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. 1 WEDNESDAY, NOVEMBER 21, 1894, SALT LAKE CITY, UTAH. VOL. XXVIII.

FRANCH EXECUTED.

The Perpetrator of the Liceo Theater Outrage Garroted.

QUICK WORK IN THE FATAL CHAIR.

The Dangerous Anarchist Dies Scoffing Religion and Cursing Society.

BARCELONA, Nov. 21.—Jose Salvador Franch, the anarchist who threw the dynamite bomb in the Liceo theater in this city on Nov. 7, 1893, was executed this morning.

Franch was undoubtedly one of the most dangerous anarchists of recent years. This became early known at the time of his arrest for the conspiracy in Barcelona, an outrage by which over twenty people were killed and about fifty seriously injured. Franch was about 33 years of age and a native of Castellane, in the province Teruel. He came of a respectable family. At the age of 14 he left home and came to Barcelona, where he speedily became a leader among the anarchists. Twice after his capture he attempted suicide.

Franch displayed the utmost bravado and shouted, "Down with religion." He died almost with the words of anarchism on his lips. The wife and little daughter of the condemned man were admitted to see him in the chapel, but their tenderness and sympathy were utterly thrown away on the anarchist. He scoffed at the supplications of the priest to prepare himself for death and laughed derisively at references to a future life. The anarchist's wife made a last effort to soften his heart, but he roughly told her to go away and she tearfully withdrew, after kissing him.

After his wife left the chapel Franch continued to treat the priests with contempt, saying, among other things, "I loathe you utterly. Hypocrisy is the weapon which I have shown the anarchists how to use."

At 8 a.m. the judge and other officials entered the chapel and told Franch to prepare for death. The executioners, as they dressed the prisoner for the scaffold, were continually insulted by the desperate man. Franch shrieked: "Do your miserable work; you are only the tools of the bourgeoise."

Franch was surrounded by soldiers and accompanied by members of the society known as "The brothers' good death."

Franch walked trembling to the scaffold which was erected in the large courtyard of the prison. Troops were present to keep spectators at a proper distance from the scaffold. As the anarchist mounted the steps leading to the platform upon which was the garrote he shouted: "Down with all religions, vive l'anarchy!" The executioners seized him and as he struggled and cried, they forced him into the chair at the back of which was the garrote. Franch was strapped down to the seat and as this work was being performed he renewed his anarchist cries and tried to sing an anarchistic hymn. But he stopped in the midst of his death song to implore his executioners to hurry their final preparations. The trembling prisoner's neck was encircled by the fatal collar; the screw was swiftly applied, and death was almost instantaneous. Only a minute and a half elapsed from the time Franch mounted the platform until he was pronounced dead.

The military band then played and the executioners moved away from the platform. The body of Franch, however, with the collar of the garrote around his neck, will remain exposed until sundown. It was viewed by large crowds.

At sundown the society of "The brothers' good death" will take possession of the body and convey it to the cemetery, begging funds in order to have masses said for the repose of the soul of the anarchist.

"Governor" Wise Dead.

PIERRE, S. D., Nov. 21.—"Gov." Wise, who played a prominent part in gaming and sporting circles in the early days, is dead. He was known in nearly every state in the West. Wise was an old soldier and a member of the Thirteenth Massachusetts infantry.

READY FOR A QUARREL.

Semi-Official Notice to England to Let Germany Alone.

LONDON, Nov. 21.—A dispatch from Berlin says the semi-official *Cologne Gazette* publishes an article in which it says:

England is throwing hindrances in the way of German colonial undertakings. If this policy is persisted in, England and Germany will come to collision. England has employed the most contemptible means to hinder German progress in the Cameroons, Togo, Samoa and Delagoa Bay. Germany's patience is exhausted. England must be aware that Germany has a power and the will to prevent a continuance of this antagonism.

WELL SAID.

Father Ducey Resents Restrictions on His Personal Liberty.

