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# EVENING NEWS.

# FIFTY-SECOND YEAR

# MEANS MUCH FOR SALT LAKE CITY.

Victory at San Francisco, Says Judge Pow= ers, Will Hasten Coming of the Postal Telegraph.

for the Postal Telegraph company in Utah, that great transmitter of intelligence will surely reach Salt Lake next as early as the spring time, he His conclusion is based upon thinks. information received by him today in a dispatch from the company's attorneys at San Francisco and from the following Associated Press telegram under date of last night:

"The United States circuit court of Appeals for the Ninth district today affirmed judgment in the case of the Oregon Short Line Railroad vs the Postal Telegraph Cable company. This was a suit for condemnation of land held by the ratiroad company. The court decided that the purpose for which the telegraph company would use it was more important than that of the railroad company."

According to Judge Powers, this ruling is practically the beginning of the end of the long and expensive legal battle between the Postal Telegraph and Cable company and its opponents. The Postal, he declares, is already to build existing gaps and put Salt Lake in communication with all points over its wires. The saving that will accure to Salt Lake will amount to many thousands of dollars annually in tele-graph tolls. It will also insure a much graph toils. It will also insure a metric better service as each company will doubtless vie with the other in the prompt dispatch and delivery of mes-sages. It is estimated that the reduc-tion to Salt Lake, in tolls, will be at least one-third over the present cost. Judge Powers in sneaking of the case Powers, in speaking of the case Judge today, said:

"The decision of the United States circuit court of appeals at San Fran-cisco yesterday, in favor of the Postai Telegraph and Cable company of Idaho and against the Oregon Short Line religned is one of grant imposition Telegraph and Cable company of Idaho and against the Oregon Short Lina railroad, is one of great importance to Salt Lake, as well as to the Postal Tele-graph. As a result of this decision the

According to Judge Powers, counsel | right of the Postal company to build its telegraph line along the Oregon Short Line railroad from the Utah state line to the Montana state line is confirmed. But the decision accomplishes more. There is a suit pending in the United States circuit court for Montana, between the Postal Telegraph and Cable company of Montana and the Oregon Short Line involving the right of way from the Idaho state line to Butte. As Montana is in the same builded durication as Idaho and as judicial jurisdiction as Idaho, and as the same questions are involved in the Montana case as were involved in the Idaho case, the decision at San Francisco vitually determines the Montana case in favor of the Postal company.

case in favor of the Postal company. "In May last the Supreme Court of Utab, in a case between the Postai Telegraph-Cable company of Utah and the Oregon Short Line, rendered a de-cision giving the Postal company the right of way from Salt Lake City to the Utab state line. It will, therefore, be observed that at last, and after our two years of litigation, the Postal com-pany will soon be able to build north from Salt Lake City to Butte, there connecting with through lines of the connecting with through lines of the Postal east and west, and giving to the people of this section additional tele-graph facilities and a competing line. The main fight has been fought out, and just as soon as the remittitur comes down from the court of unneals, and

for treason and that he urged the neces-sity for shooting or otherwise disposing of Douglass Foster, an English lawyer attached to Lord Roherts' staff, who was very active against the Boers. The prosecution introduced letters in which Dr. Krause described Lord Mil-ner as "an arch scoundrel and an enemy of Boer national existence and a will-ing tool of the jingoes" and advised the burghers to break their oaths and shoot trailors. traitors. The letters indicated that Dr. Krause acted as a channel of communication between the Transval and the Boer government in Holland.

THE DESERET

The prisoner was remanded. Delano Mill, Fonider, Burned.

Boulder, Colo., Oct. 8.-The Delano mill, for the treatment of gold and sil-ver ores, with offices, ore houses and other buildings, occupying about five acres of ground, was destroyed by fire this morning, involving a loss of \$100 -000, partially insured. The mill was owned by Rhode Island capitalists. Don Carlos Favors Peace.

Paris, Oct. 8 .-- Baron Saingaren, the Carlist leader, who is now in this city, discredits the reports from Spain of the imminence of a Carlist uprising. He says Don Carlos at present favors peace.

