The Evening paper is the paper of Today, the morning paper is the paper of Yesterday.

# DESERET EVENING NEWS.

5 O'clock -EDITION.-

TRUTH AND LIBERTY.

NO. 209 TUESDAY, JULY 31, 1894. SALT LAKE CITY, UTAH. VOL. XXVII.

## THE JAPS WON.

### Three Large Chinese Cruisers Destroyed

### IN A FIERCE NAVAL FIGHT.

### Nearly One Thousand Men Killed in Battle or Drowned,

INCLUDING GERMAN OFFICERS.

**Official Statement of the Origin of the Present Trouble Between the Two Countries.**

YOKOHAMA, July 31.—A naval battle was fought yesterday between the Chinese and Japanese fleets. The Japanese sank the Chinese war ship Chen Yuen, and two large cruisers, supposed to be transports built for China by the Armstrongs, were captured or destroyed. The Chen Yuen was a battle ship of 7,430 tons displacement, carrying 14-inch guns and composed armored at the water line. Her battery included four 12-inch guns, protected by armored casemates and two smaller turrets, viz., Hochkiss cannon and torpedoes. Whitehead torpedoes, twelve and Krupp and a secondary battery of Hotchkiss revolving cannon.

The Chen Yuen was built for China at the Stettin works, she was a sister ship of the Ting Yuen and was the most powerful ship in the Chinese navy with the exception of the Ting Yuen.

SHANGHAI, July 31.—News has just reached here of a desperate battle between the fleets of China and Japan, in which the Chinese were defeated and the Chen Yuen, the largest battle ship belonging to the Chinese service, was sunk and two other large Chinese vessels, said to be first-class cruisers, captured or destroyed. The battle was hotly contested but the Japanese appear to have handled their guns, ships and torpedoes with more skill than the Chinese. The Chinese fleet engaged carried nearly a thousand men and a large number are reported killed or drowned.

Later dispatches say now, if any, Chinese engaged in the battle escaped, two German officers, in command of the Chen Yuen, are reported to have met death with the crew.

THE JAPANESE GOVERNMENT'S STATEMENT.

YOKOHAMA, July 31.—The following official statement of the difficulties between China and Japan has been issued by the Japanese government:

Japan and China were approaching a settlement of the difficulties when China suddenly suggested that Japan withdraw her fleet from Corea and give formal compliance with the Chinese demands by the 20th; otherwise the whole Chinese forces in land and sea were to advance.

The Japanese regarded this as an ultimatum, but acting under the advice of the friendly powers, agreed to the proposals of China, with an amended form, at the same time declaring that if the threatened Chinese advance was made on the 20th, it would be treated as a hostile act.

It is confirmed that the Japanese commanders were instructed to be on watch for the Chinese warships, and seeing the latter advancing on July 27th, opened fire.

The Japanese do not believe the Kow Shung, the Chinese transport sunk by the Japanese cruiser, was flying the British flag, but were firing the flag as a ruse.

The Japanese indignantly deny the charges of brutality brought against the officers and crew which sank the Chinese transport.

HOLDING BACK THE NEWS.

NEW YORK, July 31.—The Central cable office of the Western Union Telegraph company has received advices from Hong Kong and Shanghai that the Chinese telegraph authorities will not accept any telegraphic messages respecting the war between China and Japan. The Chinese land lines north of Shanghai are interrupted, cutting off Tien Tsin and Pekin.

**Price on Japan.**

PHILADELPHIA, July 31.—"Kiss me good bye, then, salute from 9 to 9," exclaimed Mrs. Anna Elizabeth Jacoby to her husband, Chaloumun Jones, on Seventeenth street, Camden, as they met last night attending to part for good and all. The coachman advanced to comply with the apparently reluctant wife's request. As he did so her eyes flashed and she dashed a package of red pepper into his face. One of his eyes was instantly and forever blinded. In the other sight may be restored. Mrs. Jones was arrested. She was fighting mad at the coachman because he had refused to support her adult children by a former marriage.

