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. 200 THURSDAY, JULY 18, 1895, SALT LAKE CITY, UTAH. VOL. XXVIII.

STAMBULOFF DEAD.

Bulgaria's Ex-Premier Passes Away as a Result of His Wounds.

DARK CLOUDS IN THE EASTERN SKY

The Present Political Situation in Europe Regarded as Very Precarious.

LONDON, July 18.—A dispatch from Sofia says:

Ex-Premier Stamboloff of Bulgaria is dead.

On July 15 as M. Stamboloff was returning home from the Union club, accompanied by a colleague, M. Petkoff, they were attacked by several persons armed with revolvers and knives. M. Stamboloff received several stab wounds about the head and neck of his arms were so badly cut that amputation was necessary. He left eye was gouged out and his right one so seriously injured that he was blind.

Last night symptoms of cerebral abscess developed and his condition was considered dangerous. He had a high fever and was in a comatose state. The wounds on his head not so much mind as a result of his wounds that it was his physicians said, impossible for him to rally.

ANOTHER CLOUD IN THE EAST.

NEW YORK, July 18.—A dispatch to the *Herald* from Berlin says: It is considered in well informed circles here that the assassination attempt on M. Stamboloff's life has added another dark cloud to a horizon already sufficiently overcharged. Franco-Russian intrigues in Asiatic Turkey, the request made by the czar's government to Japan for not early withdrawal of troops from Chinese territory, the reinforcement of the Russian fleet in the Baltic sea and the ever growing arrogance of France characterize the all future considering the present situation practicable.

SPANISH TROOPS IN CUBA

Suffering from Yellow Fever and Unable to Fight.

LONDON, July 18.—The *Times* this morning has a long telegram from Havana which says that the government troops continue inactive, alleging that they have an order to act only on the defensive. The troops are suffering from yellow fever and other diseases.

An insurgent expedition with supplies of arms and ammunition landed at the beginning of July, forty miles east of Santiago de Cuba. The insurgents are now estimated at 12,000 armed with rifles and 12,000 armed with cutlasses.

ATTEMPT AT SUICIDE.

Widely Known in a Utah Man Unsuccessful.

PRESCOTT, Ariz., July 17.—Fred White made an unsuccessful attempt at suicide today. He came here about six months ago from Utah, where he has a wife and six children. He has been suffering from rheumatism, and, being unable to work, became despondent. Today he bought a flask of whisky and drank it down to give him nerve to shoot himself, but not being accustomed to drink, he went into an saloon before he could carry out his intention, and when found he was lying in the back with the undischarged pistol in his breast.

The Defender Nearly all Ready.

NEWPORT, R. I., July 17.—The yacht Defender and Columbia, in tow of the tug Hattie Palmer, arrived from Bristol today and dropped anchor off the Corinthian station. Captain Hall said that the world would sail for Larchmont in a little afternoon.

The Defender is complete in every detail except the bathes for her crew, and these will be finished in a day or two. An hour after the yachts arrived from Bristol there arrived from Boston a new gaff and boom for the Defender, which will be placed on her after she returns from Larchmont, probably the latter part of next week. It is said that these Defender will carry a bolter gaff. The gaff is four feet longer than the Defender now carries, and with the addition of the new set of sails being prepared, it is calculated that the speed of the yacht will be greatly increased. Captain Hallstead will sail the Defender in the races off New York.

The flag of the New York Yacht Club was today raised over the Defender, and a large American yacht ensign was displayed at the stern, the symbol having taken formal possession of the boat.

Given Up as Lost.

SAN FRANCISCO, July 18.—The British bark Freemen, which left Newcastle, Australia, on January 29 for Honolulu, has not reached her destination and she has been given up as lost.

Asking for Established Rates.

SAN FRANCISCO, July 18.—The transcontinental association has received a proposition from Portland, Ore., asking that rates on canned and pickled lime meat be established between Portland and all points of the United States. This application follows closely on the application for new rates on live horses from Atlanta Columbus points to Oregon.

Phosphate Trust.

NEW YORK, July 18.—The *World* today says: A phosphate trust embracing more than fifty separate companies is being formed. Dr. Otto A. Rosenberg, of this city, who owns large phosphate deposits in the South, is the projector of the combination.

