

FROM THURSDAY'S DAILY, NOV. 22, 1888

THE LAW'S COURSE.

Business Transacted at Salt Lake, Ogden and Provo.

THIRD DISTRICT COURT.

The trial of the suit of Ah Sing vs. The Union Pacific Railway Company was concluded before Judge Sandford last evening, the result being in favor of the heathen. Last October the plaintiff was ejected from a Union Pacific train, near Pulpit Rock, because of an alleged irregularity in his ticket, of which the plaintiff had no knowledge. He brought suit against the company, claiming that his feelings had been injured to the extent of \$5,000, and asking that sum as damages. The jury agreed that the arbitrary manner in which the railway had treated the heathen was not justified, and returned a verdict giving Ah Sing \$400 damages.

The first case tried today was that of Miles & Hamilton vs. B. B. Weltzel. The plaintiffs are real estate agents in this city, and the defendant is a resident of Winfield, Kansas. Mr. Weltzel had twenty acres of land in Salt Lake County for sale, and the plaintiffs secured him a customer. He subsequently refused to make the deed to the would-be purchaser, and also declined to pay the real estate men their commission. Suit was brought and the case tried today. The defendant failed to appear. After hearing the testimony the jurors returned a verdict without leaving the box, assessing the amount to be paid by Mr. Weltzel at \$252.

The suit of Albert Delaman & Co. vs. T. J. and J. P. Kelly was also determined. In 1886 the plaintiffs sold to the Kelly brothers three barrels of Melrose Bourbon whisky. The liquor was afterwards burned when Kelly's saloon at Stockton was destroyed by fire. It was never paid for, and today the jury gave a verdict for the plaintiffs of \$317.50.

The suit of Frances R. Anderson vs. S. C. Ewing was then taken up, and occupied the remainder of the day. In this case, Mrs. Anderson bought a horse from Mr. Ewing. The animal proved to be diseased, and the purchaser is suing for \$200 for breach of warranty. At a former trial the jury disagreed.

FIRST DISTRICT COURT—OGDEN.

Judge Henderson presided in the Ogden branch of the First District Court yesterday.

Wm. Skeen, against whom there were two counts in the indictment for unlawful cohabitation, found under the old segregation system, was called for trial. He pleaded guilty to the first count from January to December, 1884, and upon questions from the court promised to obey the law in the future, as construed by the courts. Sentence was suspended until Dec. 1.

Wm. Sheen, indicted for adultery, withdrew his plea of not guilty and entered one of guilty. Sentence was deferred until Dec. 24th.

An order was also entered deferring the sentences previously set for Dec. 20th to Dec. 24th.

John Thorpe, charged with unlawful cohabitation, withdrew his former plea of not guilty and entered one of guilty. Sentence was set for Dec. 1st.

The grand jury filed into court and returned two indictments. The charges of unlawful cohabitation against Hans J. Christensen and Wm. L. Skidmore, both of Cache County, were ignored by the grand jury and the defendants discharged.

Lars C. Sorenson, of Smithfield, Cache County, having gone before the grand jury yesterday morning and made a statement which was the cause of an indictment being found immediately, was arraigned and pleaded guilty. He was seventy-two years of age and very feeble. Had come to America in 1863; had never been naturalized; was not a man of much property; had married his plural wife ten years ago; his youngest child was five years of age. He did not know what he could promise in the future. The court sentenced him to thirty days' imprisonment.

Two little boys, D. Munson and Wm. Bedell, who have been confined in the county jail on the charge of petit larceny, were arraigned and pleaded guilty. Sentence was suspended.

Peter Poulsen, John Oscar Pederson and Peter Ernstrom were admitted to citizenship.

N. C. Flygare was arraigned on the charge of unlawful cohabitation and pleaded guilty. Sentence was set for Dec. 24th.

FIRST DISTRICT COURT—PROVO.

At Provo the following cases came before Judge Judd:

Geo. Munroe vs. Margaret Munroe; thirteen days given in which to answer.

United States vs. John A. Pace; unlawful cohabitation; court ordered the immediate issue of a bench warrant for the defendant. It is understood that when sentence was suspended upon Pace's promise to obey the law, he "skipped" with his plural wife. His first wife is suing for a divorce, but in consequence of his departure the case of Helen Pace vs. John A. Pace was postponed.

