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DESERT EVENING NEWS.

TRUTH AND LIBERTY

MONDAY, NOVEMBER 9, 1903. SALT LAKE CITY, UTAH.

HISTORIAN'S OFFICE.
Church of Jesus Christ
of Latter-day Saints.

You are in Good Company When you Place Your Name on These Pages. The Leading Firms of the City are All Here.

10 PAGES—LAST EDITION.

FIFTY-THIRD YEAR.

JUDGES TO GET THEIR SALARIES.

Justices of the Supreme Court May be Henceforth Unmolested On Stipend Question.

JUDGE MARSHALL'S OPINION.

Practically Throws the Case Out of Court and Brings Proceedings To an End.

SUIT WILL PROBABLY NOW DROP

In the Opinion of Some of the Leading Attorneys the Incident Is Closed.

From present appearances the justices of the Utah supreme court will be allowed to enjoy their increased salaries undisturbed by any further legal proceedings against them.

An important opinion was handed down this morning in the case of the Mine & Smelter Supply company vs. C. S. Tinney, state auditor of Utah, by Judge Marshall of the federal court, which to all purposes throws the case out of court, and settles the matter as far as the U. S. district court is concerned. The defense in the case some time ago, entered a "plea in abatement," asking for a non-suit upon statutory grounds. This plea Judge Marshall upholds upon the grounds that the amount involved to the plaintiffs is less than \$2,000 and so is not within the jurisdiction of the court. In his opinion the judge goes into the matter somewhat extensively and states that there is a grave question as to whether the increase in salary to the supreme court judges is legal or that the state auditor is justified in drawing warrants for the same, but he does not point out any redress for the condition the auditor finds himself in, and the warrants will be drawn as usual. It is yet too early to state just what action the plaintiffs will take in the matter as an entire change of front will have any standing in court. In the opinion of some of the leading attorneys of the city, the matter will be allowed to drop, and the judges left to enjoy their salaries as the state legislature intended they should.

PUBLIC CONCERN ABOUT THE KAISER

Berlin, Nov. 8.—A bulletin concerning the condition of Emperor William, who was operated upon Saturday for the removal of a polypus from the larynx, was issued this morning at the new palace, Potsdam. It is as follows:

"Inflammation, which naturally follows as a reaction from the operation already is diminishing. We can, therefore, be satisfied with the appearance of the left vocal chord. Nevertheless the healing of the little wound probably will require another week."

"The emperor's general condition is good, his temperature and pulse are normal."

(Signed.) "VON LEUTHOLD, MEDICAL."

The court circular states that the emperor this morning personally heard the report of Herr von Lucanus, chief of the civil cabinet.

Prof. Bernhard Fraenkel, the eminent throat specialist at Berlin university, in an interview today with the correspondent of the Associated Press, said: "The public concern about the emperor's condition is unnecessary. The facts are absolutely as stated in this morning's bulletin. The people are only agitated because they remember that the first reports about Emperor Frederick did not disclose his true malady, but this time the bulletin is correct. You can re-assure America."

EMPEROR FREDERICK'S CASE RECALLED.

New York, Nov. 8.—Information contained in private dispatches received here shows that the operation on Emperor William is similar to the first one performed on his father and consequently causes concern in his household. The official statement issued by the surgeons fails to reassure because it is well understood that for reasons of state the emperor would be given the benefit of any doubt as to the true character of his disease.

It is recalled that the surgeons at that time made nothing of the first operation on Emperor Frederick. There is anxiety because both Emperor William's father and mother died of cancer and his grandmother Augusta also was so afflicted. The emperor's aunt, the Grand Duchess of Baden, as is well known in Germany, is suffering from the same malady.

It will take months to decide whether the fears now entertained are unfounded. At present the whole weight of scientific authority which is in attendance upon the emperor affirms that he has not cancer.

WHAT PROF. ORTH SAYS.

