of Latter-day Saints.

FIFTY-SECOND YEAR.

SATURDAY, SEPTEMBER 28, 1901, SALT LAKE CITY, UTAH.

NUMBER 267

GOLUMBIA BEATS THE SHAMROCK II.

First Race For America's Cup Close and Exciting-With Time Allowance Only Ahead 1 Minute 20 Seconds.

rock.

elapsed time at the finish;

Columbia, 4:30;24. Shamrock, 4:31:44.

When Columbia went over the line she was fully 200 yards ahead of the challenger. She won by one minute and twenty seconds, this including her time allowance.

New York, Sept. 28.-Just before 3

o'clock Mr. Jameson, Mr. Watson, and W. Butler Duncan went on board Shamrock. Columbia was first taken in tow and five minutes later she was off the point of the Hook passing out, Shamrock following close behind her. On board Columbia are E. D. Morgan, H. C. McGildowney and Herbert Leeds. The wind at the Hook was then blowing steadily from the northeast at ten knots an hour and with

indications that it would freshen. Sir Thomas Lipton did not go aboard the Shamrock today but stayed on board the Erin until his guests arrived. The Erin did not leave for the starting point until half past 3 o'clock. It was still later than that when the excursion fleet passed the Hook.

At 10:18 the committee boat had se a signal for a 15 mile race to windward and return. The wind was a little south of east and almost 11 knots. Both yachts were near the starting line.

NEARING STARTING LINE.

Columbia went almost down to the line without attempting to raise a sail. Shamrock had only her main sail se when she reached the line, but a mo-ment later she broke out her club top sail. The wind at 9:50 had increased to 11 knots . Tugs still held the racers by lines in order to keep them straight ened out to the wind.

Columbia got her main sail up lively and then set up her club top sail. Both yachts were then to the west of the lightship. Soon after 10 o'clock both of the flyers discarded their tug boats and coming up to the wind both broke cut almost simultaneously their jus-and stay sails, which had been put up in stops. As they tacked back and torth behind the line the committee boat set a signal that the course would be fifteen miles to windward and return and that the compass course would be east by south.

Meantime the great fleet of excur-sion vessels had rolled out toward the lightship and spread out behind the starting line in two great wings As the contesting yachts tacked back

and forth among the line with main sails, club top sails, stay sails and jibs out it was noticeable how much high-er Columbia's bow comes out of the water as she moves under sail than does Shamrock. She did not dip in the bigger seas nearly as much as the challenger. Both boats after running to the orth tacked and ran south, Co. beating her rival in getting about.

FIGHT FOR POSITION.

A period of jockeying for position then ensued as the yachts waited for the preparatory signal. This was fired Then came the warning sig nal ten minutes later, and promptly at 11 o'clock the yachts went over line, with Shamrock a triffe ahead and apparently to the windward. were both on the starboard tack as they crossed. The fight for position was a fine onc. Shamrock went over the line at 11:00:14 and Columbia at 11:00:16. Within a quarter of an hour Columbia swung around on the starboard tack but Shamrock held on unumbia's wake before tacking after her. Both boats were now swinging along on the starboard tack, heading almost due northeast. At 11:18 the Columbia was distinctly ahead. Both boats were responding to the increasing wind but Columbia seemed to be increasing her lead. In a moment the Columbia went on the starboard tack, followed a moment later by Shamrock. The Columbia was evidently unable to cross the Shamrock's bow and was forced to come around. Columbia was trying to I lengths

New York, Sept. 28 .- The official | back wind Shamrock again, but the maneuver was not effective.

The wind was steadily increasing.
By half past eleven all conceded that
Shanrock was ahead. They were both
on the starboard tack, sailing northeast and Shamrock seemed to be gaining.

It was a battle royal. Both yachts had stiled four miles from the lightship, and it was nip and tuck between

The yachts had now sailed an hour and it had been close work for every yard of the course. The Columbia was close under the Shamrock's lee and appeared to be reaching faster than the challenger, but Shamrock was still ahead. Columbia tacked to port in an attempt to cross the bow of the Shamrock, but was unable to reach her and thirty seconds later came about again on the starboard tack. Precisely at noon Shamrock went about on the port tack, followed immediately by Colum-bia. Admittedly Columbia had gained considerably in the last ten minutes of sailing. They were both close hauled and each seemed to be holding his own. the advantage, if any, being with Sham-

