

NO RAISE FOR CITY OFFICERS

Opinion Rendered by City Attorney Hiles Holds They May Not Draw More Salary.

STATE STATUTE IN THE WAY.

Ordinance, If Passed, Could Only Affect Officials Elected Two Years Hence—Full Text of Opinion.

City Recorder John B. Moreton and City Auditor Rudolph Alf will have to be content with the salaries they have been getting during the past two years of their service as the reported representative of Mr. Keams in the administration of the city's affairs. Glendon Snyder, city treasurer-elect will also serve the city for \$1,800 per annum, providing the ordinance passed last Monday night increasing the salaries of these three officials to \$2,500 per annum, goes back to the council with the mayor's veto. If it does, which seems most likely, the ordinance will probably be allowed to die, or it may be so amended that it will take effect Jan. 1, 1910.

According to an opinion given today by City Attorney Ogden Hiles, in which he cites the Hulanicki case at Ogden as a parallel case, the officers elected to serve terms beginning Jan. 1, 1908, would not be entitled to receive the increased salaries, as a provision of the state law stands in the way.

ORDINANCE WAS UP BEFORE.

Councilman Black's ordinance was presented for passage in October, before the election. It slumbered in committee until after the fateful ballots had been counted and was only resurrected last Monday night. The reason for the long slumber of the ordinance is seen in the fact that had it been passed before election, it would have been a strong argument in support of the oft-repeated charges that the "American" party's men were looting the treasury. Therefore it lay idle until the time had passed to make it effective. It provides that after and beginning Jan. 1 the salaries of the three officials mentioned should be boosted from \$1,800 per annum to \$2,500 per annum. If amended and passed over the veto the date of its taking effect will have to be shoved forward two years.

CITY ATTORNEY'S OPINION.

The opinion of City Atty. Hiles follows: Hon. A. J. Davis, President of the City Council, and Acting Mayor of Salt Lake City, Utah:

Sir—You have requested my opinion concerning the legal effect of an ordinance which passed the city council, increasing the present salaries of the city auditor, the recorder and treasurer of Salt Lake, as it respects present incumbents and officers elected. Section 225 of the revised statutes of Utah, provides as follows:

"All officers of any city shall receive such compensation as may be fixed by ordinance, but the compensation of such officers shall not be increased or diminished by ordinance during the term for which any such officer was elected or appointed."

This statute has been interpreted and applied by the Supreme court of Utah in Hulanicki's case, reported in 57 Pacific Reporter, page 876. Therein the supreme court has determined that by the statute, the salary of no city officer who has already been elected or appointed to an office, can be decreased or diminished by an ordinance passed after his election or appointment to such office. This decision has been subsequently approved by that court.

I have advised the present city auditor and recorder, elect, verbally, that in my opinion they would not, under this ordinance, be entitled to the increase of salary during the term for which they have been elected, because the same has been enacted after their election to their respective offices. In my opinion, the ordinance, if finally

What is Catarrh?

A Dangerous Disease Affecting Thousands of People.

It is an inflammation of the mucous membrane, and may affect the nose, throat, stomach, bowels, or bladder. NASAL CATARRH is most common, often coming on so gradually that it has a firm hold before it is suspected. Catarrh is aggravated by colds, but depends on impure blood. When chronic it is liable to develop into consumption. It is therefore very serious. The true remedy for catarrh is Hood's Sarsaparilla, because it purifies the blood, and removes the cause, effecting radical and permanent cures. Begin treatment at once with

Hood's Sarsaparilla

In usual liquid form or chocolate tablets known as Sarsapabs. 100 doses. Cures Catarrh of the Nose, Throat, Stomach, Bowels, or Bladder. Relieves nasal catarrh, discharges, cures, restores breath. Price 50c. Druggists or promptly by mail, C. I. Hood Co., Lowell, Mass.

enacted, can apply only to such officers as may be elected or appointed in future. Very respectfully, OGDEN HILES, City Attorney.

CONTINUED UNTIL APRIL.

By Agreement Between Council Utah Fuel Cases Go Over.

