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# DESERTER EVENING NEWS.

HISTORIAN'S OFFICE.  
Church of Jesus Christ  
of Latter-day Saints.

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LAST EDITION.

THURSDAY, JULY 30, 1903. SALT LAKE CITY, UTAH.

FIFTY-THIRD YEAR.

## Uprising in Eastern Cuba.

It is Confirmed by Reports Received From Governor and Other Officials of Santiago Province—Armed Men Have Appeared Outside Villages in Cauto River District, Proclaiming a Revolution.

Havana, July 30.—In spite of the assertion made by yesterday by Senor Yero, secretary of the interior, that the killing of three men and the capture of a fourth man their leader, who had attempted to cause an uprising in the vicinity of Bayamo, province of Santiago, effectively ended the only semblance of an uprising in Cuba, the rumors of uprisings in eastern Cuba were fully confirmed today in the governor's reports received from the governor and other officials of Santiago province. These are to the effect that since the night of Sunday last sixty armed and mounted men have appeared outside villages in the Cauto river district, proclaiming a revolution and demanding the payment of the former members of the revolutionary army.

No acts of violence have been reported, but the inhabitants of the Cauto region are excited. The leader of the

## ESCAPED CONVICTS ARE STILL AT LARGE.

Sacramento, July 30.—A special to the Bee from the Police station says that the latest reports received from the authorities in the vicinity of the

The fugitives are thought to be doubling back in the vicinity of Lodi, in the neighborhood of Stanislaus and the Contra Costa counties. The country in which the fugitives are supposed to be has a number of deserted cabins and several orchards which will afford them shelter and food.

Guarri Cochran, who was stabbed in the prison fight, is slightly worse and his recovery is still doubtful.

A telephone message has been received from the sheriff's office at Auburn, stating that Sheriff Kest has returned to that place for a rest and will take up his trail again in a few hours. News by all of the residents of Sacramento, Placer and El Dorado counties have been advised of the fact that 12 desperate men are at large and are on the lookout for them. This makes it doubly strange that nobody has actually seen the fugitives since Monday night.

Last night the prison authorities received a report from Sheriff Bosquit that the escaped convict, John J. Connelley, had been located in Black Rock canyon, not far from Cool, El Dorado county. The report stated that the fugitive had been surrounded and was being held at daylight.

The hopes of the prison authorities were again raised by another report from Sheriff Bosquit that three of the prisoners, the negro Seave and two others, were seen in a ravine by four of Capt. Stiller's men. One of the militiamen, Bosquit said, saw several miles to the north of the main body of the troops, while two of his comrades remained to watch the escapes. It was intended to surround the place with a few soldiers, but the fugitives fled before the prison officials retired, firmly believing that they would soon hear news of a chase between the prisoners and the pursuers. The capture and killing of the outlaws.

This morning they were sorely disappointed to learn that there was apparently no foundation for Capt. Bosquit's report. The men are still confident that the escape will be captured or killed eventually.

Clerk Smith, who, with Capt. of the Guard Murphy, is directing the movements of the posse from the prison, received a telephone message from a woman at Dalton's Bar saying that a man dressed in shirt and overalls had been seen at that place about 5 o'clock. He had no visible arms and was not carrying a gun. She was of the opinion that the man was one of the escapes. While the prison authorities know that a few of the escapes are without rifles, they do not share the woman's belief that the man she saw was one of the convicts. He was reported to be headed in the direction of Folsom.

**Railway Dock at Grishy Burned.**  
London, July 30.—The great central railway dock and shed at Grishy have been gutted by fire. The sheds were filled with machinery and an immense quantity of stores. The damage done amounts to \$500,000.

**Philippine Customs Revenues.**  
Washington, July 30.—A statement prepared by the bureau of insular affairs of the department shows the customs revenues in the Philippines for the first four months of 1903 to have been \$2,331,782, against \$2,001,011 in the same period in 1902, and \$1,215,937 in 1899. A comparison of the customs revenue under Spanish administration during the period from 1885 to 1895, with the period from Aug. 30, 1898, to April 30, 1903, under American occupation, shows the volume of commerce to have been increased about four fold.