**ANARCHISTS ON TRIAL.**

**For Inciting to Murder Members of the Royal Family.**

LONDON, July 31.—Thomas Cunnell and Charles Quinn, two anarchists charged with inciting persons to murder members of the royal family on the day of proceeding the opening of the Tower Bridge are on trial at the Old Bailey. The prisoners are accused the day before the opening of the Tower Bridge somewhere in getting together a crowd about them on Tower Hill and then Cantwell mounted to the parapet of a wall and displayed a placard reading as follows:

"Tower Bridge fellow workers: You have expended the energy and skill in building this bridge. Now come the royal vermin and the morally parasitical, with pomp and splendor, to claim all the credit. You are contemplated to the workhouse and paupers' graves to glorify those lazy swine who live upon our labor. I heard men saying 'leave them and praying.'

"The sharp knife benefits not the slaves. Are we not stronger than the steel?"

In addition to the placard Cantwell held in his hand a number of leaflets printed, "Why Vaillant Threw the Bomb."

Cantwell made a speech in which he referred to the queen and the Prince of Wales and referring to the anarchist murders on the continent, said: "The monarchs should have not been half good enough."

Finally the mob became enraged and attacked the prisoner, with cries of "Crush him." The prisoners took refuge in a church, but Cantwell was turned out of the building and was followed by a howling crowd three A. Various constabulaters guard he was apprehended. During the course of his flight Cantwell threw away a large sharp clasp knife. When his lodgings were searched a printing press, quite a number of pamphlets advocating anarchy were found. A loaded revolver was also found in his room.

**A Fast Lady Rider.**

CHICAGO, July 31.—Miss Annie Parks, the fast lady rider of the Chicago Eagle Wheelmen, has set a new mark for a county run over county roads. Particulars she had covered the distance in 8:05:35. Pace by Bicycle, she has just covered the route in 8:15. That no time might be taken in her record the young woman regulated at various points.

**A MATRIMONIAL RECORD.**

**Mrs. Spencer, of Boston, Called to the Eleventh Husband.**

VALPARAISO, Ind., July 31.—A woman who was until recently Mrs. Dr. Spencer, of Boston, has just been joined in wedlock to her eleventh husband, and, as the lover of today, is but 21 years old, time may possibly record many more matrimonial adventures. Her career is believed to be one of the most remarkable on record. She was a bride when a girl of 15. Ten years afterwards she was widowed. She was also separated from her second and third husbands. The fourth was a prisoned convict from the Joliet penitentiary. Death ended his career and the season of mourning was followed by the choice of a fifth and sixth husband from among a legion of admirers. She was divorced from her seventh husband. Her eighth husband met a tragic ending out of the world to she married Dr. H. C. Brown, with whom she lived two years. To this union the first child was born. Brown disappeared and the next alliance with Dr. Spencer was terminated by his sudden death. The courts of the state fail to record a parallel with the exit Mrs. Spencer's checkered matrimonial life.

**Shooting an Policeman.**

ATHENS, N. Y., July 31.—Officer White, who arrested John W. Lore, the defaulting cashier of the First National bank, states that he received definite word on June 29, that Lore was in Chicago, having arrived there on June 15 from Memphis, Tenn., and he at once had a conference with Receiver John W. Warner, of the bank, and District Attorney E. G. Berlin. Mr. White left here on July 22 for Chicago, arriving there, he located his man and telegraphed home.

Lore has been turned over to the U. S. authorities by District Attorney Berlin. He is charged with embezzling money belonging to the bank, obtained by issuing certificates of deposit. Bail was fixed at $25,000 and in default he was committed to the charge of the county jail at Hudson, where he will be taken unless bail is given. He will be taken before the grand jury at Buffalo on September 17 and it is stated there will probably be indicted against him.

The shortage is now fixed at $70,000.

**UNREST IN CHINA.**

**An American Church Demolished and a Christian Killed.**

SAN FRANCISCO, July 31.—Reports from Hong Hong show that there is much unrest both in north and south China and that the outlook for foreign missionaries is bad.

