

the first class passengers their intention to enter suit the company and their cases laced in the hands of lawyers on

and we are truly grateful that through her tender mercles we have thus far been spared a calamity too horrible to contemplate.

10, 1903, the following petition was presented to Capt. M. F. Passow, com-

"The undersigned passengers of the steamship St. Louis bound for New

York, hereby request that in view of the crippled conditon of this steam-

ship and the consequent uncertainty of the date of her reaching that port, you

hall some fast westbound steamer for the purpose of transferring us there.

to, or that the boat be put into Halt-

'BY THE SALOON PASSENGERS.'

"That in reply Capt. Passow explain-

ed the difficulties and dangers attend-

had the question then under advise-

"Sixth-That it is a matter of keen

"Seventh-That the thanks of the

The report of this committee was un-

fax, if feasible. ""(Signed),

ment.

membered voyage.

manding the steamship St. Louis:

to go to Ellis island for exam-by the immigration officers. "Fourth-We cannot too severely al will be held Monday at 11 a. m. from the Second ward meetinghouse. After being out two hours the jury pied vessel, loaded with human freight, to contend with the storms and perils of an Allartic We heldwe that

and other minor hers to the estate of James T. Little, deceased, to compet-the specific performance of a contract of sale of certain real estate, entered into between James T. Little and plain. tiff on Jan. 6, 1898. The complaint a,tiff on Jah. 6, 1898. The complaint av-leges that on the above date. James T. Little agreed to sell to plaintiff, on or before five years, \$2392x2061/2 feet of ground in lot 4, block \$6 plat A, f,r the sum of \$7,000. Ou Dec. 30, 1902, plaintiff tendered the above sum to the heirs of James T. Little and demanded the specific performance of the con-tract The bairs performance to the con-

tract. The heirs refused to convey the property, therefore plaintiff asks judg-ment for the specific performance of

NYSTROM VS. CLARK.

the final argument in behalf of plain-

The petition asks that a writ of man-

damus be issued against defendant to

compel him to turn over the records of

his court to the city recorder, who is authorized by section 22, chaper 109 of the Session laws of 1901, totake charge

of all the records of the city courts.

question of unconstitionality of the new city justice court was raised by

Attorney Frick in his argument. He claimed that the act creating the court

is in conflict with and contrary to sec-tion 23, article 6, of the Constitution of the state, and hence is unconstitu-tional and void. He also claims that

defendant is his own successor and the successor of all the other justices of

the peace of the city and as such is en-

titled to the books and records of said

At adjourning time the court con-tinued the further hearing of the case until next Saturday morning at 10

the contract.

tiff.

courts.

o'clock.

SHOSHONE AND NEZ PERCE.

The other bill that has been introduced for the creation of a new coun-ty, is practically the same as the one which passed two years ago for the creation of Clearwater county. This minimum

Pacific Coal company at Rock Springs says they do not store any powder in their mines and favors surface maga-zines. When spoken to about the ex-plosion which occurred there 11 years ago he said it was caused by two Fin-landers who were driving past in a wagon and chose the door of the mag-azine in which 1,300 keys of powder

IN PRUSSIA.

GROUND.

Senator Simon Bamberger is not at

all vague in his views as to which in-

curs the greater risk, his prejudices en-

tirely being in favor of the under-ground storing of powder. He says that where the powder is stored in a

remote section of the mine, it is only visited by one man, who if he ex-

ercises the care that every man should always use in the handling of this high

explosive, the risk he runs is reduced to the minimum. Mr. Bamberger says

handling of powder and where it is stored on the surface of a mine and

when it must be handled every day by being taken into the mine for each

shift, there is a frequently recurrence of the danger. He holds that the most

cientific authorities on this question

is always some danger in the

# ELL IN WITH THE PENNSYL-VANIA.

Hamburg-American steamship vania from Hamburg, which arin this port this morning, reports in Jan. 15, in latitude 45.35, longi-49.20, she fell in with the St. Louis, seeding very slowly. The Penn-ania steamed close to her and at the difficulty. The officers of Louis replied that her bollers eaking and sent a boat alongside insylvania in charge of the first with letters from the passen-The first officer reported that t. Louis' boilers were leaking so that the ship could only steam had on board eight days' provi-

