

Store spirit shines through store-  
front. In modern stores it's no  
longer "sell-and-forget-it," but it is  
"sell-and-stand-back-of-it."

# DESERET EVENING NEWS.

TRUTH AND LIBERTY.

26 PAGES—LAST EDITION.

SATURDAY, SEPTEMBER 2, 1905. SALT LAKE CITY, UTAH.

FIFTY-SIXTH YEAR.

## SAKHALIN WILL NOT BE FORTIFIED

Article in Treaty Imposes an Ob-  
ligation Upon Both Parties  
Not to Do It.

## NOR WILL LA PEROUSE STRAITS

Only Other Question that Remains is  
To Settle Details of Evacu-  
ation of Manchuria.

## TROOPS SOON TO BE WITHDRAWN

Japanese Are to Retire to the Line of  
Mukden, and the Russians to  
That of Harbin.

Portsmouth, N. H., Sept. 2.—It is ex-  
pected that the text of the treaty will  
be completed today. Only two articles  
remain to be drafted. Two calligraphers  
from the state department are already  
here to begin the work of engrossing  
and indications are that the ceremony  
of signing the treaty can take place  
today at the latest, possibly Mon-  
day.

The statement in the Associated  
Press dispatches last night that the  
series of conferences which were con-  
tinued until almost midnight related  
to the differences over the article con-  
cerning the Japanese at first  
were inclined to be optimistic, but an  
arrangement mutually satisfactory was  
provisionally agreed to and is expected  
to be finally signed by the chief  
plenipotentiaries during the day.

The article relating to Sakhalin will  
be in accordance with the original  
agreement as given in the Associated  
Press dispatches Tuesday night, namely,  
mutual obligation not to fortify  
Sakhalin and obligation of Japan not  
to fortify La Perouse straits. The only  
other question which remains to be  
settled is involved in the details of the  
evacuation of Manchuria. The troops  
are to be immediately withdrawn, and  
the Japanese to the line of Mukden and  
the Russians to Harbin. The details  
of the subsequent withdrawal have not  
been arranged.

The Japanese desired that the word  
describing the status of La Perouse  
straits should be "open," but the  
Russians insisted that it be "closed."  
The Japanese side which could support  
a war fleet or under whose guns a fleet  
could operate. They did not want the  
situation to be similar to that of Gil-  
brat, which, although "open," could,  
if England desired, be instantly closed.  
As to the evacuation of Manchuria, the  
Japanese want the method and time of  
the withdrawal of the troops particu-  
larized and the number of the "rail-  
road guards" which are to remain,  
specified in the bond. To permit this  
question to be left open would be  
equivalent to a tacit understanding  
that Russia was to retain her "sphere  
of influence" in northern, and Japan  
hers in southern Manchuria. It would  
revive in a way the very situation  
which existed before the war. Control  
of Manchuria might become a bone  
of contention leading eventually to an  
war.

## JAP ARMY GETS THE NEWS.

Gunpo Pass, Manchuria, Friday.  
Sept. 1.—The first intimation of an  
agreement between the peace envoys  
was printed in today's issue of the army  
organ but Mr. Witte's message to Em-  
peror Nicholas received today was held  
over for tomorrow.

From various sources the news of  
the agreement percolated into the com-  
munities of Kichien and Gunpo  
Sept. 1, but comment was withheld  
pending official sanction for its  
publication and the news is now  
largely known or realized to note its  
effect. Arrangements, however, have  
already been instituted for the estab-  
lishment and maintenance of a con-  
trolling zone between the armies pending  
their demobilization. The army has  
been ample time to accustom itself to  
the idea of peace. The men have fol-  
lowed the discussion as permitted and it  
is evident that the idea of paying an in-  
demnities was not an unwelcome one  
of the Japanese conditions.

## MACEDONIAN FINANCES.

The Porte Rejects Scheme Pro-  
posed for Their Control.

Constantinople, Sept. 2.—The porte  
has replied to the note of the six  
embassies declining to accept the  
scheme proposed by them for the finan-  
cial control of Macedonia. The powers  
will insist on the acceptance of this  
scheme.