The wind held true at about ten knots. There seemed little advantage on either side. Both yachts were sailing magnificently. Columbia having worked a little to windward but astern of the British boat. Capt. Sycamore seemed to be working Shamrock slowly from under Columbia's lee. She was a trifle quicker in stays, apparently, and got away more rapidly than Columbia. This gave Shamrock a chance to take the windward berth from Columbia and the foreigner went to leeward of the committee boat on the way back to the line. The American skipper thought to overcome the disadvantage under which he had been placed and went to windward of the mark boat. It was too late, however, and as the yachts again came together behind the line. Shamrock caught bim in an awkward position. The Yankee evidently saw position. The Yankee evidently saw his fix and made the best of it, bearing for the line as the starting gun was fired to leeward of Shamrock and a little to the rear. Both crossed the line with booms to port on the starboard tack. In addition to her position to windwar? Shamrock was just two seconds to the good in the matter of time. In less than two minutes after crossing they went about on the port position.

crossing they went about on the port tack. Shamrock making movement. Within a quarter of an hour Columbia swung on the starboard tack, but Shanrock held on until she was on well to the weather of her rival before tacking after her. OFFICIAL TIME START.

11:14 a. m. Official time start—Sham-rock 11:00:14; Columbia 11:00:16. 11:47 a. m. Shamrock is ahead and seems doing great windward work. The wind is increasing 12:50 p. m. and Shamrock is gaining slightly. 1 p. m.-Both boats on port tack very close together; Columbia has the wind-

ward but is behind. 1:17 p. m.-Shamrock still ahead. 1:19 p. m.-The turn will be very close. 1:20 p. m .- The boats are now close

Shamrock turned at 1:26:30, followed by Columbia at 1:27 Shamrock turned at 1:24:47; Columbia at 1:25:33, unofficial time.

1:32 p. m.-The yachts are coming home before the wind with booms to port and spinnakers to starboard, Shamrock leading. Official time of turning: Shamrock

1:25:13: Columbia, 1:25:53 1:59 p. m.-The yachts have covered about four miles of the run in and Shamrock seems to have maintained her relative distance ahead. Columbia is now certainly leading.

2:22 p.m.-Columbia leads by a length. 2.28 p.m.-Columbia gains steadily p.m.-Columbia two lengths ahead and still gaining. lightship is now in 2.42 p.m.-The

sight, eight miles away, Columbia still 2.51 p.m.-Columbia is four lengths ahead and the lightship four miles

3:10 p. m.-The wind has fallen to seven knots. Shamrock has been gaining and has almost overhauled Colum-They are two miles from the finish. It is anybody's race.

3:15 p. m.-Columbia still maintains a positive lead and should win the race. 3:25 p. m.-Columbia leading by two

CONVOCATION IS

NOW AT AN END The concluding session of the Episcopal convocation in this city was held last evening instead of this morning, as was intended, so that more time could be had today in which to entertain the

visiting clergymen en route to San Francisco. At last evening's session, following devotional exercises, addresses were made on missionary work in the church by Prof. G. M. Marshall of St. Paul's parish; R. T. Wilson of Lake City, Colorado; Rev. C. E. Perkins of Durango and D. H. Wells of St. Mark's parish. All spoke encouragingly of the work and Archdeacon Ostenson said that he was meeting with success in the building of a church at Vernal. Bishop Leonard then expressed his regret that more offerings were not made by the

people towards the board of missions fund which is \$100,000 short. Following Bishop Leonard's address the treasurer of the diocesan board of misssions reported receipts of \$4,357,95 and expenditures of \$4,338.50. Archdeacon Ostenson was re-elected memher of the Colorado convocation for four years, and Revs. J. B. Eddle and M. Walker and Messrs. G. M. Marshall and G. M. Scott were appointed the standing committee of jurisdiction. The bishop announced the constitutional of the dlocese of Nebraska would obtain in this jurisdiction, and Miss Ellen Lees was appointed registrar. The convocation passed a resolu-

tion of thanks for hospitality extended to the visiting clergy.

In the early session of the convocation addresses were made by several of the visiting ejergymen and resolutions were adopted deploring the death of President McKinley, and expressing sympathy with Mrs. McKinley in her great bereavement.

The committee on the bishop's address reported, thanking the bishop for his care and thoughtfulness, and made recommendations in harmony there-

The committee on St. Mark's haspital reported the work constantly increasing in amount, scope and efficiency. The number of patients in the past year has en greater than ever before, over 1,500 patients having been treated.

The committee on education reported the past year as one of the most sucessful in the history of Rowland Hall. The thanks of the convocation were extended to Gen. W. J. Palmer and to George F. Peabody for the generous gift to St. Mark's hospital. The report of the committee on the state of the church was referred back

for further consideration, and adjournment was then taken until when the final sessions were held.

WOMEN'S AUXILIARY.

The meeting of the women's auxiliary was held in the afternoon and besides several addresses of an encouraging nature the standing committee of organization reported.