and water, and all were in good The steamer requested no as-

# WELCOME AND THANK YOU.

e St. Louis made slow progress into port. Although she was off Fire Island at 6 o'clock, it t until 9 o'clock that she passed Although she was y Hook. She reached the quaran-Hook. She reached the quaran-tation at Sandy Hook displayed flags for the word "Welcome" overdue steamship came in and Louis replied "Thank you." No signals were displayed by the stan parad Sandy Hook as she passed Sandy Hook. arge crowd gathered at the Ameri-

he pler to welcome the delayed seriously felt during this ever-to-be-re-

St. Louis left Cherbourg Jan. 196 a. m. and arrived at Sandy lightship at 6:34 this morning. g the passage in 13 days, 5 and 20 minutes, an average speed knots.

passengers are due to the officers of the ship for their uniform courtesy under er days' runs were 341, 389, 332, 312, er days' runs were 341, 389, 332, 312, 136, 125, 136, 133, 133, 225,, 236 and lotal distance 3,042 knots, he first three days the St. Louis le fairly good progress for her liv in the prevailing weather which rough and squally with high cross these very trying circumstances in endeavoring to allay our uneasiness and excitement. The committee consisted of A. P. Lloyd, Louis B. Bernel, Rev. Arthur Crane, C. W. Bonyge and Ralph Nich-

BOILERS BEGIN TO LEAK.

animously approved and resolutions were adopted condemning the action of the management of the line as outlined n Jan. 9 the steamship's boilers com-the management of the line ared to leak badly and continued to in the committee's report.



Would Have Republican Members of the Lower House of The Colorado Legislature Unite and Expel Seventeen Democrats Where Seats Are Contested.

ted States Senator Edward O. Wol-, who is a candidate for election as ssor to Henry M. Teller, has isan appeal to the Republican menaof the house to unite and expel 17 ocratic members whose seats are tested, Otherwise, he declares, a wrat will be elected senator. A maly of the 17 members of the house are supporting Wolcott have signan agreement that they will vote last and all the time for him for ted States senator, and will not cast ote for any other candidate.

sentative Frewen, the Wolcott er in the house, has served an oral tory notice on Chairman Breck-of the house committee on ges and elections, to the effect

Colo., Jan. 17 .- Former of separately, the Wolcott men will not vote to seat a single Republican. All the Democratic senators but onhave pledged themselves to "unscat a Republican senator for every Democratic member of the house unseated, man for man, so long as Republican senators remain upon whom retailation can be had.

Concerning this proposed policy of re-taliation Mr. Wolcott, in his address to the Republican, says: "The threatened importation into the state senate by Democrats of the bloody methods which have forever tluckened the good name of the state

of Kentucky, must not swerve us. The ratriotic Republicans in the state senate are loyal to their party, and they are able, backed by a Republican gov-ernor, to take care of themselves." Many of the 17 Republican members

of the house who are opposed to Wol-coit's election are pledged not to vote unless the committee report in roratic members from Arapahoe by, and unless the vote on unseat-the 15 men be made jointly instead i If the Republican factions fail to

of an Atlantic winter. We believe that our lives have been put in jeopardy guilty. and certainly our loved ones at home are being made to suffer great mental EPIDEMIC OF SMALLPOX.

anguish, not to mention the severe n-nancial losses many of us have in-Twenty-Seven New Cases Reported curred and now are incuising. "Fifth-That on the evening of Jan. During the Week.

