

THE SUMMIT COUNTY ELECTION.

THE CONTEST BEFORE THE BOARD OF CANVASSERS—NO INVESTIGATION OF FRAUD BY THE COMMISSION, WHO HAVE ALL POWER WHEN THEY WANT IT, AND NONE WHEN THEY DON'T.

At the meeting of the board of canvassers this morning, Alma Eldredge, chairman of the People's Party Central Committee of Summit County, was present, Mr. Kirkpatrick appearing as his counsel, D. C. McLaughlin, the Liberal candidate for member of the Legislative Assembly from Summit County, was also present and was represented by J. R. McBride and Arthur Brown.

Governor Ramsey, chairman of the Utah Commission, announced that the Summit County election returns had been reached, and that if there was to be any contest, the parties would now be heard.

Secretary Thomas then read the allegations of fraud from the People's Party Central Committee, and also the answer of the Utah Commission that the alleged irregularities would be considered when the canvass is entered upon.

Mr. Kirkpatrick stated that it was the request of the People's Party that a definite day be set, and all parties be notified, that a thorough investigation might be made. Mr. Eldredge, chairman of the county committee, could get ready in three to five days.

Secretary Thomas stated that the contest proceedings would be conducted in accordance with the provisions of the election law of 1878.

W. W. Riter suggested that the count be deferred until the whole subject could be taken up.

P. H. Lannan had some doubt as to the power of the board to send for the ballot-boxes and make the investigation desired.

J. M. Young moved to proceed with the counting of the votes. Messrs. Young and Lannan voted in the affirmative, and Messrs. Riter and Hammond in the negative. Mr. Thomas, chairman, decided the tie by voting in the affirmative.

The canvass of the votes was then proceeded with, until Park City returns were reached, when Mr. Kirkpatrick suggested that further proceedings be waived. The count, however, was continued, resulting as follows:

For Councilor to the Legislative Assembly: S. Francis, 896. Martin Farrell, 958.

For Representative to the Legislative Assembly: W. E. Pack, 895. D. C. McLaughlin, 960.

For County Superintendent of District Schools: E. H. Reed, 898. A. L. Seward, 972.

For County Surveyor: R. R. Salmon, 895. Oliver C. Lockhart, 977.

For County Selectman: John Pack, 884. F. W. Haight, 977.

At the completion of the canvass of the Summit County returns, Mr. Kirkpatrick presented the request of the Summit County People's Party committee to the board of canvassers and the Utah Commission. He asked that a date be fixed at which the details of the election could be heard, and that an order be made requiring that the ballot boxes, registration lists, books of judges of election, and necessary documents be forwarded to the canvassers. It might be contended that the allegations were not specific enough. The board could not afford, in the interest of fair election, to refuse to pay any attention to a request for an examination, which could not be had without the documents referred to. There was no rule requiring any particular form of statement in this preliminary stage of the proceedings, requesting an investigation. The request was reasonable, and one the board could hardly refuse.

J. R. McBride claimed that it was not within the province of the canvassing board to enter into an investigation of the general charge of fraud. They could only determine what the result of the election was, at the most, by the counting of the ballots. If no discrepancy or irregularity appeared on the face of the returns, they could only declare the result. No charge of fraud could be investigated by the board. No matter what the fraud committed, an examination could not be entered into. A contest should be carried on through the courts. He thought the canvass of the returns showed no irregularity, and should be accepted. The board could not go behind the returns. Their duties were purely ministerial. If all the allegations made were true, it would not affect the declaration the board should make.

Arthur Brown stated that the request asked the board to create a new law, and enter into an investigation which they were unauthorized to make. The contest could only be made in the courts.

Mr. Kirkpatrick said it was in vain to read the acts of the Legislative Assembly; the question was, Is the Utah Commission, appointed by Congress, powerless to investigate the validity of any votes cast? Were they to servilely read the returns and declare the result? It could not be. The 9th section of the Edmunds law provided a canvassing board to canvass and return the votes, and declare the election as it should be. Certificates were to be issued to the candidates lawfully elected. These certificates were the only evidence necessary to seat a member of the Legislative Assembly, be-

yond further inquiry. The charge of fraud was a public one, and affected the fairness of the election, and instead of being thrown out on technicalities, the allegations should be promptly investigated. The investigation asked for was to go behind the returns.