The anti-missionary disturbance is reported from Ning Yuo, on the Yangtze, but a far more serious affair occurred at Shek Lung, near Tung Kun, on the pearl river, on June 20th. In this instance the American Presbyterian church was demolished by the mob, and one Christian, a native of a foreigner of a native has not been ascertained, was killed. The Roman Catholic church was well guarded by Chinese soldiers, and it has last worthy of notice that here, as at Ning Yuo, the Catholic missionaries escaped unharmed while their Protestant brethren suffered.

**A Cask of Gold Stolen.**

PARIS, July 31.—A cask of gold valued at $50,000, one of forty casks shipped from New York, was stolen from the Gare Du Nord, this city, Paris. There is no clew to the thief or manner in which the cask was removed from the train.

**New York Stock Market.**

WALL STREET, July 31.—Opening quotations were generally a shade better than the previous evening. Chicago Gas advanced one point and Sugar 1 per cent. Specialties were stronger. Sugar rose 2 to 112. Consolidated gas touched 2 to 115. Sugar, however, advanced 2 and moved down 2, but recovered.

Sugar broke 1, advanced 1. Toward the close sugar was heavy for sale, and closed 1½ below yesterday's close.

**IN BEHALF OF THE QUEEN.**

**The Hawaiian Royalist Commission Received at Washington.**

WASHINGTON, July 31.—The Hawaiian royalist commission, John A. Cummins, Samuel Parker and Judge Widemann, accompanied by officers of the royalist administration, passed through Pittsburg today on their way to Washington in the interest of ex-Queen Liliuokalani.

Judge Widemann in an interview said: "We will be ready for an adjustment of affairs. Queen Liliuokalani authorizes me to say that she is waiting for her answer. We are on the way to Washington to receive it from President Cleveland. On July 4th the government adopted a constitution and proclaimed the republic. They wanted to send the queen away, as she does not represent the present government. We are anxious to have the queen restored, and believe we will be successful in our mission.

**Great for Fruit.**

LARAMIE, Wyo., July 31.—The Laramie is becoming a great fruit country. Apples, peaches, pears and small fruits thrive and do well. The residents near Laramie will raise over 125 bushels of apples this season. He orchard has just begun bearing.

**Thrown from a Horse and Dead.**

LARAMIE, Wyo., July 31.—K. F. Derbyshire, a cowboy in the employ of the Bay State Cattle company, was thrown from his horse while mounting up cattle on Friday and sustained injuries from which he died yesterday.

**A TOURIST STEAMER STRANDED.**

**The Passengers Landed on an Uninhabited Island.**

CHRISTIANIA, July 31.—The British tourist steamer Minnewa is aground near Aasungsfi on the Norwegian coast. The passengers were landed on an uninhabited island. The Minnewa sailed from Shields July 9th for Odde, Norway. She was recently built at Vancouver for Sydney service. The steamer is seriously damaged.

**Neither Personal in His Remarks.**

PORTLAND, Ore., July 31.—At the First Congregational church, the pastor, Rev. Dr. Wallace, spoke on the drama, directing his remarks principally to the play, "An Society," presented here last week by Mr. Potter and Kyrle Bellew. Besides condemning the play, he referred to the private life of the principals in very uncomplimentary terms, whereupon Mrs. Potter and Mr. Bellew, who were in the audience, stove and left the church.

**Approved by the President.**

WASHINGTON, July 31.—The President has approved the legislative executive and judicial appropriation bills.

**Attempt Rescue the Troops.**

CHICAGO, July 31.—Mayor Hopkins wired Governor Altgeld today to recall eight companies of First regiment of the I. N. G. This order relieves the troops of the six companies at Pullman and leaves but one company on the Illinois Central track, that at East Hammond.

The mayor and marshal are satisfied that the three companies at Pullman could maintain order. The Second regiment at the stock yards will be left there for the present.

**Rain Affects the Price of Corn.**

CHICAGO, July 31.—There were heavy rains today at some points in Iowa with indications of a general relief from the drouth throughout Iowa, Nebraska, Kansas, Missouri and Illinois. Under these conditions corn for September delivery opened 1½ lower at 47½, rallied to 48 and worked down to 46½.