NEW YORK, Nov. 21.—It is announced by the friends of Father Thomas J. Ducey, pastor of St. Leo's, that Father Ducey has appealed to Mgr. Satolli for liberty to attend the sessions of the Lexow committee, which Archbishop Corrigan has forbidden him to attend. Father Ducey has confirmed the story of his being forbidden by the archbishop and the situation has become grave, in view of the probability that Father Ducey will rebel against the archbishop's order. It is also possible that both the archbishop and Father Ducey will be summoned before the Lexow committee. Archbishop Corrigan, it is said, will be invited to show a copy of the letter which he has written to Father Ducey on this subject of the Lexow committee. It is said that Father Ducey had consulted with Archbishop Corrigan and Dr. Burtsell about the matter.

"Do you concede to the archbishop the any right to forbid your presence at the committee meeting?" was asked Father Ducey.

"I do not recognize that a bishop or any other one has the right to interfere with the liberty of an independent citizen, whether he be a priest or a layman, unless that man is violating the law of God, some of the law of the Christian religion or some law of the state or nation," replied Father Ducey.

Gone to Yokohama.

SAN FRANCISCO, Nov. 21.—T. D. McKay, for many years passenger agent of the [illegible] line, has resigned and early in December will sail for the Orient where he will assume the management of several passenger agencies for the Pacific Mail and the Occidental and Oriental Steamship companies, the Southern Pacific, Union Pacific and Northwestern railroad companies for India, China and Japan. His headquarters will probably be in Yokohama.

A Case of Leprosy.

MINNEAPOLIS, Minn., Nov. 21.—A case of Asiatic leprosy is a new development in the western part of Grand Forks county, N. D. The victim is John Olson, a Swedish boy 17 years old, an orphan, who has been cared for by an uncle. When the doctor discovered the disease the uncle drove the boy out of doors. The county commissioners took him to the hospital but the waiters, cooks and employes refused to remain, although assured that the disease was not contagious and infectious. The commissioners finally had a small cabin built for him on a farm and he will be kept there alone.

Probably Committed Suicide.

SAN FRANCISCO, Nov. 21.—Daniel Murphy, who came hither from Elmira, N. Y., six months ago, has been missing for five days and his suicide is an explanation suggested by the police. Murphy had a strong belief of inheritance from J. Sloat Fassett. He seemed to be insane temporarily and imagining he was a millionaire, ordered thousands of dollars worth of jewelry and other goods.

Ezeta's Business in San Francisco.

SAN FRANCISCO, Nov. 21.—Antonio Ezeta has arrived from Mexico. He says that the sole object of his visit to this city is to meet his two children, who were to leave for San Salvador on the 15th inst. He is a little doubtful whether they would be allowed to come, as he has learned that President Gutierrez intends holding them as hostages in case General Ezeta should make any effort to return to San Salvador.

The general says he intends staying at least a month in this city and then he will go to New York, Washington and London to visit friends and collect money due him for the coffee crop which he sent from Salvador prior to his misfortunes.

"I will not return to San Salvador," he said, "while Gutierrez is in power. I saved his life in 1890, but I would not beg him for clemency. I have heard from some of my doctors in San Salvador that they are ready to pay me; but there is little for me there. They destroyed my house and my plantation and caused me damage amounting to $500,000."

The general says Mexico could gain nothing by a war with Guatemala. The difficulties which relate to the boundary will all be settled diplomatically, and a delegation is now on its way to Mexico via this city.

Brazilian News.

NEW YORK, Nov. 21.—A special cable dispatch to a morning paper from Rio Janeiro says:

President Moraes will not present an amnesty bill to congress for some time. It is said that ex-President Peixoto is influencing him in this respect.

The minister of war has ordered the military to keep out of politics.

The warships Aquidaban and Bahia are leaking so badly that it is doubtful if they can make the voyage to Europe.

The Queen Ailing.

