SECOND EDITION.

DESERET EVENING NEWS.

Thursday, October 15, 1891.

Copy for Advertisements which are repeated in our issue in the Morning Paper on the day when received should be handed in to the business department not later than 12 o'clock.

Rates of Advertising furnished upon application.

☞ Time for advertisements must be in an early hour.

FRAGMENTS.

JUDGE ZANE's decision in the city tax case will be found on our 8th page.

THERE are messages at the Western Union Telegraph office for Albert Taylor, G. E. Gleason and Alfred H. Cohen.

THE Eighth Quorum of Seventies will meet in the Social Hall tomorrow (Friday) evening at 7:30 o'clock.

THE county clerk has issued marriage licenses to John Anderson and Maria Mauss, O. E. Youtsler and Susan Young, Joseph A. Atkinson and Mary Hodgkinson, George Blomkiem and Ellen Rice.

THERE was a pleasing innovation made at the auditorium Wednesday by the coming of a lotus window. Mrs. Jennie Hawley is in charge.

THE third quorum of Elders will hold their regular meeting in the Eleventh ward meeting house tomorrow night, at 7:30 o'clock.

THE many friends of Mr. Albert Taylor will regret to learn of the death of his wife, the daughter of the late President Taylor, of the Sixth ward. She passed away this afternoon.

T. R. CANNON, an Irishman, aged, was arrested by Officer Winn early this afternoon on a charge preferred by Oscar Rose, who alleges that Cannon entered the one of a block and stole a number of them under false pretenses. The accused was thrown in jail.

AT a meeting yesterday afternoon at the Chamber of Commerce it was decided that Utah should be suitably represented at the Trans-Mississippi Congress and Congress to be held at Omaha on the 18th inst. The appointment of delegates will be announced in a few days.

THE joint city and county building committee, with the city and county officers and architects, met last night and held a meeting in the County court house, at 7:30, this afternoon, and discussed matters of importance pertaining to the foundation of the new building.

BENJAMIN the second missed discoveries in the composite room Saturday afternoon, a gentleman from place says. There is an almost empty stream of humanity pouring in the direction of the Herald book. The Herald and Tribune Jacket are said to be among the most promising of the new publications. Now Both the news of the book is anxiously awaited by all in this town.

YESTERDAY afternoon a meeting of the Salt City and County Building committee was called to decide upon the report of the committee as to the thickness of the foundation in the new building. As some of the committee were present, and the report was not signed by all the committee, the meeting adjourned until this afternoon.

A REPORT of the Trans-Mississippi Congress will appear in Monday's issue of the Deseret News. In addition to the delegates elected by the various organized bodies of cities and counties, Utah will be represented by five delegates-at-large and one for each 10,000 of the population, and one for each major fraction thereof, to be determined by the United States census of 1890. The appointments will be announced by Governor Thomas in a few days.

A LOST DRAFT

Found, Presented and Cashed.—In Alleged Illegal Endorsement.

About two months ago, Presley Denney, an attorney, who has recently been residing and practicing law at Beaver, went to Weiss, Fargo & Co's Bank, in this city, and got a draft for $400, but lost it almost immediately afterward. He notified the bank officials of this, who in turn, sent word along the line not to cash the draft if it were presented.

On the 6th inst., Mrs. Abraham Behnke, of this city, went to Ogden to pay a bill of $175 which she owed Mr. Joseph Clark of the Ogden Mill and Elevator Company. She tendered him the $400 draft which it seems had been lost by Mr. Denney. It appeared to be properly endorsed and Mr. Clark, knowing Mrs. Behnke, had no hesitation in accepting it, and accordingly returned Mrs. Behnke the change, $225. Mr. Clark subsequently cashed the draft at the First National Bank of Ogden where it was accepted without question. The paper was immediately sent on to San Francisco, where it passed through the clearing house, and from there it was sent back to this city. As soon as it found its way into the Weiss, Fargo & Co's bank the cashier pronounced the endorsement a forgery. Mr. Clark was notified of the discovery and yesterday afternoon he came down from Ogden in company with Marshal Metcalf, and, after conferring with the bank and police officers, swore out a complaint against Mrs. Behnke and her husband, charging them with forgery. The warrant was served by Officer O'Reilly, and at a late hour yesterday afternoon the accused were arraigned before Justice Goo. They entered plea of not guilty and were bound over in $1,000 bonds, Joseph Simon and Mark Schnee becoming sureties.

