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. 42 THURSDAY, JANUARY 11, 1894. SALT LAKE CITY UTAH. VOL. XXVII.

NEWS WIRED TODAY.

Resumption of the Great Tariff Debate in the House.

NEW JERSEY'S PREDICAMENT.

The Burlington Train Robbery.—Arrest of a Professor Charged with a Heinous Crime.

DESERET NEWS BUREAU,
29 R.Bldg., S. E.,

WASHINGTON, D. C., Jan. 11.—[Special.]—Today there has been a succession of half-hour speeches, and these consumed the time, none of them being sufficiently above the ordinary to break the monotony. Listlessness has fallen on the occupants of the floor as well as the galleries.

The evening sessions are exclusively devoted to the tariff discussion, but they are very slimly attended by members. There were not more than a dozen last night, though the galleries never fail to furnish a large and sympathetic audience.

Davis of Minnesota is holding the attention of the Senate today. The Hawaiian question is uppermost in the attention of that body.

Faulkner is absent on his wedding trip, and there are no recent developments in the status of the statehood question.

Just now, at 8:30, Dolliver of Iowa has succeeded in awakening the House galleries. C. H.

By Associated Press.

WASHINGTON, Jan. 11.—The House, after routine business, resumed the tariff debate. Breckenridge, Dem., Ky., took the floor and was followed by Dingley of Maine.

THE SENATE.

WASHINGTON, Jan. 11.—In the Senate, Cullom reported favorably from the committee on commerce the Senate bill granting the Des Moines Rapids Power company the right to construct a dam and power station in the Mississippi river in Hancock county, Ill. The bill was amended by requiring that the work begin within two years and be completed within four years.

On a motion by Hawley, Conn., the bill went over.

The Choctaws Against Statehood.

ST. LOUIS, Jan. 11.—Twenty-six counties of the Choctaw nation voted against statehood unanimously against statehood or the entrance of the tribal relation. The same feeling exists in the other four civilized tribes, it is said, and the advance of the government will undoubtedly be repulsed.

The Burlington Train Robbery.

ST. JOSEPH, MO., Jan. 11.—There were no developments of importance in connection with the train robbery on the Burlington road last night. Posses are looking for the robbers, but as yet have been unable to get clues of any apparent value. There was very little money in the express safe and it is not thought the haul amounted to over fifty dollars.

THE NEW JERSEY FIGHT.

Democratic Senators Take Possession of the Chamber.

TRENTON, N. J., Jan. 11.—The Democrats are again in possession of the senate chamber. They went to the chamber this morning and tapped on the glass. The Republican assistant sergeant-at-arms opened and the senators walked in. Then the sergeant-at-arms came and ordered them out. They refused to comply and he pushed them out. The senate was then called to order, but at once adjourned till tomorrow.

Republican Leaders in Council.

WASHINGTON, Jan 11.—The Republican national executive committee met in secret session at noon today. The principal questions to be considered relate to finances and the establishment of committee headquarters. Republican politicians of all degrees swarmed in the parlors of the Arlington hotel during the forenoon. The committee divided on the question whether to maintain permanent quarters for the education of the voters or merely to open headquarters for each campaign. The states for headquarters is divided between New York, Washington and Chicago.

Chairman Thomas H. Carter resigned the chairmanship on account of business. Joseph H. Manley, of Maine, was chosen temporary chairman of the executive committee and Carter was continued as chairman of the national committee. Manley was empowered to open headquarters and New York was practically chosen as the place.

All Quiet at Honolulu.

WASHINGTON, Jan., 11.—A tardy dispatch has been received at the Hawaiian legation which arrived by the Warimoo, at Vancouver. It advises Ultimo d'Adhiles Hastings that all is quiet at Honolulu and that Thurston is to come back to this country on the City of Peking now overdue at San Francisco.

The Anarchists Weakening.

PARIS, Jan. 11.—Vaillant has weakened; it is understood he has signed the necessary document for an appeal to the court of cassation but still refuses to petition President Carnot for commutation of sentence.

A Failure.

BOSTON, Jan. 11.—W. H. Tenney & Co., boot and shoe jobbers, have failed. The liabilities are $200,000. It is the result of long credits and poor collections.

A PROFESSOR ARRESTED.

The Charge a Very Grave One—A Sensation.

NEW CASTLE, Pa., Jan. 11.—A sensation was created by the arrest of Prof. H. C. Harnsberg, principal of the High school, on the charge of enticing two sixteen-year-old girls pupils of the school into his room and ruining them. The accusation against Harnsberg was made by the girls' parents. The girls are members of the school choir and sing in the church of which Harnsberg is a member. The accusation against Harnsberg was made by Oliver Hill, father of one of the girls.

