

tonia races today and were soaked through by the heavy rain. Just before the races began a hurricane struck the stand, in which were 3000 people, one-third women. The horse sheds outside the race course were picked up and strewn clear across the railway tracks 200 yards away. Blinding sheets of water, driven by a forty-mile-an-hour hurricane, drenched everybody. The wind toppled the upper seats over and rolled them toward the front. Then amid the screams of the women a wild rush was made for the broad central stairway that leads to the front plaza in the grand stand. Brave men rushed into the crazy crowd and averted a calamity. The crowd went down to shelter under the stand. Many women fainted. Half an hour later the wet crowd was seated on the moist benches watching the races. No casualties are reported.

CRUSHED BY A FALLING TREE.

LIMA, O., June 3.—A tornado late last night did a great deal of damage to buildings and small crops. Young Samuel Bennett, near Cavett, was crushed by a falling tree.

At Salem, O., the lightning struck and shattered the steeple of the Presbyterian church. The hail in some places was so severe as not only to shatter the windows, but also to break in doors.

Fifteen windows in a passenger car on the Wheeling and Lake Erie road were broken and headlights smashed. The hail knocked in the roof of a car.

NORTHERN OHIO DELUGED.

CLEVELAND, June 3.—The whole of northern Ohio has been deluged during the past forty-eight hours. In this city nearly one inch of rain fell yesterday, and this forenoon, between 11 and 12 o'clock, six and one-hundredth inches fell inside of seven minutes. The streets were turned into rivers, the water running over the sidewalks and on the lawns in some places. The Superior street cable line was blocked by a washout of sand, which covered the track to a depth of four feet for about thirty yards. Sewers were flooded and in Forest street the water undermined the big water pipe, adding greatly to the flood.

A VIOLENT GALE.

WEST SUPERIOR, Wis., June 3.—One of the worst gales of the season swept across Lake Superior today. At the entry to Superior bay the waves were running thirty or forty feet high, breaking over the lighthouse at the mouth of the entrance. Three vessels are riding at anchor outside the harbor not daring to venture an effort to pass through the canal. But one life was lost out of the crew of the schooner "Mayflower" which went down last night, but additional fatalities may result from the severe bruises and exposure sustained by others of the crew.

THREE FATALITIES.

WATERTOWN, S. D., June 3.—The report of three fatalities near Hazel by yesterday's cyclone has been confirmed. Rumors of other deaths northwest of here have come in but are not credited. The property loss in this city is light, being confined to barns and outhouses.

WIND AND HAIL IN IOWA.

WATERLOO, Ia., June 3.—A very heavy wind and hail storm prevailed last night in Mount Vernon and Ben-

nington townships in this county. Rye and small fruits were damaged considerably. Many large trees were broken off and the roads are almost impassable from broken trees and hedges.

The county suffered considerable loss in Bennington by the washing away of many small bridges and culverts. It is impossible to form any estimate of the damage with information obtainable tonight.

YOUNG UNIVERSITY.

The Young University was organized Monday, June 1st, and the following officers elected: Capt. Willard Young, president; George Q. Cannon, chairman of the Board of Trustees; George Reynolds, secretary; H. S. Young, treasurer; Wilford Woodruff, chairman of the finance committee; Joseph F. Smith, chairman of the committee on by-laws.

The ground upon which the university is to be built is all of lots 1, 2, 3 and 4 of block 15, plat D, Salt Lake City survey, and is deeded by the heirs and devisees of the late President Brigham Young, in commemoration of his life and character, and in pursuance of his wishes, to found an institution of learning for both sexes, with all the powers and accessories essential and fitting to a university of high standard, to Brigham Young, John W. Young, Hyrum S. Young, Willard Young, Joseph D. C. Young, George Reynolds, LeGrande Young, Richard W. Young, Wilford Woodruff, Karl G. Maeser, George Q. Cannon, Orson F. Whitney, Joseph F. Smith, Spencer Clawson, Lorenzo Snow, Moses Thatcher, James E. Talmage, James Sharp, Francis Lyman, Thomas W. Jennings, John Henry Smith, Heber J. Grant, Abraham H. Cannon, Maria Y. Dougall and Priscilla P. Jennings, trustees, and to their successors forever.

The said tract of land is held upon the trust that it shall constitute the foundation of an endowment for the university; and, upon the trust that it and the rents, issues and profits and the proceeds of the sale thereof, if the same shall be sold, shall be devoted to the establishment and maintenance of the university hereby founded and endowed, to the uses and purposes mentioned.

The nature of the institution hereby founded is that of a university, with colleges, academies, schools, institutes, museums, galleries of art, libraries, laboratories, gymnasiums and all proper accessories, wherein instruction of the highest grade possible to its resources shall be given to both sexes in science, literature, art, mechanical pursuits, and in the principles of the Gospel as taught by the Church of Jesus Christ of Latter-day Saints. The chief aim and object of the institution shall be to make of its students and graduates worthy citizens and true followers of Jesus Christ, by fitting them for some useful pursuit, by strengthening in their minds a pure attachment to the Constitution of the United States and to our Republican institutions, by teaching them the lessons of purity, morality and upright conduct, and by giving them, as far as possible, an understanding of the plan of salvation revealed by our Lord and Savior Jesus Christ.

No unlawful doctrine or practice shall be taught or inculcated; and if, at any time, it shall be adjudged by a court of competent jurisdiction that the trusts herein imposed, or any of them, are, in any respect, illegal or impossible of execution, then shall this grant still remain valid in said trustees and their successors, upon such legal and feasible trusts, to be selected by said trustees and their successors, and not by the courts, as shall approximate most nearly to the trusts and conditions hereof.

THE CONTESTED SEATS.

At 11:30 the case of the People of Utah Territory, plaintiffs, vs. Louis Cohn, Warden P. Noble and Lucius E. Hall, defendants, was taken up.

Attorney Le Grand Young represented the relators, and P. L. Williams appeared for the defendants.

The amended complaint was filed by County Attorney Murphy, on relation of Richard W. Young, William J. Tuddenham and John Fewson Smith, who it is declared therein were at the February election, 1890, declared duly elected as councilmen for the Fourth municipal ward, and are now ready and had offered to enter upon their duties. Plaintiffs declare that the three defendants unlawfully usurped those offices and were "unlawfully pretending to be the councilmen from and for said municipal ward, to the damage and injury of the people of said Territory, and to the damage of said relators." Wherefore plaintiffs pray for judgment against the defendants, that they be excluded from office and forbidden to exercise any rights thereunder, and that Messrs. Smith, Young and Tuddenham be adjudged to be the rightful holders of the seats.

The defendants demur to the foregoing amended complaint and allege that it does not state facts sufficient to constitute a cause of action against them. There was a misjoinder of parties, and several causes of action had been improperly united in the complaint.

The arguments occupied less than an hour, and were made up to a large extent of quotations from the statutes and from cases bearing upon the present complaint. Attorney LeGrand Young emphatically insisted that there had been no misjoinder of parties, as was asserted in the demurrer to the complaint, and said the only question was, had the defendants any right to the seat to which they had laid claim. He answered that they had not, and should therefore be compelled to abandon them. He contended that the defendants were not entitled to be heard separately, unless they could clearly show that they had a separate and distinct defense; and thus far they had not done this.

Mr. Williams urged that the fact that the government had intervened in this case did not change the rule of pleading. The defendants might have brought suit separately had they so desired. The improper uniting of several causes of action was wholly irreconcilable with the provisions of section 287, which gave the various classes of causes which might be united, but provided that all causes so united must belong to one only of these classes, and must affect