## YOUNG GIRL KILLED.

Italian Boy Intended to Hit a  
Man but Struck the Girl.

New York, Sept. 2.—Holding her doll  
in her arms, Rosie Grillo, 14 years old,  
was instantly killed yesterday near her  
home in West Fifty-ninth street, by a  
stone allegedly thrown by a neighbor.  
Charles Grillo, an Italian of 18 years,  
died, the body of the little girl was taken  
to her home, and detectives were  
searching for the boy all night.  
Grillo is the leader of a band of  
young Italians who have given the  
time they have annoyed. For a long  
time he has been the keeper of a  
small store, who finally got a police-  
man to drive them off.  
Grillo returned soon afterward and  
crept up near the store. Rosie Grillo,  
hooded, was on the steps of the neighbor-  
hood, sat near her. Armed with a

large stone, Grillo, it is said, crept  
stealthily along the opposite side of  
the street, and when Mascarello's head  
was turned threw it with all his force.  
The missile struck the little girl  
squarely in the temple, and she fell to  
the sidewalk, dying instantly.  
A crowd of several hundred quickly  
gathered and gave chase, but Grillo  
evaded them, and is still at large.  
Neighbors say Grillo was engaged to  
marry the dead child's sister.

## A HUNTING ACCIDENT.

Gun Goes Off, Severes an Artery.  
Boy Bleeding to Death.

Great Falls, Mont., Sept. 1.—The  
opening of the hunting season here  
today was marked by the accidental  
killing of Frank Gonier, the 18 year old  
son of Casper Gonier, an old time mer-  
chant of Monarch. In climbing  
through some brush the hammer of  
his gun in some way became entangled,  
and the weapon was discharged. The  
head of bird shot striking Gonier in  
the right thigh and severing an artery.  
He was found dead by some hunters a  
short time afterwards, having bled to  
death.

## A HORRIBLE DEATH.

Motor Inspector Chose Electrocu-  
tion to Death in Molten Metal.

Chicago, Sept. 2.—Nels Anderson, a  
motor inspector for the Illinois Steel  
company, chose death by electrocution  
in preference to a more horrible fate  
in one of the company's seething metal  
pits today at the South Chicago works.  
Anderson was doing repair work on  
the arm of a crane directly above one  
of the hot metal pots. A slight move-  
ment of the arm caused him to lose his  
balance. The only support within  
reach was an unfastened wire which  
connected the crane with power.  
Anderson gave one glance at the white  
hot metal below, and caught the wire  
check to his seat, to do the young  
man's death. The body hung over  
the wire until the current could be  
shut off. Death is thought to have  
been instantaneous.

## SAD STORY OF AN IRISHMAN WHO HAS TO BE DEPORTED

New York, Sept. 2.—The machinery  
of the immigration law at this port has  
been stopped in the case of a young  
Irishman who had been ordered sent  
back to his island home because he is  
suffering from tuberculosis. This un-  
usual procedure was taken so that  
the man's brother, en route from Indi-  
anapolis might see him for the first and  
probably last time.  
Patrick Kilroy, a well-to-do old Irish-  
man, who for nearly a quarter of a  
century has made his home in North  
Staten, Ind., decided a few weeks ago  
that the climate of Indiana was not  
fitting to restore the health of his son  
Thomas, whom he left in Ireland when  
he came to the United States in the  
early eighties. Accordingly he sent a  
check to his son to cover the young  
man's expenses across the ocean. He  
also wrote that Thomas would be met  
at the Indianapolis station by his  
brothers and sisters, several of whom  
he had never seen.

Young Kilroy arrived in New York  
last Sunday morning on the Celtic. The  
Irishman, a few days later, was board-  
ed the Celtic at quarantine soon took no-  
tice of his condition and he was or-  
dered deported, according to law, which  
provided that any person who is found  
to be suffering from tuberculosis shall  
be deported. This happened to be the  
Celtic.