Lecture on Physiology.

Elder Benjamin Goddard delivered a very instructive and interesting lecture on physiology before the M. I. association of the Twenty-first ward, in meeting house last night. The lecture by means of charts showed how the human organism was "fearfully and wonderfully made." He dwelt a good deal on the stomach, exhibiting charts of the human stomach and in diseases especially the ailments produced by alcohol. A chart of the stomach of a man who had died of delirium tremens was shown, and it presented a leather appearance as contrasted with a healthy stomach.

The lecturer also showed by pouring alcohol into a vial which contained the white of an egg, how coagulation of the latter was caused. He then poured the alcohol into a saucer and ignited it with a match. The only fault that could be found with the lecture was, it was too short. At the close a hearty vote of thanks was given the lecturer.

Primary Notice.

The Primary Association of the Fifteenth ward will give a free entertainment in the ward hall on Friday evening next, October 16th, at 7:30. Doors open at 7. Parents, friends and co-workers are most cordially invited to attend. MRS. MARY L. NORTON, President.

THE CITY TAX CASE.

Judge Zane Rendered His Opinion This Morning,

FINDING FOR THE DEFENDANTS.

The Prayer of Petitioners is Denied—Attorney Varian May Appeal.

Chief Justice Zane this morning gave his decision in the case of Hiram Johnson vs. the Mayor and City Council of Salt Lake City and J. F. Jack, recorder.

His honor said the petition, so filed, asked the Court for a writ of certiorari to annul the resolution of the City Council, which was passed at a special term, which read as follows:

"Resolved, That the assessment roll be corrected and revised by reducing the valuation of all real property and improvements on which the valuation of the assessor is excessive, taking as such real estate and improvements as have been sold, or may hereafter be, during the year, at the price for which the property shall be valued by the board for special reasons, the valuation of which is to be reduced to an amount equal to the price for which it shall have sold and that it be the sense of this board and the City Council is instructed to reduce the valuation of property in all instances where have heretofore paid their taxes on a valuation in excess of the price for which those so have sold their real property and improvements."

Now the effect of that resolution, if valid, was to reduce the valuation appearing on the assessment roll, prepared by Officer Winn, exactly 20 per cent—in other words, to make the valuation eighty per cent of the valuation made by the assessor appearing in the assessment roll as returned by him. It seemed from the answer of the City Council to the writ of certiorari that time for the completion of the assessment roll by the assessor was extended by another return on the 6th of August, 1891, and that the time to sit as a board of equalization, to hear and determine objections made by property holders was fixed from the 23d to the 31st August. The board at that time had no time until there were 910 objections presented by that number of property holders to the assessment of real estate; that finally, on the 10th September, the resolution which he had just before read was adopted. The question now arose—Had the Council, sitting as a board of equalization, the power to adopt that resolution and reduce the assessment of real estate 20 per cent? The return of the assessment roll of the City Council by the assessor gave that tribunal authority, as was conceded by both parties, to hear and determine any specific complaint made to the assessment, but counsel for the plaintiffs insisted that it did not give the City Council jurisdiction and authority to make a general reduction to the valuations as made by the assessor, and that as to all of the property holders, except the one who made special objections, the action of the council was without jurisdiction and authority. As the question of property in the assessment of which objection had been interposed by the owners—the proper parties—as well as to that in which no such objections had been made, the Court could rule upon was 200, Vol. 1, of the compiled laws of Utah, 1888:

"The City Council shall have power to equalize the assessment roll, prevent undue and unjust assessments, and generally define the powers of assessors and collectors. The assessment roll shall be returned by the assessor on or before the first Tuesday of July in each year but the time may be extended an additional week thereto by order of the City Council. On its return thereof the City Council shall fix a day for hearing objections thereto, and any person feeling aggrieved by the assessment of his property may appear at the appointed time and make his objections, which shall be heard and determined upon by the City Council, and they shall have power to alter, add to, take from, and otherwise amend and revise said assessment roll."

