MISTORIANSULTIGE

LAST EDITION.

SATURDAY, APRIL 18, 1903. SALT LAKE CITY, UTAH.

FIFTY-THIRD YEAR.

ON SATURDAY NIGHTS the Real Es-

tate columns of the "News are closely studied by those interested in buying or selling Real Estate.

## Utah Lake As A Reservoir.

Government and State Officials Meet in the Office of Governor Wells to Discuss a Great Problem-Session a Very Informal One and Talk Covered a Wide Range\_Where Salt Lake's Interest Comes In.

the minds of those present and that is

not adjust the claims between partie

if the people could come to some un

derstanding and form one company ther

the government would go ahead and deal with it and when the director of

the survey is ready he can turn over the irrigation system to the company. In the first place, he said, the organ-ization must be such as to guarantee

the repayment of the money expended. In answer to a question as to what se-

curity would be required, Mr. Blen stated that the articles of incorporation

would provide that each share of stock would represent one acre of land and would act as a lien upon said land for

all assessment including the amount

Senator Smoot then asked if there would be any doubt but that the gov-

ernment would go ahead with the reser-

oir, should the canal companies con

solidate and form one company. In an

government will deal with any such

proposition so long as it represents the

the government could go ahead before the rights to the waters of Utah lake

reply was that the preliminary work could be proceeded with without any

delay. In answer to a question from Mr. Richards as to the status of Salt

Lake City, Mr. Bien stated that the city would certainly be recognized as

to any rights to waters appropriated

and used by it. As to the city's pros-pective rights he was of the opinion

that such rights would have to be re-linquished before the government

would proceed with the work. He ad-vised, however, that such a proposition

be submitted at once to the secretary of the interior for an opinion before

ject to proceed upon such conditions. It was finally decided that that mat-

tary of the interior before any further

This morning the body of one of the

burglars was discovered in a vacant lot in the upper end of town. As the bul-let wound was near his heart, it is pre-

sumed that his companions had to drag

or drive their dying comrade from the bank to where he was found. While he

was shabbily dressed, on his body was found a gold watch and \$44 cash.

Willoughby was shot in both legs and is is supposed he fired the shot that

killed the burglar. Great excitement prevails in the town and a posse has or-ganized to pursue the burglars.

CRACKED THE SAFE.

Emporia, Kansas, April 18.—Cracks-

men wrecked the vault and safe of the

Allen State bank at Ellen, a small town

10 miles north of here, early today and escaped with \$2,700. The building also was badly damaged by the explosion.

miles east of Allen, the postoffice was broken into and a small amount of

ter should be submitted to the secre

BATTLE WITH BANK BURGLARS.

Them Seriously Wounded-When He Saw Them He and One,

Japum, Pa., April 18 .- In a battle | they had not completed the drilling of

bosing an unsuccessful attempt to the safe and their attempt at robbery

was unsuccessful.

money taken.

Of Them Fired Simultaneously-Occurred at Wampum, Pa.

were adjudicated in the courts.

Mr. Richards then wanted to know if

due the government. Each man is re

that belongs to the courts. He said

number of prominent officials and | thing which he desired to impress upon rended the meeting held in orris Bien, one of the settled. Those present in r. Bien were: Gov. Wells, us, Atty. F. S. Richards, Hammond, Prof. Swen-Mr. Geo. E. of Lehi, Congressman Howell re-

he status of Salt Lake City in the project. Mr. Bien was of epresentative of the people nitted to take part in the far as its acquired rights its prospective rights could nized and would probably nouished before the suc atter will have to be sum the secretary of the interior before anything can b

for the benefit of Mr. se and that each be discuss nment could not deal with The first question then was kind of an organization is eive the water from the ent and distribute it to water and what guarantee would be ies in this county and the idea which would act as trustee to re sed the opinion that there is om taking water from the reser

ing that matter Mr. Bier here was some confusion over is nothing in the law was finally dec was probletic dealing with one con-stated company, but that the gov-sment did not want to deal with a more of organizations. And another

the First National bank of this

he early today, one man was killed

The dead man was one of the bur-

an and he lfas not yet been identified.

wounded man is Henry Willough-

the baker, who surprised the burglars are serious,

saly hour on his way to work when

was suddenly confronted by a man was the point of a revolver, ordered

and so, but in his right hand was a

brow up his hands and be quiet

er and a moment later both men

the report of the revolvers two men rushed from the bank and

hand in the shooting. The fight

SHAMROCK III.

ighby was passing the bank at

another seriously wounded.