**Sheriffs After Accused Negro.**  
Des Moines, Ia., July 30.—Sheriff Humolt, of Knox county, Mo., and Sheriff Davis, of Appanoosa county, Iowa, have gone to Brazil, a small mining town five miles from Centerville, where it is reported Clark, the negro, wanted a posse of men for assaulting Gertrude Hess in hiding.

Sheriff Humolt encountered a negro whom he positively asserts was Clark, near Centerville last night and commanded him to halt. He received a shot in reply and engaged in a brief and ineffective pistol duel with the man.

**PAN-AMERICAN RAILWAY.**  
Chili is Becoming Much Interested in the Project.

New York, July 30.—Interest is being shown throughout Chili, according to South American papers received here, in the Pan-American railway project and in the mission of Charles M. Pepper, who has been sent as commissioner to South America by President Roosevelt to secure the co-operation of those governments for the completion of the

San Augusto Matte, who was a colleague of Commissioner Pepper at

## FATAL SHOOTING IN STAR VALLEY

Long Standing Grudge Results in Death of Will Davis.

SALOON KEEPER WOUNDED.

Tragedy the Outcome of a Separation Between Man and Wife—Thirty Shots Were Fired.

Mr. A. L. Hale of Grantsville, has just returned from a visit to friends and relatives in Star valley, Wyoming. He says there have been exciting times in the valley recently. Last Saturday evening a lively shooting affray occurred which resulted in the death of one participant, young Will Davis, and the serious wounding of another, John Merrill, a saloon keeper. About 30 shots were fired and the wonder is that no more were killed.

The shooting occurred at John Merrill's saloon and grew out of a family quarrel some time ago. George Lemmon and his wife, who is young Davis' sister, separated and agreed to divide the children, he to take the boy and she to take the little girl. The woman was not satisfied with this arrangement and had made several unsuccessful attempts, with the aid of her brother Will, to kidnap the little boy and take him away with her to her people in the Big Horn country. In the hope, probably, of better success in another attempt, she remained in Afton, working with her sister in Merrill's saloon. On the day of the shooting young Davis rode up to Merrill's place and found his brother-in-law there. A quarrel ensued. In 20 minutes the shooting began, Lemmon and Merrill on one side, armed with rifles, and Davis with a pistol on the other. Davis stood behind his horse, while his assailants were stationed behind the corner of the saloon. Davis was shot in the leg and bled to death. Merrill was unhurt. Seeing her brother shot down and believing that her husband had murdered him, Mrs. Merrill procured a double barreled shotgun and would have made short work of Lemmon, had not bystanders wrenched the gun from her. Both barrels were discharged in the scuffle. Sheriff James went in from Evanston and took Lemmon into custody. Both Lemmon and Merrill are former residents of Cache valley.

Mr. Hale reports the people in and around Afton are prosperous and the grain and hay crops are good, and the ranges for stock are in fine condition. As the government has greatly enlarged the forest reserves, the settlers are availing themselves of the opportunity and are cutting their own timber. The settlements are protected from the sheep.

**A WARM FIGHT.**  
Barber and Swedish Laborer Have a Mix-up on Second South Street.

There was a pretty warm fight in front of a barber shop on East Second South this morning between a Swedish laborer and a barber, and as a result, both men were placed under arrest and have to explain matters to Judge Diehl.

According to the story told to the police, Andrew Christensen went into the shop presided over by Willard Jones and informed the latter that he had stolen a razor. Jones called Christensen a liar. Christensen squared off to hit Jones and just then Christensen hit the pavement with a dull, sickening thud and lay a few moments motionless. Jones then shot him in the back of the head with a revolver. Christensen lay on the pavement for about 20 seconds, but that it was a warm one while it did last. Officers Hill and Brown took a mix-up and placed both men under arrest on the charge of fighting.

**AIRIS HOME BURGLARIZED.**  
Thieves Break In and Steal About \$300 Worth of Jewelry.

The police are now looking for the burglars who broke into the home of E. H. Airis on First South and Eleventh East a few nights ago, and stole probably \$300 worth of jewelry.

The family was away from home at the time of the robbery. The thieves pried open a window in the rear and then ransacked the house. When members of the family returned they discovered that burglars had been present. Articles were scattered all over the place, and a careful investigation disclosed the fact that a diamond stud, a watch and chain, a pair of cuff buttons and a pocket had been stolen. It is estimated that the articles were worth at least \$300. A good description of the property was furnished to the police when the matter was reported.