The first provision was that, "On the return thereof the City Council shall fix a day for hearing objections," etc. Of course, the meaning of that was that the City Council should hear the objections and such evidence as a party might offer, and so might be proper for the Council to consider, and upon that determine the validity of the objections—whether it was well taken or not. Then followed these words: "And they shall have power to alter, add, take from and otherwise correct and revise the said assessment roll." The question was whether this power to alter, etc., must be confined to the objections. Whether the alterations must be confined to the valuations objected to. The language and power given were quite broad—"And they shall have power to alter the assessment roll." Of course the reduction of 20 per cent of the assessment would be an alteration of the roll, and yet "power to alter" seemed to be general and applied to the whole assessment roll. That power in this case the Council could do. But the question was, the Council were satisfied that the whole assessment in real estate was too low, say 15 or 20 per cent, could they have added to it or taken from it? It would hardly be expected that a man would object to his assessment because it was too low. Perhaps hardly ever objected to benefits or reductions in their taxes, at least he had never heard of such a thing.

The City Council, as the legislative tribunal of the city, was here invested with judicial function in some extent of power and authority and hearing evidence for and against. It had wide discretion in many things, being entrusted largely with the control of the city, so far as the interests of the inhabitants had seen fit to entrust the affairs of the people living in the county and within the limits of the local authority.

Reference had been made to another section (1887) of the Compiled Laws of Utah, which was expressly made applicable to existing cities, and applied here.

"Said board of equalization is hereby authorized to administer oaths in the discharge of official duties, and it may require any person or persons to give a statement in writing of such taxable property and its value under oath, and it may compel such persons or other persons to appear and testify before it as it may deem necessary to carry out the provisions of this act."

It would seem from this that the City Council had the authority to summon witnesses, hear objections, and pass upon the correctness of the assessor's work; and in his honor's judgment, it would have the right to make any reasonable alterations and corrections in the assessment roll that it might think proper. It did not appear in the return that the City Council, as a board of equalization, heard any evidence, nor do it appear that they did not. The presumption, however, would be that they acted upon reasonable evidence, and the Court had not to presume unless there was some authority to the contrary. His Honor quoted the case of Higginbotham vs. the Board of Equalization, decided in the Pacific Reporter, page 14, and also by the supreme court of California, where it was held that where the return did not show that evidence was heard, the presumption was in the affirmative.

Where the City Council, as in this case, was endowed with a certain discretion, and was required to exercise that discretion within the limits given, the Court must rule "Error on Taxation," and said, assuming that the City Council had authority, in the discretion, to adopt the resolution in question, the court would not annul it. Of course, there was a reasonableness. They would not have the power to assess the property of one man at two-thirds of its cash or market value, or any other fraction, and that of another at its full value; and he would be disposed to hold that they would not be authorized to make the distinction—assessing personal property at its market value and real estate at 20 per cent less. The assessment must be just and equal, and the Court was disposed to hold from resolution that the Council undertook to assess real estate 20 per cent below its cash or market value, but, by presumption, at its true value. Probably the just way of making all those assessments, and the way the assessor is required, was to assess property at its fair market value, which would be the real value, and those who on evidence have upon their property a mortgage which it would say that personal property was assessed at its market value and real estate at 80 per cent of that value, he would grant the writ upon any evidence to the contrary, that the City Council intended to do justice and was not guilty of inequitable judgment.

The application for the writ in the case cited therefore he denied, and his judgment would be for the defendant.

Mr. Varian applied for a stay of two days, pending the possible filing of a bond of appeal.

Mr. Harris offered no objection to this, and the request was granted.

AMUSEMENTS.

The Sol Smith Russell engagement closed last night with the third presentation of "Peaceful Valley." There was a very fair house.