Berlin, Nov. 8.—Prof. Johannes Orth, the famous cancer specialist, who succeeded the late Prof. Virchow in the chair of pathological anatomy at the University of Berlin, says:

"I authorize you to declare as explicitly as possible that not the slightest suspicion of any dangerous formation exists. It is a matter explained in any ordinary laryngological book. With persons who, like the emperor, are completely without professional duties to speak often in public there are often formations on the vocal cords which we call polypus. They are, of course, a hindrance to the voice and accordingly these excrescences were removed. As for the rest I am unacquainted with the clinical side of the case, but I believe I am warranted in

saying that the emperor in eight days will again have full possession of his vocal powers."

Emperor's Condition Satisfactory

Berlin, Nov. 8.—(6:33 p. m.)—The latest news regarding the condition of Emperor William is that he remains satisfactory. He worked several hours this afternoon on state business and wrote a long telegram to King Edward congratulating him on his birthday.

The story of the day concerning the emperor is not the story of the bulletin, of the telegrams from foreign sovereigns and of the sympathetic inquiries of the ambassadors, but of the regret and concern of the people.

"It is worth being ill to receive a thing like this," the emperor is reported as saying when some flowers were sent to him by three working women were handed to him today.

Several similar indications of regard were made by poor persons at Potsdam. The emperor makes light of his indisposition and has asked the members of his family to act precisely as his before. He feels the change from his uncommonly active life to forced quiet, but he declines to be relieved altogether of the routine business of state and received the presence of the heads of his private cabinet and the chancellor, Count von Buelow.

FEDERATION OF LABOR.

Twenty-third Annual Convention Opens in Faneuil Hall.

Boston, Nov. 8.—With an assembly of delegates numbering nearly 500 the American Federation of Labor today opened its twenty-third annual convention in Faneuil Hall. The subjects to be taken up at the convention had not been announced, but the program for today's sitting includes the usual formal welcoming of delegates—the appointment of committees and the presentation of the reports of some of the principal officers.

Discussions in which the delegates have indulged since reaching the city indicate that among the important questions to be considered by the convention will be whether the federation's affiliated members shall ally themselves with any particular political party.

Child labor, the ten-hour work day and the "Miller case" at Washington are also expected to come up.

President Gompers reported that never before has there been such uniform growth in unionism as during the past year. The American Federation of Labor has issued new charters as follows: International unions, 20; state federations, 3; central labor unions, 171; local trade unions and federations, 1,129. The gain in membership has been 42,100.

On the head of "Industrial activity and reaction," President Gompers said:

"There are indications that the era of industrial activity which we have enjoyed during the last few years has reached its flood tide, in that there is now some contraction of industrial activity by which workmen have been rendered idle. It is true that the change is not pronounced, but it is sufficiently evident for notice and deserves our consideration. More especially should this receive our attention since quite recently we have seen the action of our most pronounced antagonists, the capitalists, the press has endeavored to place upon our movement the responsibility for the industrial reaction."

FLORAL TRIBUTES FOR UTAH'S SENATORS.

(Special to the "News.")

Washington, D. C., Nov. 8.—Senators Smoot and Kearns arrived here last night and registered at the Raleigh hotel. Both of the Utah senators called and paid their respects to the president this morning. Senator Smoot is in the best of health, and being asked about the vote of the senate said:

"The senate will most likely pass the bill for reciprocal relations with Cuba at once; this seems to be the general impression. The house may delay action for some time, however; the Panama canal will receive early attention and Senator Morgan as usual may be relied upon to press the claims of the Nicaraguan route. In relation to my case there is nothing new. There will be no trouble; my opponents are doing the worrying."

The friends of both of Utah's senators remembered them by a number of floral designs which were laid on their desks when the senate convened this morning.

Congressman Howell and his secretary arrived late Saturday and will be temporarily located at the Driscoll until he finds suitable quarters.

Senator Kearns reached Washington yesterday afternoon and went at once to his rooms at the Raleigh. A representative of the "News" saw the senator a short time before the opening of Congress. He had just returned from the department of justice, where he had been to urge the department to hurry the examination of the title to the Indian school at Panguitich. The matter has been hanging fire for some time and the senator is anxious that the department take immediate steps to acquire the property so that the government can go ahead with the school. The senator said he did not look for a long session. He did not think any other matters except those directly concerning the reciprocity treaty with Cuba would be considered.

As he came further east he noted a feeling in favor of financial legislation. But at this time he could not tell what, if anything, would be done along these lines.