P. E. HOUSE OF DEPUTIES. Result of Yesterday's Debate Modi fled by a Clerical Error.

San Francisco, Oct. 8 .- The result of the protracted debate in the house of deputies, which ended yesterday in the apparent adoption of the proposed ad-dition to article 10 of the new education providing for a form of service not strictly in accordance with the prayer book, was nullified this morning by the book, was nullified this morning by the correction of a clerical error. The change of the vote of Nebraska, which had been incorrectly entered in the rec-ord, resulted in the defeat of the amendment, to the surprise of many, who had not considered the fact that a majority of the dioceses, voting is ne-cessary to carry a measure and that cessary to carry a measure and that the vote of divided delegations virtually counted among the nays. Although the defeat of this much debated measure, commonly known as the Huntington amendment, was apparently accom-plished by the changing of the erron-cously recorded vote of Nebraska, a well informed deputy states that it was down from the court of appeals, and the Montana case disposed of, the Pos-tal company is ready to proceed with really due to the division of the vote of California. This diocese yesterday votthe work of construction. "There is a case pending at Ogden involving the right of way between Og-den and the Wyoming state line along

California. This diocese yesterday vot-ed "yea" at first but afterwards a be-lated deputy came in and recorded his vote as "no," thus placing the ontire vote of the diocese under the dead of "divided," and making it possible for the correction of a clerical error to en-tirely change the final result. the Union Pacific. That case will soon be disposed of as our Supreme Court has decided all the questions involved in favor of the Postal company. Pro-After the formal opening of the house of deputies today a rule proposed by the committee on rules was adopted providing that no business shall be in-troduced after Saturday, October 12, except by permission of a two-thirds vote. ceedings are about to be commenced for the right to build through Wyoming and thence on through Nebraska to Omaha, with a connecting line from Cheyenne to Denver, and it is the purpose to build west from this city to the Pacific coast. I think that in the early spring

vote. A majority report of the committee was made that it was not prepared to make any recommendation upon the memorials from Milwaukee and Colorado that the name of the church as it appears on the title page of the pray-er book be changed. A majority report was presented recognizing that a con-stitutional amendment, would also be required and asking that, the whole matter be referred to a special commit-tee to be appointed by the chair. A similar majority report was made in

INTERESTED IN **MISS STONE'S FATE** 

TRUTH AND LIBERTY

At Philippoplis, Bulgaria, It Grows More Intense.

## GOVERNMENT CONDEMNED.

#### American Consul in Salouica to Arrange to Pay Ransom - Missionary Haskell Negotiating.

Philippopolis, Bulgaria, Oct. 8 .- Public interest in the fate of Miss Ellen M. Stone, the kidnapped American missionary, intensifies here. There is widespread condemnation of the government for allowing such freedom to the Macedonian committee as to enable it to engineer the outrage. Miss Stone resided here before she went to Salonica and she is well known throughout the country. The patriotic Bulgarians are incensed, as they recognize that Miss Stone and her colleagues of the American missions in Bulgaria and Macedonia have been their best friends throughout the troubles. There is no lack of indications that Prince Ferdinand is imperiling his own posi-

Ferdinand is imperiling his own posi-tion by permitting such license to the committee as to enable it to blackmail prominent people in support of the Macedonian cause. Consul-General Dickinson, when here on his way to Sofia from Constantino-ple, thought it probable that if the brigands understand from headquarters that the ransom would not be paid they would release Miss-Stone, as the Macedonian cause would not be helped by the murder of the woman. by the murder of the woman.

#### TO PAY THE RANSOM.

Paris, Oct. 8.-A letter received by the Havas agency from Salonica, dated

Oct. 4, says: "The American consul here has just received orders to make the arrange-ments with the vall, (governor), for the payment of the ransom of Miss Stone. The United States will advance the money, afterwards settling with Tur-

rest authorities have made numerous arrests among the Bul-garian population, without distinction of religion and nearly all have been put to torture in the hope of abstracting in-formation. to torture in the hope of abstracting in-formation. A prisoner named Dimitri said an understanding existed between the Protestants and the Macedonian committee and that Miss Stone was even acting in concert with them with the view of obtaining funds for a poll-tical-religious propaganda. These dectheal-religious propaganda. These dec-larations wrung from Dimitri under torture, are valueless. What is cor-tain is that the captain of the band designated for the payment of the ran-som a place in proximity to the Rou-manian fronties, which proves that he

manian frontier which proves that he

hopes to escape the Turkish police, and

that the Bulgarian police do not cause

This condition of affairs is shown by the fact that five or six hands of

brigands of 12 to 15 men each have

Kuprill that the officials of the orien-

NEGOTIATING WITH BRIGANDS.

the American missionary at Samana-koff, Bulgaria, is opening negotiations

with the brigands with the view of re-

manded for the release of Miss Stone.