Clerk J. R. Leitch of the federal court was advised yesterday by wire from Washington that a stipulation had been entered into between counsel in the matter of the United States against the Utah Fuel company, whereby the case is continued until the April term. A continuance had previously been granted in order that the attorneys on either side might take depositions from witnesses in New York and Washington.

Special Counsel Maynard, representing the government, and Atty. E. M. Allison, Jr., counsel for the defendant company, are at the capital, and the work in hand has proved to be greater than expected, so much so that it would be impracticable to resume the hearing on Dec. 19.

RUSE TO REGAIN HUSBAND.

Mrs. Josie Short Fakes Poisoning and Alarms Department.

Mrs. Josie Short, residing at 151 south West Temple street, adopted peculiar methods last night to bring back her husband, "Curly" Short, a waiter in a restaurant. "Curly" it appears, had spent his week's wages and forgot to go home. Mrs. Short waited for many hours and then informed a neighbor that she had taken a big dose of laudanum. Word was sent to police headquarters and two officers rushed to the Short abode, where they found the woman apparently in the throes of death. She was quickly hustled to the emergency hospital and Dr. Stewart summoned. The physician worked over the woman, but the mere he worked the worse became the condition of the woman.

Finally the husband showed up and suggested that the doctor pay no more attention to the woman. "Nothing doing in the poison line," he remarked. "Don't worry, she is all right. I know her." After much persuasion the woman admitted she had not taken poison but had thrown it out of the window. She merely wanted to get hubby back.

HIGHLAND BOYS FATE.

Another Move Towards Settling It Will Be Made This Afternoon.

No decision has yet been made as to whether the farmers of Salt Lake valley will stand by their proposition as submitted to the Highland boys' smelter, or whether they will meet the counter proposition for a lower sum of money as a bonus, made by the smelter owners.

G. P. Miller, acting chairman of the farmers' committee, has called a meeting of the committee for this afternoon at 4 o'clock at his office. The committee will take up the matter and will decide what to do. An unofficial bolt of committee members develops the fact that sentiment, while largely in favor of "standing pat" on the demand as originally put, is somewhat divided. From the smelter people it is learned that, so far at least as their sentiment appears on the surface, they are for closing down rather than granting the original demand, which is 40 per cent more than they offer, and equal to about \$10 per acre for acreage under the smoke belt.

FREE PATIENT WINS FORTUNE

Man Whom Sisters Attended in Charity Gets Big Damages.

EIGHT THOUSAND AWARDED.

Frank Gitzhoffen Victor in Suit Against Holy Cross Hospital, Where He Went Blind.

Frank Gitzhoffen, who was a charity patient in the Holy Cross hospital over a year ago, was awarded judgment for \$8,000 against the sisters of the Holy Cross hospital today by a jury in Judge Ritchie's court upon the second trial of the case. One juror, George R. Emery, dissented from the verdict of the other seven men of the jury. This is the second trial of the case, it having been remanded for new trial by the supreme court, which found errors in the record of the previous hearing of the case as assigned by the appellant.

Gitzhoffen, while a patient at the hospital, underwent an operation. After leaving the institution he found himself helplessly blind and commenced suit against the hospital for \$10,000 damages, alleging that failure to carry out the attending physician's order was responsible for his condition. He was loser in the suit and he took the matter to the higher court, asking for a new trial. This was awarded him, the court holding him entitled to a rehearing of the issues of the case.

GREEK MEETS GREEK.

One Plunges Through Sky-Light, Falling Upon Fellow Countryman.

Theodore Vardaloukas, a Greek, who at noon found himself locked in a room in a Greek lodginghouse at 529 west Second South street, walked out through a window and falling through a skylight, fell upon a fellow countryman, 30 feet below—result: both Greeks unconscious and badly bruised and cut. When the police found his partner had gone leaving the police, and in falling Danas did great damage. Theodore had been sharing a room with a fellow Greek and upon awakening to go to work found his partner had gone leaving the doors locked from the outside. Vardaloukas did not want to be late so figured a path of escape through the window and so on to earth and freedom. But in becoming dizzy Vardaloukas inadvertently took a short cut to earth and freedom. With a crash he plunged through the skylight and just before reaching this fellow Danas walked between the descending man and earth. The victims of the collision were taken back into the lodginghouse where physicians are now attending them.