Thursday afternoon Kilroy was or-  
dered to prepare for the voyage Fri-  
day morning. A few minutes later a  
telegram arrived from Kilroy's brother  
who said that although he was coming  
east on the fastest train he could get,  
he would be unable to reach New York  
until 15 minutes after the Celtic sailed.  
In a broken voice Thomas pleaded  
with the inspectors that he be allowed  
to remain until the next sailing. They  
were much affected by the unusual  
nature of the case and telephoned the  
steamship company's officials. The  
latter agreed to foot the bill, and Kilroy  
was allowed to remain on board a few  
days. His brother arrived at Ellis  
Island Friday.

## DENVER SAVINGS BANK.

Receiver Believes Assets Will Pay  
75 Per Cent of Depositors' Claims.

Denver, Sept. 2.—Receiver Stevick  
of the suspended Denver Savings Bank  
today announced that he believed the  
condition of the bank's assets today  
on the condition of the bank. He be-  
lieves that the assets of the bank will  
pay 75 per cent of depositors' claims.  
He asked authority to declare a dividend  
of 10 per cent at once. The report reads  
in part:

"I am convinced that during the past  
few months the affairs of the bank  
have been conducted in gross and will-  
ing violation of the banking laws of this  
state. Loans have been made to per-  
sons associated with and to companies  
offered by the same persons who made  
the loans as officers of the Denver Sav-  
ings bank, and such loans were made  
either without any collateral or upon  
collateral which was only a flimsy pre-  
text."  
"On the books of the bank appear en-  
tries of loans to banks and commercial  
houses in Indian Territory and Texas."

## Under Arrest for Bigamy.

Chicago, Sept. 2.—A dispatch to the  
Tribune from Indianapolis, Ind., says:  
Charles Taylor, a well known lawyer,  
was charged with bigamy. The police  
claim to have secured evidence of his mar-  
riage to five women, four of whom are  
living and none divorced.

## Death of a Mysterious Woman.

St. Louis, Sept. 2.—After having  
lived alone and been a mystery in the  
neighborhood for 12 years, the dead  
body of Miss Marie De Amaze was  
found in her apartments at 800 Frank-  
lin avenue today. She never married,  
her history other than to drop a hint  
which led to the belief that her real  
name was Countess Marie Moezelle,  
formerly of Marseilles, France, and  
that after having eloped with an arti-  
san, she was disowned by her family  
and later deserted by her husband. She  
apparently died a natural death.

## Texas Multi-Millionaire Dead.

Wellington, Kas., Sept. 2.—A private  
message received here tells of the  
death at Plainville, Texas, of John T.  
Stewart, a multi-millionaire, who was  
found dead in bed at a hotel.

## NO CAUSE FOR CHOLERA SCARE.

German Ministry of the Interior  
Issues Notice Assuring Pub-  
lic to That Effect.

## PREPARED FOR THE SITUATION.

Possibility Foreseen in January and  
Provided For—Russia Reports  
No Causes.

Berlin, Sept. 2.—The ministry of the  
interior has issued a notice assuring  
the public that there is no reason for  
anxiety on account of the appearance  
of cholera in German territory. The  
government has long reckoned on the  
present situation. A circular dispatch  
was sent by the imperial department  
of the interior to the confederated  
states in January, calling attention to  
the possibility of cholera and request-  
ing them not to be unprepared to deal  
with an infection.

"Resisting the spread of cholera,"  
the official direction says, "has be-  
come much easier under the imperial  
epidemic law of June 30, 1900, giving  
the health authorities proper powers.  
These powers have been fully exercised  
in requesting persons that have  
cholera or have been exposed to it or  
who have doubtful symptoms and in  
watching over persons and property  
employed in traffic on the rivers Weich-  
sel, Brabe and Netze, and on the Brom-  
berg canal."

## HAMBURG TAKES MEASURES.

Hamburg, Sept. 2.—On account of the  
appearance of cholera in other coun-  
tries, the health authorities have for-  
bidden the transportation of Russian  
emigrants until further notice. The  
Hamburg-American steamship com-  
pany has issued instructions to all its  
Russian agencies to refuse stowage  
tickets to Russian emigrants.