STATE DEPARTMENT INTEREST-

Washington, Oct, 5.-N. since the successful attempt to save the life of John Hays Hammond, the American engineer, implicated in the Jameson raid, has the state department put forth such energetic efforts to save a

human life as it is now exerting in be-half of Miss Stone, the American mis-

ED

ducing the amount of the ransom

Constantinople, Oct. 8 .- Mr. Haskell

one so bold between Strumitza and

him anxiety.

TUESDAY, OCTOBER 8. 1901. SALT LAKE CITY, UTAH. the house was called to order by Presi-dent Lindsay the consideration of busi-ness.was immediately resumed, the first ness.was immediately resumed, the first matter to come up being a motion to correct a reported error in the note taken yesterday on the amendment to article ten of the constitution. This gave rise to considerable discussion. At St Luke's church the junior branch of the Daughters of the King heid a meeting this morning. held a meeting this morning. The seniors later considered matters pertaining to the good of the order. There will be a big missionary rally at the Mechanics pavillion tonight.

DUTY ON RUSSIAN SUGAR.

M. DeWitte Wants to Return to the Status Quo Ante.

New York, Oct. 8 .- A dispatch to the Journal and Advertiser from St. Peters-burg quotes the director of the chan-cery of the minister of finance, Shipoff. as follows on behalf of M. DeWitte: "The inquiry of the minister of finance concerning his views on the finance concerning his views on the United States eventually entering a course of more liberal commercial agreements was forwarded to Sotshi in the Caucasus where the minister is temporarily staying. His excellency instructs me to state he will be glad at any time to return to the status quo ante on the raising by the United States of the duty on Russian sugar. In order to give an answer regarding Russia's attitude toward a more liberal commercial policy of the United States it would be necessary to know what, in it would be necessary to know what, in the concrete, this policy might consist

#### Bubonic Plagne in Brazil.

Rio Janeiro, Oct. 8 .- On Thursday three new cases of the bubonic plague were reported, and Friday there were four. Fifty-four persons have been stricken so far with the disease.

#### Senor Mero Presents Credentials.

Washington, Oct. 8 .- Before the cabinet assembled today the new Argentine minister, Senor Don Martin Garcia Mero, presented his credentials to the President. Assistant Secretary Adee made the presentation. The usual ex-pressions of good will were exchanged.

#### Presidential Appointments.

Washington, Oct. 8 .- The President made the following appointments: War-Captain artillery: Lawrence G.

Nar-Captain Arthery, Lawrence G. Brown, Malcolm Young. Navy-Clifford H. West, captain: George H. Stafford, lieutenant com-mander: Raymond Stone, lieutenant; John M. Hudgins, lieutenant.

### Chicago Biscuit Factory Burned.

Chicago, Oct. 8.—Fire early today destroyed the McMahon Cracker & Biscuit company's factory at 46-50 Green street, causing a loss of \$100,000; damaged Drew and Hoffman's brewery adjoining to the extent of \$30,000, and drove guests of several hotels nearby into the street in their night clothes. The flames started in the bakery and within five minutes the whole structure was a blaze. Twenty-seven roomers in a lodging house at 52 d Green street

was a blaze. Twenty-seven roomers in a lodging house at 52-54 Green street had a providential escape. They had been aroused by a flerce fight between two lodgers, and seeing the fire, rushed into the street a few minutes before the south wall of the factory toppled over, crushing in the roof of their dwelling place.

place The firemen soon abandoned their attions concerning the blockade of Santiago. Among other questions he was asked by Capt. Lemly if he had had any conversation with Commodore Schley tempt to check the flames, fast eating up the oracker plant, and confined their efforts to preventing the fire from spreading. In this they were success-ful, as the hotels and small buildings near the factory sustained only nominal damages.

# THE BROOKLYN'S **FIRES WERE BANKED**

Only One Going on Morning of July 3-That Day the Oregon Got Up a Speed Equal to the Flagship.