Mr. Nat Goodwin and his companion players will appear at the Salt Lake Theatre next Friday and Saturday, "A Gold Mine" and "The Nominee" will be presented. The former has been seen here and left such an impression that all who saw it before will desire to do so again. "A Gold Mine" is certainly an exquisite comedy. Its dialogue is sparkling, bright and witty, its brilliant is its repartee, and a vein of sentiment pervades it that is as charming as anything that has ever been seen on the stage. "The Nominee" has a tumultuous success everywhere. Merriment reigns throughout. This play with its many complications, its lovely characters and thick scenes, excite continuous streams of laughter. It is safe to say that the equal of this comedy will hardly be met with again this season.

HORRIBLE ACCIDENT.

John Frick, a Brakeman, Crushed to Death by a Derailed Box Car,

IN SPANISH FORK CANYON.

The Remains, Mangled Beyond Recognition, Brought to This City This Morning.

Diamond Quarry, in Spanish Fork Canyon, about three miles this side of Thistle station, on the Rio Grande Western, was the scene of a most horrible and fatal accident about 4 o'clock yesterday afternoon.

The unfortunate victim was Brakeman John Frick, who left this city on local freight train No. 22 yesterday morning at 8 o'clock, which consists between here and U. V. Junction. At the time of the accident the train hands were engaged in switching off some cars about two hundred yards from the main track; Frick was on top of an empty box car, says one of the company's employes, and was about to apply the brake, when the car on which he was standing was suddenly thrown from the rails by a heap of dirt that had accumulated on the crossing, evidently left on the rails from view. Frick made a leap for his life, but was caught and crushed to death under the car, which swung across the rails as it fell. The unfortunate brakeman was dragged a distance of about fifty feet and was so horribly mutilated as to make recognition almost impossible. Death was instantaneous. Frick was one of the most popular railroad men on the road, and will not arrive in old Utah this evening, but will be accompanied by his mother-in-law, Brakeman R. H. Green, who operates on another train over the same route.

A NEWS reporter questioned a large number of the company's employes about the matter today but none of them were disposed to talk much about it. Even, however, across Conductor Fuller, who had charge of the train on which the accident occurred, of letting the mangled remains of the unfortunate brakeman under the car all night. This is believed, denied by some of the officers of the company, and whom denial it is hoped is correct.

The body was brought to this city at 8 a.m. today and taken to the undertaking parlors of Joe Taylor, where it is now being prepared for interment. An inquest will be held tomorrow.

The deceased came to this city from Nebraska, about one month ago, in which time he left a young wife and child. He was about twenty-eight years of age, and was a member of a collect standing in the organization known as the Brotherhood of Railroad Trainmen.

His wife was telegraphed to regarding the sad and horrible death of her husband at noon to-day.

THIRD DISTRICT COURT.

Judge Zane Passes Exemplary Sentences on Hold-ups.

THREE YEARS FOR HOUSE-BREAKING.

Six Months' Imprisonment and $100 Fine for Unlawful Cohabitation.

Judge Zane was kept busy the whole of this morning rendering decisions and passing judgments upon lawbreakers. His Honor's oral opinion in the city tax case will be found reported in another column.

ILLEGALLY COLLECTING FEES.

In the case of James P. Meek, indicted on the charge of collecting, as clerk of the district of Big Cottonwood, illegal fees, and submitted yesterday by consent on a statement of facts, Judge Zane announced that he found the defendant guilty.

In answer to the court, Mr. Arthur Brown, the defendant's counsel, stated that Meek was a poor man.

His Honor said he would impose a fine, and ordered the defendant to pay $10 and the costs of the prosecution.

CRIME CONTINUED.

The case of Joseph E. Page, indicted for perjury, was upon the application of Attorney John M. Young, continued for the term, as also was those of Tom Mc. Kay and John Forrester, charged with the same offense, which is alleged to have arisen out of certain land office transactions.

SENTENCES.