## NO CHOLERA IN RUSSIA.

St. Petersburg, Sept. 2.—The health  
department gave its assurance today  
that there is no cholera in the empire  
including the Warsaw district. The  
Minsk district has just reported again  
that no cases of cholera have been dis-  
covered there. A special investiga-  
tion is being conducted in the Warsaw  
district. The authorities are again  
tracing the course down the Vistula of  
the raft, on which two cases of cholera  
occurred in April last while descending  
the river from the government of  
Minsk to Culm, west Prussia.

## APPEARS IN GALICIA.

Warsaw, Russian Poland, Sept. 2.—It  
is reported here from Tarnobrzeg  
(Nustria), that cholera has appeared in  
the neighborhood of Tarnobrzeg. Three  
deaths from the disease were registered  
in one day.

## ORDER REGARDING EMIGRANTS.

Bremen, Sept. 2.—The United States  
board of emigration has ordered that  
all stowage for the United States ship  
be at the port of embarkation six days  
prior to sailing.

## DEATHS FROM CHOLERA.

Berlin, Sept. 2.—The Reich Anzeiger  
officially announced this morning that  
400 cases of cholera and 17 deaths had  
occurred in Germany up to noon to-  
day.

## FRANCE SENDS ULTIMATUM TO SULTAN OF MOROCCO.

Paris, Sept. 2.—The government has  
addressed to the sultan of Morocco an-  
other ultimatum. This note says that  
the refusal of the sultan to accept the  
demands of the French mission is not  
sufficient and, in addition, first, the  
payment of an indemnity; second, the  
punishment of the sultan's subjects who  
are in the act of attacking the French  
mission; and third, a public apology.  
If all these demands are not granted  
within a brief delay the French mis-  
sion will be ordered to leave the coun-  
try and the adoption of coercive  
measures.

## FERDINAND OF BAVARIA.

Madrid, Sept. 2.—Steps have been  
taken for his naturalization  
as a Spaniard.

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## New Ecuadorian Cabinet.

Guayaquil, Ecuador, Sept. 2.—Pres-  
ident Garcia has approved the forma-  
tion of the following ministry:  
Minister of the Interior—Senor Ge-  
narez Cordova.  
Foreign Affairs—Senor Carlos R. To-  
bor.  
Public Instruction—Senor Angel Es-  
pinosa.  
Finance—Senor Juan F. Game.  
War and Marine—Col. Thomas Larre.

## Joliet Elevator Burned.

Joliet, Ill., Sept. 2.—The Union eleva-  
tor was destroyed by fire today. Loss  
over \$100,000.

## PRESIDENT'S RETURN.

He Expects to Start for Washing-  
ton Sept. 30.

Oyster Bay, Sept. 2.—Arrangements  
have already been made for the return  
of President Roosevelt to Washington.  
Such business as is not of a pressing nature  
is being postponed until the president can  
take it up directly with his cabinet offi-  
cers at the White House.

At present it is the president's in-  
tention to leave Oyster Bay for Wash-  
ington on Saturday morning, Sept. 30.  
Meantime at Sagamore Hill he will re-  
ceive and entertain the Russian and  
Japanese plenipotentiaries.  
It is thought that they will be the  
guests of the president and Mrs. Roose-  
velt at luncheon, the Russians being  
entertained one day and the Japanese  
another. The dates for the presiden-  
cy and signing of the treaty of  
peace.

The president will make no formal

expression concerning the conclusion of  
peace until the treaty shall have been  
signed.  
No visitors were scheduled to arrive  
at Sagamore Hill today.

## GIFFORD PINCHOT COMING.

(Special to the "News.")  
Washington, D. C., Sept. 2.—Gifford  
Pinchot, chief forester of the depart-  
ment of agriculture, tomorrow leaves  
Portland for Boise, Ida., where he will  
stay until the 5th of September. He  
will then go to Salt Lake and remain  
there until Sept. 10.

## BIG BRICK CONTRACT.

One Million Ordered for the Payette  
Sugar Factory.