Petition for Writ of Mandamus Argued and Continued, During the week ending Jan. 17, there The petition for a writ of mandamus in the case of J. O. Nystrom, city re-corder, and ex-officio cierk of the city courts, vs Frank H. Clark, justice of the peace of the First precinct, was argued in part before Judge Stewart this morning. Assistant City Attorney were 33 white births reported to the board of health, 20 of which were males and 13 females. The deaths of residents for the same period was the same as for the week before (15), while this morning. Assistant City Attorney Shoup argued in behalf of plaintiff and the total mortality, including non-residents, was 18, two less than the pre-Attorney J. A. Frick, represented de-fendant. The latter attorney was unceding week; of the decedents, 13 were able to complete his argument before court adjourned, so the further hear-ing of the case was continued until next Saturday. At that time Assistant City Attorney Schulder will also make the float economy to behalf of plate

males and 5 females. There were 13 cases of scarlet fever in quarantine at the close of the pre-

ceding report; nine new cases developed during the week and one case recovered, leaving 21 cases in detention in 17 premises, compared with 40 for the same week of last year. Of diphtheria 11 ing a transfer of passengers at sea and further stated that it would be an ex-ceedingly dangerous undertaking to atcases remained over from last week and 7 new cases were reported; 2 cases tempt to take the ship in her present condition into the harbor of Halifax. resulted fatally and 4 recovered, leaving 12 cases with warning signs dis-played. Two cases of smallpox were imported from outside points and 27 de-veloped in the city; of this number 26 had never been successfully vaccinated ond 2 had ottawards He volunteered the information that he might later on enter Boston harbor and 3 had attempted vaccination but regret that a first class steamship such as the St. Louis is reopried to be, should not be supplied with the Marconi system, the absence of which has been and had not secured a typical scar. Five cases recovered during the week, leave Five 54 cases quarantined in the city and isolation hospital as against 30 for the preceding week. In addition to these cases, 2 cases of typhoid fever. 1 case of measles and 5 cases of chicken

# ROYAL HIGHLANDERS.

Another fraternal order was launched

on the waters of secret societies last

Dr. J. S. Sharp, physical examinet A. G. Dyer, J. T. Haddow, J. B. Crans

BURNS' BIRTHDAY.

Ladies' Auxiliary of Caledonia Club

Will Celebrate It.

The annivorsary of the birth of Rob-

Monday, Jan. 26, when the Ladies' Aux-

illary of the Caledonian club will give a

pox were also reported.

## cottish Order Organized in This City Last Night.

DECISION REVERSED.

# Supreme Court Changes Decree in Santaquin ys. High Roller.

night in the form of a branch lodge of the Royal Highlanders, who, on state The supreme court handed down an opinion yesterday afternoon, reversing the decision of Judge Booth in the case of the Santaquin Mining company, ap-pellant, vs the High Roller Mining occasions, will dazzle the youth of Sait Lake with their bare knees, kilts and Lake with their bare knees, kilts and other incidentals connected with the re-galia of Bonnie Scotland. The lodge was organized in the L O. B. B. hall, Auerbach building, by G. M. Frazer of the Illinois Central, assisted by J. H. Thorne. The work is taken from some events in Scottish history and is said to teach the principles of prudence, fidelity and valor. The following is the organization and membership: A. S. Fowler, past illustrious protec-tor; F. J. Lucas, illustrious protector; Mrs. M. A. Duncan, chief counsellor; Wm. J. Lawson, worthy evangel; A. T. company, and remanding the case for a new trial. The action was brought to quiet title to the Silver King lode claim, located in the Santaquin Mining district. The lower court granted defendant company's motion for a non-suit and an appeal was taken. The opinion of the supreme court, reversing the lower court, was written by Dis-trict Judge Marioneaux and concurred in by Justices Baskin and Bartch.