He said he was going to do his utmost to have Salt Lake City made a port of entry and had several things in mind in the shape of bills which he hoped to introduce at this session of Congress which would redound to the good of Utah.

BOLD ROBBERY AT WEST WEBER.

Two Greeks Hold Up Another, Relieving Him of \$125, a Watch And Other Articles.

TURNED TRICK WITH A SHOTGUN

Coffin, the Man Stabbed in the Brain By Chris Peterson, May Recover—Sue for Divorce.

(Special to the "News.")

Ogden, Utah, Nov. 8.—A Greek, whose name is unpronounceable, was arrested last evening by Sheriff Bailey and Deputy Seibert at West Weber, charged with robbery. It is alleged that he and another man held up and robbed a fellow countryman, relieving him of \$125 in cash, a watch and other articles. The men were all working on the section, and on learning that one of their number had money, the other two planned the robbery and carried it out by means of a shotgun, which one placed in the man's mouth and the other two through his pockets. The second offender has not yet been captured, but the sheriff hopes to have him in the course of a few hours.

ORDERED TO PRISON.

In the case of the State vs. Fred Engleke, Attorney W. L. Magnuson appeared in court this morning and stated that the defendant's bondsmen had been released, he being now in custody. He therefore asked that he be permitted to enter upon his sentence of one year and the court made an order accordingly. Engleke burglarized the home of Fred J. Kiesel a short time ago, stealing therefrom a quantity of valuable clothing. He will be taken to the state prison tomorrow.

In the case of the State vs. John Moore, the defendant withdrew his former plea of not guilty and entered one of guilty. Moore is charged with entering a lodginghouse on lower Twenty-fifth street and stealing a gold watch and chain.

MAYHEW BOUND OVER.

William Mayhew was given his preliminary hearing before Judge Howell this morning on the charge of house-breaking, the specific charge being that he broke into the Diamond saloon and stole a watch belonging to C. H. Broadway. He was bound over to the district court in bonds of \$500. Chief DeFater, who was arrested with Mayhew, was ordered discharged from custody, it being shown that the western district of the first was over to the district court to do with the offense.

SUIT FOR DIVORCE.

Suit for divorce has been filed by Maud Flessing against William F. Flessing. The parties were married in Ogden, Sept. 24, 1900, and have two children. Plaintiff alleges cruelty and failure to provide and asks for the custody of the children and \$35 monthly alimony pending the action; also for permanent alimony.

COFFIN MAY RECOVER.

John Coffin, the man who was stabbed in the brain Saturday morning at Huntsville by Chris Peterson, is now much improved, so much so, in fact, that the attending physician, Dr. Forbes, says there are good hopes for his recovery. Inasmuch as the blade penetrated the brain to a depth of three inches, his condition is astonishing, as in most such cases death ensues soon after, if not immediately. Peterson, his assailant, who was badly beaten after making the vicious plunge, is still at the county jail, improving slowly. A complaint was sworn to this morning charging him with murder, with intent to commit murder, with Albert Engstrom, city marshal of Huntsville, as the complainant.

GALADET PROMOTED.

Dennison Galadet, who has been foreman of the Union Pacific shops here for some time past, has been appointed foreman of the shops at Ogden, Utah. He will be succeeded here by Evan Jones.

GEO. FINLAYSON DEAD.

Chief Engineer of Logan Sugar Factory Succumbs to Injuries.

(Special to the "News.")

Logan, Nov. 8.—George Finlayson, chief engineer of the Logan Sugar factory, died yesterday afternoon here as the result of injuries received while working in the shops two weeks ago. Deceased was 44 years of age and leaves a wife and four children. He was a most exemplary citizen and had seemed to sink from the first when he was so severely scalded, and never rallied.

NO AMERICAN CARDINAL WAS APPOINTED BY CONISTORY.

Rome, Nov. 8.—The first secret conistery of the new pontificate was held today. No American cardinal was appointed.

Several appointments of archbishops and bishops were made, including that of the Rev. J. J. Hartz as archbishop of Manila, Philippine islands, who, as an exceptional privilege, received the pallium at an extra conistery, when he came to Rome for consecration.