SIX CASES HEARD.

Assault, Larceny and Equally Serious Charges Laid Against Defendants.

There were six state cases before Judge Diehl this morning. The first called was that of Bill Kouliak, charged with grand larceny. His case was set for Jan. 4, and in default of \$500 bail he is locked up in the county jail.

Elie Lamike, an Austrian, charged with complicity in the assault and robbery of Mike Musga, in which the latter was relieved of \$10 and was severely wounded, answered to the charge of robbery. The case was continued until tomorrow morning for pleading.

Fred Wagstaff, charged with failure to provide for his four minor children, entered a plea of not guilty and will be given a hearing on Jan. 5. Wagstaff was released on his own recognizance. William Morton, charged with unlawfully disposing of three horses valued at \$300, was arraigned this morning and entered a plea of not guilty. In default of \$500 bail he was committed to the custody of the sheriff.

Charles Olson, who was formerly

charged with burglary in the third degree, pleaded guilty to petit larceny and was sentenced to four and a half months in the county jail.

The case of the State vs. George Wilson was called in Judge Diehl's court this morning for hearing. Wilson, with a man named Van Houghton and "Razor" Jack Richardson, were arrested on the charge of robbing a man named S. H. Carman on the evening of Nov. 27. Carman testified against Wilson this morning and declared that the defendant was one of the men who robbed him. After taking the testimony of Carman the case was continued until Friday morning for argument.

THINK THEY HAVE CRIMINAL.

Police Officers Take an Austrian in Hiding at Murray.

Police Officers East and Harris arrested an Austrian who was in hiding at Murray last night and they believe they have caught one of the men who stabbed and robbed Mike Musga recently. The prisoner is one Fritz and answers the description of one of the would-be murderers.

At the time of the arrest East and Harris were searching for Sullivan. Fritz was hiding in the abandoned Silver Horn smelter. The officers were attracted to him by a light which proved to be a fire kindled by the Austrian. The man will be held until his identity is established.

SHOOTING AT RAWHIDE.

Goldfield Officers in Pursuit of Deputy District Attorney.

Word has been received at Goldfield to the effect that Mart O'Brien, a deputy district attorney, had shot two men at Rawhide, a new mining camp 25 miles from Schurz. O'Brien had been practicing as an attorney in the police court of Goldfield before receiving the other appointment. Officers were in pursuit of O'Brien, and in the opinion of Under Sheriff Ullmer, who sent the dispatch, the capture of the man was a matter of only short time. No reason is assigned by the officer for the shooting.

MEN STILL MISSING.

No Trace of Sullivan or Half-Breed, Garcia, Is Discovers.

John Owens, one of the Albany bar robbers who confessed to his part in the crime which led to the murder of Officer Charles S. Ford, and "Tip" Belcher and Mrs. Belcher who gave the police information which led to the identity of Garcia, the Mexican-Chinese who was with Sullivan when the fatal shot was fired, are still in custody. No complaint has been filed against them as yet and it may be some time before one will be filed.

In the meantime the search for Sullivan and Garcia goes on and the searchers are confining their efforts to points outside the state. Three reports as to the whereabouts of Sullivan were received this morning and were quickly run down by the police, but all proved to be false. No trace of the men have been obtained as yet. It was reported this morning that Sullivan had called at the postoffice at Lynn, Utah, and asked for mail. It was also reported that he was headed in this direction. If this report is true the capture of the desperate criminal is only a matter of a few hours as every road is carefully watched.

TO INVESTIGATE CHARGES.

Stanley Hatch Appointed by Governor Cutler to Work on Peterson Case.