**TO TAKE DOUGHERTY'S PLACE.**  
Postmaster Thomas Recommends Col. Page to be P. O. Cashier.

(Special to the "News.")  
Washington, D. C., July 30.—Postmaster Thomas has recommended the appointment of Col. Page, a well known Grand Army man of Salt Lake, to be postmaster-general to succeed Dougherty as cashier at the Salt Lake post office. No action will be taken in the matter until the return of Postmaster-General Payne.

A postoffice has been established at Halfway, Utah county, Wyoming, with Della Johnson as postmaster.

**Foreman Steel Works Murdered.**  
Pueblo, Colo., July 30.—Leroy Masterson, a foreman at the steel works, was murdered shortly after midnight last night while lying asleep. Suspicion rests on members of a gang of laborers of which the dead man has charge and 16 of them have been arrested. Masterson had the previous night discharged three men.

The weapon used in the murder was a shovel, and his skull was fractured.

## Can't Collect City Poll Tax.

Judge Tanner Holds That There is No Ordinance Under Which Payment Can be Enforced—Should Higher Court Affirm Ruling the Municipality Will be Heavy Loser And Endless Litigation May Result.

Judge Tanner, of the city court, this morning handed down a decision on the demurrer to the complaint in the case of Salt Lake City vs. M. M. Johnson, C. S. Kinney and Sarah X. Christensen, known as the polltax case, in which he held that there is no valid polltax ordinance in effect in this city at the present time and that there has not been one in effect since the Legislature repealed the city ordinance in 1893. The demurrer to the complaint filed by Atty. C. S. Kinney and Sarah X. Christensen for the defendant was sustained by the court on each of the four grounds.

This may result in a large number of actions being brought against the city by taxpayers to recover the amount of polltax paid in since 1893 on the ground that the city had no authority by law to collect such a tax. City Atty. Nye announced this morning that the case would be appealed to the district court, and if necessary to the supreme court. The complaint will be amended in respect to the misstatement of fact that the city had no authority to collect such a tax. The grounds set forth in the demurrer are as follows:

First.—That the court has no jurisdiction of the subject of the action for the reason that there is no law authorizing Salt Lake City to collect polltaxes.

Second.—That the plaintiff has no legal capacity to sue for the reason that there is no provision of law authorizing Salt Lake City municipal corporation to collect polltaxes.

Third.—That there is defect or misjoinder of parties plaintiff in this: That Peter S. Condie, as street supervisor of Salt Lake City, has no capacity to sue for polltaxes, and cannot join with Salt Lake City, a municipal corporation, as parties plaintiff.

Fourth.—The complaint in said action does not state facts sufficient to constitute a cause of action.

The principal contention of the attorneys for the defense was that the polltax ordinance was repealed by the Revised Statutes of 1893, and a new provision was made granting the city the power to provide a means of collecting its polltax. The city has never taken advantage of this power and has not, since the repealing of the polltax ordinance, passed another one, hence since that time no polltax ordinance has been in effect. This contention, Judge Tanner today upheld, and the question is, whether or not the appellate court will sustain him in his decision.

## NYE LIBEL CASE IN THE AIR.

Affidavit Causes Judge Tanner to Throw the Responsibility And Transfer it to the District Court, Thus Raising an Important Question.

The criminal libel suit instituted some time ago by City Attorney George L. Nye against Councilmen F. S. Fernstrom and Charles Cottrell, Jr., is now apparently up in the air. An attempt was made by County Attorney Westervelt this morning to have the case transferred back from Judge Tanner's court to Judge Diehl. Failing in that, an affidavit and motion was filed by the attorney for the state, asking that the case be transferred to the district court as it appeared from affidavits filed that both judges of the city court are prejudiced and either one side or the other feared that an impartial trial of the case could not be had.

Judge Tanner was perfectly willing to suit the responsibility connected with the case upon a district judge, so he ordered that the case be transferred to the district court so that the preliminary hearing of the two councilmen could be conducted by a judge of that court. This leaves the case in a decidedly unsettled and doubtful condition, as it is stated that the attorneys for the defense will raise the point as to the right of a judge of the city court to transfer a preliminary hearing to the district court in such a manner, and should that point be sustained, which is very probable, the case will probably be dropped entirely. The defendants were granted a change of venue by Judge Diehl on the ground of prejudice and the state was today granted a change to the district court by Judge Tanner on the ground that the other side cannot sit with folded arms and not object and wait until after the change is made and then move for another change, as that would delay the trial of cases and would not be just.

