracts held by members of the Iron League are few. Only a few buildings in Philadelphia, Pittsburgh and St. Louis will be affected.

Buchanan claimed today that 5,600 men will walk out in New York and that 10,000 building mechanics will be thrown out of work by their action.

After Sam Parks had tied the contracts of the iron league for months last spring the employers formed a housewifing union of their own from that of Parks' union, and iron workers from out of the city were willing to sign the arbitration agreement. The union now has a membership of 1,500. The league claims it has more men than it actually has work for.

Conferences between President Buchanan and a joint committee of iron workers and the iron league have been in progress this week. Concessions had been made on both sides, but the strike came yesterday when the iron workers refused to receive into local union No. 2, the new organization of housewifing as a whole.

WYOMING INDIAN TROUBLE.

Report of General Kobbe to the War Department.

Washington, Nov. 7.—In response to the request of the department for a report regarding the recent Indian troubles in Wyoming, General Kobbe, commanding the department of Dakota, today forwarded a dispatch from Major B. H. Cheever, Sixth cavalry, at Pine Ridge, in which he says the trouble was mostly the sheriff's fault and that the Indian prisoners at Newcastle should be released. He says it is believed that the sheriff's party fired the first shot, and statements are conflicting. The war department states that the situation does not require the services of troops. Indian Agent Brennan telegraphs today that the preliminary hearing of the arrested Indians has been set for Nov. 3 at Douglas, Wyo. Brennan has been directed to attend with an interpreter.

Cheyenne, Wyo., Nov. 7.—Governor Chatterton leaves Monday for Douglas, where he will personally investigate the conditions of the Indians under arrest on the charge of killing Sheriff May. He has written a letter to Secretary of the Interior Hitchcock advising him of the true circumstances of the killing, and advising the department of a fair trial for the Indians. Reports of mob violence are declared to be absurd.

LIKELY TO DIE.

Critical Condition of Two Victims of Big Four Wreck.

Indianapolis, Ind., Nov. 7.—L. E. Rush of Dairy station, Pa., one of the victims of the Purdue special wreck, has suffered a relapse and is in a critical condition. A. L. Holter of Oberlin, O., is also in a serious condition. The other two other victims are slowly recovering.

Coroner Tutwiler has telegraphed J. H. Bishop, the Big Four operator at the Shelby street station who hit the Omaha, Neb., to return at once and give his testimony.

COULD NOT BE CONVICTED.

Chicago, Nov. 7.—The arrest of Thomas Connelly, or Thomas Murphy, in South St. Joseph, and his alleged confession of complicity in the Cudahy kidnaping, was viewed with little interest by the Eriefton agency here, since the arrest of Callahan, and failure, through lack of evidence, to convict him of the crime, an agency official declared that the case has been practically dropped.

DUCHESS ARRIVES.

New York, Nov. 7.—The Duchess of Roxburgh and her daughter, Lady Isabel Innes-Ker, arrived today on the steamer Campania to attend the wedding of the Duke of Roxburgh to Miss May Goele, Nov. 10. Clifford Sifton, agent for Great Britain in the Alaskan arbitration and Mr. O'Connell, rector of the Catholic university at Washington, were also on board.

ALEXIEFF WILL RESIGN.

Yokohama, Nov. 7.—It is reported unofficially at Tokyo that Admiral Alexieff, the Russian viceroy of the far east, will shortly remove his headquarters from Port Arthur to Vladivostok and resign the viceroyalty in favor of certain Russian officers, and that Vladivostok will be made an open port.

TRADE BETTER SINCE ELECTION

Improves After Disturbing Element Is Removed.

REAL ESTATE IS FAIR

GOOD DEMAND FOUND IN ALL PARTS OF COMMERCE.

The closing of the campaign removed a disturbing element and has greatly improved local business since Tuesday. Trade is resuming normal conditions and is showing a good volume. The wholesale business, and there is a good demand for general lines of fall goods.

Clearings for the week show an increase over last week of \$477,783.32, compared with \$2,140,545.77. For the day they were \$604,442.58, compared with \$447,026.01 of the corresponding day of last year.

Real estate is fair. There is a steady demand, with a number of sales, practically all of moderate-priced properties. In this market, as well as others, there is an improved tendency since the election.