The treasurer's reported.

The treasurer's report was of special interest. Mrs. Dickert reporting a collection of \$355.50, and a total offering of \$259.50 to the united offering fund. after all expenses were paid. Rev. Walker reported that the women

of St. Paul's church parish had raised the sum of \$1,600 during the past year and were now raising funds to build two rooms to the church to be used as a guild parlor and choir room

The election of officers was taken up. and resulted as follows: President, Miss S. J. Elliot, Moab;

secretary, Mrs. McGraff, Salt Yake; treasurer, Mrs. Dickert, Salt Lake, vice presidents, one from each parish: Mrs. Leonard, St. Mark's cathedral, Mrs. Florence Woodruff, St. Paul's chapel; Miss Nellie Lees, St. Peter's chapel; Mrs. R. E. Prout, Ogden; Mrs. A. A. Miller, Grand Junction; Miss Alice Croxton, Delta: Mrs. Henry Ellis, Lay. ton; Mrs. Alice Finding. Breckinging, Colo.; Mrs. A. C. Moulton, Meker, Colo.; Mrs. Albert Staton, Springelle; Miss Edith McGuire, Provo; Mes. M. Micholson, Lake City, Colo. Miss Edien Lees was appointed secretary of the

Sophs and Freshies Figby

Lafayette, Ind., Sept. 28.—At 3 \(\) clock this morning there was a general fight after a rush between sophomore, and freshmen of Purdue university in which clubs were used. Several were injured and it is feared that Edward Owner, Quinn of San Antonio Yesda. Owner Quinn of San Antonio, Yexas and James Hudson of Pittsburg, will

Mrs. McKinley Bearing Up Well-Canton, Ohio, Sept. 28.—Secy, Corter-you said at 10:30 a. m. that Mrs. Mc-Kinley had just gone out for a thrive and that she was bearing up well,

Insubordination on German Cyuiser

London, Sept. 28.—A dispatch from the correspondent of the Times by Rerlin says that according to accounts received in that city, serious acts of insubordination were recently committed on the German cruiser Gazelle, which was engaged in the maneuvers at Dant-

It appears that the men were some-what harshly treated and that shore leave was seldom allowed them, A spirit of sullen discontent began to prevail and finally the men threw arer board the breech blocks of the gaps and a quantity of Manila hemp rope The Gazelle was reported placed der arrest" in Dantzic harbot, and communication between the vestel and the rest of the fleet was cut of

SCHOOLS CETTING DOWN TO WORK

A special examination of tyachers who failed to appear at the regular examination was held in the rooms of the board of education this morning. There are three candidates.

The enrollment of pupils at the High School for the first week is 698, & heavy increase over last year for the corresponding week. The work has began exceedingly well in the new buildings. Principal, teachers and pupils are all well pleased with the new courags,

Three teachers' reading circles have been organized—one to meet at his Cottonwood, one at Farmers and one at Murray. Farmers has taken ut theory and practice of teaching. Cottenwood is discussing leading educators and literature, and Murray take up the history and science of education. All schools in the county and oben

and are in excellent condition. The trustees have shown a disposition to do everything in their power to odvance the school work. Many of the crustees have furnished text books, and all are taking a lively interest in soppol H The students and patrons of Waterloo school have presented the school

MORE TEACHERS ENGAGED. Of the thirty-six school distylets in Salt Lake county all but four were in session last week. The districts which no schools were open were tricts 26, Murray; 34, Heriman, 37, Big Cottonwood and 46, Granger. The en-

with a handsome piano.

rollment is about 5,000.

In many of the schools the number teachers engaged was inquincient and trustees found it necessary to engage others than those engaged at the