Coroner's Jury Sensing.

DENVER, Jan. 11.—The inside look a jury in coroner's office yesterday. The jurors spent the morning hearing positions for and against immediate enforcement.

A CRAYON PORTRAIT SHARP.

He Found Many Victims in Ogden and Some in Salt Lake.

Wilson, the ex-convict arrested in Denver a few days ago, victimized a good many people at Ogden, according to the news of that city. His method of operation was to represent himself as the agent of a Denver artist, and some verbiage describing it he gave what purported to be a contract for having their photographs taken, and one enlarged in oils at remarkably low rates. It is another story that when the hoper afterwards received the dollar he was never seen again.

"It appears that a large number of people in Ogden have been taken in and done for in a similar way, and in all probability by the same polished swindler. Some time ago a man called on Mrs. T. J. Kimball, of the city, and informed her he owned $5, giving her in return a home contract from 'The International Art Co.,' of Denver, for two large crayon or India ink portraits. The 'agent' never came back, and Mrs. Kimball is waiting in vain for her portraits.

"The man signed the name of J. E. Fox, but the change of name in this case makes no material difference, as in all likelihood such a scoundrel would have as many aliases as a cat has lives. 'Fox' ladies from the same place as 'Wilson,' and both employed the same methods, and it is almost certain that further investigation will reveal the fact that Fox and Wilson are one and the same. It is unfortunate that about two hundred people in Ogden have been taken in."

The same kind of a game is now being played in this city, a fact which leads to the belief that it is being worked by a gang. Three or four families were victimized in the Nineteenth ward in precisely the same manner as late as yesterday and housewives are hearty warned to look out for the fellow.

It is Still On.

Probate Judge Blair's 10m this morning was entirely so upon with the further legal arguments in the Ernest I. Young contest case. They are expected to occupy the remainder of the day.

Church University Lectures.

The NEWS is requested to state that the announcement appearing in yesterday's issue concerning the evening lectures to be delivered at the Church University was not intended to apply to the present week. The first lecture will be given on Monday evening next, beginning at 7:30; on and after that day evening lectures will be provided for the evenings of Monday, Wednesday and Friday of each week until further notice. Admission will be by tickets, which may be obtained free by making application at the Church University building.

AMUSEMENTS.

THE BUNDAY CO. are here, and tonight they will make their bow at the theater to what will without doubt be an immense audience. Eddie Foy's classic features have been seen on the street by his numerous admirers for the past 24 hours and he is sure of a fine reception tonight. There are nearly 100 people in the company and the company carry every solitu of scenery.

PATTI ROSA comes back to Salt Lake next week for two nights.

A Curious Accident.

A section foreman named Bob Marsden was brought in from the south on the 8:05 Union Pacific train last night, says the Ogden Standard this morning, and taken to the hospital here for treatment. It appears that Marsden went to bed Tuesday night in the bunk car on the line between Milford and Frisco, and in the morning was found lying unconscious between the car and the tender. He was unable to give any explanation of his condition, but there was a fracture of the skull at the base, and it is supposed he got up in the night and fell from the platform, striking his head against the coupling. He was still unconscious at an early hour this morning.

A Pleasant Social Affair.

One of the largest and most successful social affairs of the season occurred in the Tenth ward on Friday last. It was given under the auspices of the organization of the ward authorities and was the annual reunion of the members of the ward.

On the day named about four hundred people were treated to a sumptuous feast in the meeting house. During the evening an excellent musical and literary program was rendered to a very large and appreciative audience. On the day following the children of the ward to the number of at least five hundred assembled and were given a dance and refreshments, and all enjoyed themselves to the fullest extent possible.

United in Marriage.

The marriage of C. S. Marshal Brigham with Mrs. Loella C. Young took place last evening at No. 1,008 West Fifth East street, the Rev. Dr. Utter officiating. Only a few of the relatives and immediate friends of the contracting parties were present.

THE SUPREME COURT.

A Controversy Respecting the Right of Possession to Land.

TWO CASES FROM OGDEN CITY.

One in Which the Power Company is the Central Figure About Capital Subscriptions.

The Territorial Supreme Court has been in session again today.

ADJOURNED.

In the case of the People vs George C. Whitmore, the Night hawker, the appeal was ordered dismissed owing to the failure to file transcripts.

Beulah A. Beatie vs John J. Rymer. Dismissed.

Cache County vs Fred J. Kinsel. Dismissed on motion of appellant.

ALLOWED TO COME IN.

Mr. Charles L. Brown, a member of the bar of the Supreme court of Nebraska, was admitted to practice in this court, on motion of Attorney Ogden Hiles.