Gov. Ramsey stated that the Commission had ordered the ballot boxes preserved indefinitely, for the purposes of contest. The Commission had followed strictly the letter of the statute, as they understood it, and the Supreme Court had decided that their powers were limited. They had no power to go behind the returns. The remedy was in the courts. The judiciary could investigate the ballot boxes. They should not be tampered with for light and trivial causes. The Commission had been assured by the authorities of Summit County that Park City would be divided into precincts, but this was not done, so the Commission had established four polling places for the convenience of voters.

Alma Eldredge, Probate Judge of Summit County, stated that there was some misunderstanding about the division of Park City into precincts, and the assurance referred to was not known to the County Court of Summit County. The request had come to them just prior to the August election, and too late to make any change. The Court had understood from the Commission they would make a segregation of the votes, but they had changed their minds. They had also promised to give the election their personal attention, and it was because of this assurance that the informal letter containing the charges was written. What the candidates of the People's Party wanted was an opportunity, and they would show that gross frauds had been committed.

The canvassers took a recess until 2 o'clock this afternoon. The Liberal candidate for representative was heard to remark as he left the building, "What I want to get is that certificate."

Upon reassembling at 2 o'clock, P. H. Lannan moved that the board proceed and declare the result as shown upon the face of the returns. The motion was carried, as all the judges of election had certified to the correctness of the returns, including the representative of the People's Party.

Utah County was then taken up, and the canvass of returns proceeded with-

FOUND DEAD.

A DEMENTED WOMAN WANDERS FROM HOME, AND IS FOUND DEAD ALMOST A MONTH AFTERWARDS.

HENNEFER, Summit County, Utah, August 18, 1885.

Editor Deseret News:

On July 19 last, Sister Esther Lythgor, who has been mentally deranged for some time, and was in charge of her son, James Lythgor, strayed from home. As soon as it was known, the Bishop, C. Richins, took the matter in hand and well scoured the country all around, with both old and young people for nearly two weeks, until all nearly despaired of finding her except her relatives, who kept up the search at intervals, but without success. On Sunday, August 16, two little boys were bathing, when they suddenly came upon the remains of Sister Lythgor. Notice was given to the justice of the peace, a jury was summoned, who, according to the evidence given rendered the following

VERDICT:

TERRITORY OF UTAH,
County of Summit,
Hennefer Precinct.

An inquisition holden at Hennefer, Hennefer Precinct, Summit County, on the 17th day of August, 1885, before Robert A. Jones, Justice of the Peace in said county, upon the body of Esther Lythgor there lying dead, by the jurors whose names are hereto subscribed. The said jurors upon their oaths do say that the said Esther Lythgor came to her death, according to evidence produced, by an apoplectic fit, and that on the 19th day of July, 1885, she strayed away from home unobserved by her guardian.

In testimony whereof the said jurors have hereunto set their hands the day and year aforesaid,

JAMES PASKET,
STEPHEN BEARD,
WILLIAM BREWER.

Done at Hennefer the day and year aforesaid before me, Robert A. Jones, Justice of the Peace, H. P.

Much credit is due to the bishop and others of this place for their untiring efforts in trying to recover the body.

The funeral services were held at 3 p. m. yesterday.

ROBERT A. JONES.

BY TELEGRAPH.

PER WESTERN UNION TELEGRAPH LINE.

AMERICAN.

COLUMBUS, O., 20.—Charles D. Martin was nominated for Supreme Court Judge. On the third ballot Gibson Otherton was nominated for the vacancy on the Supreme bench, vice O'Key deceased.

The ticket was completed by the nomination of Peter Brady for Treasurer, James Lawrence for Attorney-General, and Henry Weible for member of the Public Works. All were nominated by acclamation.

THE PLATFORM.

which was read at 2:30 p. m., is as follows:

The democracy of Ohio in convention assembled, congratulate the country upon the election and inauguration of the democratic candidates for President and Vice-President of the United States. These fortunate events and the wise administration that has followed have already dispelled the illusion that democratic success is inconsistent with the business interests of the country or perilous to the rights of the freedmen. The revival of prosperity and increase in the value of property have already begun to demonstrate the beneficency of democratic principles, even before any session of Congress has enabled the country to realize the full fruition of their application by legislation.