NEW YORK, Nov. 21.—A special cable dispatch to a morning paper says: La Pouchere's *Truth* says in a paragraph concerning the queen's health: "Her majesty has aged very much during the autumn and can walk only a few steps, owing to recurring rheumatism in the knee."

The Chinese Key Out of Danger.

LONDON, Nov. 21.—A dispatch from Hiroshima says Admiral Ito reports that he cruised off Wei Hai Wei two days ago, daring the Chinese fleet out, but Chinese failed to accept the challenge.

MONTANA INDIANS.

Efforts to Better Their Condition With Satisfactory Results.

WASHINGTON, D. C., Nov. 21.—The Montana Indians are not among those termed half civilized, and yet the reports of the various agents in that state to the commissioner of Indian affairs, shows that they are making progress. It also appears that the army officers at those agencies are not afraid to do their duty no matter what complaints are made. The agricultural pursuits of these Indians depend largely upon irrigation. The government has recognized this and money is now being expended for irrigation ditches, from which good results are expected. Meanwhile stockraising is the main pursuit of the Indians who do anything for themselves.

It also appears that considerable attention is paid to education, and the Montana Indian children are profiting by it. On most reservations it is reported that whisky is sold, causing most of the trouble.

Captain J. W. Cook, Third Infantry, in charge of the Blackfoot agency, has taken vigorous measures to suppress the liquor traffic, and broke up a small village to do it, and says no liquor has been sold at the agency since October, 1894.

The Case Dismissed.

CHICAGO, Nov. 21.—The Greek warrant Vafeiday, whom State Senator O'Malley shot on election night, failed to prosecute today, and the case was dismissed.

A COURT MARTIAL.

Captain Morrison, of Fort Douglas, Accused of Insubordination,

DURING THE RAILROAD STRIKE.

Trial Ordered Against the Advice of General Schofield, who Favored a Retiring Board.

DENVER, Nov. 21.—An order was received today at headquarters of the department of Colorado from Washington, directing that Captain Tom... Morrison, of the sixteenth infantry, stationed at Fort Douglas, be tried by court martial for insubordination during the railroad strike last summer. The officers here refuse to give the particulars regarding the case, but say the court martial was ordered by Assistant Secretary of War Doe against the advice of General Schofield, who favored the appointment of a retiring board, as Captain Morrison's sanity has been questioned for several years.

WITH MUCH DIGNITY.

Japan's Emperor Answers Not to Offend our Government.

WASHINGTON, Nov. 21.—The state department has received a cable reply from Japan, through Minister Dun at Tokio, to the United States' tender of suggestion of mediation. The Japanese legation at Washington has also received from the foreign office of Japan a cable stating that a reply had been made and giving its terms. The note to Secretary Gresham is accompanied by unusual dignity and formality in having the imperial sanction of his majesty, the emperor of Japan. It is stated that the emperor speaks in Japanese negotiations, so his action in this case is evidence of Japan's desire to express its appreciation of the course of the United States. The message is divided into parts, first giving the imperial acknowledgment and saying the success of the Japanese army has been such that China should approach Japan directly. The second part is more directly from Minister Dun, and expresses the views of the Japanese foreign office, that China, having no minister at Tokio, should submit a direct proposition through Minister Dun. The cables to Minister Kurino are substantially the same as the foregoing.

GOOD FOR THE CZAR.

He Makes Friends Among Finlanders and Poles.

ST. PETERSBURG, Nov. 21.—A fresh proclamation issued by the czar assures the Finlanders, who have now sworn allegiance to his majesty. The czar today graciously received a Polish deputation. He assured them that he knew no distinctions between the different religious professions. He declared he loved all his subjects equally.

New York Stock Market.

NEW YORK, Nov. 21.—Stock market opened firm. Sugar on [illegible] trading scored an advance of 1/2 per cent. Lead moved up 1. Cordage, guaranteed, broke 2 per cent.