pening of school.
The following are the names of the teachers of the respective districts:-Dist. 21, Ephraim Guafin, Mrs. Mamie Jensen, Miss Violet Clark and Panty Mercil; dist. 22, Jas. R. Rawlins, C. M. Hendricksen, S. E. Smith, Annie Kingsbury, Mary Boberg and Descret Andrus; dist. 23. C. C. Steffensol, E. J. Taylor, Caroline Jensen, T. Richard Fowler; dist. 24. David A. McMillan, C. E. Davidson, Abbie L. Davidson and Ada Kinney; dist. 25, Q. T. McCor-mick, Mrs. Alice Tomlinson, βηλά Steffenson, H. E. Steffensen, Mary J. Helm, Lusetta Reiser, Margaret Edward, Hel-en O. Bailey, Nellie Weaver and Margaret Barr; dist. 26. James Stayk; Margaret Caldwell and Bertha Evans; dist. 27, Clifford Goff, Lizzie M. Brown, Christen Jensen, Lottle Cottom, Julietta Bateman; dist. 28. E. W. Nelson, Jennie Davis, L. O. Clark and Mary Andrus; dist. 29, Warren H. Lyon Fanny Allen, Sarah Jeremy, Virginia Holt. Matilda J. C. Sanford, Libbie Edwargs, Della Rither Tearle Bitner, Tessie Garn and Emily Ratt; dist. 30, E. H. Drummond, Allee Hork-in and Ida Parratt; dist. 31, John A. Walker, Hulda E. Holmes and Lulu Hansen; dist. 32, Hannah Allen; dist. 33, Gideon M. Mumford and Elesa Heppler; dist. 34, Jos. E. Smith and Margaret Twiggs; dist. 35, B. N. Matthews, Sabina Larson and Lucy Stocking; dist. 36, Oscar W. Carlson, Augusta Wilschefski; T. M. Reese and Bessle Boyce; dist. 37, Erastus Howe and Mattilda Watts; dist. 38, D. W. Megiat, Nettie Meyer, Georgiana Webstey and Liz-Bitner, Tessie Garn and Emily tie Meyer, Georgiana Webster And zie Spencer; dist. 39, J. A. Cornwall and C. R. Walter: dist. 40, Oscar Van Cott, Richard S. Horne, Zoe Wills, Adelaide Spencer, Josephine Morris, Rdwin S. Sheets, Florence Horne, Minyle Margetts, Myrtyle Abel, Mollie McLelland Mrs. H. A. Fowler, Verne Patterson and Mrs. R. L. McGhie; dist. 4, B. F. Heaten Della Pendleton Buth. Della Pendleton, Ruth B. ton, Della Pendleton, Ruth B. Coop. Mabel E. Jensen, Mamie Maile, Rhoda L. Christiensson, Bernice Drigge Minetta Dobbs; dist. 42, J. Lund: dist. 43. E. E. Dudley, Mamie Harries, Hazel Payne and Estella Swart; dist. 44. John Hansen, Mary A. Higgs and Julia Jenkins; dist. 46.47, Taylor Brock-

mot: dist. 48. Lora McCormick; dist. 50. Frank L. Layton and Eatper Hall; dist. 53. A. S. Brown; dist. 55. James E. Brown; dist. 57. J. W. Smith and Eleanor Spencer; dist. 59. Heber Sanders and Ella Jeremy; dist. 61. L. N. Ellsworth. Mabel Freebairn: dist. 61. Walter Wilson and Zetta Rands; dist. 65. C. L. Countryman and Beatrice Logic; dist. 67. A. G. Marchant, Elisha Byown and George Andrus. George Andrus. MRS. BERGMAN DEAD.

bank, Mark Brown, Sadie Lettbenni-mot: dist. 48, Lora McCormick: dist.

[Special to the "News,"] Provo, Sept. 28.-Miss Helepa Bergman died at her home in the Second ward this morning after an flinegs of ward this morning after an iliness of several months from dropsy. Deceased was born in Denmark, Nov. 12, 1832, and with her husband, the late John Bergman, came to Utah in 1894 and has since that time lived in Proco. Two daughters and several grandchildren survive. Funeral will be hold in the Second ward meeting house on Monday afternoon at 3 o'clock.

THE DEMISE OF PRESIDENT RICKS

News of Death Conveyed in Telegram to President Snow.

END CAME 6 A. M. TODAY

Funeral Will Take Place at Rexburg On Monday Next, at I p. m. - The Deceased's Active Life.

President Lorenzo Snow received a telegram today from Thomas E. Ricks, Jr., of Rexburg, announcing the death of his father which occurred at that place at 6 o'clock this morning. Also that the funeral will be held from the Rexburg tabernacle Monday afternoon at 10 o'clock.

The death of Thomas E. Ricks removes a typical ploncer figure. He possessed all the qualities that best serve to settle and build up the frontter. His sound wisdom and untiring energy together with the traditional kindness of his heart made him as valuable as he was beloved in the comvariable as he was beloved in the com-munity where he lived. His name is linked with the history of Utah since 1848 and it is such as he that trans-formed this state in so short a time into a habitable place. He has figured prominently in every feature of pioneer work from building cities to fighting Indians.