John Cummings, found guilty on Tuesday of breaking into the Creek house, in this city, came up for sentence. Sentenced according to the jury's verdict, he was adjudged to be fined in the sum of $100 and to be imprisoned in the penitentiary for three years.

O'Neil, the accomplice of Cummings, pleaded guilty on Tuesday, and was now also sent up for three years.

James Williams, previously convicted of assault with intent to rape Annie Hyrum, received a sentence from Judge Zane, and was sentenced to six years' imprisonment in the penitentiary.

James Sullivan, the companion in crime of Williams, next stood forward. Though not taking quite as active a part in the crime upon Miss Hyrum as Williams, yet the judge decided to make no difference in the punishment, as the defendants were in league together, and gave each a sentence of six years in the penitentiary.

UNLAWFUL COHABITATION.

Robert Bateman, an elderly man, and very feeble, was arraigned on a charge of unlawful cohabitation, to which, after some hesitation, he pleaded guilty.

The offense was alleged to have been committed between August 1st, 1885, and July 25th, 1891.

Judge Zane—On the 6th of October, 1886, your Church adopted a resolution against unlawful cohabitation. The head of the Church ordered you, and all the members of your Church, not to enter into polygamy or have unlawful intercourse with the opposite sex. The Church had made it a sin and a crime, and it was binding on the members. I do not now see any excuse for you or all, having violated the laws of your church and the law of the land. You did it with your eyes open. What is your age?

Defendant—I am fifty-nine, sir.

The Judge—You must understand that this law prohibiting polygamy is intended to protect society from the evil effects of polygamy and unlawful cohabitation. I will fix your term of confinement in the penitentiary at six months, which is the minimum of the law. I see nothing to palliate your offense whatever. You will also be fined in the sum of $100 and costs.

The old man, who had heard the sentence, turned deathly pale and seemed hardly able to stand. After recovering himself somewhat he was escorted out of the room by one of the officers and kept in the Marshal's office for a short time, and then taken up to the penitentiary.

SIX IN GERMANY.

The appeal case of Charles Thiele, a charge of selling liquor on a Sunday, at South Cottonwood, was next called and tried. Mr. A. J. Rolter, Thiele's attorney, informed the court that the defendant was at present in Germany, having been called there on business, but had arranged with him to look after his affairs while away. Owing to a misunderstanding in the date set for the hearing of this case he was not now here, but would come later if the court granted a continuance.

The case was dismissed by order of the court in the absence of the appellant.

BOY THIEVES.

In the case of John H. Peddon, accused of larceny of a pair of shoes, the complaint was dismissed, and not appear and the appeal was dismissed.

ALLEGED DISCREDITABLE.

Frank Hamilton and Frank Johnson were on trial this afternoon on a charge of housebreaking.

[illegible]

Deputy Marshal Goodall last night arrested Damon de Hanian on a charge of adultery, alleged to have been committed with Ellen Bacon, of this city, on the 3rd inst. Warrants were taken before Commissioner Greenman and placed not guilty. The testimony was of a very conflicting character. It seems that the action was due to a statement made by a younger sister of Ellen. The court held the defendant to await the action of the grand jury and fixed his bonds at $1000.

In the case of Marie Brandt tried at 4 p. m., Mr. Harris, as counsel, made a motion for a commission to take testimony.

In the case of the National Bank of the Republic vs. F. M. Hagopoo, the demurrer was overruled.

The case of James T. Monk, charged with selling illegal fees, came before Judge Zane yesterday afternoon. The defendant is the recorder of Big Cottonwood mining district, and the law provides that he may take for recording notices of location the same amount which a county recorder is allowed, viz., $2 each. The minute of the district, however, fixed the amount for recording at $5, and the defendant was indicted for charging Michael C. Smith that sum. A jury was waived and the case was argued on agreed statement of facts by Mr. Stephens for the prosecution, and by Arthur Brown for the defendant. The case was then taken under advisement.

In the Third District Court yesterday afternoon the jury found W. H. Parks, the home thief, guilty, and he was sentenced to the year's imprisonment in the penitentiary. Judge Anderson held no court this afternoon.