Prices of commercial stocks and bonds remain steady. There has been no such depression in values as there has been in some other parts of the country, while mining stocks have been fairly active. The mines are increasing their output at good prices for silver, consequently bringing more money into the state and distributing it. Money is firm and in good demand. The latest quotations on commercial stocks and bonds are as follows:

Table listing various banks and their assets, including Deseret National Bank, Home Fire Insurance Co., Utah Sugar Co., etc.

BONDS.

Table listing various bonds, including Consolidated Railway & Power Co., Salt Lake City Railroad bonds, etc.

Building Permits.

Building permits issued during the week: Hanna C. Reineck, corner Tenth East and Seventh South, brick cottage, \$1,000; J. F. Stoker, Eighth West, between Third and Fourth North, brick cottage, 1,000; E. Tomlinson, Eighth West, between Third and Fourth North, brick cottage, 1,000; S. D. Greenwood, 255 Fifth North, brick cottage, 1,500; Mrs. M. J. Burton, 620 South Second, West brick cottage, 1,000; T. J. Armstrong, 604 South Second, brick cottage, 1,000; George Olds Orr, Thirteenth East, between Second and Third South, brick residence, 3,000.

Real Estate Transfers.

Thomas J. Fleming to Martha E. N. Neilson, five acres in the southeast quarter of the southwest quarter of section 2, township 2 south, range 1 east, \$2,200; Mate B. Cromer to the Utah Light & Power company, 1/2 acre in lot 1, section 3, township 1 south, range 1 east, \$22; Phebe T. Kimball to Katherine Whitney, part lot 7, block 92, plat A, \$2,400; First National Bank to David D. George, 1/2 acre in lot 2, block 25, Ten-acre plat A, etc., 1,600; Apple Jensen to Rebecca J. Pedersen, 10 1/2 acres of the northwest quarter of section 12, township 2 south, range 1 west, 600; Peter Guib to Violet A. Gule, lots 29 to 32, block 1, Hazelmead, 100; V. L. Holliday to Salt Lake City, part lots 1 and 3, block 1, Canyon Road, 25; George K. Reese to Dillie R. J. Little, 4 1/2 feet by 3 rods southeast from the northern corner of lot 7, block 3, plat B, 150; Dominick Costa to Peter Berlin, one-half interest in 2 1/2 rods of section 27, township 1 south, range 1 west, etc., 1; James Ashman to James Ashman, 3 1/2 feet by 5 rods northwest from 28 feet north of the southeast corner of lot 1, block 41, plat B, 1; William P. Pratt to Levidin Folsom, 10 1/2 rods southwest from the twenty-seven corner of lot 5, block 134, plat A, 250; George K. Aitkin to H. C. Hoffman, lots 17 and 18, block 1, Union Park, 600; Clara B. Davies to H. C. Hoffman, lots 16 and 17, block 1, Kennington, Thomas Homes, 600; Thatcher, 5 rods by 30 feet southeast from the northwest corner of lot 4, block 75, plat D, 2,500.

Neuralgia Pains.

Rheumatism, lumbago and sciatic pains yield to the penetrating influence of Ballard's Snow Liniment. It penetrates to the nerves and bones and being absorbed into the blood, its healing properties are conveyed to every part of the body, and effect some wonderful cures. 25c, 50c, \$1. Sold by the Z. C. M. I. drug department.

Good Pancake Recipe.

To two cups of Falcon Self-Rising Pancake Flour add enough milk or water to make a comparatively thin batter, or use two cups of Pancake Flour, two cups milk, one tablespoonful sugar or syrup, one egg; have grid-die hot; bake most after turning. Get Falcon Self-Rising Pancake Flour at any grocer's.

If It is for the office BREEDEN HAS IT.

John Farrington, liveryman. Carriages and light livery. No street hacks. Phone 273.

COAL OFFICES MOVED.

Diamond Fuel company, Kommerer Fuel company, now located in Utah National bank, corner First South and Main. Telephone 166 and 171.

DR. PADEN GOES TO WASHINGTON

To Take Part in the Protest Against Senator Smoot.

IS ARMED WITH DOCUMENTS

UNDERSTOOD THAT POLYGAMY WILL BE INVESTIGATED.

Dr. W. M. Paden of the First Presbyterian church is on his way to Washington to take part in the fight on Senator Reed Smoot. He slipped out quietly during the week, armed with the documents in the case collected by the Ministerial alliance, the representative of which he is.