Burlington gained 1 per cent on the belief that the directors of the company would declare the regular quarterly dividend in full. Sugar lost 1, advanced 1, reacted 1/2, sugar preferred lost 1/2. The general market weakened after 11.

The market closed weak at about the lowest figures of the day. Sugar is up 1/2 from yesterday. Burlington is down 1/2.

A BIG BLAZE.

Many Buildings Wiped Out by the Flames.

ST. JOSEPH, Mo., Nov. 21.—A conflagration wiped out a large part of the business center of Savannah, fourteen miles northwest of here, today. Eleven buildings on the north side of the square were burned. Several people narrowly escaped from the sleeping rooms. The loss is $50,000, with little insurance.

Collision of Street Cars.

PITTSBURG, Nov. 21.—In a collision between an electric and cable car here today, one woman was probably fatally injured. The gripman and three passengers were badly hurt.

The injured are: Mrs. C. H. Jones, head cut and bruised, dangerously.

Gripman Harvey Rea, badly cut about the head and arms.

Michael Kimball, Miss Brown and an unknown woman.

The electric car was ascending the steep grade on Wylie avenue followed by a cable car on the same track. On reaching Fulton street the electric car stopped, but the brakes refused to work, and it began sliding backwards. Gripman Rea on the cable car reversed the brake, allowing the car to slide back in order to break the shock which was threatened.

The passengers on both cars were panic-stricken and several leaped from the platforms before the collision occurred. The women fainted and the excitement was intense. At Logan street the cars came together with great force, derailing and wrecking both. Mrs. Jones was picked up unconscious and it is feared she will not survive.

COVERING MANY SUBJECTS.

Report of the W. C. T. U. Committee on Resolutions.

CLEVELAND, Nov. 21.—At today's session of the W. C. T. U. the executive committee's report, recommending the adoption of the temple committee's report and the bylaws providing that state unions shall not be bound by the policy or laws of the national, except in regard to total abstinence and constitutional rulings, was adopted. The report of the committee on resolutions was presented. It touches upon young people's citizenship; equality in morals; amusements; almost cures; the daily press; strikes; work among colored people; the labor question and prohibition.

Dividend Declared.

BOSTON, Nov. 21.—The C., B. and Q. has declared a quarterly dividend of 1 per cent.

Surrendered to the Dutch.

AMSTERDAM, Nov. 21.—Dispatches from the island of Lombok say the Rajah of Lombok, his son and his grandson have surrendered to the commander of the Dutch forces and been sent to Ampenam. Many chiefs have also submitted and further resistance has been crushed. In addition all the Dutch cannon lost during the Balinese have been recaptured.

Complaint Against a District Attorney.

ALBANY, N. Y., Nov. 21.—Upon complaint of the committee of seventy, Governor Flower today notified John R. Fellows to show cause why he should not be removed from the office of district attorney for New York county on neglect of duty. The complaint was made by Platt, Dunne, Fulton McMahon, Chas. Tabor, R. W. Welling and Chas. Gamble, of New York, representing the good government clubs of New York.

Death of a Grand Duke.

BERLIN, Nov. 21.—The grand duke of Saxe-Weimar-Eisenach died last evening at Cape Martin. He was born at Weimar June 24, 1818.

The Knights of Labor.

NEW ORLEANS, Nov. 21.—Favorable report was made by the committee to the Knights of Labor general assembly on a proposition to make negroes and barbers eligible to membership. The proposition was voted down.

... the motion to reconsider was ... pending, the convention took a recess.

Picked Up American Nets.

DETROIT, Nov. 21.—The Canadian cruiser Petrel arrived at Windsor today with 152 American fishing nets aboard. Captain Dunn will sell or destroy the nets entirely in Canadian waters, going over the ground carefully with the aid of an American chart. He says he found some American tugs lifting nets in Canadian waters. At the sight of the Petrel they dropped everything.

THOUSANDS FOR A LESSON.

Farmer Glyre Swindled by a Trio of Sharpers.

He Sold His Land and Lost His Money in a Little Game With Strangers.