Thomas E. Ricks was born in Trig Thomas E. Ricks was born in Trigicounty, Kentucky, on July 21, 1828. He was baptized into the Mormon Church on February 14, 1845, and in the same year he moved to Nauvoo. He passed through the dark days of Nauvoo and left that city at the expulsion in February, 1846, and settled in Council Bluffs. He remained in that city until 1848 and crossed the plains with his father's family arriving in Salt Lake. father's family, arriving in Salt Lake in September of that year. While crossinb the plains he encountered the In-dians at Elkhorn river on June 3rd and dians at Elkhorn river on June 3rd and received three bullets in his body which he carried with him to the grave. He went south with Apostle P. P. Pratt in the winter of 1849-50, and on returning in 1852 was married to Miss Tabitha Hendricks. In 1855 he was called on a mission to Los Vegas, returning the following year to go to the relief of the hand cart company. In 1858 he went to Salmon river to help fight the Indians, and on returning moved his family south until the Johnston army affair was settled. In 1859 he, together affair was settled. In 1859 he, together with his father and his family, moved to Cache county, and on the organiza-tion of that Stake was made one of the High Council. In December, 1882, he was called to be Bishop of Bannock ward and the following year was or-dained president of the Bannock Stake When the Fremont Stake was organ-ized he was called to preside over it, the position he held with signal credit and honor up to the day of his acath. He leaves a numerous posterity and legions of friends who sincerely mourn his death. He was the founder of the city of Rexburg, where all the flag-are flying at half mast in his honor. He had been ill for about four months past, and his death was caused by weakness of the heart together with a general dropsical condition.

MANY OF THE BOOKS BURNED.

The Van Kuran trial is slowly progressing. By noon today the prosecution had concluded its testimony, and Judge Powers had made the opening address for the defense. He said in substance that they would show the defendant's absolute good character up to the time of his arrest, and that people in Omaha and here in Salt Lake. Van Kuran would relate his conversations with Hills and Abbott, the agent for the National Security com-pany, showing that Abbott had abso-lutely faisified. "We will also show," continued counsel, "that Mr. Van Kuran never took any of the money claimed, and will explain the apparent descrepancies as far as possible in view of the loss of the important books burned. We will also show that some of the conversations with Hills were accurate, but some he had forgotten.

ABOVE REPROACH. "It was admitted by the prosecution on suggestion of the defense that J. H. Millard, president of the Omaha Na-tional bank, George W. Shields, county attorney, Omaha; William W. Keysor, of the Fourth district court at Omaha; J. H. Daniels, president Omaha Bridge and Terminal Railway; Dr. O. S. Wood; M. G. McLeod, agent Mutual Benefit Insurance company, Omaha, G. P. Cronk, secretary Havens & Co.'s Coal company, Omaha, and J. H. Mc-Culloch, attorney, Omaha, were well acquainted with the defendant during his life at Omaha and for a long number of years, and that his character there was above reproach as to honesty and truthfulness. It was also agreed between counsel that up to the time of this trouble Mr. Van Kuran's character for truth and honesty was good and un-questioned." After Judge Powers had concluded his opening statement the court took a recess till 2 o'clock this

BOOKKEEPER TESTIFIES Frank N. Hess, bookkeeper in the auditing department of the Oregon Short Line, was the first witness called this morning. He said he verified the cash books with the vouchers. He had been engaged in this particular work for four years. His work was a check on the local treasurer's book. The de-

BANK FIGURES. Bookkeeper Cleland of McCornick's bank was then recalled. Turning to the

fense made no cross-examination.

records Mr. Cleiand gave the amounts of the deposits on a number of different dates. A long list of the books which had been destroyed and partially descroyed in the Oregon Short Line building fire was submitted, and a parcel containing three completely charred books was ex-

hibited. AUDITOR EXAMINED

Mr. Hills was again put on the stand and gave the amounts recorded in the bank balance book on a large number of different dates in order to show the differences if any, of those recorded in the books kept by the banks. Mr. Hills from agents stated as he read off the amounts and to \$23,540.75;

dates in whose handwriting the entries were made, Van Kuran's or Kimball's. LOST BOOKS.

The following books were admitted to have been destroyed in the Oregon Short Line fire: Cash receipts books from 1 to 3 inclusive, covering the period from March, 1897, to Jan. 1901; cash payments books from 1 to 4 inclusive. sive, covering a period from March, 1897, to Aug. 1991; all stubs of checks and draft books, and all stubs of de-posit books; all credit slips made by the treasurer and his chief clerk; all letter impression books and copies of corre-spondence; all impression books of vouchers paid; all canceled checks; all bank statements and all pass books There remain unburned cash receip book No. 4, which commences Jan., 1901 one bank balance book, four cash blot ters, cash payment book No. 5, beginning Aug., 1901; three old cash books badly burned; the stubs of deposit book No. 2 in good condition. All others are hadly burned. These are the books that bear on the case on trial.

Yesterday Afternoon.