NULL AND VOID SAYS THE COURT

Opinion of Supreme Court as to Jurisdiction of Justices.

LAW IS UNCONSTITUTIONAL.

Case is That of Love vs Liddle Originating in Justice Clark's

The supreme court today handed down an opinion that Chapter 106, Session Laws of 1901, which limits the jurisdiction of justices of the peace in cities of the first class to actions wherein the amount does not exceed \$10 is unconstitutional and hence null and void. The case in which the opinion is rendered is E. M. Love vs Ed J. Liddle, appellant, which originated in Justhe district court where a second judgment was rendered in favor of plaintiff. In the district court the defendant

sponsible for the number of shares he holds. As to whether or not the government would accept other security than a lien upon the land, he could not ground that the amount involved was more than \$10, and that according to the session law given above the justic court had no jurisdiction in the case. Judge Stewart overruled the demurrer and later rendered judgment in favor of plaintiff for \$26.50, the action being brought to recover \$20 due on a promis. sory note. An appeal to the supreme swer to that Mr. Bien stated that the court resulted in the judgment being

The opinion is written by Justice Bartch and concurred in by Chief Jus-tice Baskin and Justice McCarty, The opinion holds that the act of 1901 is limited in its application to courts of justices of the peace in cities of the first class only and does not affect such courts held outside of such cities and does not limit the jurisdiction of justice courts throughout the state in gen-eral. Justices in cities of the first class are restricted to actions involving only \$10, while all other justices in the state jurisdiction in actions involving as high as \$300.

"According to the Constitution the Legislature cannot enact a special law to regulate the jurisdiction of justices of the peace, where a general law is ap-plicable. The act in question, by express provision, applies only to a limherein must be affirmed with costs.'

PROBABLY FATAL FALL. the of Them Killed, but is Not Identified - Man Who Surprised

A distressing accident happened shortly before noon today whereby grave fears are entertained as to the outcome of a fall from a second-story window on the part of little Isabel Burkhardt, the two-year-old child of Fred J. Burkhardt, the janitor in charge of the N. G. U. armory on Mar-

At the time indicated Mr. Burkhardt was sweeping out the hall while the little girl was playing around. Apparently she must have climbed up on a chair that was in front of an open window. The first thing the father knew of the secident the accident was when he heard the chair fall over on the floor and he looked around and saw that his child had gone. He rushed down to the street in frantic haste and there saw his girl ly-ing on the sidewalk on her right side, insensible. Dr. Benedict was sum-moned and pronounced no bones broken, but believed that her head was injured. This afternoon the little one was lying in a comatose state with intermit-tant attacks of spasms and vomiting What the outcome will be is at this time

JULIA P. GRANT DEAD.

Word has been received by Salt Lake relatives to the effect that Julia Pratt Grant is dead at Richfield. No particulars are forthcoming. The funeral, it is announced, will take place at Richfield tomorrow at 4 o'clock. The deceased was a daughter of the late Parley P. Pratt.

GAW DISCHARGED. Charge of Embezzlement Falls Flat In the City Court.

Henry C. Gaw, whose name has appeared in the public prints recently in conection with an alleged embezzlement from the Smith-Premier Typewriter Co., appeared before Judge Diehl this morning, when the case against him was dismissed and the defendant dis-charged. The result is a complete vindication for Mr. Gaw, who now occupies an important position with the Wabash Mining Co. and expects to remain here for an indefinite period.

GOING TO ST. LOUIS.

Senators Kearns and Smoot and Gov: ernor Wells and Staff.