A man named Smith became excited with a witness was testifying in a case this morning, and started something by way of contradiction. Judge Zane fined Smith for contempt, and ordered that he be imprisoned until the money is paid.

ALLEGED HOLD-UP.

Man Held by the Officers at an Early Hour This Morning.

While Louis Spitz, a bartender of the I. X. L. saloon, was going home about 2 o'clock this morning, he was attacked at the corner of West Temple and Second South streets, by a trio of hold-ups, who commanded him to throw up his hands and "shell out."

As he was several feet away from the highwaymen at the time this order was given he took to his heels, and gave vent in a series of cries which aroused the neighborhood. A night watchman and policeman were also attracted to the spot by the alarm and at once rushed to his rescue. They saw three men running in the same direction as Spitz fled, and much frightened bar tender, and at once gave chase and apprehended all of the men. They were taken to the City Hall, where they gave their names as Mike W. Brazee, M. Brazee and Frank Sparaida, and their occupations as detectives.

They were booked on a charge of attempted robbery, and are now in jail awaiting arraignment.

Social Wheel Club Notes.

The Social Wheel Club held a meeting in its newly and comfortably fitted up quarters in the Raymond block last night.

The question of retaining its quarters and holding regular meetings during the winter months was favorably discussed. The organization numbers about 100, membership is growing and the officers: Harry H. Browne, president; W. W. Hall, vice-president; T. G. Angell, captain; W. C. Creery, first lieutenant; M. C. Edge, second vice-president.

Messrs. Browne, Angell and Pinkham comprise the executive committee.

Justice Jottings.

Justice Goo's docket shows the following entries made today:

William Nixon, charged with and arraigned for petty larceny, entered a plea of guilty and was fined $10. He had no money and was sent to jail for ten days.

Frank Starr, charged with a similar offense, was to be placed on trial at 4 o'clock this afternoon.

N. G. Leventhal was put on a charge of larceny.

The case of Elizabeth Powell, who was charged with a disturbance of the peace, has been dismissed.

The defendants were George Steward, Tom Collins, Joe Nelson and Alex Brown. They were assessed in the regular case.

LATEST TELEGRAMS.

GOVERNOR STELLE'S REPORT.

He Favors the Opening up of the Cherokee Lands.

GUTHRIE, O. T., Oct. 15.—Governor Steele's first report is made public. He favors the opening up of the Cherokee lands and strongly recommends a different house than that used recently in opening the Oklahoma to settlers.

Speaking of opening of the lands on the western border, the governor says that unless arrangements are made to prevent the rush and early arrival in time for settlers to put in crops for the next year, it will mean hardship, destitution, sickness and death among many of settlers who have been waiting on the borders waiting for homes.

Salmacedo's Last Letter to His Mother.

VALPARAISO, Chile, Oct. 15.—The letter of Salmacedo to his mother written only a few hours before he committed suicide has just been made public. It is as follows:

"Dear mother: I go on a long journey. Send some tunes to which I will say farewell. My impossible enemies will not now succeed in concerning me. The only thing I recommend is that you maintain your religious faith. Your son,

MANUEL."

FAR STILL ALIVE.

Procurator Fox, who was supposed to have been shot dead by the Junta captured Valparaiso, is alive after all. He is not in jail with the other political prisoners of prominence. He will be tried by a tribunal.

Total Results of the Burning of an Engine.

MANCHESTER, N. H., Oct. 15.—By the burning of a monster engine in the mill of the Amoskeag Corporation this morning, a portion of the building was torn away. It is reported that six or seven dead bodies have been taken from the ruins, and that twenty other employes are injured, several not being accounted for. A large force of men is at work on the ruins.

The Storm in Great Britain.

LONDON, Oct. 15.—The gale which has been raging over the British isles the past two days has not yet abated and it is now known that all along been storm with wreckage. At Dover a large quantity of debris, evidently belonging to one or more wrecked ships, was washed ashore. A "derelict," a coal laden steamer, sank near Holyhead and the entire crew perished.

