the "Liberal" party; but the defense could not put Mr. Allen aside and attempt to try Winters, and it was simply impudent on the part of the defense to drag these things in. They said that for any man to testify against the "Liberal" party was treason and the man was a Judas Iscariot, a Uriah Heep. It was not very becoming in the attorneys for the defense to trumpet their wonderful virtue and to arrogate to themselves that rectitude which those who knew them best might be somewhat chary in crediting to them. It made his blood boil to listen to the low insults heaped upon Mr. Winters because he had dared to testify in the case. If he was so unworthy of belief, why wasn't it possible to find one man in all this great city who would testify to something against his character? The only motive Mr. Winters had was to tell the truth, when under oath to do so. Did Judge Powers and Mr. Dickson think that under such circumstances he should have sealed his lips? Because Mr. Winters didn't happen to drink whisky and smoke the defense poked fun at him, but this was the first time the speaker had ever heard such things urged against a man in a court of justice. These magnates of the "Liberal" party dismissed Mr. Winters to eternal disgrace, but it remained for the jury, by their verdict, to decide that. Of course Dickson and Powers could cast the first stone at Winters, but possibly there were others who couldn't do that. He had no feeling in this case until the base and cowardly attack was made upon Mr. Winters, and to this he considered it his duty to reply in the strongest terms.

JUDGE ANDERSON'S CHARGE.

His Honor charged the jury in the following terms:

Gentlemen of the Jury—The indictment in this case charges the defendant with a felony.

The indictment charges that the defendant on the 14th day of July, 1890, at the County of Salt Lake, in the Territory of Utah, while acting as presiding judge of election at Poll No. 2 of the Fourth precinct of Salt Lake City, at an election then and there being legally held for school trustees for the City of Salt Lake, Territory aforesaid, unlawfully and feloniously and fraudulently added to the ballots then and there being legally polled at such election, by fraudulently and unlawfully introducing into the ballot-box kept by him as such judge of election a certain number of false and fraudulent ballots which were not cast nor offered to be cast by any elector at said Poll No. 2, by unlawfully and fraudulently mixing and mingling said false and fraudulent ballots with the ballots lawfully cast at such election.

1—To this indictment the defendant has pleaded that he is not guilty, and this plea puts in issue every material averment in the indictment, and before you can convict the defendant you must be satisfied from the evidence beyond a reasonable doubt that he is guilty of the crime of which he is accused substantially as charged in the indictment.

2—The law presumes every person accused of a crime to be innocent until he shall have been proven guilty beyond a reasonable doubt, and the defendant in this case is entitled to this presumption of the law in his favor.

3—A reasonable doubt is, as the words import, a doubt founded in reason and not a mere captious or fanciful doubt—one that has to be sought after or conjured up for the purpose of acquitting a defendant, but one that fairly and reasonably arises upon a consideration of all the evidence in the case. If upon a full and careful consideration of all the circumstances of the case, as disclosed by the evidence, the mind wavers and is uncertain as to the guilt or innocence of the accused, this would be a reasonable doubt within the meaning of the law, and you should acquit the defendant.

4—You are the sole judges of the facts of the case, the weight of the evidence and the credibility of the witnesses, and in determining the credibility of a witness you may take into consideration the demeanor of the witness while testifying, his relation or situation to the defendant or those engaged in the prosecution, any bias or prejudice he may have manifested, any interest he may have in the result of the trial, and any other fact or circumstance which in your minds, as reasonable men, should affect his credibility; and if you find that any witness has knowingly testified falsely as to any material fact in the case you will be justified in disregarding his entire testimony, except at to such parts thereof wherein he may have been corroborated by other credible evidence.

The defendant is a competent witness in his own behalf and has testified before you, and you should give his testimony such weight as you may think it fairly entitled to, keeping in mind the deep interest he has in the result of the trial.

5—Evidence has been introduced as to the previous good character of the accused. You are instructed that evidence of previous good character is competent evidence in favor of a party accused, as tending to show that he would not be likely to commit the crime alleged against him. And in this case if the jury believe from the evidence that prior to the alleged crime the defendant had always borne a good character for honesty and integrity among his acquaintances and in the neighborhood where he lived, then this is a proper facts to be considered by the jury, with all the other evidence in the case, in determining the question whether the witnesses who have testified to facts tending to criminate him have been mistaken or testified falsely or truthfully; and if, after a careful consideration of all the evidence in the case, including that bearing upon his previous good character, you entertain any reasonable doubt of the defendant's guilt, then it is your duty to acquit him.

6.—But if you believe from the evidence, beyond a reasonable doubt, that the defendant committed the crime in question, as charged in the indictment, it will be your duty as jurors to find the defendant guilty, even though the evidence may satisfy your minds that the defendant, previous to the commission of the alleged crime, had sustained a good reputation and character for honesty.

7—It is conceded by the defendant that there was an election held in Salt Lake City, Utah Territory, on the 14th day of July, 1890, for the election of school trustees, and that the defendant was the qualified and acting presiding judge at said election at Poll No. 2 of the Fourth precinct of said Salt Lake City, as charged in the indictment; and these facts are therefore to be taken by you as true without further proof.

8—If you find from the evidence beyond a reasonable doubt that at the time and place charged in the indictment, the defendant, while acting as presiding judge of election, at Poll No. 2, of the Fourth precinct of Salt Lake, at an election then and there being held for school trustees for the City of Salt Lake, and while said poll was open to receive the ballots of the electors voting or offering to vote at said poll, did knowingly and unlawfully introduce into the ballot box kept by him at said poll, one or more false and fraudulent ballots which had not been then and there cast by an elector or electors voting at said election, then you should find the defendant guilty as charged in the indictment; but if you fail to so find, you will return a verdict of not guilty.

When Judge Anderson had concluded, Judge Powers asked that the jury be charged to the effect that if they found that at the election in question the defendant did substitute any "Liberal" ballots for the People's party ballots, they should also find what he did with the People's party ballots.

His Honor at once refused this request, and the jury retired at 3:30.

After being absent rather more than three hours they returned into court with a verdict of "not guilty," a result which surprised nearly everybody present.

ITALY'S DIPLOMACY.

WASHINGTON, April 11.—Secretary Blaine was indisposed today and was confined to his room by an attack of gout. In the course of the afternoon the President walked over and consulted with the Secretary respecting diplomatic matters that may require action during the President's approaching absence from Washington. It is now a matter of positive knowledge that the Italian government has not sent to this government, or any of its representatives, notification that a reply is expected to Rudini's note within any specified time. It is not customary in diplomacy for any nation to undertake to dictate the date of correspondence coming from another nation, and had Italy adopted this course it would certainly be regarded with umbrage by our own government, and would excite great surprise among the diplomats of other nations, whose customs are regulated by an unwritten but almost immutable law.

As stated in Secretary Blaine's letter to Marquis Imperiali, the government of the United States proposes to deal with the questions at issue earnestly, but with caution and deliberation. The Department of State is not contenting itself with a specific inquiry into the history and antecedents of the New Orleans victims. It proposes to show the Italian government the extent of the evil of unrestricted immigration