The board of examiners met this morning and authorized Gov. Cutler to employ a person to investigate the charges laid against John Peterson, state food inspector. The governor very promptly appointed Stanley Hatch to make this investigation. Until Mr. Hatch makes his report no definite information will be forthcoming. Mr. Peterson was charged with using padded stubs upon purchase slips and juggling his expense accounts in other ways, all of which he most strenuously denies. Gov. Cutler is extremely sorry the matter was printed at all, as he would have preferred the newspapers to have had some definite information before saying anything which would hurt a man whose guilt has not been established. Gov. Cutler says he would have preferred the newspapers to print anything, but in vain. "I have one statement from one man and denial from another, and there the matter rests," said the governor this morning. "Until the charges have been in-

vestigated there will be nothing to say; there should have been nothing said until then."

THE CHRISTMAS "CHRONICLE."

The Christmas edition of the U. of U. Chronicle, over 50 pages of reading matter, is undoubtedly the best ever issued. It is bound in magazine style, with a faithful artistic water color cover design. It contains several Christmas and New Year's stories of unusual merit, as well as good accounts of all school activities. It also contains an excellent halftone of the official football picture.

REMAINS SHIPPED EAST.

The remains of Harry C. Pettigill, son, having come out here to look east to his former home for interment, Mr. Pettigill was a guest at the U. of U. Pittsburg, Pa., but were shipped to some mining interests. In the meanwhile he was taken with appendicitis, and not realizing what the real trouble was, let the matter drift along until, when taken yesterday to the hospital, it was found to be too late to save him. The deceased was a prominent Elk, and his lodge wired the Salt Lake lodge to look out for him.

JINKS AT UNIVERSITY.

"Chemiker Saengerfest" to Hold the Boards Tomorrow Night.

A chemiker saengerfest will be held Thursday night of all students in the U. of U. who are taking or have taken chemistry. The plans for the evening provide for a musical festival and class rivalry in singing. In letters and figures, the program follows:

Band chorus, "Utah Man," by ye assembled hosts. Semi-grand chorus, Saudman, ye menne syngers.

A foolish song, K. W. Grand chorus "Arise" everybody.

A festival song, Hannah-Nell-Maud, by eight old gentlemen.

Ye suite of songs, (a) "Freshmen Follies," (b) "Sophomore Slumpings," (c) "Junior Junk," (d) "Senior Snickerings," (e) "Tout Ensemble."

A solemn song, K. W. Grand chorus, Kilmessan and Silver.

Medley of southern airs, eight old gentlemen.

Preliminaries, wind jamming contest, (a) 98 vs. 99; (b) 10 vs. 11.

A pathetic ballad, Napoleon, ye Faculties.

Final wind jamming contest. Miscellaneous songs.

UNION PACIFIC TRAIN IS WRECKED.

Concordia, Kan., Dec. 18.—The east-bound passenger train on the Union Pacific was wrecked by a broken rail seven miles east of here this morning. One man was killed and two women were dangerously injured. Others were slightly injured. No names are yet obtainable. The coaches were badly damaged.

LATE LOCALS.

Curfew Does Not Blow—Last night the curfew whistle did not blow, it was learned on account of the engine being out of order. It will doubtless be resumed, however, tonight.

Return From Chicago—General Manager George T. Odell and Secy. M. B. Wells of the Consolidated Wagon & Machine company, have returned from a Chicago business trip. They found general business conditions very good considering the recent experience, and are very hopeful of the future. Mr. Odell's address from the Snake River valley are to the effect that conditions there are even better than they were one year ago at this time.

TODAY'S MONEY MARKET.

New York, Dec. 18.—Money on call, 3 1/2 to 4 1/2 per cent, ruling rate 12 per cent, closing bid 3 per cent; offered at 3 1/2 per cent.

Time loans nominal; 60 days, 12 to 15 per cent; 90 days, 8 to 10 per cent; six months, 5 per cent.

Close: Prime mercantile paper 8 per cent.

Sterling exchange firmer after decline with actual business in bankers' bills at 186 at 486.05 for demand, and at 480.10 at 481 for 60 day bills; commercial bills 480.

Bank silver, 53 1/2.

Mexican dollars, 41.

Government bonds steady; railroad bonds irregular.

FIRE! FIRE! FIRE!!

Owing to the many rumors and false reports, set afloat by rival agents in relation to National Mutual policies, this is to notify all holders of such (in this state) to bring, or send, your policies to our office, and we will take care of your interests by issuing new policies, in unquestioned companies, allowing you full credit (pro-rata rates), for unexpired term under canceled policies; that is something the knockers cannot do and will not try to do.