Washington, Oct. 8 .- After the usual | in response to the questions asked yespreliminaries in the Schley naval court terday as to why he had designated as "a llar and a blackguard" the editor of of inquiry today Lieut, C. W. Dyson, of a newspaper which had originally printed the alleged colloquy between himself and Commodore Schley. He the bureau of steam engineering of the navy department, was recalled to e nand he desired to alter the reply that he had yesterday given to this inter-rogatory. He then said: "I, of course, am very sorry that I ever so far forgor tinue his testimony regarding the coal supply of Admiral Schley's flying squadron at the time of its arrival off Santiago harbor on May 26, 1898, Ho myself as to write a letter containing such intemperate language. It was not was brought in this morning at the inwritten exactly for publication, but un-der great provocation at the time. In that latter I did not accuse this news-paper of lying for printing that state-men. In fact, it was to absolve it from lying that I gave the paper authority stance of Admiral Schley's counsel for the purpose of giving further testimony concerning the availability of the coal supply in charging the enemy. It was the understanding when court opened to use my name for the correctness the gist of that statement. The ly that Commander Richard Wainwright The lying would be the principal witness of the was on the matter of the fact that he commodore displayed such trepidation day and that after he should be exand cowardice on the Brooklyn the day of that battle that he ran from the cused Messrs. Bristol, Grant and Potts would be called in the order named. Spaniards and took the Brooklyn to the southward and away from the fight. In The three last mentioned were all order to detract from the credit of the fame of the commodore in that battle; that they wished also to detract from he credit of all the officers of the Brookwatch officers on various vessels of the American fleet on July 31, when the na-val engagement of Santiago was fought. It has been the desire of the court to secure as much testimony as lyn on account of the glorious part she took in that day's fight. It was the possible from the men whose especial duty it was to keep a look out and words to that extent that I character-ized as lying. There was no lying in these three officers were summoned to gratify this wish. There was a special that colloquy unless a man stuck to the verbal correctness of the words. So I interest in Commander Walnwright's testimony because of his prominent did not characterize the paper as liar for printing that colloquy." identification with the Spanish war and also because of the fact that he is now superintendent of the naval academy at Annapolis. During the summer of

### COMMANDER WAINWRIGHT.

Lieut. Commander Hodgson being excused, Commander Wainwright was called. Capt. Lemly began his exam-1888, Mr. Wainwright commanded the converted yacht Gloucester, which played a conspicuous part in the camination by drawing from the witness the fact that he had been a member and latterly senior member of the board which had officially acted in making paign against the Spanlards. In the call-paign against the Spanlards. In the battle of July 3 his vessel occupied a position on the extreme right of the American column to the east of the In-diana and when the Spanish torpedo boats Pluton and Furor came out of the harder her stracked them fearlessly the charts showing the positions of the American and Spanish ships at Santi-ago. The witness told how conclusions were reached by the board.

He said: "When I reported as senior member of the board, the board of navigators had a sketched chart before them with the number of the position sketched on it, which had been deter-mined by them, starting at different periods, first when the ships came out and afterward when they went achors, Each navigator, as near as possible would put the position of his ship at that time. Then there was a great deal of discussion as to the relative bosi-tions. Of course it was impossible to get any position by hearings and the e-was nothing known about the relative positions. We also knew that the

# Judge Hart Tells Murderer of Captain Brown That the Best Interests of Society Demand the Imposition of

LIFE IMPRISONMENT FOR MAJORS

## Such a Penalty.

#### (Special to the "News.")

Logan, Oct. 8 .- Abe Majors, the slayof Captain Brown, appeared in the First district court at 11:30 this morn-Ing to receive his sentence, which Judge Hart made a life imprisonment.

Attorney A. J. Weber made a motion for a new trial, based on seven errors alleged to have been made by the court. These were mainly what the court said and decisions on questions of law and that the verdict was contrary to the evidence. The motion was denied. Then the attorney moved an arrest of judgnent, and that also was denied.

District Attorney Nebeker asked the rivilege to make a brief statement. ut the court said that unless it was plea for leniency the court couldenot lear it, Judge Hart then turned to Majors and ordered him to stand up. The latter arose and stood in that nonchalant attitude that has characterized im ever since he was arrested. Judge Hart asked him if he could state any eason why sentence should not be assed upon him and he replied, "None whatever."

The court then said: "All the intersts of society demand that you be given the fuil sentence provided by law. Your action after you were paroled proved that you are not safe when entrusted with your freedom. The senence of the court is that you be taken hence to the Utah State prison for the term of your natural life."

While the sentence was being passed poh him the face of Majors remained s immebile as stone.

(Special to the "News.")

Price, Utah, Oct. 8.-Peter Francis

was killed last night at his ranch, forty

alles from here on the Vernal road, by

Dave Russell, a stage driver. Bad fecl-

ing has existed between the two for

some time, Francis' road ranch is the

first station out and it is here the stop

is made for the night. There is a bar-

room at the place and it was here that

D . Krause Arraigned for Treason.