On Saturday evening next, one week from today, a party of leading Utah citizens will go to St. Louis to be present at the initial World's Fair cere-The party will include Senamonies. The party will include Sena-tors Kearns and Smoot and their wives, Governor Heber M. Wells and wife, General Charles S. Burton and wife, General John Q. Cannon and wife, Colonel N. W. Clayton and wife. Col. Benner X. Smith and Col. Shealey, the last named of Ogden. Of the Utah ex-position commissioners, who will also attend, are Hons. Hoyt Sherman, L. W. Shurtliff and Willis Johnson, The party will leave at 5:45 on Saturday evening and will arrive at St. Louis on Tuesday

## Schools May Remain Open.

About Fifty Per Cent of the Parents Have Promised Support to Tuition Plan-Percentage Much Greater on The East Side Than on the West-Compilation Committee Will Not Finish Its Work Until Monday.

in fact, the outlook is quite encouraging," said Supt, Christensen of the city schools this morning, in relation to a question that is now in the minds of the parents of something over 12,000

to the plan of keeping the schools open for another month by means of the tul-

"Yes, there is something to hope for; I tory. On the east side the school patrons have responded much more num erously than on the west. The percen tage of parents, who promise tuition for the month runs on the east side from 50 to even as high as 90 per cent in a case or two. That is very high and exceptional, of course. On the west side the percentage will probably run from 29 to 50 per cent. What the whole will be we do not yet know, but as I say, Monday will tell.

In the matter of signifying a willingness to keep the schools open the patrons of the Lowell have pledged pretty well on to a \$1,000 of the \$1,200 required returns from parents would have been completed some time today; but that is not possible. Monday, however, will witness the finishing of the task, we hope. That will tell us whether the tuition plan will win or fail. We are so the same time today; but that is not possible. Monday, however, will witness the finishing of the task, we hope. That will tell us whether the tuition plan will win or fail. We are so needed for Twelfth and Oquirrh schools as almost all subscribed. What the total

#### JUDGE LEWIS ON THE BENCH JUNCTION CITY.

penser of Justice This Morning.

IN JUDGE MORSE'S COURT.

Hears Demurrer to Complaint In Condempation Suit Brought by Oregon Short Line.

Judge T. D. Lewis commenced active operations on the bench of the Third district court this morning at 10 He occupied the bench in Judge Morse's court and heard part of Judge Stewart's law and motion calendar. The first matter heard by Judge Lewis was a demurrer to the complaint in the condemnation suit brought by the Congeniation suit brought by the Oregon Short Line Railroad com-pany against Thomas Homer et al. Attorneys Stephens and Smith rep-resented defendants, and P. L. Williams and George H. Smith, plaintiff. Among the other attorneys present during the first session of Judge Lewis court were ex-Senator Rawlins, C. B. Critchlow, Judge E. V. Higgins, J. R. Bowdle and former County Attorney

Christensen. FUNERAL OF J. R. MILLER. Last Sad Rites from the Mill Creek Meetinghouse Yesterday Afternoon.

The last sad rites attending the death and burial of Elder James R. Miller of the presidency of the Granite stake, were conducted yesterday afternoon, funeral services being held from the Mill Creek ward meetinghouse, President Frank Y. Taylor presiding. The house was filled to its capacity, attest-ing the high esteem in which deceased was held, and the services throughout were solemnly impressive and of a touching character. Sweet music was furnished by the Mill Creek ward choir, and a select quartet, consisting of Marand a series quarter and a series summerhays, Mrs. M. W. Pratt, J. J. Summerhays and J. T. Dunbar, the choir rendering two beautiful hymns and the quartet singing, "Soft-ly and Tenderly;" "One Sweetly Solemn ly and Tenderly;" "One Sweetly Solemn Thought," by Margaret Summerhays, and at the grave, "Walt and Murmur Not." The opening prayer was offered by Patriarch James McGhie, and the speakers in their order were Bishop James C. Hamilton, Elder Joseph E. Taylor, President Angus M. Cannon, President John R. Winder, Elder John Henry Smith, President Joseph F. Smith and President Frank Y. Taylor. Smith and President Frank Y. Taylor. All referred to the high character of Brother Miller, and spoke glowingly of his integrity to the truth, to which he had been a faithful adherent all his life. The benediction was pronounced by Elder Matthias F. Cowley, after which 90 carriages, filled with mourning relations and friends followed the remains ives and friends, followed the remains to their last resting place in the Mil Creek cemetery, where the quartet sang and the grave was dedicated by Patriarch John Cook. The pallbearers were eight brothers

of deceased, the last and youngest brother in the family being among them, and the floral offerings were numerous and beautiful. Much credit is due the committee on arrangements which handled every de-

tall of the funeral in becoming manner, and the thanks of the family is extended to all who so kindly rendered assistance during the illness, death and burial of their late husband and father.

NEW DIRECTORY OUT. Enlarged Volume for 1903 Made Its Appearance Today.