A Nebraska Tragedy.

HILDAS, Neb., July 18.—A few miles north of this village, in Pleasanton township, Joseph Nickma, a German farmer, visited a neighbor Tuesday night. Nickma's wife has been visiting the neighbor, Antone Janicka, and Nickma's visit was for the purpose of remonstrating with his divorced wife. He asked his former wife if she would consent to their remarriage. She declined. Nickma suddenly whipped out a revolver and began to shoot. His first shot pierced the woman's heart, killing her instantly. His second shot struck Janicka in the cerebrum, fatally wounding him, leaving his victims dead, as he supposed. Nickma went into the adjacent timber and cut his throat from ear to ear.

THE PANAMA CANAL.

As Good as an Accomplished Fact—Work to Commence Soon.

NEW YORK, July 18.—A special to the *World* from Colombia says: The entire Isthmian press is more than ever satisfied that the construction of the Panama canal is as good as an accomplished fact.

The recent visit of the Nicaraguan canal commission from the United States tended to stir up the rivalry in the Nicaragua revenue.

The announcement is now made that work will begin here on a grand scale in August.

MRS. PIETZEL'S SAD STORY.

She Was the Victim, She Says, of Hypnotic Influence.

Holmes's Probably Intended to Kill Her With the Rest of the Family.

CHICAGO, July 18.—Mrs. Pietzel, who left this last night for Toronto to identify the bodies of the two children found in the cellar of the house at 16 St. Vincent street, talked about her past life and her husband's dealings with Holmes just before leaving. Mrs. Pietzel is broken in health and nervous, she believes is a hypnotic influence exerted by Holmes.

"Holmes, whom I had never met," said Mrs. Pietzel, "met once before the death of my husband, removed from the time he asked me for the use of the children until his final arrest to have a possession of them ever since. I felt powerless to stop him. He had a way over me that I think I might resist, since he has been in the Detroit jail. My husband, Benjamin, frequently told me that I could trust him; that he was good man, and that he would always be true to me. The children to Holmes. There was nothing that he could not do with them.

"Again and again my husband told me how more he thought of Holmes and how honorable he was until I came to the same opinion myself, although at first I did not like the man and had my husband so, and begged him to have nothing to do with him.

"I saw my husband last on August 24, 1894. He had gone to St. Louis. He was then heavily interested with Holmes in whatever the enterprises were they had so together, and I was living sick with my baby. I was very sick. I could not go to Philadelphia to identify the body which they expected to be that of my husband. I could not be moved. Holmes came to me and After was taken east and she identified the body. It was after that that Holmes brought the body home and that of my husband, that it was a vague body made up to look like him, and that if I or the children said anything about it the insurance company would get hold of us and we would be punished severely.

"I was very sick and I believed Holmes. He talked kindly and offered to take Alice, Nellie and Howard away from me and educate them. He said that he would put them in school and they did at their expense. The children loved him and I was alone in the world and poor. I let him take them and they went away. At this time and all other times Holmes acted to me like a gentleman.

"He constantly kept me under the impression, though, that I and the children were to be mixed up in the vague body which he said was found in Philadelphia. He said Pietzel was still alive, and that I would see him again when the trouble was over. He wished though to save us from exposure and after the three children were gone I moved about the country. I began to worry about the children. I wanted to see them and wished to know where they were. Holmes always put me off with the story that I must keep quiet until the detectives stopped their work.

"When he took me to Detroit it was he who registered me there as Mrs. Adams. He told me at times he came to the room where Dessie, my oldest daughter, and I were. I told him that he did wrong to put my name down wrong, but he explained that the detectives must be kept off the track and that I was protecting my husband by this. I finally heard the children were at Toronto, and Dessie, I and the baby went there alone to search, but without success.

"Since then I have been waiting for the location of the children with District Attorney Graham, of Philadelphia. Mr. Geyer, the detective, of Philadelphia, and the officers of the life insurance company have done all in their power to aid me. You must understand that when my children were first really missing, I was locked up and could not communicate with any one. I was not allowed to see the newspapers nor to receive mail. In Ft. Huron I think there was found a letter from my daughter Alice to me which never reached me, showing that my mail was intercepted. Since I have had my freedom the Philadelphia authorities and the insurance company have worked in bring my children back to me and I have stood them so far I could.