FROM THE FOURTH DISTRICT.

Then came the legal arguments in the case of Harry T. Duke, plaintiff and respondent, vs George G. Schiffelbein, defendant and appellant. It was an appeal from Judge Miner's fourth district decision.

The action was tried January 16th, 1893. Respondent brought suit to recover from Schiffelbein certain piece of land containing 4.25-100 acres, more or less, which he alleged he was the owner in fee and in possession, that on August 16th, 1892, the appellant forcibly entered upon the same and has since occupied it. Answering this, the appellant denied the respondent's right to possession and himself claimed the land under a tax grant issued to him in 1887. Damages, value of rents, issues, etc., were placed at $2,000 and costs. A verdict was rendered in the district court in the respondent's possession of the land and judgment was entered accordingly. A motion was made for a new trial, this was denied, and he took the appeal.

A SECOND IN 79.

Peter Wilson, plaintiff and appellant, vs Fred J. Kinsel et al., defendants and respondents, and Peter Wilson, plaintiff and respondent, vs Fred J. Cushman and the Ogden Power Co. et al., defendants and appellants.

This was an action to enforce unpaid subscriptions to the capital stock of the Ogden Power company. As the claim of the plaintiff Wilson, he sued as a judgment creditor, and the two cases were argued separately.

The Ogden Power company, it seems, filed articles of incorporation on April 11th, 1889, the defendants Kinsel, Cushman and Anderson having signed the same on the preceding day as subscribers, each for $3,000 worth of stock and also executing a deed (the consideration being $40,000) for certain land which they owned and which was needed for corporation purposes, under agreement that $13,000 of the consideration should be applied in their subscriptions and the balance to be evidenced by two notes secured by mortgage on the land. All of this was carried out by resolution of the board of directors April 15th of the same year. Paid up certificates were issued to them for them. On March 1st, prior thereto, plaintiff entered into the contract on March 14th he commenced actual work thereunder, ceasing on May 15th. On May 16 he filed a complaint against the Power Co. and others, claiming $66.14 or work done under their contract, a writ of attachment day issued and the land above described was seized on. The Power company and others answer denying specifically that the work was done, and that the land was damaged in any way whatever. On Oct. 25th judgment was entered for plaintiff by consent of the defendants' attorneys, under the direction of their president, for the full amount claimed in the complaint, viz., $66.14 with June 17th, 1892, and that was filed with a traffic bond return on the same of the same month. Thereupon a creditor's bill action was brought, to enforce unpaid subscriptions to the capital stock of the Power company to the judgment of plaintiff, alleging that all the defendants, and likewise plaintiff, subscribed to the articles of incorporation and had not paid their subscriptions. The court below (Judge Merritt) found that Kinsel, Cushman and Anderson had paid, but that the other defendants had not, and gave judgment against them. Plaintiff moved for a new trial as regards the finding as to the three defendants named, which was denied, and from which they now appealed. Counsel argued the case on the appeal from the portion of the judgment which is against them.

Attorney A. R. Heyrend of Ogden represents the defendants Kinsel et al; Judges Sutherland and Howat, Attorney Ogden Hiles, and Attorney J. H. McMillan (Ogden) appear in the interest of Wilson.

ABOUT A NOTE.

In the Supreme court yesterday afternoon the case of James Anderson, appellant, vs the Yosemite Mining company came up. The plaintiff sued in the lower court to collect $4,000 alleged to be due on a promissory note. The defendants denied that Anderson was the holder of the note, and alleged that he assigned it some time before, after which the company was sued and judgment rendered against them in the identical suit. The case was tried before Judge Merritt in the lower court, and he found for the defendants. The case was submitted on briefs.

Today's Police Court.

Fred Hallger, a very old man living in the western part of the city, appeared in Justice Smith's court this morning charged with petit larceny. The offense consisted of pilfering up coal on the Union Pacific and Western track. Hallger stated that he thought there was no harm in what he did. In further extenuation he said he had a wife and seven children to support and had been without employment for a long time. Defendant was very hard of hearing and was unable to speak a word of English. Chief Bancroft acted as interpreter, but found the task extremely difficult, owing to defendant's deafness.

In view of the man's age and poverty the Judge dismissed the case.

Wrestling Match.

It is reported that arrangements have been made for a wrestling match between D. C. Daly, recently of San Francisco but now of Ogden, and J. H. Strother of the Junction city, who poses as the champion wrestler of Utah. The time of the contest has not yet been announced.

WHICH IS PREPARATORY?

If the University, Then What of the Agricultural College?

An Answer to Some Statements and Statistics Given by President Sanborn.