**Even Heard From.**

WASHINGTON, July 31.—The U. S. steamer Bennington having Aguinaldo Exeta and three other refugees aboard, is at Acapulco, taking coal.

**To Investigate the Strike.**

WASHINGTON, July 31.—The railroad strike investigation commission met today, Wright, Kernan and Worthington all being present, for the purpose of arranging the preliminaries to the investigation of the strike ordered by the American Railway Union.

**Senator Voorhees Better.**

WASHINGTON, July 31.—Senator Voorhees is better today, having rested well last night.

Yet, who is suffering from an attack of erysipelas, was at the meetings of the conferees today.

**THE TARIFF MENACE.**

**The Friends of the Wilson Bill More Hopeful.**

WASHINGTON, July 31.—The friends of the Wilson bill were full of hope today. They secured the chairman and other House conferees on the tariff that the House Democrats could now be depended upon to stand by the House bill to the end. Chairman Wilson and friends are likely to take a conspicuous part in the caucus.

THE CONFEREES MEET AND ADJOURN.

WASHINGTON, July 31.—The Democratic members of the tariff conference committee did not accomplish anything this morning. Chairman Voorhees of the Senate conferee and Wilson of the House, were both absent on account of illness. When the meeting adjourned it was understood the conferees would get together again at 1 o'clock.

**THE MINNEAPOLIS BLAZE.**

**The Fire Thought to Be of Incendiary Origin.**

MINNEAPOLIS, Minn., July 31.—The fire department and alines from St. Paul were on active duty all night. A detail constantly was down the sutters of the big lumber fire and there were calls from all over the city, the most numerous coming from north Minneapolis. It seems certain that most of these fires were incendiary. Four in the wood yards in Northtown certainly showed evidence of incendiarism. Only the stubble vigilance and the fact that there was little wind prevented a conflagration.

**A Brick Building Collapses.**

DALLAS, Tex., July 31.—Two large brick buildings on Elm street, occupied by Wells Fargo express company and L. Craddock's large grocery house collapsed at 10:30 today. A number of people are buried in the ruins. One man was taken out dead.

**Won the Cups.**

LONDON, July 31.—Steward's cups, sweepstakes for three year old and upwards, was won at Goodwood today by Sir J. Blundell Maple's four-year-old Gangway. Worcester secured Court Ball third.

**Shot at Governor General.**

CONSTANTINOPLE, July 31.—A dispatch from Crete says a man fired a shot today at the governor general. He was slightly wounded in the head.

## CUTTING THE KNOT.

### House Conferees Say the Tariff Deadlock is Breaking Up.

### AN AGREEMENT THIS WEEK.

**Substantial Concessions to the House Looked for by Some Members.**

WASHINGTON, July 31.—The tariff deadlock is breaking up. After being together for two hours this afternoon the House conferees said positively there will be an agreement this week. One of the conferees added that substantial concessions will be made to the House.

The Senate conferees say it stands very much as it has stood all along. The House conferees insist that if the bill is reported back on the lines they propose, it will be found that there are votes enough in the despite to pass it and urge the Senate conferees to give the bill a trial on these lines.

**From the Explosion of a Lamp.**

FORT DODGE, Iowa, July 31.—A fire started at Eagle Grove (not from the explosion of a lamp) and a half on the north side of street, about fifteen business houses were burned. The loss is $50,000.

**Settlers Fined for Contempt.**

PRESCOTT, Ariz., July 31.—John Murphy, an Atlantic and Pacific agent, has been sentenced to sixty days in jail for contempt of court for attempting to prevent men from working for the company's shops at Winslow. T. A. Brophy, an ex-conductor, and John Lynn, a former engineer of the road, were given the alternative of sixty days in jail or giving $500 bond to keep the peace, and refrain from interfering with the present employes of the company.

**Single Scull Race.**

MINNETONKA BEACH, July 31.—Stewart won the single scull race today in 9:32 2-5, the fastest time ever made on the course. Junior Ivanhoe was rowed in 9:45 3-5, beating the Minnetonka crew. Hat Portage had all the way; Minnewaska second, Winnipeg third, Duluth fourth.