"When I gave the children up to Holmes in St. Louis I was too sick and trusted him too much to pay careful attention to what I did. He told me to go home to Galva, to recruit there with my parents and he would see the three in school. When he took me to Detroit, and I supposed we were being hounded by detectives, Holmes paid most of the bills. Sometimes I was compelled to pay my own expenses. I believe Holmes intended to kill me. I think he meant to kill me in Burlington, Vt., but he must have lost his nerve, or he still had the children on the hands and hesitated. I cannot give any other explanation of way he spared my life. He intended to kill my entire family."

AFTER TWENTY YEARS.

A Lively Contest for a Dead Man's Property.

SAN FRANCISCO, July 18.—After waiting nearly twenty years to find the heirs to the estate of Captain G. Clark who was lost with the bark Hegmen in 1877, a lively contest is soon to begin in which two sisters women are to appear as rival claimants. Friends of the sea captain say it was his verbally expressed wish that his property should go to his sweetheart, Nellie Ormondo of Boston, in the event of his death, but Miss U. S. Wilkes, of Alabama, who asserts that she is his sister, has employed a lawyer to prosecute her claims.

Mayor Curtis of Boston is interested in the estate for the late captain's old sweetheart, Nellie Ormondo, is her brother, James Ormondo, now a Boston millionaire, and Clark served together in the war.

Killed His Wife.

LOS ANGELES, Cal., July 18.—Amos Myers shot and instantly killed his wife last night and attempted to kill his sister-in-law, Mrs. Irving Hinson and her husband. Afterwards he shot himself and inflicted a fatal wound.

War in Ecuador.

NEW YORK, July 18.—A dispatch to the *Herald* from Panama says: Advices from Guayaquil, Ecuador, says that General Alfaro has at last carried out his long contemplated design and started on his march for the interior of Ecuador. General Alfaro has under his command on the north Elloy troops and more are repeatedly being mobilized to bring up the rear.

A branch of the Red Cross society has been organized in Guayaquil and accompanies the social Alfaro.

SAN FRANCISCO, July 18.—Private advices just received in this city from Ecuador state that General Alfaro, the insurgent chief, whose vanguard is now at Guayaquil, is preparing to advance with 20,000 men on Quito, the capital of the republic, which is the last stronghold of the conservative government.

GEORGIA SILVER CONVENTION.

Senator Morgan Makes a Ringing Speech on Vital Issues.

GRIFFIN, Ga., July 18.—The principal event of the Georgia free silver convention held here today, was the speech of Senator Morgan, of Alabama. He said he came to the meeting as a Democrat with Democratic harness and to the authority of a settled creed, to advocate Democratic principles, so no one sound as the great national party."

Sherman's law of 1875 was such a death blow to silver as money metal, that it seemed mortuous silver had enough life left to take up his bed and walk. "But, he said, "it is moving to the front with uplifted head and vigorous arm, again to assert it and to fall harmony with gold, and the parade is sweeping that even Great Britain is keeping step to the music of the union."

Of Secretary Carlisle, the senator said: "He was a chosen cabinet officer until he changed front on the silver question. His conversion was not like that of Paul, who exposed error, was made blind, and then saw the truth and embraced it, but like that of Aaron, who saw truth, became blinded to it, and sopped the darkness of Egypt (pyrified in the golden calf."

Morgan said the recent contract for sale of bonds was without a precedent or justification. Morgan mentioned what he termed the "blame issue" created by Sherman and accepted by Cleveland," that it is the duty of the government to preserve the parity between the metals by adjusting their coinage to meet the fluctuations in commercial value.

Of the $100,000,000 gold reserve, he said: "It is a sort of a 'jack pot' put up by Sherman, that has kept up gambling in our money. It was never needed to give strength to the United States. The country that paid its debts and interest more than $1,000,000,000 in thirty years could not need the support of $100,000,000 deposited in the treasury to support its credit."