Special Correspondence.  
Payette, Idaho, Sept. 1.—Tuesday of  
this week a contract was closed, be-  
tween the Western Idaho Sugar com-  
pany and W. P. Sherwood of this city,  
whereby the latter is to furnish the  
company with approximately 1,000,000  
bricks, and there is a probability that  
there will be a demand for more than  
that number. The brick will be used  
in constructing the sugar factory that  
is to be built here.  
As will be supposed, this is a some-  
what larger order than Mr. Sherwood  
usually makes, but he has anticipated  
it by having a large force of men em-  
ployed in his brick yards since May 1,  
and now has on hand more than 1,1-  
200,000 bricks. The grounds occupied  
large force at work until about Oct. 15,  
and will thus be able to fill the order  
received and supply the local demand  
as well. Mr. Sherwood has a pay roll  
of \$22 a week, which will continue  
until the end of the season.  
The number of brick Mr. Sherwood  
has on hand is more than has ever  
before been put in a brick yard in  
Payette at any one time. He will  
begin delivering the brick as soon as  
he can after machinery for the factory  
has been put on the grounds and got  
out of the way for piling. One-third  
is to be delivered by March 1, another  
one-third by May 1, and the remaining  
third by July 1.

## MRS. TIPTON DEAD.

Salt Lake Woman Passes Away at  
Daughter's Home in Butte.

Mrs. Maria Tipton of this city passed  
away yesterday morning at Butte,  
Mont., where she was visiting with her  
daughter, Mrs. Samuel Smith, of 236  
Pine street. The lady went to Butte  
about 10 days ago and was taken sud-  
denly ill shortly after her arrival in  
that city. The body will be brought  
home for burial.

## HOME ON THURSDAY.

Prof. Stephens Will Not Reach Salt  
Lake Until That Date.

The information that Prof. Stephens,  
conductor of the Salt Lake Tabernacle  
choir, would be home this evening  
proves to be inaccurate. Secretary  
Phillips of the choir received word this  
morning that he will not arrive until  
Thursday morning. On the evening of  
that day, at 7 o'clock, he will hold a  
meeting of the Tabernacle and vocal  
choirs of the city, also of the conduc-  
tors of these different singing bodies.  
Prof. Stephens writes from California  
that he is particularly anxious that all  
persons interested be in attendance, as  
final arrangements are to be made at  
that time for the joint appearance of  
the choir at the World's Fair in San  
Francisco. The choir will leave Salt  
Lake on Friday morning, Sept. 10, and  
will arrive in San Francisco on Sun-  
day, Sept. 12.

## DEATH OF A MAORI BOY.

Haka, N. Kanapa Whangana, a Maori  
sixteen years of age, had a sudden at-  
tack of appendicitis on Thursday even-  
ing last. He was removed to the hos-  
pital on Friday morning, where an  
operation was performed with a view  
to saving his life. The patient, how-  
ever, succumbed to a complication of  
diseases at 3 p. m. of the same day. He  
was the son of Apikara Whangana, the  
nephew of Hiriwhangana, the well  
known Maori chief. He came to  
Utah with his relatives about 11 years  
ago. His funeral services will be held  
on Sunday, Sept. 3, in the Twenty-sixth  
ward meetinghouse, at 2:30 p. m., and  
all returned Elders and Saints from  
New Zealand and friends of the family  
are urged to attend. The funeral  
service will be held in the Twenty-sixth  
ward meetinghouse. The remains may  
be viewed at the family residence, 917  
West Eighth street, on Sunday,  
from 1 to 2 p. m.

## PLEASANT SURPRISE.

Ward Sunday School Workers Give Un-  
expected Party to Ex-Officers.

The officers and teachers of the Fifth  
ward Sunday school last night played  
a successful game on their late super-  
intendents, Nuttall and Alex. Buchan-  
an. These gentlemen were invited by  
a party living in another part of the  
city—whose name, for obvious reasons,  
is not disclosed—to take lunch  
with them at 12 o'clock. The invitation  
which they accepted with thanks. Go-  
ing down to the park, the retired offi-  
cers were stunned completely to find  
awaiting them between 50 and 60 Sun-  
day school workers, who had prepared  
a sumptuous spread in their honor. The  
surprised officers readily capitulated,  
being forced to admit that they were  
outgeneraled on every point, and fol-  
lowing hearty greetings the company  
partook of a delicious repast, after  
which the honored guests were presen-  
ted to a large number of the Sunday  
school hymn book, with their names  
nicely embodied on the outer cover.  
The recipients expressed, as best they  
could under the circumstances, thank-  
ings for the present for the respect shown  
and expressing their love and good  
feelings for their associates. The even-  
ing was spent most enjoyably, all hav-  
ing a delightful time while together.  
Assistant Superintendent John A. Burt  
and Fred Mugleston were co-conspir-  
ators, and assisted materially in mak-  
ing the undertaking a success.