Dr. Paden is preserving secrecy as to the lines of attack, but it is understood that the open letter on the subject issued earlier in the year will be followed in a general way. Polygamy and church interference in politics will form two of the principal phases of the case against Smoot. Efforts will be made to show that plural marriage is continued and taught, that President Joseph F. Smith lives in polygamy and that Apostle Smoot sanctions the practice. It will be urged that Apostle Smoot has taken an oath which forced allegiance to church above the country and that the church is used as a political machine, uniting church and state contrary to the pledge at the time of coming into statehood and a provision in the Utah constitution.

It is anticipated that considerable evidence will be introduced as to polygamy, the idea being to open up this whole subject, even where it does not have direct bearing on the Smoot case.

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Hamilton's The Leading Specialty Cloak, Suit, Skirt and Waist House in the City. CORRECT DRESS FOR WOMEN. COAT AND SUIT SALE. Our Eastern Buyer was able to purchase for spot cash a handsome line of Coats and Suits for fifty cents on the dollar, and we have placed them in stock at one-half actual value, giving our customers the benefit of this purchase. To make this sale more interesting, we will place our Pattern Hats and Smart Street Hats at Reduced Prices. NOTHING WILL BE RESERVED. Our Waist Department. You will see some smart things. Also Novelties in Neckwear. Hamilton's 216 Main Phone 1738-A

GARDNER SUNDAY STORE NEWS. From the time the boy casts off the knee trousers till he reaches the age of 21. He is more particular in the matter of dress than at any other time in life. That's the age when correct style and manly appearance are the ambitions of every self-respecting boy or young man. To buy their clothes here means that all such manly desires will be satisfied. If it's a suit—we can give him the same class of goods and even more style than are displayed in the men's line. And that at \$2.00 to \$5.00 less on the suit. For instance, the young man's suit at \$20.00 would cost \$25.00 in men's range of sizes. The young men's suits at \$15.00 would be \$18.00 in men's sizes, and so on down in like proportion. The overcoats and all other winter wearables are here in young men's styles. And we want every young man in Salt Lake who appreciates the value of good clothes, to come and see them. ONE PRICE J. P. GARDNER 136-138 Main St. ORDERS BY MAIL PROMPTLY FILLED.

Carstensen's Pianos Going Rapidly. Only two days left to take advantage of our mammoth sale. Such low prices never before offered. Sale positively closes Tuesday evening. Every instrument marked in plain figures. All \$300.00 Pianos, fancy cases... \$167.00. All \$325.00 Pianos, fancy cases... \$185.00. All \$350.00 Pianos, fancy cases... \$192.00. All \$375.00 Pianos, fancy cases... \$213.00. All \$450.00 Pianos, fancy cases... \$292.00. 25 to 40 per cent discount on our entire stock. Cash or time payments. See our prize puzzle, Sunday's papers. 51-53 MAIN ST. TEMPLE OF MUSIC. RIEGER & LINDLEY, "The Whiskey Merchants."

Be. Sure. To remember to stop and see the new line of ebony brushes we have just received. All kinds, and sterling silver initials to fit. There aren't as many wine bibbers in America as there are abroad. The taste of many of the best judges is Rio Vista Reserving, from the California winery. Reasonable Established 1862 Parks Prices.

My Lady's Writing Desk. should have the best of everything—pens, ink and paper. We won't discuss pens and ink now, but just a word about Writing's Writing Paper. There is nothing good we can't conscientiously say about this paper. The texture, grain and sheen represent the result of the most up-to-date skill in the paper manufacturing trade. We're showing a complete line just now. SCHRAMM'S Where the Cars Stop.

Do you ever stop to think that the man who promises you the best coal and the best service year after year and keeps increasing his business, must be doing about as he promises? "That Good Coal" has been a mighty satisfactory investment for most of you. BAMBERGER The Man on Meighn St.

Sex-ins-Pill restore manhood. Nervous Debility, from any cause, is cured by this old, reliable medicine. Makes the weak and nervous strong, the despondent hopeful and happy. Checks drains and soothes the nerves. \$2.50 per box, 6 (with guarantee, cure or refund money) \$5.00. Book Free. J. F. HILL DRUG CO. Cor. Second South and West Temple.

The Morning Meal. is made complete by having good coffee. The coffee is always good when made from Anko's Mocha and Java. We would be pleased to call for your order, or phone 314-Y. Union Tea and Coffee Co. 14 E. 30 So. Phone 314-Y.