The Work of Rescue Slow.

IRON MOUNTAIN, Wis., July 18.—No positive information as to the safety of the entombed miners at Pewabic mine can be given. Slow progress is being made through a mass of ore, broken timbers and rocks. The work is much delayed by the continued falling of ore. A report that communication had been established with the men last night appears to have been false.

Harrison Does Not Decline.

SYRACUSE, N. Y., July 18.—Major T. L. Poole said today concerning the report that General Harrison said to Joseph Hayes and himself that he would under no circumstances be a candidate for the Presidency again: "The story is made absolutely out of whole cloth. Harrison never spoke or even hinted at such a matter."

Too Windy for Races.

SARATOGA, N. Y., July 18.—The wind is high, causing the surface of the lake to be flecked with white caps. It is feared this will cause the races, scheduled to begin at 3 o'clock, to be postponed.

The wind dropped toward 3 o'clock, but there was still a sufficient breeze to make the water choppy. The first race was called shortly after 3.

Sculler double scull, Harlem R. C., New York, first by a half length; Hat Portage R. C., Hat Portage, Oct., second; Toronto, R. C., Toronto, third; time 8:43.

Drawing From the "Jackpot."

NEW YORK, July 18.—The steamship Normannia today took out $91,000 gold shipped by Nesslage, Colgate & Co.

Two Negroes Executed.

GREENSBURG, Pa., July 18.—John Gore and William Freeman, negroes, were hanged this morning. Good's crime was the killing of Max Slaughter, a fellow coke worker, over a game of craps. William Freeman shot and killed his mistress, Gertie Timberlake, because she refused to give him money.

HORR-HARVEY BOOM.

Third Day of the Debate on "Coin's Financial School."

THE "DEMONETIZATION CRIME."

Humor of Legislators Attacked—Debate Conducted by One Who Knows Whereof He Speaks.

CHICAGO, July 18.—The third day the Horr-Harvey silver debate opened at 11 a. m. today, the interest in the starting hour heretofore having been found inconvenient in some respects. The subject under discussion was what Harvey had characterized in his book as the "Crime of '73"—demonetization of silver.

After some miscellaneous sparring, Harvey charged corruption in the passage of the act demonetizing silver.

Horr in reply repudiated the inference that the citizens of the United States were all corrupt and some of their women virtuous. Horr contended it was not true that every man had a price. The members of Congress were no honest as the average American citizens. He knew whereof he spoke, for he had been a member of that body himself. Horr then took up the history of the demonetization act and proceeded to show the steps through which it passed and in the final vote, the act was not till after it had been before Congress nearly three years.

Harvey then returned to his attack upon the honesty of legislators throughout the country, including Congress and the Illinois and Colorado legislatures. This venality was sapping the foundations of the government, so it had sapped the foundations and destroyed every vestige of the past.

Horr again returned to the defense of the honesty of the American people. He said Harvey merely picked out a few corrupt men, and drew from them the proposition that the people of the nation were all corrupt. If Harvey had lived in Judas time he would have looked over that unfortunate man's acres and come out and published throughout the world that all Christian was one immense outcast. Horr then, amid laughter, said he would return to the question under discussion, and proceeded with the history of the demonetization act, pointing out how the bill had been read it full several times, put to separately every time and twice in the reports of the committee of the conference. The debates in the Senate occupied sixty-six columns of the Congressional Record. In the report of the committee it was stated that it had been examined line by line, word by word, and was finally passed. He would show that in so doing the Senate knew what it was about.

Harvey, in reply, said Horr would have to divert from his position when the proper time came. In point of fact, the bill about which he had been talking, was not the bill finally passed. Judge Kelly, in presenting the bill in the House, said it was merely a codification of laws. To recourse to a question Judge Kelly replied that he had made no change in the value of the coins of the nation. In 1772 when the bill came up it was spoken of as a bill on a city subject and the members had their interest. It was at that time, as appears from the *Record*, that the conferees of the bill in relation to changing the standard to gold was made in a speech by Hooper. But there was reason to believe the speech was not actually delivered but printed by leave, as it was read from manuscript. In these words omitted. But no reference was made to the demonetization of silver. On the enrollment bill, the clause was omitted which had the effect of limiting the coinage of silver.