The examination of Mr. Hills was multipued resterday afternoon after the "News" went to press. Judge Powers balance book marked "coat" and "con-

Did you draw Mr. Van Kuran's attention to these entries and ask what they meant?"
"M:. Hills said that he did not remember Mr. Van Kuran's making any explanation. He simply said that the

entry was there. "Those figures being deducted from those balances showed what?" asked Judge Varian.

Judge Powers objected to the question as being hearsay and not the best The court admitted that it was not

the best evidence,
"The book talks for itself," shouted Judge Powers, unconsciously endowing the bank book with human qualities. The court ruled in favor of Judge Varian and Judge Powers again noted an

Mr. Hills proceeded to give the amount of the balance in the first case as \$12,583.07, and said that the other "cont" items were similar.
"Mr. Hills then said that after talking with Mr. McNitt since the noon recess he recollected having sent a message by telegram to Mr. McNitt to abide by

what Mr. Abbott said. Judge Powers then asked Mr. Hills regarding his testimony of yesterday that Mr. Abbott had said to Mr. Van Kuran that he could not leave the state without giving security for the amount of the alleged shortage. Mr. Hills said that he did not recollect saying so, and if he had done so it was under a misapprehension. Judge Pow-ers then asked that the court reporter turn to his notes and read what Mr. Hills had testified to. The court re-porter read from his notes.

Judge Powers then asked Mr. Hills it he wished to change his testimony. Mr. Hill's new testimony was almost the same as that of the day before. "When prior to May 22nd had Mr. Van Kuran's accounts been checked up?" asked Judge Powers.

"Can I refresh my memory on that str?" asked Mr. Hills. "I guess so. It don't seem to be the returned the counsel for the fense, and all including the witness had Mr. Hills then replied that the pre-

vious dates of checking Mr. Van Kur-an's accounts were Oct. 26, 1899, July 28, 1899, January 31, 1899 and March 31, 1898.

Clarence M. Abbott, the claim agent for the National Surety company, was next called to the stand. He testified that Mr. Van Kuran held an indemnity bond in his company. His attention was first called to the alleged defalcation about Feb. 8th or 9th, and he came here on the 14th. He met Mr. Van Kuran that day at 1:30 o'clock in the Knutsford with Mr. Hills. Mr. Van Kuran after we went to asked me what I intended to do about it. I told him I thought it was up to him, Mr. Van Kuran said that he would not go to Chicago or Omaha in the custody of an officer or put up bail. He sald that Van Kuran asked he would accept insurance policies valued at \$2,500, and I said that I would not accept them and refused to enter-tain such a proposition. We then went to the office with Mr. Williams, the general counsel of the Oregon Short Line. It was agreed that the defendant should furnish ball and I told him that I thought it would be high. I said that if \$5,000 would be agreeable to the authorities it would be agreeable to my company. We then went to the jus-

tice's office, drew up the complaint and fixed up the bail. "I saw Mr. Van Kuran in the sheriff's office next day. I asked Mr. Van Kuran how long the shortage in his accounts had existed."

"Did you say this in the presence of the sheriff?" interrupted Judge Powers. Did you say that you would use against him anything he

Continuing Mr. Abbott said that his shortage would amount to about four or five thousand dollars. I asked him how much the woman in the case got out of it. He said 'Oh, not much, about ten or twelve hundred dollars. He added that he could not recover any of the money as it had all been blown in. He asked me to call up his fatherin-law, Mr. Phelps, in Omaha, and I naid that he might.

contract with the National Sur_pty com-pany of New York for \$25,000, dated Feb. 1, 1838, was then offered in cvi-dence and admitted and market exhibit 16. The bond indemnifies the surety company against all loss sustained by it on account of the party taking out bond. The bond was subsequently increased to \$50,000. Mr. Abbott sald in cross-examination

that he had been a claim agent for the surety company almost four years. He had been five years with the comrate department of the Joint Traffic association of New York. This concluded the examination of Mr. Abbott for the present. William O. Cleland, a bookkeepe

in McCornick's bank, was next called by the prosecution. He stated that the balance in favor of the Oregon Short Line railroad company on Feb. 5th was \$58,100.75. He was examined as to the fact of the deposit at the McCornick bank of the nineteen checks already admitted in evidence and marked exhibit 10, all of which he said had been deposited in the McCornick bank. Cleland said that the deposits of Feb were from the local office, \$1,288.38 and \$22,325.75 from outside offices ngures were given by Mr. Cleland, all but one of the bank pass books having een destroyed in the recent Short Line building fire. In cross-examination Judge Powers

asked Mr. Cleiand to turn to the record of Oct. 30, 1899. He said that his ord of Oct. 30, 1899. ord only covered February, 1900, Mr. Cleland was then excused after being instructed to appear temorrow with the Mr. Hills was again recalled by the

prosecution. Reading from the benk book he said that on February 5th the balance at McCornick's bank was \$30, \$25.75, at Jones' bank \$1,215 and the cash receipts book showed remittances from agents and conductors amounting

BOMBARDMENT OF THE COLON.