We congratulate President Cleveland and his Cabinet on the auspicious beginning they have made in the necessary reforms of the government, and heartily endorse their administration.

We approve of the measures taken by the Democratic Congress for preventing the acquisition of unearned lands by the railroad companies and the democratic President in firmly holding the public lands for public uses, and in preventing their unlawful occupation.

We affirm the platform of principles adopted by the Democratic National Convention held in Chicago in 1884.

We commend the administration of Gov. Hoadley and the work of the 66th General Assembly as wise, honest and economical.

We especially commend the fidelity of the democratic members of the Sixty-sixth General Assembly to the pledge of the party in favor of licensing the traffic in intoxicating liquors, and we denounce the fraud and hypocrisy of the republicans in defeating the wise measure of reform.

The platform further declares: "The democratic party is, as it always has been, opposed to sumptuary legislation and unequal taxation in any form, and is in favor of the largest liberty of private conduct consistent with the public welfare and the rights of others; and of regulating the liquor traffic and providing against the evils resulting therefrom by a judicious and properly graded license system. Under the present constitution of Ohio such a system is forbidden and taxation is limited to the property, and required to be measured by its money value."

"We, therefore, are in favor of a constitutional amendment which shall permit such a system and we promise its submission for adoption by the people if necessary."

The platform further declares: "The democratic party favors arbitration as the best means of settling the differences between labor and employers."

"We favor the establishment of an intermediate penitentiary for the reform of prisoners not belonging to the criminal classes, and the adoption of the pending constitutional amendment changing the date of the annual State, county and Congressional elections to November."

The platform further declares: "We mourn the death of General Grant as citizens of his native State, without distinction of party. We grieve at his loss and cherish the memory of his modest and heroic character and his great deeds as among our proudest public possessions. We sympathize with his bereaved widow and children, and we trust and hope that his last words, urging 'harmony and goodwill between the sections,' may be so taken to heart by his countrymen that sectional alienation and hate will be made to be a thing of the past."

The several sections were received with applause and unanimously adopted. The convention then adjourned.

FALL RIVER, 20.—One hundred and fifty persons, aroused at the cruelty of George Mote to his three motherless children, assembled in front of his house last night for the purpose of lynching him. The police, however, saved Mote by locking him up. His children bear marks of terrible treatment, and have had nothing to eat for some days but dough, made by one of them.

ALBANY, 20.—Between 10,000 and 15,000 persons witnessed the double scull race between Courtney and Conley against Gaudaur and Hosmer, at Pleasant Island this afternoon. Gaudaur and Hosmer were the favorites two to one. The race was started shortly after 6 o'clock, Gaudaur and Hosmer getting off first. Both crews pulled about thirty strokes to the minute. Before 100 feet had been passed, Courtney's tremendous strength was felt, and at twice that distance his boat was a quarter of a length ahead, the pulling having been increased to 42 strokes a minute, which was maintained to the end. After passing Island Park, Gaudaur and Hosmer put in their best efforts and almost evened up the gap, but at the upper end of the Island Courtney and Conley had put clear water between them and their competitors. At the stake both boats sought to make short turns, but they had not calculated the strength of the tide and were borne against the stake boat. Courtney and Conley made a bad foul, and those who could not see the cause of the accident set up a shout that the Union Springs oarsman was at his old tricks. There was a cry of, "Who sawed the boat?" but the oarsmen got their oars into the water again and sped on. Hosmer and Gaudaur fouled at the stake boat but only slightly. All along the homestretch there were several

lengths, of clear water between the boats. Gaudaur and Hosmer made a plucky struggle for a stern chase, and when they were a quarter of a mile from the finish closed up the lead from five to three lengths, but Courtney and Conley would not let them come any nearer, and this distance was preserved to the finish. Courtney received an enthusiastic ovation. The time, considering the tide and the mishap at the stake boat, was phenomenal, beating all previous records by a generous margin. It was 17 minutes, 57 1/2 seconds.

Immediately after the race Gaudaur and Hosmer entered a protest, claiming that the boat of Courtney and Conley had been assisted around the stake boat by the occupants of the latter. The referee declined to allow the claim.