Horr replying, charged Harvey with quoting a single sentence and leaving out the modifying context. The *Record* showed the statement was made in the running debate, not under leave of print. In the very speech referred to by Harvey, the speaker said the bill provided for the standard "in a single metal," instead of, as before, two metals, and that all coins except subsidiary coins should be gold. Horr then spoke of the demonetization of silver in 1816 as a result of experience in the use of a double standard. In 1871 Germany adopted the gold standard and threw on the market $300,000,000 silver. It was this that set the world to considering the silver question—not any "gold and conspiracy." The financial policy of no great nation was ever dominated by conspiracy.

This closed the debate for the day, except the answering of questions by the disputants, proponents by members of the audience. The attendance was not large but was appreciative and generous and impartial in recognition of the telling points.

Election Officers Arrested.

CHICAGO, Ill., July 18.—In the canvassing returns in the Stetson-Belknap congressional election contest today, the election board discovered some Republican ballots which had been defaced and thrown out by the use of a "joker" or thumb stamp. The board ordered the arrest of the officers of election. It is believed after further discovery Congressman McGann, (Democrat) is defeated beyond a doubt.

Severe Fighting in Cuba.

HAVANA, July 18.—Marshal de Campos has arrived at Bayamo. Campos with 200 cavalry sustained fierce fighting and pressed the enemy to the number of 3,000 between Manzanillo and Bayamo. Many insurgents were killed and wounded. It is reported that Antonio Maceo is seriously wounded and made prisoner. The rebel chief Maceo has sent his family to Santo Domingo.

Hearney-Young Libel Suit.

ST. LOUIS, Mo., July 18.—A special to the *Post-Dispatch* from Hannibal, Mo., says: Everybody interested in the Hearney-Le Young libel suit is awaiting the deposition of Miss Sadie Hayward, to be taken in Chicago saturday. Her's is the all important testimony, and while discounted to a certain extent by Richard Stillwell's forecast, its publication is bound to create intense excitement. The attorneys in the suit and Dr. Hearn expect to go to Chicago today or tomorrow. Very few persons seem to believe that Hearne will return to Hannibal. His attorney, Judge Hendrick, however, states that suits he and friend will return on Monday and the depositions of about 25 witnesses will be taken. Among these, the lawyers say, will be Mrs. Hearne. There is every talk of the grand jury being suddenly called together and indictments served on Dr. Hearne and his wife. This would result in their being detained.

Cattle Rustlers in Jail.

BIGHORN, Wyo., July 18.—Four rustlers charged by vigilantes have been jailed here. The people are in arms. New vigilante committees are being formed and the cattle market from this on will be hungry.

Newspaper Man's Fatal Fall.

BOSTON, July 18.—John L. Cole, the well known newspaper correspondent, who fell on Tuesday and fractured his skull, died today.

Collided in the Canal.

MARIE CITY, Mich., July 18.—Last night the big tug Detroit, while coming through the canal at the Sault, collided with an unknown schooner. Captain Ralph Hunter and Watchman David Canary were killed and the schooner, John Calcasieu, is sinking.

ANOTHER LIBERAL DISASTER.

John Morley Defeated at Newcastle on Tyne.

LONDON, July 18.—The liberals received news of another serious defeat today when it was announced that John Morley, chief secretary for Ireland under the Rosebery government, had been defeated at Newcastle-on-Tyne where both the conservative candidates were successful. Result—C. F. Hamond, conservative, 12,903; W. G. Crosbie, conservative, 12,194; John Morley, liberal, 11,931; J. Craig, liberal, 11,514. F. Hamond, elect. Last Monday the liberal majority was overwhelming, the vote being 13,323 to 12,534 polled during the election last week, a gain of 11,931.

In Stonepert, Lanarkshire, S. W., Right Hon. G. S. Carson, conservative, the sitting member, received 8,111 votes and Sir H. S. Sayton-Loyland, liberal, 4,206.

Herbert Gladstone is wedded by the following vote: Col. North, conservative, 9,219; H. J. Gladstone, liberal, sitting member, 8,214.