The suit of Herbert Balt et al. vs. American Fork City, was concluded. In this case, complaint alleges that plaintiffs owned certain houses on the shore of Salt Lake, used for the purpose of carrying on the business of entertaining guests, and while so en-

gaged, American Fork City, by its agents, came and cut and tore down the plaintiffs' houses. The claim for damages to property is \$500, and loss of profits, \$2000. The defendants alleged that the houses were in the public street, and that the plaintiffs had been only notified to have them removed, and failing to do so, the officers acted within the law. In giving his charge to the jury, the court said they should consider whether the structures of the plaintiffs were on the property of American Fork City. If not your investigation would end right there, so far as the right to recover is concerned. The patentee from the United States sold, or agreed to sell, the land to the city which land is described as "running to the lake." If the proof satisfies you that the land granted reaches to the lake and that this street belonged to American Fork City, then you will find for the city; provided the city had the right to remove the houses, but the court instructs you otherwise. The city had no right in any case to remove the property in a summary manner, unless the plaintiffs placed those houses there, knowing the land to belong to the city and not in good faith. Further, if the city by its agents stood by and saw the plaintiffs erect the structures, without objections, it had no right to remove them summarily, but must do so by recourse to the courts.

After further instructions on the subject of damages the court gave the case to the jury, who found for the plaintiff and assessed the damages at \$1500. Until December 8th given to prepare a bill of exceptions.

United States vs. John Turner; cutting timber; demurrer to answer overruled; exception by plaintiff; trial in progress.

Anna Marks et al. vs. John T. Sullivan et al.; motion for continuance denied on plaintiff admitting certain evidence.

Isaac C. Abegg vs. Wm. Armond; dismissed, plaintiff to pay costs.

Blomsterberg vs. Blomsterberg; called for argument.

POLICE COURT.

Before Justice Pyper there were but a few small cases. These were disposed of as follows:

Robert Bruce and Wm. Blanford, for drunkenness, \$5 each.

John Develin, for being drunk and disorderly, \$15.

Louis Pope, leaving horse unhitched, \$2.

IN BEHALF OF SILVER.

A Largely Attended Meeting of Representative Miners

HELD AT THE CHAMBER OF COMMERCE.

Resolutions in Favor of Senator Stewart's Bill Unanimously Adopted.

A large gathering of gentlemen interested in the mining industries of this Territory assembled in Chamber of Commerce hall last evening. At 8 o'clock President McCormick called the meeting to order, and introduced to the gentlemen present Ivan C. Michels of Washington, who is here on a mission from the United States Senate to ascertain the amount of foreign capital invested in mines and mining.

Mr. Michels, addressing the meeting dwelt especially upon the injury inflicted on miners of that precious white metal, by the unjust discrimination by statute laws in favor of the gold standard. He purposely and very wisely avoided to recapitulate the oft told story as to the unjust and discriminating workings of the alien law in the territories. To dwell on a subject so well understood among our people and to tire his intelligent hearers with a subject far better known here than in Washington, he justly avoided. His main object was to explain to his friends the Senate bill introduced by the Hon. W. M. Stewart, of Nevada, which he fully and in a masterly manner handled during his address.

Mr. Michels, in his exhaustive address, maintained that the gold standard countries of Europe, Great Britain and Germany, have for the past sixteen years used all means, fair and otherwise, to crush the silver interests of this country. He read a letter addressed to him by Mr. F. May, chief cashier of the Bank of England, which was news to many of his hearers, that to protect the gold standard of Great Britain the Bank of England was compelled to purchase all the gold offered at a fixed rate. We give this important document in full:

BANK OF ENGLAND,
LONDON, E. C., Feb. 18, 1880.

Ivan C. Michels, Esq.,

Sir—I beg to acknowledge the receipt of your letter of the 9th instant, and have much pleasure in enclosing a copy of the section of the Act of Parliament—7 and 8 Vic. cap. 30—which compels the Bank of England to purchase gold bullion at 23 1/2 9d per oz. standard.

I am, sir, your obedient servant,
F. MAY,
Chief Cashier.

Germany enacted a similar law in 1870, and compelled the Imperial Reichs-Bank of Germany to purchase all the gold offered at 1892 marks for each pound of gold of 500 grammes, 900 fine. Sweden and Denmark, in 1877, adopting the gold standard, also forced the royal banks to purchase all the gold offered at the fixed rate of 247 1/2 kronor. All these aforementioned banks are allowed to pay for

the gold offered them in paper currency of their respective countries; and upon such a paper foundation, as Mr. Michels truly stated, rests this much lauded gold standard of Europe.