McCalla Says All Shots Fell Short-After Battle of Santiago Told Schley Hoped There Would Be No Controversy.

Washington, Sept. 28 .- Today's session of the court of inquiry began as usual at 11 o'clock with the recall of yesterday's witnesses for the purpose of correcting mistakes in their jostimony, and allowing other questions to be asked them when necessary to make clear any point which had not hitherto been sufficiently elucidated them. Capt. McCalla, who had commanded the Marblehead during the Spanish war, then continued his testimony which had begun yesterday. The attendance of the spectators at the opening of the session was in excess and a large number of people had arrived before the usual time with a view of securing the available seats evidently under the impres sion that the proceedings are of growing interest. Indeed the public interest is manifestly increasing in the pro-ceedings and not diminishing, as had been expected it would. None of the chairs set apart for the public is any longer left vacant, and many persons stand through the sessions.

COUNSEL REACH AN AGREEMENT The counsel for Admiral Schley have reached an agreement with the counsel for the navy department as to the parts of the logs of the various vessels en-gaged in the Santiago campaign which are to be put in as evidence and printed in the record of the court's proceedings. It was found impracticable to print the entire logs, not only because to do so would have been confusing but because of the delay it would have occasioned in getting out such a volume of ma-terial as they would have made. The ounsel have eliminated all parts of the ogs which do not bear upon the inquiry and such as will be printed is expected to be very useful to the court as we'l

MR. HANNA EXPLAINS.

Mr. Hanna made a brief explanation of his use of the term "accused" in yea-terday's proceedings as applied to Ad-miral Schley. He said:
"I should like to say a word in ex-

planation of one word which I understand is the records. I learn to my surpise from an examination of appeared records that I used the word 'accused' in referring to the distin-guished officer who has asked for the court of inquiry. I wish to state was not aware that I had used that expression until this morning. It was used in the rapidity of debate and simply for the reason that in the course of long years of experience it is the word generally employed in such cases. Before this court of inquiry began the judge-advocate and myself considered what we should call the gentleman who had requested it and desiring to extend to him the utmost courtesy in the matter we selected a term which is not often used, the term applicant,' and I believe I have used that term many times in the course of these proceedings.

'I wish to add only my sincere and earnest and most cordial expressions of regret that by inadvertency I have employed a word that would imply any such reflection." McCALLA TESTIFIES.

When Capt, McCalla took the witness stand, Mr. Hanna asked him. any ships assigned to the duty of en-May 31, 1898, or during that day of to the duty of enfilleding the batteries? None that I know of

"Were there any shoals or other obstacles of any kind to prevent the battieships from approaching the mouth of the harbor of Santiago sufficiently close o have been within easy range of the

Capt. Parker objected to the question, but the court refused to sustain the objection to the question which was re-Capt, McCalla replied: "None that I

know of. The only shoal I knew of was the shoal on the west side of the channel opposite the Morro." Did the battleships go within range of the Colon?"

"Not to my observation." "Were you so situated as to observe the fall of shots from the fleet?"

"Where did they fall?"

SAW ALL SHOTS FIRED. "I think I saw every shot fired. They all fell short that I saw. One very nearly reached the Colon." The witness said that the American

ships engaged in the Colon bombard-ment steamed in a distance of about two miles Capt. McCalla testified at some length concerning the weather and the sea on May 26th and 27th. He said there was no difficulty in coulin gon the 27th as

the sea was smooth, The witness said that he had been present during a conference of commanding officers on the Brooklyn while the fleet was off Santiago on May 24. Describing what took place he said: "The commanding officers were or-derd on board the Brooklyn on May

derd on board the Brooklyn on May 29. It was with regard to the work of blockade, I can only remember one specific thing which took place at the close and that was that Capt, Evans asked Commodore Schley If the Spanish ships came out if he was collective. for them. He said 'certainly' and then arranged for a substitute division of firing from the ships under his command on the ships should they come

Mr. Hanna-Prior to that conference on May 29, had you at any time re-ceived definite instructions respecting the order of battle or the mode of procedure which the fleet should follow in ease the Spanish vessels should suddenly appear?

Jenny appear?
"I do not remember."
"Did you have any further conversation with Commodore Schiey?" TALK AFTER BATTLE.