At 5 o'clock this afternoon the following was the result of elections: Conservatives, 256; unionists, 48. Total, 304. Liberals, 70; Nationalists, 8; Parnellites, 8. Total, 86. Gain, 112.

JAPANESE DEFEATED.

They Retired Before the Savage Attack of the Black Flags.

HONG KONG, July 18.—The last forces of Black Flags that recently attacked the Japanese at Tamisiu, island of Formosa, fought with desperate courage. The Japanese were only saved from defeat by superior discipline, but finally compelled to retreat before the onslaught of the Chinese. When these advices left the island the Black Flags were advancing to attack Hwasiang.

Silver Men Coming.

CHICAGO, July 18.—The executive committee, appointed by the recent silver convention at Memphis, met in consultation here today with members of the Bimetallic league, and Congressman Hilsey being conspicuous. The issue discussed was the advisability of separate political action next year. No definite action was taken. It is expected another meeting will be held tomorrow. Among those present were J. R. Gowan, Memphis; Charles Collis, Arkansas; J. G. Hedge, Sigler, West Virginia; Secretary Ashley, Nashville; General A. J. Warner, Ohio; A. W. Harper, Indiana; ex-Judge H. W. Milner, Chicago.

Convention of Baptists.

BALTIMORE, July 18.—The fifth international convention of the Baptist Young People's Society of America began today. It was swelling not within the great tent brought from Cleveland for the convention. Promptly at 10 o'clock President John H. Chapman, of Chicago, called upon the choice of 500 voices, which responded with two selections. The president was very happy in his address, and called forth much laughter when he alluded to the warm hearts and the warm sun of the South.

Faulkner's Mission.

WASHINGTON, July 18.—Senator Faulkner, chairman of the National Democratic committee, is in Boston on his way under the auspices of the committee for the purpose of discussing the currency question.

"I have written Mr. Hayward, who was said to have initiated the movement for the tour," said the Senator, "telling him that the congressional committee could have nothing to do with the scheme. There is not a campaign this year and the committee does not feel called on to send orators through the country to discuss any question. If any desire to go out as individuals and address the people, that is another matter; they have a perfect right to do so, but it is not proper that the name of the Congressional committee should be used by the party supposed.

PAN AMERICAN CONGRESS.

Five Thousand Delegates Assembled in Toronto.

TORONTO, July 18.—About 5,000 delegates to the Pan-American congress of religion and education have arrived and thousands more are on their way. This afternoon the delegates assembled in the horticultural pavilion where addresses of welcome and responses were delivered.

Bending Receivership Suit.

PHILADELPHIA, July 18.—In the U. S. court Judge Acheson today overruled the demurrer of the Reading, referred in the proceedings for foreclosure of the general mortgage.

ESSAY ABOUT THE INDIANS.

Conditions Seems Inconsistent—Both Sides Properly.

LANDER, Wyo., July 18.—There is much uneasiness in this city over the condition of affairs in Jackson Hole. The Indians, it is reported, have sent across the range to the best settlers five for reinforcements. A rumor also only is holding a sun dance at that point. Judge Jay L. Corey, speaker of the house of representatives, sent the subject a message as follows:

Please advise us the trouble is imminent and cause only to act to the relief of our fellow-citizens at Jackson's Hole. I can be there with a force in forty-eight hours.

IMMINENT DANGER IS THE MATTER.

WASHINGTON, D. C., July 18.—The commissioner of Indian affairs has sent the following dispatches to the agents of the Shoshone and Bannock reservations, Wyoming and Idaho:

Tony Indian Agent, Pocatello, Idaho—Observe Bannock, Wyoming, telegraph that the Bannocks I have belonging to Fort Hall agency have been attested and one killed, on or about the 15th inst., at Marysville, Montana, Wyo., for wanton killing game; that many other Indians are threatening the lives and property and the settlers are moving away. Proceed at once to the annoyed trouble. Do all in your power to prevent an outbreak, and advise me immediately. If you have any information now telegraph the same to me before starting.

D. M. RAVENSCROFT, Commissioner.

To Wilson, Acting Agent, Shoshone Agency, Fort Washakie, Wyo.