**TWO BULLETS IN THE FOREHEAD.** 

Peter Francis Shot and Killed by Dave Russell-Mystery Sur-

rounds Immediate Details of Shooting -- Bad

Blood of Long Standing.

He will be sent to Salt Lake this evening in charge of Sheriff Rigby of Cache county.

FUTURE IS FULL OF GLOOM. When Majors Enters Prison it Will be to Reman There Until Death.

"He who enters here leaves hope be

hind," applies with peculiar force to Abe Majors just now, as he is about te become an inmate of the state prison again; for it is not likely that he will ever get another trial, and it is by no means certain that he would ever be acquitted by another jury. The general public which has fol-

lowed the devious windings of his case will be interested in knowing something of the treatment that the officials ac cord to life prisoners. It is thought that a different discipline is a part of their experience, but such is not the case, The treatment of a life and one year prisoner is identically the same regard. less of time or offense, except that the less of time or offense, except that the life prisoner is never permitted to pass outside the walls when once withh. When he enters it is to remain there until death or until some operation of law gives him his liberty. Majors may possibly set the benefit of the latter, but it is safe to say that it will be a long time in the future. When Majors was in prison before he

When Majors was in prison before, he was under condemnation, and a county e, and, therefore, not compelled to Hereafter, he will be obliged to charge work take his place at the prison rock plie as other prisoners. This, it is said, is about the only work he ever did. That was at Folsom prison, California, where he was serving a ten years' sentence for burglary. He had served about five years of this, and was under parole when he fied from the state and came to Utah only to get into the trouble, that resulted in the killing of Captain Brown and his own brother.

regard to the resolution of the Rev. B. W. R. Taylor of Los Angeles. The com-mittee also reported that it was the opinion of the committee that the taprayer book in the sense that the constitutional provision for the amendment of the prayer book applied to it. .The reading of the minutes developed a question of the correctness of the vote by which the Huntington amenument was declared adopted yesterday. It was claimed that the clerical vote of Nemilitary authorities to reinforce the troops guarding the track and bridges. braska was wrongly recorded in the af-firmative. The minutes were corrected,

making the clerical vote of Nebraska no. This changed the result, defeating the amendment. A techram was read in the house at -nouncing the death of Bishop Burgess of the d.ocese of Quincy. On motion of Dr. Grosvenor an invi-

tation was extended to the lord hishop Newcastle to occupy a seat on the platform. Mr. J. P. Morgan presented a memori al from the church clubs of New York and other cities in regard to a bishopric

## in the Philippine islands. Peter Sterling Wins. Lexington, Ky., Oct. 8.-Peter Stirling won the \$16,000 Kentucky Futurity in

straight heats; Walnut Hall, second; Hawthorne, third. Time, 2:13, 2:114. 2:11%. **Two More Morgan-Chadwell Victims** 

Middlesboro, Ky., Oct. 8 .- Wm. Morability in unearthing the ramifications of the plot which resulted in the kidgan and Roos Chadwell, wounded in Sunday's fighting at Union Baptist church, near Big Springs, Va., died last night. This makes six dead from that of the plot which resulted in the kid-napping of Miss Stone. There is little doubt that the Turkish government has done all that it could be expected to do to run down the bandits and what feudal encounter. A large party, head-ed by Bud Chadwell, Len Chadwell and Joe Dooley have left Middlesboro armed with Winchesters to join the Chadwell forces. Arms and ammunition are be ing secured from surrounding towns. Augustus Morgan, aged 80, father of the Morgan boys, is endeavoring to bring about peace. As he is well liked by the Caudwells his efforts may be sucsures fail, then the ransom money must be paid and that is why Mr. Eddy has been placed in possession of this powerful auxiliary. The state depart-ment officials deprecate most earnestly newspaper discussion of the measures cessful.

### China Appoints Agents.

Washington, Oct. 8 .- Minister Conger has cabled the state department a brief confirmation of the Pekin report that, by royal decree, the Chinese govern-ment has appointed specially empowered representatives to treat with Mr. Sharratts and such other officials as may be appointed in behalf of the

## European nations to negotiate trade and tariff treaties.

## Fatal Railroad Wreck.

fuse to give any information concern-ing the case beyond the merely nega-

Two Marderers Hanged.