FALSE STATEMENTS AS TO THE PRODUCTION OF SILVER.

To injure the silver interest of America, Mr. Michels continued, Robt. Giffen, of London, and Adolph Soetbeer, of Goettingen, Germany, both otherwise able statisticians, purposely spread through Europe, and their false statements were large reproduced in this country, the following: That during the period of 20 years, from 1861 to 1880, the production of gold had so rapidly decreased and the production of silver so enormously increased that the precious metal was no longer safe to use as a money metal.

Mr. Michels, by his carefully prepared statistics and which have been used by several Senators in the United States Senate chamber, stated: The period mentioned by Giffen and Soetbeer, 1861 to 1880, was actually the reverse; for we produced during those twenty years forty per cent more gold than we did during the preceding twenty years, 1841 to 1860, which include the enormous outputs of California beginning with 1849, and Australia, in 1852.

Mr. Michels stated that when the Peruvian and Bolivian mines poured out their wealth in the eighteenth century, during the period of twenty years when their best returns were realized, they produced, in average weight, from 1740 to 1760: Gold, 1,032,340 lbs.; silver, 23,458,380 lbs. From 1861 to 1880, the period of the alleged falling off of the production of gold, and the increase of the production of silver, the returns are: Gold, 7,920,264, and silver, 69,012,574 lbs. Thus it will be seen that instead of a decrease of the production of gold the returns show an increase from 1,000,000 lbs. to over 7,900,000 lbs., and silver from 23,000,000 lbs. to 69,000,000 lbs., or a production of nearly eight times that of gold, and only three times that of silver. Thus were perverted facts to urge the adoption of the gold standard, which actually rests upon a forced and fictitious value of a paper currency.

NO STOCK OF SILVER IN THIS COUNTRY OR EUROPE.

Today there is not a stock of five million ounces of silver in Europe or America which is not already disposed of. The immense productions of the Comstock lode in 1859 and up to 1883, the heaviest output of silver all over the world, amounted to 41,000 tons, of which China and India absorbed, during that period, 42,000 tons.

In 1850, and after that period, including the outputs of California, Nevada and Australia, the world's supply of gold and silver coined and bullion was:

	Gold.	Silver.	Per Cent.
1850...	4,580 tons...	148,000 tons...	1 to 32 1/2
1860...	6,510 " "	157,000 " "	1 to 24.1
1870...	8,394 " "	139,000 " "	1 to 20.7
1880...	9,970 " "	189,000 " "	1 to 19.5
1883...	11,025 " "	209,265 " "	1 to 18.9

RECAPITULATION.

In 1850... Gold, 4,580 tons... Silver, 148,000 tons
In 1883... Gold, 11,025 tons... Silver, 209,265 tons

Increase in supply of gold, 142 per cent.

Increase in supply of silver, 41 1/2 per cent.

Increase of supply of gold over silver, 100 1/2 per cent.

PRICES OF SILVER BULLION COMPARED.

In the sixteenth century silver was worth as high as 8 1/2 pence per ounce 925 fine in London, equal to \$1.89 per ounce fine in this country, yet the production during that century was 1,449,582 pounds of gold and 46,298,469 pounds of silver or in proportion as 1 to 32.

The largest proportion of the production of silver to gold was in the seventeenth century when it reached 70,004,297 pounds in weight in silver, and 1,821,160 pounds in weight in gold, or as 1 to 42; yet the average price during that period of 100 years was 8 1/2 pence per ounce, equal to \$1.78 per ounce fine.

During the present century from 1801 to January, 1883, the production of gold includes 15,738,913 pounds and 130,116,409 pounds of silver, or in proportion as 1 to 12. Yet today the price of silver is about 94 cents per ounce here and about 43 pence per ounce in London. This, as Mr. Michels very justly stated, was as 1 to 22, yet our production was only for 87 years as 1 to 12; hence he argued that if the supply governs, as pretended by the gold standard advocates, the price for silver bullion ought to be \$1.72 1/2 per ounce fine here.