Serious trouble is reported in the neighborhood of Marysville, Uinta county, Wyo. Nine Bannock Indians from Fort Hall agency have been arrested and one killed for wanton killing game laws. The others are said to be threat for their lives. If any of your Indians are absent from that region have them returned to the agency at once. Have protect the Fort Hall agent in the event of trouble. Consult with him to the fullest extent of your ability in every possible way.

D. M. RAVENSCROFT, Commissioner.

The following reply was received from Agent Tetzer, Fort Hall reservation:

"In answer to your telegram of the 18th, I will state that on the 15th inst. I received information that Indians were killing game unlawfully in Wyoming. I immediately sent my entire police force in Wyoming to bring back the Indians arrested in this reservation. The chiefs of Indian police sent back the prisoners who arrived today and states that one Indian had been killed by the settlers, and from other sources I fear that several Indians have been killed. I leave for the scene of trouble at once.

TETZER, Agent."

Injured Firemen Recovering.

CINCINNATI, July 18.—The twenty firemen injured by the falling walls at the burning Warehouse on Walnut and Water streets last night are doing well today. The only ones considered seriously injured are Michael McNally and Edward Newman. The latter will recover; but Nally may die. He entered the street a loss of $190,000; insurance, $100,000.

THE RIVAL TELEPHONE.

Company Formed a Few Months Ago Beginning Work.

It Proposes to Operate on the Mutual Plan, Making Patrons Stockholders.

The People's Mutual Telephone company, the organization of which was noted in the NEWS a few months ago as the prospective great rival of the Bell telephone, has started its canvass for business in San Francisco, according to the Chronicle of that city. Its president, James L. Crittenden, says the organization is on an entirely new plan for corporations. Says he: "It is capitalized at $5,000,000, and all the laws of it are men of many more millions. It is in the field for business. The plan upon which the company is formed is the purely mutual basis. Each renter of a telephone becomes a shareholder of the company upon certain conditions. We estimate that we can place about one-half of the capital stock among the telephone renters, giving each man an interest in the concern. Our price for telephones will be $2 per month. When a man becomes a subscriber he signs a contract agreeing to pay that amount during a certain specified time. When the rents aggregate the par value of the number of shares subscribed for, the company agrees to issue the stock. It matters little to us whether an applicant for telephones will be creditor or payment on such subscriptions of stock. I have given the matter of mutual association much study, and the plan I have revised differs in some essential particulars from any of the mutuals. As our barners, I prefer not to name them. The officers, besides myself, are J. T. Mattieson, vice president, and Wm. Chapman, secretary. The directors of the company are in the east, attorneys, General R. A. Friedrich is now in the East closing up contracts for instruments. The telephone we will use is the Harrison, one of the best made. Our charges for long distance telephones will be no more than $3 per month, with five cents for each only switch. Where a subscriber signs a special contract for a number of switches per month we will make a special rate. For instance, for 1,000 switches a year, or an average of 83 per month, the rate will be $2.50. For every switch over the average the charge will be four cents. The price per switch decreases in a regular ratio, according to the number of switches. Bills would be paid for 7,000 switches per year, an average of 583 per month, would pay at the rate of $22.50 per month, and one cent for each switch used above the average. By this plan we hope to avoid all complaints about excessive charges. Our equipment will be at the best. Our chief engineer is making rates of inquiries into the cost of wire, cables, switchboards, etc. Our exchange will be equipped with the latest appliances and will be a model in its way."

TO TEST THE LAW.

Judge Merritt Asked to Pass on the Spraying Statute,

THROUGH WRIT OF PROHIBITION.

Work in the Courts Today—A Divorce Suit—Bank Receivership—An Insurance Force.

The validity of the fruit tree spraying law is to be passed upon by Chief Justice Merritt, proceedings to that end having been instituted in the Third district court today. The case is that of Territorial Treasurer J. L. Whitehead Jr., arrested for failing to spray trees. Mr. Whitehead raised the question of validity in Justice Harvey's court, taking the ground that the law is an illegal legislative power to the probate judge in the matter of fixing the number of sprayers, and therefore was invalid. Justice Harvey held against the treasurer.