**JUDGE POWERS HEARD.**  
Judge Powers contended that unless the state should come up with the case it is not entitled to a change. The record shows, he said, that they made no objection to the cause being transferred to this court. Mr. Westervelt contended that he did object at the time to the case being transferred at all.

**COURT SETTLES IT.**  
Judge Tanner settled the matter by stating that in his opinion the contention of the defense is right as a matter of law, but that it seems that the court may use its own discretion in transferring a case. He said that he did not feel that he could do so in a case wherein an affidavit of this kind were filed, as it would not be just to either party. He therefore ordered the case transferred to the district court. Just when it will be taken up by the district court is not known, as none of the judges are holding court during the summer months, but when it does come up the question of the legality of the transfer will have to be determined first.

**A. B. YOUNGSON DEAD.**  
Was Head of the Brotherhood of Locomotive Engineers.

Meadville, Pa., July 30.—A. B. Youngson, grand chief engineer of the Brotherhood of Locomotive Engineers, who has been ill with Bright's disease at the city hospital since June 29 last, died at 2:40 o'clock this morning. Previous to his death he named M. H. Shay of Youngstown, Ohio, as his successor.

Chief Engineer Youngson was born in Pittsburgh, March 29, 1849. His first railroad employment was with the Atlantic and Great Western railroad, when he was but 13 years old. After 24 years of faithful service Mr. Youngson was in 1890 elected first assistant engineer of the Brotherhood of Locomotive Engineers, succeeding to the position of grand chief engineer on the death of Chief P. M. Arthur on the 15th of the present month, and holding the position but 12 days. Mr. Youngson was a widower and is survived by three children.

The funeral services will be held from the family residence here on Friday afternoon.

**No More Deaths at Lowell.**  
Lowell, Mass., July 30.—No further

## DEMISE OF PETER CREZEE

Oldtime Resident of Weber County Died Last Night.

FUNERAL SERVICES FRIDAY

Broken Water Main—Fire in a Barn—Evanston Burglars—Horse Racers Cheated the Sheriff.

(Special to the "News.")  
Ogden, July 30.—Another old time resident of Weber county has crossed the silent river from whence no echo returns. This time it was Peter Crezee, who died last evening at Roy of general debility; aged 71 years. Mr. Crezee was a native of Holland, but has resided in this county for many years, and was highly esteemed by all who knew him. He leaves surviving him two sons and two daughters. Funeral services will be held tomorrow (Friday) at 2 p. m. from the Fourth ward meeting house, Ogden, at 10 o'clock.

Yesterday afternoon as the result of rock blasting in Ogden canyon a large boulder was dislodged and sent rolling down to the bed of the creek, which it struck and crashed into a 24-inch water pipe of the Ogden Waterworks company, crushing it like an egg shell. A force of men was promptly put to work to repair the damage, which will require two days' time.

**FIRE IN A BARN.**  
Last night President L. W. Shurtliff's barn, located on the corner of the intersection of the fire department would have been burned to the ground. As it was the flames were extinguished without doing much damage.

**EVANSTON BURGLARS.**  
The police here received a telephone message from Sheriff Jones of Evanston this morning informing them that a Union Pacific car was broken into at that place last night and plundered; also that a residence had been burglarized, and a quantity of clothing and a trunk stolen. The police are now looking for the burglars made their way to Ogden, the officers were asked to keep an eye open for them.

**CHEATED THE SHERIFF.**  
This morning Sheriff Bailey received a telephone message from Salt Lake requesting him to attach two race horses which were on their way from Salt Lake to Butte. The officer went to the depot to comply with the request, but on arriving there found that there were two cars full of race horses, and the keepers were adroit enough not to inform the sheriff which particular horses he was after. While he was seeking additional information the train carrying the train pulled out, and the racers are now well on their way to the Montana city.