# BERT RHODES ARRAIGNED.

#### Man Who Entered Big Boston Store Charged with Burglary.

Wm. J. Lawson, worthy evangel; A. T. MsPherson, secretary; J. R. Loftis, treasuer and guide; S. J. Robinson, warder; J. A. Clark, sentry; G. M. Fraser, manager, (three years); J. H. Fraser, manager, (three years); J. H. Thorne, manager, (two years); J. F. Deuchler, manager, (one years), also chief spearsman; John Marshall, her-old; B. B. H. Bert Rhodes was arraigned before Judge Morse this morning in the dis-trict court on the charge of burglary. Rhodes is charged with burglarizing ald: R. H. Hargadine, chief archer, James Davidson, first worthy censor, G. E. Nichols, second worthy censo, the Big Boston store on the night of Dec. 30, 1902. He secured 25 cents Dec. 30, 1902. He secured 25 cents from the eash drawer of the store, but was caught by an officer before he escaped from the building. His attor-ney was not present in court this moro-ist, so defendant was ordered to ap-A. G. Dyer, J. T. Huddow, J. B. Crane, E. H. Evans, A. A. Anokin, H. W. Lat-tleford, G. W. Brady, Ruth H. Pettitt. Parley Pettitt and I. J. Allen. on Thursday, Jan. 22, and enter his plea.

his plea. Upon motion of Dist. Atty. Elchnor, Judge Morse ordered that Minerva Alexander be released from the county fall on her own recognizance. The wo man was convicted by Judge Diehl of petit larceny and sentenced to four months, of which time she has served ert Burns will be fittingly celebrated on about five weeks.

# TEXT BOOK CASE.

concert and ball in Harmonie Hall, at Petition for Rehearing Denied by which a characteristic program of Scot-tish songs and dances will be carried out. A general invitation is extended, the clans being especially urged to at-Supreme Court.

southern Shoshone and eastern Nez Perce. The law as passed two years ago was declared by the supreme court not to have been constitutionally en-acted on account of a slight defect, and therefore the work has to be done over again at this session. The Shoshone members are anxious

for the passage of the bill, but the Nez Perce members object to having any portion of their county incorporated within the Clearwater boundaries and therefore a very warm and interesting debate is looked for when the bill comes up for action. It is thought however, that it will pass and become a law in very nearly the form in which it was introduced, the portion of Sho-shone county to be taken is large enough, and, taking its timber interests into account, wealthy enough for a grad county, but lacks somewhat of having enough assessed valuation to come within the constitutional requirement for the creation of a new county. This makes it imperative that Clearwater county shall have a part of either Nez Perce or Idaho countise. The pro-posed division between Clearwater and Shoshone extends along the crest of a very high and practically impassible range of mountains, which makes any further extension in that direction impracticable.

## LONG VALLEY SCHEME.

The most important of the other talked of county division is a scheme for taking the Long Valley district of Bolse county and a section from south western Idaho and adding them to the northern portion of Washington. This would make a large and very rich county with Council, a thriving village at the present terminus of the P. & I. N. railway, as the county seat. The Long Valley region is all good farming and grazing land, as is also the upper Weiser valley around Council, while farther to the north and west would be included some excellent timber lands and a large part of the famous Seven Devils copper region. This move is being backed by the citizens of Counbut the legislative members from all the counties interested express a determination to fight the proposed division. With so strong an opposition it seems a trifle doubtful about the scheme materializing at this session.

TOOELE WANTS TAXES.

### Asks for One Haif of Those Collected From Transient Herds.

At the meeting of the board of county commissioners today a claim was received from Toosle county for one-half of the taxes on transient herds sheep owned by Salt Lake county resi-dents, and which grazed in Toole county during part of the year 1902. The number of sheep so grazed was he-600, and Tooele county claims one-half of the taxes on the assessed valuation of the sheep. The claim was referred to the county auditor to be computed

and to verify. A similar claim was received from Boxelder county. The total number of sheep grazed in that county was 4,400. This claim was also referred to the county auditor. county auditor.

The county clerk was instructed to notify the Oregon Short Line Railroad company to remove its fence at the narrow portion of the highway at the Point of the Mountain as it is an obtruction to the highway and danger ous to travelers.

CLOSES TOMIGHT.