The form in which the matter comes before the district court is an application for a writ of prohibition, made today. Mr. Whitehead's attorney, Mr. Hoagland, filed an affidavit setting forth the requirements made in the law, the facts of the application's arrest, the alleged invalidity of the statute, and the claim that the applicant has no other remedy, since it is proposed to punish him for disregarding the law. Upon this application Judge Merritt issued an alternative writ of prohibition, requiring Justice Harvey to show why he should not so peremptorily prohibited from entertaining the prosecution against Mr. Whitehead.

Judge Merritt set the date of return of the writ and hearing of the case for Monday, July 29. At first he wished it to go over to September, but as the attorney suggested that arrests under the law were going right along, an earlier date was fixed to determine the matter, which is of great public interest.

A divorce suit was heard by the chief justice today. It was by Mrs. Annie S. Korn against M. D. Korn, and divorce was called on the ground of cruelty. Mrs. Korn said how her husband came home drunk and abused her, and how, when her youngest date was but eight days old she had to leave the house because of his conduct. Her mother, Mrs. Stocker, corroborated Mrs. Korn's statement, so the decree was granted. Mrs. Korn takes the two children, and the husband is ordered to pay $20 per month alimony. The parties were married February 14, 1891.

The case of Geo. W. Lindlow et al vs Benj. Davis was the opportunity of considerable chattering among lawyers, several of them talking at once, until Judge Merritt closed the show by calling them to order. This is the case where W. H. Left was made receiver of the Davis stock or merchandise. The goods were ordered and at auction, and saturday last the were reported in court. Further bids were received, resulting in J. W. Fox making a bid about $300 higher than formerly, today's figure being $4,707.86. The court ordered the bid to be accepted.

A peculiar statement was made in court today, affecting a member of the bar who had drawn up a decree in the case of Anderson vs Chicolene et al, but had made it contrary to the court's ruling and had got the judge to sign it. Attorney Kerr, made the statement, saying that the court had ordered a portion of the property in dispute to be sold, and that if the returns were insufficient the remainder was to be taken. Attorney McKay had been allowed to draw up a decree in accord with this decision, but instead thereof has made one ordering the sale of the whole property on July 25. He had presented this to the court, who, being assured it followed the decision, had affixed his judicial signature. Judge Merritt examined the court records, and finding the discrepancy as alleged, ordered that Mr. McKay be notified to appear in court at 10 a.m. Saturday to have the affair straightened out.

Other orders were made by the chief justice as follows:

B. K. Rice & Co. vs M. Loewenstein; demurrer defendant and judgment set aside, at request of plaintiff's counsel, with leave to file amended complaint.

Clara Dickert vs Ferdinand Dickert; demurrer overruled.

Board of Education of Salt Lake City vs Pacific Lumber company; order of publication and order referring case to J. M. Bowman.

Returned From Switzerland.

Elder O. F. Greenhalch called at the editorial rooms of the NEWS this afternoon, having just come down from his home in Morgan, to which he recently returned from a mission in Switzerland. Elder Greenhalch departed from Utah to Europe on the 12th of April, 1893. He was assigned to the Bern conference and labored among the French inhabitants of the city of Neuchatel. During the whole of his mission, he labored in the French language, and with very good success, enjoyed the best of health and returns to his home in excellent spirits.

Board of Equalization.

The board of equalization met this morning and their business was lighter than usual. Assessments were made in the following notices: H. Fullmer, $10; Thomasson, $10; Ella Rich, $1; Lowry, $10; George S. Pickering, $1; Mary A. M. Knight, $6; Ruby Wattles, $2; Alice Nay and children, $2; George S. Garfield, $10. And in the following indigents: Wm. J. Phillips, $1; Eliza T. Howell, $2.75; Ann M. Kearney, $0.95. Assessment of the property of Robert W. Parker was reduced $100 and that of Mary H. Carter $50. Mrs. E. P. Raleigh and John Lorton were referred to the assessor; and Secretary & Co. made a claim that their stock in trade was taxed in San Francisco and was not taxable here. Their claim was referred to the attorney.