The Rev. Pedro Gonzalez y Estrada was appointed bishop of Havana and the Rev. Rev. Maximilian Raynos y Delcoral, formerly bishop of Toluca, Mexico, was appointed titular bishop of Nocera.

The inhabitants of this city had been looking forward with unusual interest to the conistery principally because it was the first to be held by Pope Pius X. The meeting of the cardinals, however, was quite simple and private, the pomp and ceremony of the vatican conistery being reserved for the public conistery, which will be held Thursday. Only the pope and the cardinals were present today. The latter, according to custom, gathered somewhat early in an antechamber near the hall of the conistery

CITY COUNCIL MEETS TONIGHT.

Will Assemble in Special Session To Canvass Returns of the Municipal Election.

EXPENSES OF TUESDAY'S BATTLE

Itemized Statement Shows Them to Have Amounted to Nearly Two Thousand Dollars.

The city council met in special session at noon today as a board of canvassers to canvass the returns of the municipal election. After the call for the meeting was read and the bill of election expenses was submitted by the city recorder, a recess was taken until 7 o'clock this evening when the work of canvassing will be commenced. In addition to nine members of the council, there were also present at the meeting today Chairman Leary, Secy. Willey of the Democratic city committee and several other spectators.

The following is the itemized statement of election expenses which was referred to the committee on finance for consideration:

Printing places	\$424.50
Extra help, recorder's office	140.00
Ballot boxes	402.50
Supplies, including ballots	47.25
Livery and messenger services	14.75
Advertising	412.00
Total	\$1,928.00

IRRIGATION CONGRESS REPORT.

The report of Willis T. Beardsley, secretary of the board of control of the recent Irrigation congress, has been filed with State Auditor Tinney. In addition to the expenditure of the \$6,000 appropriated by the Legislature, the report also includes the receipts and disbursements of all other funds of the congress. The report is in printed form and is very credible in every respect. Accompanying it are vouchers for every cent of the \$6,000 appropriated by the state.

TIE-UP OF COLORADO COAL MINES COMPLETE.

Denver, Nov. 8.—Information received from the coal fields of Colorado today indicates that the strike of coal miners will be more extended than anticipated. It is reported that the order of the executive committee of the United Mine Workers of America declaring a strike in District 15 for today has been obeyed in Colorado almost to the man. At certain mines where it was confidently believed a sufficient number of men could be retained to operate them, it appears that not enough men reported today to make a showing. In the northern fields where the men decided to strike upon their own referendum vote because they have not been granted an eight-hour day, the walk-out is complete.

Unusual precautions have been taken by the sheriff of Las Animas county, in southern Colorado, where it is feared trouble may break out at any time. It is reported that strikers have threatened violence if they are ousted from the cottages of the Victor Fuel company and the Colorado Fuel & Iron company. The state troops are being held in readiness to respond at a moment's notice to a call from the governor.

Already the effects of the strike are being felt in this city. Practically all the dealers announced today that they had no coal. At the retail offices of the Colorado Fuel & Iron company orders were taken for not more than one ton from each customer, subject to two weeks' delay in delivery.

In March, 1847, Aaron Farr received notice to hasten to Winter Quarters to the Pioneer land under President Young to make the journey to the mountains early in the season. He promptly obeyed the order and enlisted, the bold consisting of 14 men, women and two children, with 73 wagons. They were organized into two companies, the party consisting of himself, Appleton M. Harmon, H. C. Whitney, O. P. Rockwell, J. C. Redden, E. M. Palmer, William C. Brown, C. K. Whitney, N. T. Brown, John Pack and Nathaniel Fairbanks. The journey to

UTAH PIONEER CALLED BEYOND.

Aaron F. Farr, One of the State's Leading and Best Citizens, Dies At Logan from Paralysis.

HE WAS STRICKEN LAST NIGHT

Had Just Recovered From a Severe Siege of Pneumonia When the Fatal Attack Came Upon Him.

(Special to the "News.")