[It is only proper to state that the following article was written in answer to an earlier article of President Sanborn's—not the latest one, which will receive notice hereafter.]

In a recent number of the NEWS appeared a communication from President Sanborn of the Agricultural College relative to the union of the College with the University. In this were made many misleading statements, which, if not thoroughly noticed, would lead to doubt of professed facts. Instead of replying to the numerous assertions therein, I shall answer a few having reference to the relative number of preparatory, normal and college students, and the advancement of the course of study in the two schools.

It is understood that President Sanborn did not have at hand a copy of the latest issue of the University catalogue, otherwise he might have saved himself the humiliation of making so flagrant misstatements. He says:

"The University is a university only in name, being as I remember it have compared my catalogue only some thirty or forty actual academic students, the balance being most young men, many of whom are from Salt Lake City and apparently taking the course because they prefer to go there at the expense of the state rather than to the splendid schools of Salt Lake City."

I interpret the word "academic" to mean college students, in distinction from preparatory students. For greater clearness I shall use figures instead of words in expressing numbers.

Now, as an actual fact there were, excluding normal students, 54 academic students in the University last year. Of these, 21 were registered in full regular courses or were post-graduates, 4 were special students doing work in the college courses, and 9 were doing work pertaining to mining. The work of these courses is not preparatory school work, but college work—work not provided in the High School. A further examination of the University catalogue would show an attendance of 81 preparatory students. Inspection of college studies is compared with 81 preparatory students does not look as though the preparatory school preponderated so greatly.

The work of the third and fourth years of the normal department stopped for last year corresponded to the freshman and sophomore years of the college department. In these upper normal classes there were 27 students. Thus in all, there were in the University last year, doing college work above the grade of the preparatory school, 128 students.

Three stations were for last year, it will hardly be seen more to President Sanborn's credit had he investigated the condition of the University this year before making such assertions, since last year the standards of admission have been raised and the amount of the work of the University has been advanced. While the standards of admission are in one or two particulars not quite as severe as they should be, still in most departments, English, modern languages, mathematics and all the common branches, they are the equivalent of a similar requirements in most of the colleges of good repute in the East. Just as soon as the preparatory schools are increased in number and excellence in the Territory, whenever is doing in this respect will be reached. There are registered in full regular courses, 57 students, also 44 others taking irregular courses, making in all 81 doing college work, and high school work. There are but 47 preparatory students. Largely the college courses, or against 47 preparatory students—this looks still less as though the University were a mere preparatory school. Of the 47 preparatory students, but 25 are registered in full courses, 24 are irregular students, many of whom, about one-third, are only taking one or two studies selected from the college courses. These figures are exclusive of the normal students. The work of the third year normal corresponds in grade to the work of the freshman year. Adding the forty-seven third year students to the eighty-one college students, makes 128 students doing college work above the preparatory work.

In regard to the preparatory school, excusing of the normal department, it should be said that most of the students attended the University before the studies there were drawn, 9 are over age and ineligible to attend the high school, and several have withdrawn during the year. Of those actually registered only 13 are registered from Salt Lake City, of these 3 are average and several have attended the University before, as above stated.

There are at present enrolled on the University books about 100 students. Of these college students, the remainder being of a preparatory grade, 47 being of the preparatory school proper and the remainder being normal.

The statement of President Sanborn that many of the college students are from Salt Lake and apparently going to take a normal course at the expense of the state rather than to attend the splendid city schools, is a charge wholly unjust, to its inference at least. The city contains about twelve hundred students, of whom about one-third are in the University. Of the 128 students in the University, 13 are from Salt Lake City, and 115 from the Territory at large. Of the 81 preparatory students, 13 are from Salt Lake City, and 68 from the Territory at large. Of the 27 students in the normal department, 4 are from Salt Lake City, and 23 from the Territory at large. Of the 54 academic students, 21 are from Salt Lake City, and 33 from the Territory at large. Of the 44 students in the University taking irregular courses, 4 are from Salt Lake City, and 40 from the Territory at large. Of the 57 students in the University taking regular courses, 9 are from Salt Lake City, and 48 from the Territory at large. Of the 27 students in the normal department, 4 are from Salt Lake City, and 23 from the Territory at large. Of the 47 students in the University taking preparatory work, 13 are from Salt Lake City, and 34 from the Territory at large. Of the 25 students in the University taking regular courses, 13 are from Salt Lake City, and 12 from the Territory at large. Of the 81 students in the University taking preparatory work, 13 are from Salt Lake City, and 68 from the Territory at large. Of the 128 students in the University taking college work, 13 are from Salt Lake City, and 115 from the Territory at large.

Now, as