"I had a conversation with him in his cabin after the battle of Santiago about July 5. In Guantanamo bay. I went on board, making an official call to pay my respects and during the visit Commodore Schley read me what I understood to be a part of his official report of the battle. After he had finished, I said 'Commodore year. ished, I said: 'Commodore, you remem-ber that after the battle of Lake Erie ber that after the battle of Lake Erie there was an unfortunate controversy and I hope that there will be none after the battle of Santlago, because there was glory enough for everybody."

Capt. McCalla said that when the flying squadron encountered the scout ships to the south of Santlago on May 26 they were east of a direct on May 26 they were east of a direct "If they had continued as they were

going could they have arrived at San-tiago?" he was asked and replied: Certainly not." "Where would they have arrived."
"If they had continued as they were going they would have struck the coast of Hayti."

BLOCKADE OF SANTIAGO.

Relating the particulars of the blockade of Santiago before June 1, Capt.
McCalla said that the Marbiehead and
the Vixen had occupied positions inside the large ships about two miles s about two miles On cross-examination by Mr. Ray-nor the witness said he had not falled

to execute any order from Admiral Remey delivered while he was in command off Clenfuegos and directing that all except the smallest vessels be He had, he said, failed to drawn. leave the small vessels there. Did you do that on your own re-

consibility."
"On my own responsibility."
Refering the fact that he had informed Capt. Chadwick, Admiral Sampson's chief of staff, of the code of signals arranged for communicating , with the insurgents he said he did not in any way communicate with the com-

mander-in-chief. Mr. Raynor-According to the customs and regulations observed in cases of that sort, was it not your purpose that this communication should commander-in-chief through his chief of staff?

"Certainly," was the reply. The witness said further that he thought it had been common knowledge at Key West after his arrival there on May 18th, that the Cuban insurgents were on the coast near Cienfuegos, but that no information was given concernfailed to give the code to Commodore Schley when he passed him, when the commodore was on his way to Cienfuegos. He said.
"I would have gone alongside and

given him my information He had ordered the Eagle to give commodore Schley information concerning the presence of insurgents, but had not given the secret code commander of that vessel. He would have done so had he known the destination of the squadron. Replying to a question Capt. McCalla said that Commodore Schley's fleet while off Santi-ago had never, to his knowledge, been withdrawn to any distance from the harbor of Santlage.

A PISTOL SHOT OBJECTION. "Then," said Capt. Parker, "that story by whomsoever told, is absolutely

"I object," shouted Capt. Lemly in a voice as sharp as a pistol shot.
"The objection is sustained," said Admiral Dewey. "The question is highly

On re-direct examination Mr. Hanna "If Commodore Schley had signalled you to come on the Brooklyn and had stated to you that his destination was

Cienfuegos would you or not have con municated to him the secret singual to which you have referred?" 'I would have given him the code, of course," answered the witness.

RIOT AT CANAL DOVER. It Resulted in the Shooting of Two Union Men.

Canal Dover, Ohio, Sept. 28 .- A sc rious riot occurred late last night between non-union mill men and strikers who did not get places in the steel mills after the settlement.

It resulted in the shooting of John O'Neil and Harry McDowell, the for-mer probably fatally. The two had falled to secure work and went to the mill and attacked the outside night watchman. They then came up tow where they encoutered six men return ing from work. The workers were at tacked, the strikers being reinforce by about fifty others. The six road used their guns and then fied into boarding house where they remained until rescued by the sheriff and a

The men who did the shooting were arrested but it is stated that they acted entirely in selfdefense.

Chicago Alley L. Men Strike.

Chicago, Sept. 28 .- After an all night session the operating employes of the South Side Elevated railroad, (the Alley L), struck at 5 o'cick this morning because of the refusal of a ten hour day. The decision to strike came after a committee had failed to secure with the object tion in Yamen.

any satisfactory response to an ultimatum sent to President Lesile Car-ter's home at 3 o'clock this morning. Over 290 men are out. The road, however, is not tied up, for as soon as the strike notice had been given the company pressed into service all the available men they could get hold of, and many trains are now running.

The strike is the first in the history of Chicago's elevated roads.

BRITISH NAVAL FORCE. One is Now Concentrating in the Persian Guif.

Bombay, Sept. 28.-A British naval

force is concentrating in the Persian guil. Three worships are already on the spot and they will be augmented by the gounbout Assaye, which has alsready left Kurrachee, and the flagship, the second class cruiser High Fiyer. The third class cruiser Pomone will also sail for the Persian gulf so soon According to a report Turkey has 20. Arab, 70 miles from its mouth in the Persian gulf), commanded by Edhein Pasha, with the object of seizing Kow-yet, though the Turks assert that the troops are intended to traverse Acabia with the object of supressing disaffec-