**A WOMAN KILLED.**

**A Deputy Sheriff Loses His Temper and Opens Fire.**

PITTSBURGH, Pa., July 31.—Jennie Jones, wife of a striking coal miner, was killed by a shot fired by James Myers, a deputy sheriff, mistaken for the pride of the women. Myers fled upon the order. The strikers swear they will avenge the death of the woman.

**To Call the Strike Off.**

HAMMOND, Ind., July 31.—By unanimous vote, East Chicago branch No. 100 of the A. R. U. has decided to call the strike off on the Chicago and Calumet Terminal railway. There is every assurance that the old men will be given their places.

**THE HOUSE.**

WASHINGTON, D. C., July 31.—The House, by a vote of 127 to 32, has refused to agree to the Senate million dollar inlets appropriation amendment to the agricultural appropriation bill.

**Killed in an Explosion.**

CHICAGO, July 31.—Three men were killed in an explosion today in the storm yards of Dold & Shepard, at Hamilton.

The explosion wrecked the machinery plant and broke the windows for a quarter of a mile around. The accident occurred during the test of a new stone crushing machine, and is supposed to have been caused by a spark dropping in the dynamite machine. The tool line station, 1,500 feet away, was wrecked, seriously injuring Agent H. M. Hill. A train on the track was demolished.

## DEVINE, AN ADVERTISER.

### Leading Up With Information Calculated to Capture the Fire Engineers' Convention.

Chief Devine has almost converted fire department headquarters into a bureau of information for advertising the resources of the Territory the last few days. There are stacks and bundles of pamphlets of various kinds in the corners and scattered promiscuously about the floor all to be taken by Mr. Devine to Montreal to be used to convince the Fire Engineers' convention that next year they should meet in Salt Lake.

Mr. Devine has assurance from the Saltair and Garfield Beach officials that the delegates will be tendered complimentary excursions to the Lake, that the Saltair can accommodate all that great throng at one time, that the Hot Springs people will perform their part of entertaining the strangers with their accustomed willingness, that the Tabernacle choir can be depended upon to give them the finest vocal music in the world; that the hotels will offer good rates. All these and innumerable other things of a similar nature being true there are many persons who believe that the City Council ought to and will make the $500 appropriation to pay the chief's expenses to and from the convention. The proposition will probably be urged on the ground that it is an investment calculated to bring thousands of dollars into a return.

**Jerome Smith's Escape.**

No tidings have as yet been received as to the whereabouts of young Jerome Smith, says the Tooele Transcript, who recently succeeded in sawing his way out of jail. The only one to the direction he took was the Dugway. Hammond's horse near Garfield, which Smith borrowed without leave, and it is expected that the fugitive from jail has succeeded in making his escape to Salt Lake. Some claim that he has taken to the mountains, but it is not very probable.

It is hoped by many that now he has gone to pastures new, Smith may turn over a new leaf, instead of continuing to write the history of his life in crime. What accomplices there might have been in getting Smith out of jail is one at present definitely known, but the chances are there will come out that they will yet be known.

**Welcome to Salt Lake.**

Hon. Hugh Butler, a pioneer lawyer of Denver, and well known to all the Western bar, is in the city. He finds many old friends here.

**Street Sprinkling.**

SALT LAKE CITY, Utah, July 31, 1894.

*Editor Deseret News:*

When a decision is given that a tax is legal and right because the city needs the money, one is apt to think that there is "something rotten in the state of Denmark." But when a decision is rendered in accordance with justice and right as well as law, then every right-loving citizen rejoices, no matter what the immediate consequences. The recent decision of the Supreme court that the street sprinkling tax was illegal is satisfactory to everyone I know.