The Salt Lake City Directory for 1903, made its appearance today, and a handsome, comprehensive volume it is, The book contains 1,172 pages as against 1.050 for 1902, and gives evidence of the city's growth, both numerically and as a commercial center. As in the past the directory will be found indispensable to business men, among whom it will doubtless find a ready sale for the information it con-

PENSIONS GRANTED.

(Special to the "News.") Washington, D. C., April 18 .- Pensions granted-Increase, Wm. B. Hammers, \$10; Wm. M. Hanna, \$12; both of Bolse, Ida. George W. Thurber, Wil-gon, Wyo., \$14.

### MRS, BRADLEY IS ARRAIGNED

Woman in Brown-Bradley Case Takes Till Monday to Plead.

MR. BROWN ALSO IN COURT,

Pleads Not Guilty and Asks That Both Cases be Set for Hearing For Thursday Next.

Mrs. Annie Bradley was arraigned before Judge Diehl this morning on the Brown. The complaint alleges that the pale and nervous, and was attired in a brown costume and wore - light complaint she gazed steadily at the floor, and when asked if she desired to plead, her answer was almost inaudi-

"Do you wish to consult counsel be fore you plead?" asked Judge Diehl. "I presumed they would be here," she answered faintly. The case was then continued until Monday morning, at which time a p'ea will be entered. Judge Diehi fixed her bond at \$750, and Mrs. Bradley retired to another room. The complaint against Mr. Brown was not filed until this morning, Judge

Diehl at once issued a warrant for his arrest, and it was placed in the hands of Deputy Sheriff Cummock for service. Cummock went in search of th ex-senator, but while he was out, Mi Brown, accompanied by James Farrell walked into the court room and demanded to know the amount of Mrs. Bradley's bail. Being informed, he and Mr. Farrell signed the bond, and Mrs. Bradley was released. By this time Cummock returned and placed

Brown under arrest. "Oh, that's all right," remarked Brown, when the warrant was produced. "You see I am here. I don't care anything about hearing the complaint read, and I will plead not guity anyway. You may fix the bond and I will go out with an officer and secure Judge Diehl fixed it in the same

amount as in the Bradley case; a bond was prepared, and with a deputy sheriff Mr. Brown left to hunt up bondsmen promising to have them qualify before a notary public and send the bond back to the clerk as soon as possible.

The ex-senator stated that he would be out of town on Monday, and asked that both cases be set for next Thurs-day for prellminary hearing. This was of Assistant County Attorney Dana Smith.

WEBSTER FOR ONE DOLLAR Unparalleled Offer Made by the Deseret News.

The chance of obtaining a big

WEBSTER'S UNABRIDGED DIC-

TIONARY, in leather binding for \$1,

presented by the Deseret News, remains

the sensation of the day in book circles. Five shipments of the book have been made from the east to the "News" thus far, the fifth shipment of 500 copies having been received Friday, April 3. Every copy had been sold a week later. The sixth shipment, another 500 copies, was sent by the publishers 12 days ago, and is due here at any time. People interested in having one of these books in their home, (the same book that formerly cost \$8 and \$10), would do well to call at the 'News" office, and inspect them. Paid up subscribers, new and old, to the Daily News, are entitled to the book for \$1. The only consideration is that they must be paid up to date and agree to subscribe for the paper at least one year ahead. Saturday and Semi-Weekly subscribers obtain it for \$1.50, by complying with the same rule. Webster's Dictionary has long been famed as the standard work throughout the English speaking world. It might be called the leader of literature of the universe, and for schoolboys and girls, who need a book of reference at home, it is invaluable. The edition offered by the "News," contains 25,000 more words, phrases and definitions than Webster's International. It is the 1903 edition, brought up to date, and now contains such words as automobile, dynamite, spermology, viber, vaudeville, insufflator, themophone, etc., and articles on liquid air, wireless telegraphy, and X-rays. The book contains over 1,700 pages, and weighs six and onehalf pounds. The above prices made by the Deseret News are understood to be for delivery in Salt Lake City. We will forward the book by express to out of town addresses at the expense of the purchaser, or send by registered mail for 75 cents per copy, extra.

CAPT. CHAMBERLAIN'S TRIAL, Charged with Smuggling Silks and Curios Into Manila.