The weather in the Irish sea and English channel was the most severe experienced in many years. In the midland counties great damage has been done to standing crops.

SIGNALS OF DISTRESS.

Many vessels have been observed helplessly past Dungeness light, flying signals of distress. The local life boats are manned and are busy everywhere. The storm at Leicester wrecked a large menagerie, killing many of the animals and severely wounding a number of others.

COAST AND VALLEY BOAT.

WASHINGTON, Oct. 15.—A dispatch received here by the secretary of the German legation, who has been acting as charge d'affaire during the absence of Count von Arco-Valley in Europe, conveys the information that the latter is dead.

The secretary, a week ago received a letter from the minister, in which the latter spoke of the operation which he expected to be performed, and expressed the hope that he would pull through it successfully.

Von Arco-Valley was in the forty-seventh year of his age at the time of his death. The deceased was in the Bad Cross association service during the Franco-German war. Soon after the war he went into the Bavarian diplomatic service and was secretary of the legation to the Vatican at Rome. Later he entered the imperial German service as diplomat, and in 1873 as secretary of the legation at Vienna. During his consulship of that office he married an actress, Janisch, in consequence of which he left the diplomatic service of the government. Only a short time, however, afterwards he was separated from his wife, after which complaint was received in his favor by his government and retired at different times as secretary of the legations at Madrid, Paris and London; also as secretary of the German embassy to the King of Italy. After a short service in Rome he was appointed consul general at Cairo, where he remained until the spring of 1890, when he resigned the appointment of minister to the United States, which office he held at the time of his death.

Struck by a Train.

CHICAGO, Oct. 15.—News has been received here from a suburban town, Dunsenville, that Mrs. Frank Mersman, a farmer's wife, while driving across the tit. Paul track in a wagon with her two children, was struck by a train. The women and one child was killed and the other child was probably fatally hurt.

The Methodist Council.

WASHINGTON, Oct. 15.—Dr. Dr. Bonnelly of the Irish Methodist Church, presided over the ecumenical council today.

The first business was the further consideration of the report of the business committee, in response to a memorial on the Methodist episcopacy, and Dr. Stephenson, in behalf of the committee, made an explanation of the purpose in reporting the resolutions and suggested a few alterations in the original text.

A SENSE OF RELIEVING.

In the debate over the resolution Dr. Leonard of New York, rose and spoke recognition by the chair, although the floor was already occupied by Dr. King. A sense of the entire council and nothing could be done in a way of business. Considerable warm feeling was shown. Author Butler still insisted in claiming the floor, but was finally excluded by the British delegates indignantly protested against the interruption of the proceedings. Dr. Leonard finally abandoned his effort to make the point of order, and Dr. King moved to adjourn the debate on the resolution, until tomorrow. Carried.

The general topic of discussion of the morning session was Methodism. Rev. R. T. Myers, president of the United Methodist Free Church, Rochdale, England, delivered an essay on the present position of Romanism.

Miners Killed.

BIG LODGE, Mont., Oct. 15.—Patrick Adams and Thomas Steward, miners, employed by the coal company, were instantly killed by the fall of a rock last night.

The Leadership of the English Conservatives.

LONDON, Oct. 15.—St. *Stephens' Review* claims it has authority to state that Salisbury has offered his leadership of the Conservative party in the Commons to Balfour.

After the Louisiana Lottery Company.

WASHINGTON, Oct. 15.—In a letter addressed to the commissioner-general of Canada, Postmaster-General Wanamaker says that the Louisiana Lottery company has established an agency at Toronto and is flooding the United States mails with its circulars, in sealed envelopes from that point. As all lottery tickets and lottery circulars are held to be liable to custom duties, the postmaster at all United States exchange offices have been instructed to place upon mail matter which they believe to contain dutiable articles the words "Supposed liable to customs duty." At the office of the Toronto exchange, such matter is opened by the addressee in the presence of the customs officer, and if found to contain lottery matter, is forfeited to the United States. Postmaster-General Wanamaker has asked the Canadian postmaster-general if it would be proper to instruct the postmaster at Toronto to so stamp letters mailed by the agent of the lottery company. If that course be pursued, the postmasters at the United States exchange offices, he says, will place similar endorsements on letters of this country.