ST. LOUIS, Nov. 21.—Louis Glyre, of St. Jacobs, Ill., called at the Four Courts and told Chief of Detectives Desmond a story of how he had been swindled out of four thousand dollars by a trio of three-card monte men.

Until two weeks ago Glyre owned a large farm three miles from St. Jacobs, Ill., when he sold out for $4,000 and placed the amount in the bank at Highlands, Ill. About ten days ago he learned that he could purchase a farm at a low figure. It was just the kind of an investment he was looking for, and he at once went to the place. Last Wednesday, while on a westbound Ohio & Mississippi train just outside of Cincinnati, after having completed all arrangements to purchase the farm were paying for it, he formed the acquaintance of three well dressed men, one introducing himself as J. E. McDonald and his friend Robert Summer, both traveling salesmen. The third said he was John Wilson, an agent bound for Chicago. In the conversation which followed, the men learned from Glyre all about his affairs, including the fact that he had $4,000 in the bank at Highlands, Ill., which he was willing to invest.

Wilson at once proceeded to work to gain possession of the $4,000. He drew out cards from his pocket and said he had just lost $3,000 in learning a new game and proceeded to show how it was worked. An exhibition of the three-card monte game followed, in which Glyre was allowed to win $4,000. Wilson took a roll of bills from one pocket as if to pay, and while counting out $4,000 suddenly asked of Glyre what assurance he had that he would have paid the bet had he lost?

As the answer was not satisfactory to Wilson he said that he would pay Glyre the amount if he met him in Chicago at the Palmer house on November 5th, and brought with him the $4,000 he had in the bank in Highlands just to show that he had that amount.

On the day agreed upon Glyre arrived in Chicago with his money. He was met at the Illinois Central station by one of the said manipulators, who told him that Wilson was not at the Palmer house, but was at the house of a friend in the suburbs, and he would take him there. The two boarded a street car. From the terminus Glyre was compelled to walk half a mile. In a large vacant lot not far from Lake Michigan, the two other confidence men were found. Wilson declined to pay over to Glyre the $4,000 unless he was given another trial at the game and both put up their money. Glyre deposited his money on the ground. Wilson counted out an equal amount and laid it next to the first pile. In the manipulation of the cards that followed Glyre lost. Just at this time another man approached and said that he was a policeman and informed the men that they were under arrest for gambling. Wilson grabbed up both piles of money and ran off. The bogus policeman grabbed Glyre and the other two men and said that if they attempted to run off he would shoot them, as he did not intend to lose any more of his prisoners. The dispute was finally settled by the bogus policeman ordering the men to separate. Glyre was told to remain behind until the others were out of sight and he did so. Several hours later Glyre discovered that he had been swindled and returned to Highland. Monday he received a letter signed J. J. MacDonald, in which the writer, who was one of the men mixed up in the swindle, said that Wilson was in St. Louis, and he would assist him in locating him. This letter was headed St. Louis but bore the postmark "Evansville and Terre Haute Railway Post-office." Glyre at once came to St. Louis to locate the men.

SANDOW AND HIS RIVAL.

A Test of Strength Arranged Between the Two Giants.

CINCINNATI, Nov. 21.—Ten thousand dollars a side was put up here today by the managers of Eugene Sandow and Irwin Montgomery for a test of strength in Cincinnati, within three months. The wager is the outgrowth of a suit against Montgomery for using Sandow's name.

PUBLISHED IN DENMARK.

The Prohibition Against the Importation of American Meat.

COPENHAGEN, Nov. 21.—Official prohibition against the landing of cattle and fresh meat from the United States is published here today. It gives as a reason for the prohibition the discovery of Texas fever among cattle recently brought here from the United States.

RUBINSTEIN'S DEATH.

The Celebrated Pianist Suddenly Called Away.