Washington, April 18.-Capt. Harry B. Chamberlain of the quartermaster's department is on trial in Manila on a charge of smuggling silks and curios into Manila. When the army transport Seward returned to Manila from Hongkong March 10, Collector of Customs Shuster, having been informed by a seaman that there would be a quantity of goods on the transport not declared, made an investigation, and it is alleged he found some articles in what appeared to be a false locker about the smokestack and in the pantry. Some of the boxes, it is said were addressed to Capt. Chamberlain, the quartermaster of the vessel, and others to other officers, the remainder being addressed to the wife of an army officer on duty in Manila. Collector Shuster had Capt. Chamberlain taken before the court of customs appeals, trial being set for March 12, the result of which has not been learned here. Capt. Chamberlain was relieved from duty. It is stated that the goods alleged to have been brought in on the Seward which were discovered by the customs officials were intended for the private use of army officers and not for the purpose of sale. would be a quantity of goods on the

# What's the Matter With Germany?

Press is Virulently Hostile Because U. S.'s European Squadron Has Been Ordezed to Marseilles to Do Honors To French President on His Return From Algeria-Some Very Slighting References to American Navy.

Berlin, April 18.-The German press | ized on the highest authority to make does not distinguish between the visit this statement of the position of the navy department in the matter of the visit of the United States' European ron to Marseilles and the program planned for the United States' North At-American government declined an invitation to visit Kiel during the coming is expressed as to why "Special honors are shown the French president by the American navy, immediately following the refusal of the German emperor's request." One or two papers express themselves bitterly on the subject and say the Germans "Do not miss muc n not having a sight of the American

As telegraphed from Washington yes terday the Associated Press was authorquadron to Marseilles:

'Nothing was further from the mind of Secy, Moody or the Washington gov-ernment than giving offense to Ger-many by extending an in-appropriate courtesy to a sovereign of a friendly nation. The suggestion came from the state department that the squadron go to Marselles in time to greet President Loubet, especially as it there to take on board the new commander-in-chief, Rear Admiral Cotton. As regards the visit of the American men of war to Kiel, no invitation reached the navy department from Berlin for the European squadron to go there." On the same high nuthority it is stat-

ed that had such an invitation come it would have been accepted.

### MINERS DOWN **ACRICULTURISTS**

Fight Over Coal-Bearing Lands Develops Sensations.

ANOTHER UTAH INDUSTRY.

Kaolin Fire Clay Locators at Lebi Also Upheld in Their Ca ms By Uncle Same

Owing to the absence of H. V. A. Ferguson, special agent for the department of the interior, the matter of the coal bearing lands for grazing purposes has been postponed until June 5. The matter is creating considerable interest and threatens at this time to culminate in a scandal of generous proportions and to result in the suspension of thousands of acres until the matter is definitely decided. In the motion on which the continuance was granted Special Agent Ferguson set forth the

following: First-That the order directing said hearing is ambiguous, in this, to-wit: that it does not clearly appear therefrom whether the hearing involves the right of the State of Utah to make Agricultural college selection No. 72, in toto, or only in cases where coal declaratory statements are in conflict with the State of Utah's right in the

premises. Second-That it is of great importance to the plaintiff to have the scope of said order determined, and without such determination no proper determination can be had.

Third-That the special agent cannot attend upon the land office in Salt Lake City on the 16th day of April. 1903, by reason of a special assignment to duty at Vancouver, in the state of Wash-

Fourth-That the special agent has peculiar knowledge of the facts involved in this proceeding, and that no other person can adequately protect the

plaintiff's rights in the premises without special preparation. The subjoined allegations which are mbraced in an order from Washington addressed to the Register and Receiv r last fall declare that the selections made by the state were nothing more nor less than a fraudulent attempt of its part to secure valuable coal-bear-

ing properties as grazing lands. In this contention recently it was shown that one party had induced 47 others to file on coal lands in Carbon county from time to time and that these men had no interest in the properties beyond being mere straw men who as soon as the filings ran out would get others to re-new them in order to prevent bona fide miners from filing on the lands and de-veloping them. The hearing in which these matters were brought out ter-minated suddenly in compromise. The order from Washington is as fol-Sirs-Aug. 22, 1902, the State of Utah