### Poultry Show Comes to an End After A Successful Career.

The chicken show closes tonight after a successful run. The attendance has been better than customary and the award of prizes satisfactory. The Brook ranch people were the most extensive The supreme court has denied the plaintiff's octition for a rehearing in the text book case, entitled Stewart T. by any one exhibitor in this state.

upt, W. L. Goodsell, of the Goodsell Mining company is outspoken and em-phatic against underground magazines and favors only those on the surface.

were stored, for a target. Of course there was not even a grease spot of them left. Another accident will be re-called as having occurred it 1876 on Ar-UNDERGROUND MAGAZINES. that case two boys chose the door for a target with similar results. Capt. B. Tibbey who for 47 years has

followed mining as miner, boss, fore-man, superintendent and manager, underground and above ground, in various parts of the world, and whose opinion is worth a great deal, is out-spoken in favor of underground maga-zines and save they should all be un-The mining laws of Prussia provide among other things that only reliable men over 21 years can handle powder, zines and says they should all be un-derground and in charge of one man which they dare not approach with un open light, nor may they smoke. They who neither smokes nor drinks, nor years nalls in his shoes. He should be are obliged to go barefoot or wear rub-ber shoes or boots. Special powder chambers underground are limited to 300 kilograms at one time and these closen with a special view to fitness and should receive extra pay. Capt. Tibbey says that powder can be kept at a more equable temperature under-ground. It should be stored in maga-sines well ventilated and they should be chambers must be distant 30 meters from each other and at least 50 meters from each other and at least 50 meters from manways. Percussion caps must not be kept unlocked nor in the same room with explosives. In every way the protection to life and property is so carefully hedged about that acciconstructed in cross-cuts away from the active workings. The caps should he kept at a distance from the powder He does not favor old men in taking care of and handling explosives inasdents are well nigh impossible. much as they grow careless with years, Rubber shoes should be worn and the strictest kind of supervision should be exercised over the powder man, BAMBERGER FAVORS UNDER-

The captain's objections to surface magazines is, danger by lightning, strikes, hoboes, children, fires acci-dental or intentional and malicious mischief which has caused several disas-trous explosions which are referred to below. He says that the way maga-zines are constructed now they have iron roofs, iron doors, locks, etc., all of which attract lightning. In cess they are on the surface they should be built of adobe and have dirt roofs and wooden doors. During all the many years the captain has had charge of mines, and for 17 of them he was in charge of the famous Parrott mine in Montana he has never had an accident from explosives.

#### IN MOUNTAIN SIDE.

favor underground storage and cites Judge J. T. McConnell of the Raven the fact that the Daly-West proprietors Mining company says the construction have again placed their magazines unof a magazine at their mine was well considered and theirs was built in the scientific investigation. derground after a most careful and

THE NATIONAL WOOL GROWERS Kansas City, Mo., Jan. 17 .- The Na- | Sheep and Woolen Industry, both Na-

took up the time. Senator Franceis E. Warren of Wyoming, president of the association, delivered his annual ad-dress, which was followed by the re-ports of the executive committee and the treasurer. association, delivered his annual ad-

follows "How Knowledge Pertaining to the Ohio

Kansag City, Mo., Jai. 17.--The Na-tional Wool-Growers' association met here today in annual convention and many delegates to the National Live-stock meeting reinained over to attend its sessions. Speechmaking, reports of officers and consideration of resolutions cock up the functional convention and its meeting reinained over to attend officers and consideration of resolutions took up the time. Senator France S. Growers and Wool Manufacturers," S. D. North. Boston: "Benefits to be De-rived from Organization and Co-opera-The program included addresses as ket." R. F. Buller, Idaho, and 'Co-op-erative Wool Seiling," Joseph E. Wing,

THREATENED COAL SHORTAGE.

Strike on the Union Pacific Which Renders Coal Shipments Almost Impossible.

Ogden, Utah, Jan, 17 .- There is a 1 formerly, and the output of the Rio threatened shortage of coal in Ogden. caused by the fact that the Union Pacific strike renders it impossible for the road to move coal from its mines as ' a protection against coal thieves.

Grande to a great extent is contracted by the Southern Pacific and coast trade. The railroads have employed detectives to patrol the yards here as

Ogden's Equanimity Disturbed Because of It-Trouble in the