ST. PETERSBURG, Nov. 21.—The death of Rubinstein, the celebrated pianist and composer, on Tuesday morning at Peterhof was unexpected. He was playing cards until 11 o'clock and was in the best of spirits. About 2 a.m. Mrs. Rubinstein heard cries in the direction of her husband's bedroom and rushing to the door found him standing near the entrance with the bed never awakened his composer. He was crying with pain and gasped: "A doctor, a doctor, I am choking." Two physicians were hastily summoned, but their efforts were unavailing.

Sicily Shaken.

ROME, Nov. 21.—A dispatch from Messina, Sicily, says a sharp though violent earthquake shock was experienced there today.

Another Japanese Victory.

WASHINGTON, D. C., Nov. 21.—The Japanese legation here has received the following cable: "A portion of the army under Marshal Yamagata attacked Talu Yen where the enemy's force was reported to be 2,000, at 6 a.m. on November 18th and succeeded in taking the place by 9 a.m. The enemy fled northwest. Five cannon were captured."

RE-ORGANIZATION PLAN.

Prepared by Chicago and Northern Pacific Bondholders.

NEW YORK, Nov. 21.—The Chicago and Northern Pacific bondholders' committee have completed the plan of reorganization, the main points of which are as follows:

The new company is to be formed under the name, The Chicago Terminal and Railway company, which shall issue stock to an amount to cover the bonded indebtedness, which stock may be divided into common and preferred shares. To prevent the possibility of adverse control of the company in the early stages of its existence, all stock issued shall contain a provision giving the committee of the bondholders authority to elect directors annually for a reasonable period from the date of the new mortgage. As soon as the road is bought in under foreclosure, a meeting of the holders of the United States Trust company certificates shall be called to consider the further details of the plan. The right is reserved by the bondholders' committee to suggest in such a detailed plan the amount of bonds and stock to be withheld from general distribution and used for these purposes: First to acquire competing or connecting properties, if the committee and bondholders deem it advisable; second, to secure the payment of the assessment on the old common shares; and third to effect if possible, some recognition of the stockholding interest; the restitution of $500,000 and the settlement of all other claims against the Northern Pacific Railroad company.

The company will issue to the holders of the present first mortgage bonds new securities in the shape of bonds and stock bearing interest and dividends as the earnings of the company warrant. A certain proportion of the new securities shall be retained in the treasury for future improvement, all remaining securities, both bonds and stocks, shall be issued to the holders of the United States Trust company's certificates, subject to the expenses of foreclosure and organization. This plan is to become operative when approved by seventy per cent of the holders of the United States Trust company certificates. The committee states that it appears that $2,500,000 Chicago and Northern Pacific bonds have been used by the Northern Pacific company without authority and without compensation to the latter. Long and tedious negotiations were commenced early last spring and have been broken off without results. Recourse must be had to the court unless a satisfactory settlement can otherwise be made.

IN CENTRAL CHINA.

Violent Persecutions of the Christians Reported from the Interior.

LYONS, France, Nov. 21.—A dispatch from the bishop of Hoo Pe, at the north end of Lake Tsung Ting, Central China, has been received by the Catholic mission here. It announces that violent persecutions of Christians have broken out in the province of Se Chuen. Numbers of Christians are reported killed.

A THIRD VICTIM.

Another Woman of Holmes's Acquaintance Missing.

CHICAGO, Nov. 21.—Following close on the story of the mysterious disappearance of Williams's sister at the hand of Holmes, the life insurance swindler, comes a third woman missing—namely Miss Kate Durkee. Miss Durkee had property. Documents representing the property came into the hands of H. H. Holmes by theft. The woman mysteriously disappeared and Holmes secured the title to the property. Miss Durkee was not Miss Williams. She had dark eyes and hair, while Miss Williams was a blond. A year ago today twenty-five creditors of H. H. Holmes met at the office of George B. Chamberlain and made a desperate effort to find out who and where Miss Durkee was. It was supposed she was an accomplice of Holmes, and that the property illegally obtained was being transferred to the woman. The creditors wished to reach H. Holmes's Kate Durkee at [illegible] with them, and the Williams's sisters, has left no trace behind.