filed in your office its selection list No 72 of selections for Agricultural college which you approved Sept. 10, 1902. Said list shows, with other tract. lots 3, 4, 5 and 6, E. ½ of N. W. ¼ and S. W. ¼ of sec. 4; all sec. 5; lots 1, 6, 7 E. ½ of S. E. ¼ of sec. 5; L. ½ of S. W. ¼, E. ½ of S. E. ¼ of sec. 5; W. ½ of S. E. ¼. S. W. ¼ of N. E. ¼ of sec. 9; N. ½ of secs. 15; all of sec. 17; E. ¼ of secs. 19 and 19; secs. 20 and 21, tp. 17 S., R. 7 E., in Carbon county. The plat field notes of survey to said towsnihp return as coal land all of secs. 9, 18 and 19. It which you approved Sept. 10, 1902. coal land all of secs. 9, 18 and 19. it appears that the State of Utah selected these lands as grazing and that hearings were ordered at your office for Nov. 19 and 20, 1902, to determine the character of all tracts embraced in said list allotted in tp. 17 S., R. 7 E report on said hearing has been made. Sept. 12 and 13, 1902, you transmitted coal declaratory statements by the fol-lowing parties which were offered for filing in your office Sept. 5 and 12, 1902 and suspended by you by reason of con No. 72: Minnie Ipson, for S. W. W. of see 5; Heber Lyner, for S. E. & Luclia Washburn, for N. E. & John P. Pearson, for S. W.

4; J. W. Bradley, for N. E. ¼ of sec. sec. 4; J. W. Bradley, for N. E. 44 of sec. 9; Elizabeth Johnson, for S. W. 34 of sec. 4; Christina Jacobson, for N. E. 34 of sec. 8; William J. Green, for N. E. 34 of sec. 8; William J. Green, for N. E. 34 of sec. 5; all in tp. 17 S., R. 7 E. In the declaratory statements, which were under oath and corroborated, was contained the statements, or to see the

contained the statement as to each of the tracts described therein, that a valuable coal mine has been located and opened and that the land contains large deposits of coal and is chiefly valuable therefor.

Oct. 20, 1902. Special Agent H. V. A. Ferguson submitted a report upon an examination made by him as to the land in township 17 S., R. 7 E., embraced in said list No. 72, under instructions from this office, in which he finds that, with the exception of parts of sees. 25 and 34 and all of secs. 35 and 35, coal exists everywhere in said township; that it does not outcrop, but appears at the surface in every quarter section; that they would, if effectuilly enclosed and permitted to revegetate for three or four years, be of some value for that purpose; that the presence of coal in this township has been known for many years, and the frequency and extent of the natural coal exposures therein are such as to make it remarkable in that part of Utah; that these outcrops are found on all sides no more than a mile and a half distant, and in most the veins have been continuously and largely worked, showing long and continuous tunnels and capacious chambers from which many tons of firstclass coal have been extracted, and that the character and form of these veins or deposits is such that it is certain as science can make anything that they underlie and pass through every forty-acre tract embraced in said list No.

The special agent further reports that the selection of these lands by the state is a fradulent attempt to secure valuable coal lands.
In view of the alleged mineral (coal)

character of the lands that the parties have offered to file upon, embraced under said list No. 72, and the special agent's report, you will order a hearing to determine the character of those portions of the land covered by said leclaratory statements that are in confliet with said selection and give due notice hereof to the coal applicants and the proper state authorities and to Special Agent Ferguson.

VICTORY FOR KAOLIN MEN.

Another case which is somewhat simlar in nature insived in the title to the kaolin lands near Lehi. The land in question as is shown by the evidence submitted to the commissioner at Washington, contains valuable deposits of fire clay. The recent decision of the commissioner of the United States land office awarding the title to John Beck is a rebuke to the state, which, it is al-leged, has made it a practise to select as agricultural land tracts which have no great value for farming purposes and which contain mineral values.

Mr. Beck's interest in the claims al-

uded to have been purchased by Dr. Will L. Ellerbeck, T. R. Ellerbeck and J. E. Clinton, who in turn have secured the backing of a capitalist, who proposes to erect in the near future a plant for the manufacture of feebule and for the manufacture of firebrick and other commodities that can be manufactured out of this particular clay.

These kaolin lands were originally located by John Beck as mineral ground.

John McCloskie attempted to acquire

them as agricultural lands under a state selection. The matter was car-ried before the local land office which upheld the claim of the state. This ruiing was, however, reversed by the au-

Lost Four of the Crew.