## LOCATING ON UINTAH LANDS.

Filing on Reservation Progressing  
Smoothly at Vernal Land  
Office.

## MARSHAL MAINTAINS ORDER.

Bad Men in Town, but Operations Are  
Being Checked—Discovery of  
Rich Ore.

(Special to the "News.")  
Vernal, Utah, Sept. 2.—The filing for  
lands on the Uintah reservation is now  
progressing smoothly at the land office  
here, and the machinery of the office  
goes on like clock work, as lands  
pass into the hands of the homestead-  
ers. Out of 555 claims called up to last  
night, 381 have responded, making an  
aggregate of over 60,000 acres taken.  
The stories that have been sent out  
regarding the lands all being grabbed  
up in advance had considerable to do  
with a great many falling out in the  
beginning, but since it is found that  
the majority of those filing are get-  
ting good lands, there is a reaction in  
favorable and those who drew the larger  
numbers are beginning to take a great  
interest in the filing.

## MARSHAL ON HAND.

United States Marshal Ben Heywood  
is on the ground with a force of de-  
puties to handle the crowd and pre-  
serve order. As far as the filing is  
made they are placed on a bulletin  
board on the lobby of the courthouse,  
where intending locators and runners  
for the different locating companies are  
lined up checking the entries on govern-  
ment maps.

## BAD MEN IN TOWN.

The town is filled up with all kinds  
of people and United States Marshal  
Heywood states that there are a num-  
ber of desperate characters in town  
who are known to the officers, but as  
yet they are laying low. The loca-  
tion of lands on the reservation have  
been principally along the Duchesne  
river bottom and what is called the  
Dry Gulch country. The Blue bench  
and lands south of the Duchesne are  
just beginning to receive attention.  
Ex-County Clerk John James of Salt  
Lake, who drew No. 200, filed his claim  
for a farm Wednesday. He settled on  
land a couple of miles north of Myton.

## ANOTHER LIE NAILED.

Frank Geller, the Glenwood Springs  
barber who committed suicide Wednes-  
day morning, had been drinking and  
lost all his money at the gambling  
table. The story printed in a Salt  
Lake paper that he blew out his  
brains when he found that the "Mor-  
mon" had taken all the reservation  
lands is a pure fabrication. He did  
not have a number at all, but had  
been trying to procure work here.

## REPORT OF RICH STRIKE.

A report has reached Vernal of a  
rich strike on a typical mountain, south  
of Vernal, by a party of Cripple Creek  
prospectors, who report that they have  
found a four-foot vein of ore that in  
place assays \$300 in gold to the ton  
and 44 per cent lead. The mineral has  
been known to exist there for years.

## TWO REPORTS MADE.

Sub-Committee on State Farm Favors  
Four Different Sites.

At the meeting of the general com-  
mittee to select a site for a state ex-  
periment farm held yesterday after-  
noon in the office of the state board of  
land commissioners, the sub-committee  
submitted four sites for the considera-  
tion of the committee, and on next  
Friday the members who desire will  
take a trip to Davis and Utah counties  
to make a final inspection of the sites  
proposed, after which a meeting will  
be called, and the choice made.

The majority of the sub-committee  
submitted a report signed by Prof. Ye-  
lder, Mr. Whitmore and Mr. McAllister,  
favoring the Spanish Fork farm. The  
minority report, signed by Messrs.  
Spry and Candland, recommending  
the sites at Farmington, Davis county;  
Provo, Lehi and Spanish Fork, Utah  
county, be investigated by the general  
committee before the final selection is  
made. This recommendation will be  
carried out. All of the members of the  
general committee were present at the  
meeting, which lasted two hours.

## EXPERT ON BEET FLIES.

Agricultural Department Sends a Man  
To Investigate the Utah Pest.