In the first place, to sprinkle the street in front of a man's lot and charge him with the entire cost, will much more than the actual cost, was a great outrage. If he had the sole use of the street in front of his premises, then he might fairly pay the entire cost of sprinkling, and no more. But the general public uses the street by those to his side. Consequently the general public, and not the private abutter, is simple justice, ought to pay all, or very nearly all, the entire cost of sprinkling the street. This is common sense, as plain as a pike staff, and no kind of sophistry nor Jesuitical argumentation can make it otherwise.

Now what is to be done as to sprinkling the streets? The matter is simple enough. They ought to be sprinkled, more or less—some more, others less. I would rather, for my use and pleasure, have them sprinkled but little than too much. Residents travel from here to Western Europe and complain bitterly at the amount of rain there. Yet our city authorities go to work and sprinkle our street every days and twenty times or more a week, and make the country here uncivilized two times worse than it is in Europe. What consummate folly!

If the legislature authorizes cities to charge the abutters with the cost of street sprinkling, such a law would be most unjust and outrageous. It would be actual robbery. The city should cause the sprinkling by contract, as sprinkling is a thing that should be done with fairly regularity. There are days and weeks when sprinkling does harm rather than good. If the city did its own sprinkling it could be done when necessary, and not every day, as now, simply and chiefly because it is paid out of the taxes, and is a pretty good job, and the city has so much tax money on hand that it hardly knows what to expend it on. Sunday sprinkling anywhere is not a necessity at any time. To all but the immediate business part of the city, sprinkling once to three times a week would be all sufficient, generally speaking; probably sometimes a little more and sometimes a little less than that. Nearly all over the city, sprinkling two or three days a week would be amply sufficient—as much as ought to be done. Thus the actual expense of sprinkling could be reduced beneficially to two or three cents per front foot. A little dust now and then is immensely better than everlasting mud. For myself, I am no admirer of muddy streets, especially when I have to walk or drive upon them. One day a man was arriving his buggy into his lot, going through the open ditch. I ventured to suggest that a bridge over the ditch would be a good thing. He replied, "It is no worse than the street. I washed my buggy before I went in town, and now it is as dirty as ever and needs washing again." All because of the excessive street sprinkling.

Our streets are mostly dirt streets, to pave them would ruin the city treasury. When a shower comes, owing to the abundant sprinkling, the streets are so muddy as to be unfit to travel upon, when the country roads which are not sprinkled are in good order for travel. Streets are better good for travel until and above they are dry. Indeed they are not in good order until some time after they have become dry and there has been time for them to become smooth. The streets of this city, where sprinkled, are never at their best, because they are never left to get dry enough. When they are partly dry they are ridgy, rutty, and lumpy. They have no time to be smoothed down. I have come up the Fifth East street drive when most or least could hardly shoot upon it, through sidewalk sprinkling. When a road is watered all over the vehicles plow it into ruts and ridges the moment they become dry, and the road quickly becomes dusty again—more dusty than before it was sprinkled. Then it must be sprinkled again, before the bed of the road is dry. Hence the road beneath is always soggy, and rain makes it an avenue of mud. If it does rain, or snow, the sprinkling must go on. Next day after a heavy rain the laborer sprinkling the street—sweat again. What is paid out of the taxes, and there is no business to the heap of tax money to be spent. All such work is foolishness, pure and simple. It is virtually criminal, and is a scandalous waste of public money. Some time there was sprinkling every day but Sunday. Then we had dry streets to travel on one day a week, and it truly seemed the laborer spent with on that day. But then good times came, not to be forgotten, for a city road forever to be a delight to the hearts of travelers, if the road is not too dusty.

If a road must be sprinkled every day, it would be better to sprinkle one side of it one day and the other side the next day and so on. Then vehicles would not be obliged to run to and all the time, and the sprinkled part would have time to dry before it was used much, and, as it would not get dry as soon as if traveled upon when wet, it would not need to be sprinkled so often.

As to pay, the city must pay for it. But I have no doubt that the majority of the citizens would cheerfully pay one to three dollars a year to have the street sprinkled as much as was necessary, early necessary. For my part I would rather pay something to have them sprinkled too little than too much.

TAXPAYER.