Gloucester, Mass., April 18.-The fishing schooner Independence, Capt. Cusack, put in here today, reporting the loss of four of her crew, who were knocked overboard by the main boom during a gale last Thursday night and drowned.

four men were B. Walsh, Bernard Carter, Ernest Connors and John Oliver. The storm made it impossible to launch a boat. The Independence is the first vessel of the 'sale fishing fleet' to reach here and the earliest in many years to report. She brought 170,000 pounds of fish.

Macedonia Will Rise.

Rome, April 12.-Private advices from the revolutionary committee on the Balkans states that preparations for an in-surrection are ready. The revolutionary committee asserts that the whole of Macedonia will rise, and asks for the sympathy of Italy.

Anti Alcohol Congress.

Berlin, April 18 .- At today's session of the international anti-alcohol congress, Mrs. Mary H. Hunt of the Woman's Christian Temperance union, Boston, delivered an address on the significance of scientific temperance instruction in publie schools, as a preventive of alcoholism.

Mrs. Lillie Denied a New Trial.

John P. Pearson, for S. W. ¼ of sec. 3;
James Gordon, for S. W. ¼ of sec. 8;
Christine Pearson, for N. W. ¼ of sec. 8;
9: Naney Ingle, for S. E. ¼ of sec. 5;
Robert Lister, for N. W. ¼ of sec. 5;
Samuel J. Rowley, for S. E. ¼ of sec. 5;
Samuel J. Rowley, for S. E. ¼ of sec. 5;
Scheet O. Chidester, for N. E. ¼ of sec. 5;
Robert O. Chidester, for N. E. ¼ of sec. 5;
Sec. 8; Mary E. Alward, for N. E. ¼ of sec. 6;
mmended life imprisonment.

#### of the bank and they were soon at ese of the battle, but before their if the burglars fled. While the that the burglars fled. While that the banking rooms

APIDLY OVERHAULING

18.-Shamrock III. gear was almost com-

spected the damage tostimate of the loss is thought that \$25,000 will Nothing definite will be ster Fife arrives here. ton is stiff and sore from lence, but he is recoverage caused by the death in who was drowned yester to the accident. Shamen to the Clyde, but the ture is not fixed. Weymouth visited Sir fun today, Thanking the impathy shown by the aid Shamrock III would

me her trials. DIMIGRATION FOR APRIL. ded to Break all Records at

in a few weeks

Port of New York. ork. April 16.—This month to to break all records for immi-this port. At the close of to-days 54,000 allens had passed ad in 18 days. Those scheduled

le Prolong Target Practise. dington, April 18.—In order to

for vessels of the North Atlantic squadron the navy department today tele-graphed orders to Admiral Higginson at Pensacola to delay the departure of the squadron until next week. The departure will be fixed so as to allow the vessels to arrive off the Chesapeake between the second and fourth of May, when they will be inspected by Admiral Dewey and on the afth Admiral Hig-ginson will lower his flag and turn over the command to Admiral Barker.

Mgr. Jos. Mooney Will Not Accept Rome, April 18.-Several cardinals belonging to the congregation of the propaganda have received letters from Mgr. Joseph Mooney, vicar general of the archdiocese of New York, saying he has no intention of accepting the bishopric of Buffalo, made vacant by the appointment of Right Rev. James E.

Quigley as archbishop of Chicago.

It is learned that there is no truth
in the statement that the bishopric
will be raised to an archbishopric.

A Thousand Dogs Killed. Morristown, N. J., April 18 .- Mayor

Reed's proclamation ordering the killing of all dogs found at large and unmuzzled in this city, has resulted in the practical annihilation of dogs here. The edict went into effect yesterday and it is estimated that L000 dogs have and it is estimated that Lood dogs have been killed since its promulgation.

The order was the result of an attack of rables on a bull dog during which the animal bit about 150 of the town pets. The town council and mayor decided that nothing but a wholesale slaughter would save the situation and the mayor issued his proclamation.

Relie of Mound Builders.