"I believe she was only a myth," said Chamberlain today; "I believe also he had the two Williams girls well mastered." Mr. Chamberlain, proprietor of the [illegible] Mercantile Agency, began an investigation of Holmes a year ago.

DANIEL MURPHY.

The Man Reported Missing From San Francisco.

ELMIRA, N. Y., Nov. 21.—Daniel Murphy, reported missing from San Francisco, was formerly a well known [illegible] of this place. He and his wife went west two years ago. Since his arrival in California, he has been several severe financial difficulties. This, he claims, was brought out by ignorance of the California laws. He is of a nervous temperament, and his friends here believe his mind has been more or less affected. He has a wife and two daughters residing here and a son who went to California with him.

In California.

A communication from Elder H. S. Tanner, president of the California mission, whose address is 113 Tenth Street, San Francisco, states that the Saints' place of meeting has been changed to 927 Mission street. Services were held there the last two Sundays previous to the date of Elder Tanner's letter, which was the 11th inst., and at each meeting there were more strangers than ever attended the meetings previous. Elder Tanner was recovering from a severe siege of typhoid fever, of which he gives an account. The attending physician despaired of his life, and Elder Tanner ascribes his recovery to the power of God manifested in response to prayer. Elder Tanner says:

"Please give the people another reminder that they should do all they can in helping us to get the Gospel before the people. They can do so by sending to the names and addresses of their relatives, on whom they might desire us to call."

A BIG POWER SCHEME

Surveys Being Made for an Immense Dam in Provo Canyon.

WATER POWER FOR ELECTRICITY

To be Furnished to Utah County—The Promoters Said to be Salt Lake City Capitalists.

Special to the News.

PROVO, Nov. 21.—Surveying is being done in Provo canyon on a large scale. It is understood the reason for this is that a large power dam will be built in the mouth of Provo canyon for the purpose of supplying Utah county towns, Eureka and Salt Lake City with light and motive power for operating machinery. The parties at the back of the scheme are said to be the Salt Lake Copper Plant people.

Inquiry at the office of the Copper Plant company elicits the information that the supposition that that corporation is backing the scheme is correct. The surveys referred to, however, are being made, and it is understood they are under the direction of a large corporation which has hundreds of thousands of dollars invested in this city in an extensive plant, and which proposes to utilize the water power of the Provo river in a big scheme to supply electricity for power and lighting purposes to the Utah county towns. At present the promoters decline to disclose their plans of work, but these will come out in due time.

Another Neglected Wife.

Marion Hounish is the plaintiff and John Hounish the defendant in a suit for divorce filed with the clerk of the Third district court this morning. The ground is failure to provide. The marriage took place on July 20, 1893, in this city. Defendant is described in the complaint as thirty-six years of age, strong, able-bodied and earning good wages as one of the gravity sewer contractors of Salt Lake. Defendant, it is alleged, has contributed absolutely nothing towards his wife's support from the time they were married, and for shelter she has since been dependent upon her parents.

Powers & Straup are the plaintiff's attorneys.

Suits on Notes.

Thomas Connell today brought suit in the Third district court against Chas. O. Farnsworth et al to recover $1,000 on a promissory note, secured by a mortgage.

Gustave Kroeger, guardian of the estate of Sarah Effie Kavanaugh, this morning filed an action in the same court against the Brigham Young Academy et al, seeking thereby to recover the sum of $2,000 on a promissory note.

Today's Probate Court.

In the matter of the estate of Margaret Carman, deceased, hearing was had on petition for letters of administration. An order was made appointing Mary Ann Amily administratrix, on filing a bond of $120.

Guardianship of John O. Yates et al. Hearing on guardian's account, which was allowed. Final discharge of guardian.

Guardianship of Howard M. Twombly. Hearing continued till Thursday, the 22nd inst.