**THE STATEHOOD CELEBRATION.**

**Leading Business Houses Will Close During the Afternoon—A Big Affair.**

The document circulated among the leading business houses last evening, as mentioned in the NEWS, asking them to close their stores tomorrow afternoon at one o'clock to allow their employes to go to Saltair and attend the Statehood Day celebration, was signed by Rity of Lothian, from such as Z. C. M. I., Walker Bros., Auerbach Bros., Western Bros. & City Goods company, D. R. Thomas, Cohn Bros., White & Bros. millinery and others.

The paper was again circulated today and many more signatures obtained, and the work is still going on. As a result, the indications are the latter half of tomorrow will be a holiday in this city and that business will be practically suspended.

The order of the program will be as follows:

[illegible]

**HE INTENDS TO APPEAL.**

### Dr. Jabez W. Taylor Will Go After the Utah Medical Board.

**He Objects to the Manner in Which He Has Been Treated—A Damage Suit Contemplated.**

Dr. Jabez W. Taylor, who was before the Territorial medical board on the 16th inst., on a charge of "immoral and dishonorable conduct," has taken the necessary steps to appeal to the chief justice of the Territory, as provided by the statute enacted last winter. The doctor's attorneys claim that the statute is a nullity, for the reason that it provides for an appeal to the chief justice probably, which they contend is no appeal at all. Also, they hold that by fixing discriminating fees for witnesses to practice, and being in conflict with the constitutional restriction regarding the taking of property, it is unconstitutional, while investing the board with judicial power it is in conflict with the organic act, and for that reason void.

The doctor, on his part, insists that the charge above recited is a malicious and untrue, that he is not guilty thereof, and that the evidence does not show him to be guilty. He proposes to follow up the appeal with proceedings of a more exemplary character.

J. E. Cochran and Kenner & Taylor are the plaintiff's attorneys.

**KILAUEA IN ACTION.**

**"Breakdown" in the Great Volcano as Described by Eye Witnesses.**

The great Hawaiian volcano of Kilauea has again gone through its periodic state of activity and breakdown. Minister Thurston and a party of several ladies and gentlemen were present at the grand scene. This is believed to be the first "breakdown" that has ever taken place in Kilauea when anyone was present to witness the scene. An eye witness describes the scene as one of supreme grandeur. He says: "On the morning of July 6th the lake of Kilauea overflowed its banks. The weather was extremely stormy and from that to the 12th, when the breakdown occurred, there was a feeling that something was going to happen.

"On the morning of the 12th we were all startled at the Volcano House by a terrific explosion, followed by tumultuous clouds of dust and smoke arising from all sides of the crater. As soon as possible, with Minister Thurston in the lead, we reached the scene and saw a most wonderful sight. Great rocks were taking place in the volcano.

"The lake had fallen and was still receding and the surrounding lava banks were being burned into the lava. In less time than an hour the floor of the crater had receded and solid outer walls and tottering precipices, through which numerous streams of molten lava issued, retiring brilliantly until it disappeared in the seething lake now far below.

"Sometimes great portions of these perpendicular walls would topple into the lake 700 feet below, which would cause the lava to receive and roll from side to side as one, the billows breaking against the restraining walls. At times the lava would seem to become greatly agitated and violently rise in the pit, and innumerable waves show that it really is receding at about the same level. It was unchanged when I left the next day."

In August, 1892, the lake was 240 feet, or to about 300 feet below the Volcano House. But in March, 1893, it was 150 feet above that point and only 75 feet below the hotel. The fall of July 12th therefore, takes it below the line of 1892 and about 300 feet below the Volcano House.

Minister Thurston says the falling in of the walls of the crater has ceased and there has been no change since the 22nd of July. The fall of the lava has been definitely ascertained to be 225 feet. As to whether the volcano is rising or sinking there are two opinions, probably caused by the violent disturbances going on, which are described as a "cropping out" of fire. When greatly disturbed it seems to be rising, though actual calculations show that it is not.