Escaped Cassiere Kill Sailors.

VICTORIA, B. C., Oct. 15.—Late Japanese advices say that a number of convicts who escaped from a station near Vladivostock came in collision with the Russian troops, killed several of them.

Secretary Blaine.

ATLANTA, Ga., Oct. 15.—It is not definitely settled when Secretary Blaine will leave for Washington.

Consumption Cure.

We authorize our advertised druggist to sell Dr. King's New Discovery for Consumption, Coughs and Colds, upon their guarantee. If you are afflicted with a Cough, Cold or any Lung, Throat or Chest trouble, and will use the remedy as directed, giving it a fair trial, and experience no benefit, you may return the bottle and have your money refunded. We could not make this offer if we did not know that Dr. King's New Discovery could be relied on. It never disappoints. Trial bottles free at A. C. Smith & Co's Drug Store. Large size 50c and $1.00.

Dr. Burrows, Dentist, Aurist and Optician.—Spectacles Fitted. Commercial Block.

Just Arrived.

Stone Jars, Butter and Preserve, from half gallon to 20 gallon; at C. C. M. I.

We are receiving regularly Coal from the old Grass Creek mine, near Weiss. The Grass Creek Coal that we handle is taken from the same vein as that formerly mined by the Union Pacific, and is the best coal mined in this section. Lump, $6 per ton. 116 Main Street. Branch office, J. C. Watson & Bros., 66 Main Street.

Happy Hunters.

Wm. Thomson's, Postmaster of Lewiston, Utah, says: "Electric Bitters has done more for me than all other medicines combined for that lasting ailing from Kidney and Liver troubles." John Leslie, farmer and stockman, of same place, says: "I find Electric Bitters to be the best Kidney and Liver medicine, made no bad sales on it since I started in." J. W. Snyder, hardware merchant, same town, says: Electric Bitters is just the thing for a man who is all run down and don't care whether he lives or dies; he found new strength, good appetite and felt just like he had a new lease on life. Only 50c a bottle, at A. C. Smith & Co's Drug Store.

Good Butter

Is always a treat. Buy the UTAH BUTTER AND SILVER MEDAL BUTTER at C. C. M. I.

Our particulars about the Weekly Tem Part Valet, is submitted plain at L. Hollander's Jewelry Store. 3 S Main St.

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Woolen Goods,
Blankets,
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Wholesale and Retail,
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DR. J. THOMAS,
No 16 Main Street, Salt Lake City.
SURGEON DENTIST.
All work done with care and in the satisfactory manner. Prices are the same invited to call at his parlors.

LEGAL NOTICE.

In the Probate Court, in and for Salt Lake County, Territory of Utah.

In the matter of the Estate of John Pierce, deceased.

NOTICE IS HEREBY GIVEN that the undersigned, administrator of the estate of John Pierce, deceased, has presented for settlement, and filed in said court his final account as such administrator of said estate and petition for distribution of said estate, and that the court has appointed the hour of ten o'clock a.m. of said day, at the Court House of said county, Salt Lake City, said county, Utah Territory, for hearing said account and said petition, and for the settlement of said account and hearing and proof of claims for distribution, at which time and place any interested in said estate may appear and show cause, if any there be, why said account should not be settled and allowed, and the residue of said estate distributed and finally discharged.

Dated October 14th, 1891.

C. E. ALLEN,
Clerk of the Probate Court.
By C. S. HEATON, Deputy. 4d

Highest of all in Leavening Power.—U. S. Gov't Report, Aug 17, 1889.

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ABSOLUTELY PURE

DR. PRICE'S Cream Baking Powder.

Used in Millions of Homes—40 Years the Standard.

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Superior to every other known.

Delicious Cake and Pastry, Light Flaky Biscuit, Griddle Cakes, Palatable and Wholesome.
No other baking powder does such work.