Mr. Hooker, entomologist from the  
agricultural department at Washing-  
ton, reached Salt Lake this morning  
and held a consultation with T. R. Cut-  
ler and H. H. Rolapp representing the  
Utah sugar company, and the Anahe-  
lized sugar company. Mr. Hooker is  
sent out from Washington in response  
to the request of the sugar people here  
that an expert be sent to look into the  
white fly pest which has infested the  
beet fields in various parts of the  
west this year. The promptness with  
which he went to the rescue of the  
sugar people's request indicates the  
interest he feels in the subject. A tele-  
gram was sent to him at the beginning  
of this week, and he immediately de-  
cided to leave for Utah. He was in Texas  
to leave that field and look carefully  
into the Utah trouble. Mr. Hooker  
goes tonight to Lehi in company with  
Agricultural Supt. George Austin, and  
early next week will visit the beet  
fields around Ogden and Logan.

## AT IDAHO FALLS.

Plenty of Water, Heavy Harvests and  
Damage by Recent Storms.

Idaho Falls, Ida., Sept. 1.—The dam  
across the Snake-built by the city,  
to raise the flow of water in the city  
canal during the low water season, is  
completed and we now have a sufficient  
flow to meet the present demands.  
Reports from the country show that  
this year's yield of grain is very heavy,  
in fact in many places the binders  
have been unable to cut half their crop.

city capacity. The yield will be corre-  
spondingly heavy. Sugar beets like-  
wise showing up in good condition.  
Reports from field superintendents  
show that this year the yield will be  
much heavier and of a better quality  
than any previous year since the con-  
struction of the factory.

The recent storm that passed over  
us did considerable damage to many  
farms lying along the foothills east  
of Idaho Falls. A landslide in the  
canyon and the deluge of water that  
swept down into the valley carried  
fences and crops before it. The damage  
is reported at about \$1,000.  
There will be a school election next  
Monday for the purpose of electing  
trustees to fill the vacancy caused by  
the retirement of Messrs. Chapin and  
A. T. Shupe.

The council of Tuesday took an in-  
teresting step in that they unanim-  
ously voted to take the necessary steps  
looking to the macadamizing of city  
streets, especially Broadway. Many  
property holders will also be looking  
and it is quite certain that the work  
will be done. It will mean considerable  
to the appearance and cleanliness of  
Idaho Falls. The matter of the collecting  
the bonding proposition was indefini-  
tely postponed.

## WILL CONTEST THE CASE.

Judge Marionaux Contends He is En-  
titled to Mileage.

Mandamus proceedings will soon be  
commenced by former Judge Thomas  
Marionaux against the state board of  
examiners to compel the board to allow  
him claim of \$16 alleged to be due for  
mileage during the latter part of his  
term as judge of the Fifth judicial dis-  
trict. The claim was disallowed by  
the board yesterday, and Judge  
Marionaux will test the matter in  
court. The judge claims that the por-  
tion of the act of 1903 attempting to  
abolish the payment of mileage was  
increasing the salary of the district  
judges is invalid, for the reason that  
the court salary was not set out in  
full, as required by the Constitu-  
tion.

It is contended by Judge Marionaux  
that a decision in regard to the mile-  
age will not affect the increase of sal-  
ary of the judges. It is claimed by oth-  
ers, however, that if the mileage section  
of the act is unconstitutional, then the  
entire salary section is void, and the  
judges will have to return to the  
old salary of \$3,000 per year and  
mileage. If the claim of Judge Mar-  
ionaux is allowed he will receive the  
state will have to pay mileage to all  
of the judges who have occupied the  
bench since 1903.

## DEATHS AT PROVO.

August Blumenthal and Thelma Man-  
naring Answer Summons.

(Special to the "News.")  
Provo, Sept. 2.—August Blumenthal  
died at his home here this morning,  
after an illness of 20 weeks, during  
which time he has suffered from a  
complication of diseases. He was a well  
known and leaves a large number of  
friends to mourn his death. Mr. Blum-  
enthal was born in Nebraska, Aug. 8,  
1868. He came to Provo 15 years ago  
with his family and is survived by a  
wife and three children in addition to  
his