Middlesboro, Ky., Oct. 8.-A wreck on the Louisville & Nashville railroad at the Louisville & Nashville railroad at Wasota, Ky., seven miles north of here last night, resulted in the death of En-gineer James Schumate of Middles-boro, James Hale, brakeman, was, perboro, James Hale, brakeman, was, per-haps, fatally injured. The wreck was caused by a cross tie being placed on the track. A man was arrested at Wasota charged with the crime.

#### P. E. Triennal Convention.

San Francisco, Oct. 8 .- The triennial Estscopal convention opened its ses-sions promptly at the announced time Many important matters are considered and the members of oday. to be considered and the members of both houses are desirous of expediting the work of the convention. The house of bichops is expected to take action on the addition to article ten of the constitution which was adopted yester-day by the deputies, but as the ses-sion will be executive nothing will be given out until adjournment. The prayer service in the house of deputies it is morning was conducted by Bishop Partridge of Kyoto, assisted by Rev. James R. Wichester of St. Louis, When

#### President Working on Message.

Washinton, Oct. 8 .- Only Atty.-Gen. Knox. Postmaster-General Smith and eretaries Hitchcock and Wilson tended today's cabinet meeting. Noth-ing important developed. The President has already begun the preparation of his message to Congress. It is understood that the Pacific cable question will come up at the cabinet meeting next Wednesday.

# SUCAR CUT CONFIRMED.

"I cannot testify exactly as to his reply. I would prefer not to do so." Judge-advocate-Give the substance. Last Saturday's Reduction on the Pacific "He did not agree with me as to the necessity for that."

Coast.

The New Prices are Already in Effect in This Market-Mr. Geoghegan Says Bottom Has Been Reached.

haif of Miss Stone, the American mis-sionary, who was captured by Bulgar-ian bandits. A sum of money has been forwarded by the agency of the cable to Spencer Eddy, the United States secretary of legation at Constantinople, who has shown remarkable energy and San Francisco, Oct. 8.-Another aggressive move has been made by the American sugar refining company, in the campaign which it has begun ations against the beet sugar industry. The cut in the price of granulated sugar to all Missouri river points which was announced last week, has been followto do to run down the bandits and what is now to be done is to secure similar action on the part of the Bulgarian government, and to that end influences more potent with the Slav races than that of the United States government are now at work. Should these meaed by a reduction in the price of beet and cane sugar in all states from Colorado to California. The reduction was announced by the Western Sugar Refining company and amounts to thirty cents a hundred on beet sugar and twenty cents a hundred on cane sugar. Robert Oxnard, vice president of the American beet sugar association said: "It is a fact that the Western Sugar Refining company has made a decline it is taking in Miss Stone's behalf, claiming that it is being greatly em-barrassed in its efforts by such publi-cations. Consequently the officials reof 20 cents per hundred on their cana sugar and thirty cents per hundred on their cane sugar and thirty cents per hundred on their beet sugars. This makes the dif-ference in their prices between cane granulated and beet granulated twenty points instead of 10 points as hereto-fore. The cut affects all markets from ing the case beyond the merely hega-tive statement that they have not been informed of the reported extension to one month of the time allowed for the ransom of Miss Stone. California to Colorado inclusive. I know of no change in the general sugar situation to account for it. Further than this I do not care to discuss the matter at present. In order to discriminate further

against beet sugar the Western Sugar Refinery, which is allied with the sugar trust, has announced that it will entertain no orders for granulated sugar which call for over 50 per cent of beet sugar. The reduction in prices has also affected Hong Hong sugar, of which there is a small supply in this market.

Mr. Jos. Geoghegan, the sugar broker, referring to the above dispatch, said that it was merely a confirmation of to be kept coupled during war. Dis-cussing the speed of the various vessels the cut made last Saturday, and the of the fleet on July 3 the witness said that the Oregon got up a speed about new prices had ruled here since Monday. He rather thought the bottom had now been reached, and the freight equal to the Brooklyn on that day notwithstanding that on her trial trip rate between here and the const. the Brooklyn made over 21 knots to the Oregon's 17 knots. He called attention course, gave the Utah factories an advantage which the California factories did not have. The action of the Trust in declining to fill orders which called to the fact that the New York had to the fact that the New York had made 16 or 17 knots' speed on the day of the battle. In response to questions from Capt. Parker he said that the New York had not had her engines coupled on the day of battle and that the Brooklyn had made all the neces-nery mead. for over 50 per cent of beet sugar, was of course an effort to force the cane product forward, and would be to the advantage of the Utah factories.