CANNOT HAVE IT.

City Board of Education Fails to Get the Court House Corner.

THE STATUTE BARS THE WAY.

County Courts Not so Authorized to Make Donations of County Real Estate for City Schools or Other Purposes.

At an adjourned regular meeting of the county court and school trustees in the probate courtroom this afternoon, a legal opinion by County Attorney Murphy was read relative to the question, expressed as follows, to whether the county court has power to convey, by way of donation to Salt Lake city school district, or to that and other school districts in Salt Lake county, it be devoted to the public school purposes of said district or districts, the ground upon which stands the old county court house at the corner of Second South and Second West streets.

The county attorney stated that the fundamental question was—Could the county court make a gift of this county property for the use of any or all of the school districts in this county, to be utilized for the public school purposes or any of all of them, by the erection thereon of a high school or other school building, for their joint use or otherwise.

After discussing the various phases of the question, legal and otherwise, the county attorney said the statute was county authority as to the mode of alienation of county property which has ceased to be necessary for county purposes, and it was the manifest object and intent of the statute (1) that all such property must be disposed of for value; (2) that it when to be disposed of as to bring its full market value; (3) that the proceeds should be covered into the county treasury "for the use of the county," so that the county shall have a full equivalent of the property for county purposes. So explicit a provision to secure for the county full equivalent for all county property disposed of would be an absurdity on the statute book if in the teeth of it the county court could in its discretion depart from the directed mode of disposition of make an outright gift of such property for any purpose whatever, public or ... [illegible] ...

The opinion of ... Williams, Van Cott and Sutherland, attorneys of the Board of Education, who, by request, were associated with the county attorney in the consideration of the legal aspect of the question.

The county court, of course, could arrive at no other course than that indicated in the opinion as the legal procedure, therefore the request of the city board of education for the court house corner had to be denied.

The opinion was ordered filed and no further action was taken.

Transcript on Appeal.

A transcript on appeal was filed in the Third district court today from Commissioner McNally's court in the case of Frank Colleague vs. the Salt Lake City Coop. Ironworks. Judgment was rendered in the lower court for plaintiff in the sum of $123.84 and $7.10 costs, and from this the defendants appeal.

AMUSEMENTS.

KILLARNEY was witnessed by a small audience at the Theater last evening. The play is just the same as when reviewed here before, and as before its main merit lies in its scenery, which presents some very pretty reflections of views around the famed lakes. Miss Emmett as a singing soubrette can only take rank among the average, and her company is generally of the same description.

THE Rabinstein concert was a very pleasant success artistically, and we are glad to be able to say that it was probably fairly successful financially, some 300 or 400 people paid the cheap price of admission demanded at the door of the Congregational church, and applauded very heartily the various numbers. Miss Royle's song secured one of the warmest encores of the night; Mr. Pedersen was in excellent form and he also got a recall; Mr. Ashworth's song was fairly well rendered, though his voice and the numbers left passion owing to a cold; Mr. Clive was heartily applauded, and the others on the program, including, of course, the professor who presided ably at the organ and piano, were greeted with favor.

GEN. LEW WALLACE, the distinguished author of Ben Hur, who lectures at the Theater tonight, arrived at the Knutsford last evening. He visited the Theater a little while and then retired. Today in company with Manager Burton he visited the Tabernacle and other points of interest, and will one of the interested spectators of the sham battle at Fort Douglas; his experience in the war of the Rebellion, in which he played a notable part, render him a keen and capable judge of the maneuvers. General Wallace is a distinguished looking man, somewhat on the military and gitanes order, an easy conversationalist, readily approachable, and looks about 60 years of age. To a News representative he said he had been in the saddle final only two months, and he was getting in readiness for another literary work. He was engaged on nothing whatever now, unless turning an idea over in his mind could be so called. His last work is the Prince of India, his first The Fair God, and Ben Hur, which one alone yielded him more fame and fortune than both the others combined, was written between the two.