## TO BE SHOT SEPT. 14.

### Enoch Dixon, The Vernal Wife Murderer, Sentenced Today.

**AFTERWARDS PHOTOGRAPHED.**

**He Was Taken to Provo This Morning and Judge Smith Awarded the Penalty.**

The days of Enoch Dixon, the Vernal wife murderer, are now really numbered. His appeal to the Territorial supreme court having failed, he was taken to Provo by two penitentiary guards, on the Rio Grande Western train this morning, to be resentenced to death. Judge Smith pronounced judgment upon him soon after the opening of court, fixing as the date of execution September 14th. This is the third time Dixon has listened to the words of the death sentence, and it will be the last. Unless the Governor should interfere—and the chances of his doing so are believed to be exceedingly slim—Dixon will be shot on the date above named. He will be confined in the Utah penitentiary until the day preceding the execution, and then taken back to the Provo district, where the death penalty will be carried out.

The prisoner arrived here in Salt Lake by the 3 o'clock train this afternoon and was conveyed direct to the penitentiary by two guards.

Special to the News from Provo Telephone.

Enoch Dixon, the wife murderer, was today sentenced by Judge Smith to be shot dead on the 14th day of Sept. 1894, in Utah county. Most asked if he had anything to say why the time of his execution should not be fixed there said: "No, I have nothing to say only I've had no trial. I've not had no chance for my life, and the people of Utah know it." Dixon exhibited considerable nerve when he was sentenced, being calm and steady. When the date of execution was named there was what appeared to be a slight twitching of his face. After sentence he was taken to West's photographer and had his portrait taken.

**Municipal Matters.**

The city fathers meet tonight should all important matters now in the inside pockets of chairmen of committees receive attention, the session will be a busy one—one that will keep the solons in their seats till midnight.

Dr. Beatty, as city health commissioner, appears to be an extremely favorable position to retain in the office as "a hold-over." The attitude of the committee on sanitary rules and quarantine regulations, or rather a majority of the committee, is antagonistic in the extreme to Dr. McAdam.

The committee on finance labored hard and long last night with a view to getting department expenditures cut down to a reasonable one. The question is a complex one and in causing the committee a good deal of uneasiness last night. At four o'clock this afternoon they were locked in another session.

The city prisoners are raising a row because under the "retrenchment policy" of the council they are not getting molasses in their bread. The quantity and quality of food does not occupy the same standard of excellence as prior to the cutting down of the price of meals from 12 to 10 cents each.

A member of the committee on municipal laws stated today that it was not probable that any report would be made tonight regarding the appointment of Judge Hogg as city attorney to succeed Hilbert. He was of the opinion that the matter would rest peacefully with the committee for at least another week.

The Mayor, it is claimed, will appoint Dr. J. A. Richards as health commissioner for the city in case Dr. McAdam has the misfortune to be "knocked down" by his constitutional disease.

**At the Lake.**

The Eleventh ward Sunday school had a pleasant outing to Saltair today.

The Catholic Knights ran an excursion to Garfield today.

The Bowling the Wind company were tendered a complimentary excursion to Garfield by the Union Pacific officials this afternoon. They left for home on the 7 o'clock train and after a bath expect to return on the 8 o'clock train.

**Excursion to the North.**

The Union Pacific will run its annual excursion from this city, Ogden and other Utah towns to Bingham City, Logan, Franklin, Preston, Oxford, Pocatello, Idaho Falls, Market Lake, Soda Springs and Montpelier on August 16th. Very low rates have been made and trains will depart as follows:

Train for Brigham, Logan, Richmond, Franklin and Preston will leave at 8:45 p.m. Train for Brigham, Oneida, Pocatello, Idaho Falls, Market Lake, Soda Springs and Montpelier will leave at 9:00 p.m.

Special arrangements have been made for the return excursion from Salt Lake to Soda Springs and Montpelier without change.

**Emancipation Day.**

Tomorrow, August 1st, the Afro-Americans of Salt Lake and Ogden, will celebrate the anniversary of their emancipation at Lake Park. The speakers are Bishop Johnson, W. W. Taylor and W. H. Payne. A genuine jubilee and an enjoyable program will be rendered. A social invitation is to present has been tendered to all white people.