NEW YORK, 20.—Hanlon and Lee today issued a challenge to the winners of the double scull match between Courtney and Conley and Hosmer and Gaudaur, for a three-mile race for \$1,000 a side and the double scull championship of the world. Time and place to be mutually agreed upon.

NEW YORK, 20.—This was the day set for the first trial race of the four yachts, one of which is to be selected to contest with the English cutter *Genesta*, for America's cup. The names of these four boats are *Priscella*, *Puritan*, *Gracie* and *Bedouin*. The course selected for to-day's trial was the open sea starting from the light ship off Sandy Hook. The weather all morning was hazy, with only a light breeze which at noon had about died away. The vessels drifted about the light ship until about 3 o'clock, when for want of wind the race had to be postponed.

BOSTON, 20.—Jere Dunn of New York and a Choll, Paddy Ryan's backer, have been in this city since Monday, to arrange a meeting between John L. Sullivan and Paddy Ryan. The match will be with small gloves to finish, revised Marquis of Queensbury rules. Both men are in strict training. The location is not announced.

Base ball: Pittsburgh, 20.—Pittsburg 11, St. Louis 10.

Baltimore, 20.—Baltimore 8, Brooklyn 3.

Detroit, 20.—Detroit 4, Buffalo 6.

Louisville, 20.—Louisville 1, Cincinnati 9.

New York, 20.—Athletics 10, Metropolitan 8.

Philadelphia, 20.—Philadelphia 1, New York 7.

Providence, 20.—Providence 5, Boston 4.

SAN FRANCISCO, 20.—The *Bulletin* has received information that the British ship *Haddingtonshire*, from Astoria, Oregon, for Liverpool with a cargo of flour and salmon, is ashore off point Reyes, 40 miles north of this point. Eighteen lives lost.

The Merchants Exchange has just received the following particulars of the loss of the British ship *Haddingtonshire*. The vessel left Astoria July 6th and got as far as the Equator, when she struck a heavy gale, which so disabled her as to oblige the Captain to put back to San Francisco for repairs. In that gale she lost four seamen and her chronometer. When off this port last night she encountered a dense fog, and while groping about ran on the rocks near Point Reyes, at 8 o'clock this morning. The vessel and cargo are a total wreck. All on board except one sailor and a cabin boy were drowned. The cargo consisted of 12,000 barrels of flour, valued at \$50,000, and 17,700 cases of salmon, valued at \$54,000. The *Haddingtonshire* was a new iron vessel, launched at Glasgow in October, 1884, and was owned by J. A. Shepherd of Glasgow.

MILWAUKEE, 20.—The reception of the delegates to the convention of German-American journalists and authors, the first of its kind ever held, was conducted at the Grand Opera House Hall this evening. About fifty representatives of leading German papers in this country being present. Additional arrivals are expected to-morrow. The convention will continue throughout the remainder of this week an interesting programme having been proposed for the occasion. To-morrow evening the visitors will be given a grand banquet by representative business men of the city.

CHATTANOOGA, Tenn., 20.—There is intense excitement at Dalton, Ga., this morning over the visit paid that place by a band of Ku-Klux last night. There were 50 men well disguised who entered the city shortly after midnight. They visited a house of ill fame, owned by Mrs. Jane Kidd, and the woman and six of her boarders were dragged from their beds and each one given 50 lashes. Some of the women are in a critical condition and may die. The band then went to the house of Tom Carter, a noted thief, and beat him to death, after torturing him for half an hour. Another negro man named Armstead, was so terribly beaten that he will die. The mob then notified several persons to leave the place at once or they would be killed. No clue can be had as to the identity of the band.

NEW YORK, 20.—Hon. D. B. Eaton, chairman, and Chief Examiner Lyon, of the United States Civil Service Commission, are in the city. They called upon and had a long consultation with the chairman of the local board of examiners this morning for the purpose of determining on the best plans of filling the four vacancies in the board caused by resignation. After the interview closed Eaton said to a reporter that the vacancies would soon be filled, whether upon recommendation by the collector of customs or by the Civil Service Commission direct, he

did not say, as the time for which three of the resignations was to expire has not arrived. The board is still in working order, and a meeting was held this afternoon, and arrangements were made for holding an examination of the applicants.