The quantity of silver today produced in the world is only eighteen times that of the gold production, whereas in 1850 the quantity of silver produced was thirty-two times that of the gold production in weight. And, strange as it may appear, silver bullion has fallen in price. If the price of the precious metals depended on the relative value of the existing supply, coined or in bullion, silver should be worth \$2.26 per ounce, or 77 per cent more than in 1850. In fact considering the now ruling rate of 94 cents per ounce, and comparing the present conditions with 1850, our present stock of silver ought to be over 495,000 tons, instead of 209,265 tons. Thus as Mr. Michels clearly stated and proved the fall in the price of silver is the result of statute laws, and not due to natural causes.

THE COTTON QUESTION.

Mr. Michels who has visited the

southern cotton states, gave facts to show that the now ruling low price of cotton was due to the low price of silver bullion. He stated that in 1873 the price in India was 11 1/2 c. per pound and today it was 11 1/2 c. per pound also, while the price of cotton in the United States ruled in 1873 at 15 cents per pound, prior to the demonetization of silver and during 1887 the average price for cotton was down to 10 cents, just the difference between the exchange in India council bills issued by the Bank of England on the Eschequer of India and mostly covered by our silver at from 33 to 34 per cent. discount.

THE WHEAT QUESTION.

As soon as the act of 1873 was passed by Congress, Great Britain demonetized gold in India and passed a law which reads: "Gold hereafter shall not be a legal tender throughout the Indian empire, not valid even in payment on account."

The duty on export of wheat from India was simultaneously abolished and thus was the export of wheat from India in 1874 from 95,000 bushels increased to over forty million bushels last year, or actually over 400 bushels to every bushel exported in 1874.

While the price of wheat in this country has declined from \$1.42 per bushel in 1873 to 96 cents per bushel in 1887; the price of wheat in India has only changed from \$1.00 per bushel in 1873 to \$1.02 in 1887.

Mr. Michels also very ably showed the detriment to the wool interests in this country by the discrimination of the real rupee of 48 cents and the now fictitiously quoted rupee of 34 cents.

THE SNUGLING OF LEAD ORE.

He also vividly and fearlessly exposed the pernicious practice of smuggling lead ore under disguise of silver ore which comes in free under the present ruling tariff. Thousands upon thousands of tons have thus been smuggled over the frontier of Mexico into El Paso, Texas, and the establishment of lead smelting works in Laredo, Texas, and Nogales, Arizona, are the natural outcrop of that dishonest practice. The government is thus deprived of \$30 on every ton of lead thus smuggled. He suggests as a remedy a mandamus proceeding against the collector of customs and a punishment, as well as the collection of duty thus wrongly withheld from the government.

Mr. Michels closed with heartfelt thanks to the people of Utah for the courtesy and facility extended him in the pursuit of his duties as directed by the United States Senate, and extended especial thanks to Mr. W. F. James, the president of the Ore Producers Association of Utah, and its secretary, W. G. Van Horn, Esq.

Mr. Van Horn, upon the request of Mr. McCormick, the President of the Chamber of Commerce, then introduced the following

RESOLUTIONS,

which were unanimously adopted:

Whereas, We believe that the highest financial wisdom was exercised by the founders of our Republic when they established, by law, the free and unlimited coinage of gold and silver, and, whereas, we deplore the repeal of that law in 1873, and in order to remedy the injury done to all the business interests of this country, by such repeal, we respectfully and earnestly request that Congress re-enact laws for the free and unlimited use of gold and silver as money as provided in the United States Senate bill introduced by the Hon. Wm. M. Stewart, senator from Nevada, and known as the Senate bill 3610, and printed herewith.

Whereas, The unjust discrimination against the precious white metal since 1873 has wrought almost incalculable injury to the wheat, corn and cotton interests in this country, thereby building up the prosperity of Great Britain in India to the detriment of the United States, we protest against all such laws now in force and demand the repeal of the same.

Whereas, The general belief fostered and propagated by the enemies of silver in favor of the single gold standard rests upon false representations of actual supplies and production of silver; and

Whereas, This general belief that the supplies of silver exceed the demand, and that the production of silver has increased beyond measure, are based upon purposely made false statements, we hereby present to the members of Congress, the true state of existing facts:

WORLD'S PRODUCTION OF GOLD AND SILVER.

Year.	Gold.	Per Cent.	Silver.	Per Cent.
1801 to 1860...	478,267,240 lbs.	33.3	5,712,357,840 lbs.	66.7
1861 to 1870...	480,000,000 lbs.	33.9	1,625,000,000 lbs.	72.5
1701 to 1800...	1,723,800,000 lbs.	34.1	2,654,119,200 lbs.	65.9
1801 to 1867...	5,718,911,765 lbs.	35.6	8,992,444,361 lbs.	43.4

And whereas, In 1873 silver was demonetized in the interest of Great Britain, and the free and unlimited coinage of silver abolished in this country, thus by statute depriving silver of its legitimate function which it had held since the formation of the government of the United States; we, citizens of the great mining commonwealth of Utah, assembled in the Chamber of Commerce of Salt Lake City.