Logan, Utah, Nov. 8.—Aaron F. Farr, a pioneer of 1847, and one of the state's leading and most highly respected citizens, died at the home of Hon. Moses Thatcher, in this city, last night, the direct cause of death being paralysis, superinduced by a severe attack of pneumonia from which he had just recovered when stricken with the affliction which caused his death. The deceased was 81 years of age, and was on his way to Idaho to visit some of his children when taken ill with pneumonia. He leaves a family of six children, four being Mrs. Moses Thatcher, Aaron Farr, Jr., and N. C. Farr of Logan, William Farr of Lewisville, Ida., Mrs. George Hyde of Rexburg, Ida., and Mrs. E. Spangenberg of Ogden.

The remains will be taken to Ogden, where the funeral will be held at a time to be announced later.

BIOGRAPHICAL.

Judge Aaron F. Farr, elder brother of Lorin Farr, was born in the state of Vermont, Caledonia county, township of Waterford, Oct. 31, 1818. He lived with his parents until he was nine years of age, and in 1827 he moved with them 40 miles north of his birthplace to the town of Charleston, Orleans county, Vt., where he assisted his father in clearing up a heavily timbered farm. He received a common school education and in 1832 was baptized into the Church of Jesus Christ of Latter-day Saints, having become attracted to the faith through the preaching of Elders Orin Pratt and Lyman Johnson. In 1835 Aaron moved with his father's family to Kirksville, Ohio, then gathering place of the Saints. There he lived until March 4, 1837, when he left to settle in Missouri with his brother Lorin, from whom he parted for awhile on the way. From Terre Haute he journeyed to Far West with Hyrum Smith, soon after his arrival at Far West he was called by the Prophet Joseph to go to Davie county to seek out a location for more settlements, which led to the establishment of Adam-Ondi-Ahman, so famous in the early history of the Saints. There were in the company Aaron Farr, Erastus Bingham, Daniel Carter, Geo. Harris and several others, with the Prophet Joseph himself.

After this work was completed Aaron Farr returned to Far West, where he tarried to awhile and then went to Fort Leavenworth to get employment. At this time Fort Leavenworth was just being established and Aaron assisted in making the first brick for the building of Leavenworth. This was in 1837. In the spring of 1838 he and his father's family removed from Missouri into Illinois and finally settled at Nauvoo, where Aaron engaged in superintending his father's farm. Thus he was engaged till 1842 when he was called by the Prophet to go on a mission through the states of Illinois, Indiana and Ohio. He was on this mission nearly a year, when he returned to Nauvoo, where he arrived about the middle of July, 1843.

On the 16th of January, 1844, Aaron Farr was married to Peris Atherton, the Prophet Joseph performing the ceremony. Then came the terrible massacre of the Prophet and Patriarch, in which Aaron, with the rest of the Saints, bore the grief of that awful period. He remained in Nauvoo with his wife and his father's family until the Saints were forced to leave, and he and his family were among the first to cross the Mississippi on the journey west. He journeyed in the company of President Young to Council Bluffs, the design being that a pioneer band of picked men should go with the president and majority of the Apostles to the Rocky mountains that year. However, the plan was changed and they returned through the call of the "Mormon" battalion.

In March, 1847, Aaron Farr received notice to hasten to Winter Quarters to the Pioneer land under President Young to make the journey to the mountains early in the season. He promptly obeyed the order and enlisted, the bold consisting of 14 men, women and two children, with 73 wagons. They were organized into two companies, the party consisting of himself, Appleton M. Harmon, H. C. Whitney, O. P. Rockwell, J. C. Redden, E. M. Palmer, William C. Brown, C. K. Whitney, N. T. Brown, John Pack and Nathaniel Fairbanks. The journey to

Utah history as to need no special mention here. Suffice it to say that Aaron Farr took an important part in the pilgrimage and with four others was sent back from Great Salt Lake as guides to the coming emigration through the Black Hills. He arrived in Salt Lake City in Daniel Spencer's train Sept. 29, 1847, being about two months behind the advance guard.

Since his arrival here Aaron Farr has been a conspicuous figure in the building up of this commonwealth. He was the first magistrate in the west and as such did the first judicial business transacted in the Pacific states and territories. Disputes from his jurisdiction to the coming emigration through the Black Hills. He arrived in Salt Lake City in Daniel Spencer's train Sept. 29, 1847, being about two months behind the advance guard.

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