E. H. PEIRCE, General Agent.

RUMMAGE SALE

The ladies of the First M. E. church hold a rummage sale at the corner of Fifth South and Main street, Friday, Dec. 20, at 10 a. m.

R. E. Evans Florist, 46 S. Main St., Floral designs a specialty. Phone 961.

NOTICE OF ASSESSMENT.

CENTURY GOLD MINING AND MILLING COMPANY, of principal place of business, Salt Lake City, Utah. Notice is hereby given that at a meeting of the board of directors of the Century Gold Mining and Milling company, held on the 10th day of December, 1907, an assessment of 10 cents per share was levied on the capital stock of the corporation payable immediately to the South Street, Salt Lake City, Utah. Any stock upon which this assessment may remain unpaid on the 30th of January, 1908, will be delinquent and advertised for sale at public auction, and unless payment is made before, will be sold on the 30th day of February, 1908, at 3 o'clock p. m. to pay the delinquent assessment, together with the cost of advertising and expense of sale.

By order of the board of directors. B. W. MADSEN, Secretary.

Salt Lake City, Utah, December 16, 1907.

JOHN C. CUTLER, JR., Investment Banker.

(Established 1893.) BONDS, SUGAR STOCKS, BANK STOCKS.

Other High Grade Investments Bought and Sold. 26 Main St. Both Phones 127.

UNION DENTAL CO. 25 South Main.

HONEST WORK HONEST PRICES.

Painless Extraction of Teeth or No Pay All Work Positively Guaranteed. Phone 101, 115 E. 1st, 115.

McDONALD'S
SALT LAKE
DUTCH
CHOCOLATES

A man awoke into a store the other day and asked for a 4 pound package of McDonald's Dutch chocolates.

"I have't a 4 pound box but I can pack one."

"Dutch chocolates?"

"No, but they are just as good."

"I would rather have Dutch chocolates. Can't you send and get me one?"

"Yes."

Half pound, 30c; pound 60c. For mailing and family use, 2 and 4 pound packages are put up. McDonald, Salt Lake, exclusive manufacturer of fine chocolates.

CHRISTENSEN'S ACADEMY

137 E. FIRST S.

New term juvenile classes in dancing will open next Saturday, December 21, — 2—3—4 o'clock.

AS A Final Inducement

FOR YOU

To Purchase a Christmas Piano NOW, The DAYNES MUSIC CO. Make This Extremely Liberal Offer :: ::

If you can use a Piano that ranks with America's Best Products,

We Will Give You That Piano

for an amount just equal to its cost; we don't ask a cent of profit, nor do we intend to realize a cent in profit, because we have an enormous stock to move before we will be in a position to make needed repairs in our ware-rooms, and we want you to know that our proposition is an honest one.

The only favor we ask is—PAY US AT LEAST \$100.00 on the purchase price of the selection before Jan 1st Remember we said—one of the finest pianos in the country—at cost. You can save more than a hundred dollars.

THE DAYNES MUSIC CO.

"Pioneer Piano People"

25-27 EAST FIRST SOUTH

Established 1893.

Utah Commercial & Savings Bank.

WM. F. ARMSTRONG, President.

Commercial Banking in all its branches. Four per cent interest paid on savings deposits.

ACCOUNTS SOLICITED.

Joseph F. Smith - - - President

Anthony H. Lund - - - Vice President

Wm. B. Preston - - - Vice President

Charles B. Burton - - - Cashier

H. T. McEwan - - - Asst. Cashier

GIFTS GALORE

THIS clothes shop is crowded with the very best things you can think of for a man's Christmas. Whether it be for a husband, sweetheart, father or brother your choice from here is sure to be approved.

No article of Men's from hosiery to hats, but that you can be satisfied here.

Style and price both do their part in making value.

Hosiery, handkerchiefs, ties, bath robes, umbrellas and canes are most in demand just now but Hart Schaffner & Marx clothes are not to be overlooked.

Richardson & Adams Co.
172 MAIN STREET