Resolve, That the present limited coinage of silver money, and the purchase of silver bullion by the U. S. government at the London market price is detrimental to the interests of this country; that the Senate bill 3610 introduced by Hon. Wm. M. Stewart, senator from Nevada,

destroys this unjust discrimination in favor of England, and restores the precious white metal to its true place as an equal with gold, in the monetary system of the United States; that we hereby cordially endorse that bill and urge upon Congress the passage thereof.

II. That the whole prosperity of the great intermountain region rests upon the mines and mining interests, and any legislation tending to restore silver to its true place would add new life and prosperous growth to the great mountain States and Territories.

III. That the ownership of mines by aliens has added its quota to the mineral production in this Territory, and has been beneficial to the mining interests of Utah.

THE STEWART BILL.

Following is the bill, S. 3610, introduced by Mr. Stewart October 3, 1889. It was read twice and referred to the committee on finance:

A bill to provide for the issuance of coin certificates to circulate as money.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person may deposit at any mint or assay office of the United States, either gold or silver bullion, or both, in quantities of not less than five ounces of gold or eighty ounces of silver, and demand and receive coin certificates therefor at the rate of one dollar in certificates for twenty-five and eight-tenths grains troy weight standard gold, nine-tenths fine; and at the rate of one dollar in certificates for four hundred and twelve and one-half grains troy weight of standard silver, nine-tenths fine.

The coin certificates issued under the provisions of this section shall be of such denominations as the Secretary of the Treasury shall prescribe; Provided, That they shall not be of less denomination than one dollar or more than one thousand dollars, and that one-half of the amount issued shall be in denominations less than fifty dollars, and shall be redeemable in gold or silver coin at the option of the United States. And the Secretary of the Treasury shall cause to be coined from time to time such portions of the bullion deposited under the provisions of this section as may be necessary to enable him to furnish coin for the redemption of such certificates.

The coin certificates issued under the provisions of this section shall be a legal tender at their nominal value for all dues, public and private, except where otherwise expressly stipulated in contracts heretofore made, and when such certificates shall be received for public dues they shall be reissued. And a sufficient sum to carry out the foregoing provisions of this section is hereby appropriated out of any money in the Treasury not otherwise appropriated. And the provision in section one of the act of February 28th, 1878, entitled "An act to authorize the coinage of the standard dollar and to restore its legal tender character," which requires the Secretary of the Treasury to purchase at the market price thereof not less than two million dollars' worth of silver bullion per month, nor more than four million dollars' worth per month of such bullion is hereby repealed.

Arrests in Southern Utah.

We are in receipt of information to the effect that Deputy Marshals Armstrong and McGary recently arrested, in Long Valley, Kane County, E. D. Woolley and Thomas Chamberlain, of Kanab, and John Covington, of Orderville, for violations of the Edmunds law.

Broken Arm.

Hon. John F. Boyden, of Coalville, Summit County, who has a lame arm, lately had the member broken. It was set, but on Saturday last, through some unfortunate cause, the break was made again, and the limb had to be reset. The gentleman was suffering so that he was unable to attend upon his father during the latter's last hours, and whose death occurred in Peterson, Morgan County, on the 20th inst.

Iron Company.

The Utah Coal and Iron Company filed its articles of association yesterday, with the clerk of Weber County. The capital stock of the incorporation is placed at \$2,000,000, and the business will be to purchase and sell coal lands, mine and sell coal, manufacture coke, develop iron mines, and carry on the manufacture of iron and steel, etc. The principal office is at Ogden.

The Electoral College.

We are in receipt of a communication from Oxford, Idaho, signed "Neslo," in relation to presidential electors, in which a number of questions are asked for information, one of which is: "Can the electoral vote in any way change the popular vote?" The best answer to this is that it often does so. Tilden's majority over Hayes was 252,000, and it seems now as if Cleveland might have a small popular majority over Harrison. All the other questions of our correspondent were answered in detail, and the one quoted substantially, by an article in the EVENING NEWS of the 10th instant, and which subsequently appeared in the