Princeton, Ill., April 18.-Eli Williams. Princetch, Ill., April 18.—Ell Williams, a farmer four miles south of this city, while digging a well, unearthed a stone plow which is believed to be a relic of the moundbuilders. The plow is of reddish stone, triangular in shape, and 13 inches wide each way. It was found immediately above a strata of coal.

any further steps be taken, as such a contention might tend to defeat the ited number of justices' courts and yet there appears to be no reason why a project.
Senator Smoot then wanted to know if the city would be willing for the work to proceed if it had to relinquish its prospective rights. Mr. Richards general law could not be made appli-cable alike to all of such courts. Any enactment changing the jurisdiction, which does not affect all alike, or transstated that that was a serious question and he had his doubts as to whether the

infringement upon the fundamental law and is void. There is no legislative authority to change the classification of courts made by the Constitution, nor to prescribe a jurisdiction for one tri-bunal different from that of another of the same class. The statute in con-troversy being invalid, the judgment

Child Seriously Injured by Headlong Plunge from a Window.

in doubt.

#### much encouraged as to almost believe is almost all subscribed. What the total that it is going to win. The returns will amount to will not be known until that it is going to win. The returns will amount to will not be known until from some districts are very satisfac- Monday. MACCABEES AT

Makes His Appearance as a Dis- | Consolidate and Have Good Time With Visiting Friends.

VERDICT FOR POWER CO.

One Woman Threatens to Kill Auother-John Doctin Arrested-New Resort Contemplated

(Special to the "News.") Ogden, April 18 .- The ladies of the Maccabees of Ogden and a number of thei friends from Salt Lake had a most

enjoyable time last night. The Macca bees of Ogden Silver Hive No. 1 and Ogden Hive No. 2, held a conjoint meeting yesterday and consolidated into one hive to be known as Silver Hive No. 1. There were some 60 Maccabees from Salt Lake City present, including degree members, and a very interesting exhibition was given. At night the number was augmented by an additional force of 100 from Salt Lake, and a grand banquet and ball were given in

Conley's hall. A delightful time was spent by all who attended.

THREATENED TO KILL. A poor innocent calf has caused a very serious condition of affairs to ar-ise here between neighbors. This morning Mrs. H. Ford swore out a complaint against Mrs. Leopold Buschell, harging that individual with assault. The complaint alleges that yesterday afternoon by some mischance a calf belenging to Mrs. Ford got onto the land of Mrs. Buschell. The former proceeded to fetch the young bovine away when Mrs. B., with fire in her eye and a revolver in her hand, appeared on the scene and threatened to make the owner of the calf a subject for the under-taker. Whereupon Mrs. F. repaired to the police court and had her belig-gerent neighbor arrested. She will have

a hearing on Monday. JOHN DOCLIN ARRESTED.

A meek looking fellow named John Doclin was arrested this morning by the police. He had been working on the cut-off and came to Ogden yesterday with his time check, which he cashed at the Silver Club saloon. Af ter stowing the money away carefully in pocket he seized the check which had en cached and bolted with it. He will be charged with larceny,

VERDICT FOR \$75.

The jury in the case of the Telluride Power company vs George H. Matson et al returned a verdict last evening in favor of the defendant for \$75. NEW RESORT CONTEMPLATED.

The hot water springs situated near the mouth of Ogden canyon, which have a flow of over 40,000 gallons per day, are to be utilized for a pleasure and health resort. For medicinal purposes the springs are said to surpass the famous Arkansas hot springs. A number of prominent business men are behind the contemplated movement and there seems but little doubt that plans will be consummated in the near fu-

ture.

POLICE AFTER WIFE BEATER.

A warrant was issued today for the arrest of S. Jacobson, of 241 east Sixth South street, on the charge of beating his wife. According to the complaint lodged at police headquarters this morning, Jacobson came home today, after a three days' absence, and pro-ceeded to take some of the household goods to sell. When his wife protested, it is alleged that Jacobson knocked he against the stove, inflicting a cut in he side. The stovepipe fell down and in-fured Jacobson's baby. The fellow ther beat a hasty retreat but will no doubt be arrested before night.

EXCURSION TO SCANDINAVIA.

The presidency of the Scandinavian meetings in this stake is arranging an excursion to Scandinavia, the idea being to leave here about the middle of June and arrive in the fatherland in witness the dedication of the new Latter-day Saints' meetinghouse in Christiania, and celebrate in fitting manner the fittieth amiversary of the introduction of the Gospel into Norway. Special rates have been secured, and it is believed that a goodly number will take advantage of the opportunity.