#### Price Jumps Back.

Late this afternoon Mr. Geoghegan received a dispatch from his correspondents informing him that the price of sugar at Missouri river points had been advanced 100 points, or \$1 per hundred pounds. He says if the usual practice is followed, this would mean an ad-vance in the West in the near future.

duting the blockade, He replied: "Toward the evening of one of the days, the 30th, there was an extended,

Judge-advocate-Was there any re-

"Was there anything further said by

"Nothing further that I recollect." Capt. Folger also said that he had no

recollection of a picket line on the in-side of the American fleet.

At the request of Capt. Parker of counsel for Admiral Schley, the witness examined the log of the New Orleans for May 30 and 31, 1898, for the purpose

of determining accurately the state of the weather, but he declined to modify

his statement of yesterday that the weather on those days was bad.

LIEUT. DYSON CALLED.

Lieut. Dyson was called. He was ques-tioned by Capt. Lemly concerning the

The judge-advocate asked: "What does the Brooklyn's steam log show as

auxiliaries. On the morning of July 3 both forward engines were uncoupled;

there were banked fires under three of

the main bollers. The other bollers were what we call 'dead,' no steam in

them. Judging from the time it took to start fires in these bollers after the

primed, and two of the bollers had to be run up to the sea steaming level.

It took from 9:35 to 10 o'clock to start

In response to other questions the witness detailed from the log of the

Brooklyn all that was done on that

Mr. Raynor asked if it was not neces-

sary to stop the ship to couple the un-coupled engines, and the witness re-plied that the ship could have been

kept going with one engine while the

OREGON'S GREAT SPEED.

The engines were designed, he said,

HODGSON EXPLAINS LETTER.

After Lieut. Dyson was excused

resel to get up speed

other was coupled.

sary speed.

Spanish fleet came out of the harbo I should say the furnaces were not eve

owhat.

Capt. Folger was then excused and

the harbor he attacked them fearlessly

was an observer, though at a distance, of the battle between the big ships of

CAPT FOLGER RECALLED.

the recall of Capt. Wm. M. Folger, for the purpose of correcting his testimony of yesterday. Advantage was taken of his presence to ask him further ques-

The proceedings of the court began by

He als

and aided in their destruction.

the two fleets.

to get out.'

him?

ply by the commodore?

distances in the chart were incorrect and the final decision of the board was to reconcile each one as near very severe rainstorm, so severe that I feared Cervera had gotten out as as possible but none of the positions was considered exact positions. if was sufficiently long to have permit-ted him to do so. I went on board the sibility of getting bearings even if we had had a correct chart was apparent, flagship the next day, thinking it my but it gave a general idea of the posi-tions of the vessels during the different duty to tell the commodore what I had seen as to the blockade as kept by the Japanese off the port of Wei Hol Hal. periods of the bottle." Mr. Rynor asked if it was true, as where similarly an enemy's fleet was within a fortified harbor. I said to the

had been officially stated in the report, that the positions were assigned from commodore that the adoption of the tactics of the Japanese, forming a 'known bearings"? circle directly in front of the harbor, would, in my opinion, be preferable, as then it would be difficult for anything POSITIONS HOW DETERMINED.

The witness replied that that statenent was incorrect; that they were tablished by estimated bearings. Most of the positions were, he said, fixed by discussions among the navigators con-stituting the board, although Capt. Chadwick was before the board, Th navigators had done the best they could in platting the vessels and had made it as nearly correct as possible, so long after the engagement as had been stated by the board.

Asked by Mr. Raynor about the places assigned to the Brooklyn and the Texas while the former vessel was making her loop Commander Wain-wright said he did not consider them correct

'For myself," he said, "I was never

satisfied with the places assigned." He said further that while the board had done the best that they could at the time, as a board, it had not done the best it could to satisfy any member of the board. It was the best we could

do to get all the members of the board to sign the report," he said. "Who in addition to yourself was not satisfied?" asked Mr. Raynor.

steaming condition of the Brooklyn on "I would not like to say," responded the witness. "I know that the navi-gator of the Texas was not for one, I think none was satisfied except the navigator of the Brooklyn, and I don't to the number of engines coupled up and the boilers in use July 3, 1898, as and the bolters in use July 5, 1898, as compared with the total engine and bolter power of the vessel?" The reply was: "The Brooklyn has four main engines, two to each shaft, connected together by coupling. She has seven bolters, five main and two know that he was.