Representatives of 47 G. A. R. posts of this city, consisting of the memorial committee, to-day sent out through the State to all posts a circular letter giving the names of all assemblymen and senators who voted against and for the bill in the legislature last winter providing a preference for the Grand Army in the civil service appointments. The letter ends with an injunction to all veterans to black list all such as do not recognize that the service of the Grand Army men in the past deserves some shadow of gratitude from our States and National governments.

MONTREAL, 20.—Thirty-two new cases of small pox were reported here to-day. Some of the effected persons reside in the principal west end streets. One case was reported in the lodge of Ravenscraig, the residence of the late Hugh Allen. The theaters have all been closed. Disinfectants are to be used in the watering of the streets. The provincial government has been petitioned for the use of the Exhibition buildings for a small pox hospital. At a meeting of the boot and shoe manufacturers to-day's petition was drawn up asking the City Council to prohibit public meetings, circuses, etc.; to build a new smallpox hospital, and to prevent the health officers from riding on the street cars. The manufacturers said that the fall orders from the West were being canceled on account of the epidemic in the city.

AUBURN, N. Y., 21.—Franj Josef Petmekij this morning suffered the extreme penalty of the law for the murder of Mrs. Paulina Frouthelme, June 1st, 1883. The crime was first discovered when the husband of the victim returned home from his day's labor and found the mutilated corpse of his wife lying in a pool of blood upon the floor, the brains being beaten out with the blunt end of a hatchet. Examining physicians testified that over 20 blows had been dealt with the weapon. The murderer was captured on the following day in Albany. The prisoner admitted having killed the woman and put in a plea of self-defense. He claimed she sought an interview and urged him to elope with her, but upon learning that he was already married she flew into a rage and drew a revolver upon him and he defended himself with the hatchet. After the commission of the crime he rifled the house of everything in the shape of jewelry or money, and the theory of the prosecution was that he went to the house merely for the purpose of robbery, but that upon being confronted by the woman, he felt compelled to put her out of the way. The prisoner was a handsome, finely proportioned Prussian of 24 years of age, and came to this country when he was 18 years of age.

PLATTSBURG, 21.—President Cleveland and Dr. Ward have been in camp since Monday at Willis' Pond nine miles from the Prospect House. The President is enjoying excellent health.

ST. LOUIS, 21.—No developments in the Knights of Labor trouble, in the way of demonstration occurred to-day. The men at the Missouri Pacific shops they will not handle Wabash engines. Bill Hogan, an employee, last night refused to handle Wabash engines. He was dismissed. The master of the shop was notified that Hogan must be reinstated and paid for lost time or a strike would ensue. Under orders of the superintendent Hogan was reinstated to-day and paid for lost time. Both sides are acting very cautiously.

NEW YORK, 21.—Business failures the last seven days 177, against 168 last week.

WASHINGTON, 21.—Commissioner Thoman says Edward Rowe, Assistant Appraiser, has been appointed a member of the local board of examiners at the New York customs district, vice C. A. Stevens, resigned. He says that Mr. Rowe has been for 20 years a member of the board of education for the city of Brooklyn. He is a gentleman of high character and fine attainments. The selection was made in a manner most satisfactory to the Commissioner and highly creditable to Appraiser McMullin. He will enter upon his duties as examiner upon the completion of the pending examinations in the customs service, during which Mr. Stevens will continue to serve.

The recent order of the Commissioner of Internal Revenue for the release of spirits shipped from Peoria to Philadelphia and there seized for re-examination, applied also to spirits from the same city seized in New York and Baltimore, where similar examinations were made.

General Sewell, chief revenue agent who conducted the investigation in Philadelphia, has just returned to Washington. He said to-day that the government officers had successfully accomplished all they set out to do. It was found that means had been resorted to to prevent the gauging rod from recording the actual contents of the barrels. While this fact was clearly established, Gen. Sewell said he was not prepared to say that it was done by the distillers with any fraudulent intent. The excess found was about a gallon a barrel, out of 67 in every 100 examined. In view of the lack of positive evidence of an intent to defraud on the part of the distillers, the Government agreed to a compromise whereby the spirits seized were to be released on the payment of the excess found. Gen. Sewell said further, that it was not likely the Government would institute