"But notwithstanding you all, includ-ing the navigotor of the Brooklyn, were dissatisfied when you signed the report? That is correct."

On re-direct examination Commander Walnwright said that in making the chart all the members of the board were at liberty to contribute whatever data they had or make whatever argu-ments they might desire. He also said that the chart was a compromise of

In response to further questions the witness said he did not see the Brooklyn on the day of the battle off Santiago.

QUESTIONS BY COURT.

Questions were put by the court and nswered as follows:

Were the positions of the ships as own on the chart in question obshown on the chart in question ob-tained from testimony taken by the board or from a general discussion by the members of the board?

"Almost entirely by general discus-sion by the members of the board, Capt, Chadwick and Capt, Cook appeared and discussed the matter with the board.

From the position of the Gloucester at the commencement of the battle of July 3 could you see both the Brooklyn

and the Texas?" "I do not remember seeing the Brook-lyn and Texas at the commencement

"What orders, if any, were signalled by the Brooklyn to the fleet during the engagement of July 3?"

"I saw none." Mr. Raynor-This does not mean that

no signals were displayed does it? "No, it does not."

No. It does not." By the court-Did any one of the Spanish vessels change her course to the southward as if intending to ram one of the fleet"

I saw no signs of it.

Commander Walnwright was then ex-cused and Lient. M. L. Bristel, former After Lieut. Dyson was recalled for the purpose of correcting errors in his testilaony as printed in the official rec-ord. He took occasion to change some of the language of his previous testi-pony. Che of these changes was made watch and division officer of the Texis, was called. If a had only related the arrival of the Texas at Clenfuegos and detailed condition there when the court

lets fired took effect in the forehead and were as accurately sent, it is said, as though made at target practice. ing would thereby be obviated, and util

**D**. Krause Arraigned for Treason. London, Oct. S.-Dr. Krause, the for-mer governor of Johannesburg, who was arrested September 2 on the charge of high treason, was arraigned in the extradition court at New street today, and charged with high treason and in-citement to murder. The former charge is connected with the surrender of Johannesburg, when, according to the public prosecutor, Dr. Krause ob-tained from Lord Roberts 24 hours' armistice on the plea that street fightof these services. The prosecution introduced evidence to show that Dr. Krause was in communication with Dr. Cornelius Boreckal man, the public prosecutor of Johannes-burg, who was executed September 4

the killing occurred. It cannot be as-

certained what led up to it, as Russell,

who has just come in and gave him-

self up, refuses to talk. Those present have no reliable story to tell, as the lights went out when the trouble began and all was confusion. The two bul-

ing would thereby be obviated, and uti-ized the period in getting all the Boer fighters out of town and in sending 2180,000 to Pretoria. After Dr. Krause had been paroled he went to Europe and applied to Dr. Leyds, the agent of the Transvaal, for money on account

Judge the

clusions and opinions over his alleged Judge Cantrill refused to vacate the bench, saying the affidavit should have

that the jury in the former trial had been unfairly chosen. The defense and the commonwealth then proceeded with the trial.

PATENTS GRANTED WESTERNERS (Special to the "News.")

apparatus.

Trial of ex-Secy. Caleb Powers. Georgetown, Ky., Oct. 8.-The second tial of ex-Secretary of State Caleb trial Powers as accessory to the murder of Governor Goebel, began today. Ju Cantrill read an affidavit filed by

mere recitation of the prisoner's inability to get a fair trial. Col, Camp

been filed before the industit should have been filed before the judge had taken any action in the case. He refused to discuss the petition of the affidavit which related to himself, but denied that the inner in the second stated

have been granted Thomas DeLamore Tooele, Utah, for a neck yoke center, and John F. Sanders, Boise, Idaho, for refrigerating, congealing and freezing

Philadelphia, Oct. 8.-Charles Perry and Henry Ivory, colored, were hanged today in the county prison for the mur-der of Roy Wilson White, professor or law at the University of Pennsylvania. Their motive was robbery. prisoner's attorneys, setting forth "the alleged partisanship of the court, that the judge is a candidate for senator and deeply prejudiced against the de-fendant personally as well as political-ly," etc. Commonwealth's Attorney Franklin argued that the attidavit was

bell delivered a bitter speech against those who thus reflected on the court.

Washington, D. C., Oct. 8 .- Patents