**A PAINFUL ACCIDENT.**  
Walter Knudsen Receives a Severe Blow Over the Eye.

There was a painful accident this morning at the Federal building. Walter Knudsen, a laborer about 23 years old, was turning the crank on a derrick when the handle slipped out of his hand and falling around his neck, he received a terrible blow on the left eye and immediately under the temple. Knudsen was knocked senseless and would have fallen had he not been caught by one of his fellow workmen caught him. Dr. Drake was sent for, and the sufferer taken to his office in the Mercantile block where his wound was attended to. The doctor found that no bones were broken, but it was a raw escape. Knudsen was bandaged up and sent home. He will be out again in a few days.

**ARMY DESERTIONS.**  
Are Said to Almost Equal Those From The Navy—Soldier Holdups.

The dispatches telling about daily desertions from the navy are being complemented by daily reports of desertions from the army. The most serious going on at Fort Douglas may be cited in illustration. A non-commissioned officer of the Twelfth Infantry stated today that desertions from that post are at a standstill. The greatest bulk of these are from the two batteries of light artillery stationed there. He says these commands are very largely made up of southerners—did not feel that they could desert with the unexciting life of a military reservation, and skip for pastures new by way of variety. The two batteries transferred to the most part of the young men, between the ages of 18 and 23, and it is hard to do anything with them.

In the matter of the latest soldier hold-up, the accused is an artilleryman, and his having a revolver at the time was a violation of the rules at the fort, for an artilleryman has no more right to bring his shooter down street with him than has an infantryman. The weapons are supposed to be locked up in the company armory when not used in drill or other military purposes. For this reason, it is claimed the accused will be "hobnobbed"—discharged without honor. At the same time the "hold-up" is characterized as a more drunken freak, suggested by an alcohol laden mind on the spur of the moment, and was not premeditated. Said one middle-aged soldier from the post today: "These young fellows come from a scrapping country, and when they get into the army they imagine they must keep the thing up. The best thing that could happen to them would be to send them to the Philippines, and let them scrap with the insurgents. Then they will get all they want."

**RECEIVED WITH THANKS.**  
The "News" has received from H. L. Stein, the artist on engraving of The Fair on Main Street, a colored glass cup engraved with the name of this journal as a small token of earnest appreciation of a lively up-to-date paper, from an "ardent admirer of the Deseret News." We cheerfully acknowledge and accept the gift, with the hope that its donor may long exercise the skill displayed in the handiwork it exhibits.

## Vannutelli May Be Elected.

People Are Recalling a Prophecy Made Many Years Ago To the Late Cardinal Parocchi That "The Bishop of Santa Rufini Will Be the Next Pope"—Vannutelli is Now That Bishop—Last Tribute to Leo.

Rome, July 30.—The last tribute was paid to the late Pope Leo XIII. this morning with the third great requiem mass celebrated in the Sistine chapel of the vatican and the function was no less ceremonious and imposing than the two others. While there were, perhaps, fewer persons present there was a greater display of gorgeous uniforms. Of the 62 cardinals now in Rome all attended the mass except Cardinal Creton, president of the congregation of sacred relics, who was ill.

The picture presented by the presence of cardinals, in violet robes and red capes bordered with ermine, and escorted by police guards in scarlet uniforms and with drawn swords, the scene being softened by the clouds of incense and the chapel resounding with the strains of the incomparable Sistine choir singing "Libera me, Domine," made those present feel as though lifted into another world.

In the churches of Rome today began the offering of prayers to the Holy Ghost to assist and enlighten the cardinal to choose the right man to sit in the chair of St. Peter.

During the convulsive blessed sacrament will be exposed in several churches for the special prayers of the faithful, with the same object in view. The mayor of Carpieto the birthplace of Pope Leo, who proposed to erect with local contributions a monument to Leo XIII on top of Lepini mountain, surrounding the village of Carpieto, has declared that his project was checked by the large amount of money required.

The representatives of France, Austria, Spain, Prussia, Portugal, Russia, Bavaria and Belgium accredited to the vatican, have informed Cardinal Gregor, dean of the sacred college, that their respective governments have received from the Italian foreign office most exhaustive assurances that all the necessary measures have been taken to ensure material and moral liberty at the conclave.

Intends to make it an international tribute to the late pope, and will add all countries to join in the movement. He says he expects considerable contributions, especially from America. People are now recalling a prophecy which, at the time it was made, produced considerable talk among the superstitious who held it to be an indication so that several large bets were made in favor of the cardinal indicated by the prophecy. Many years ago the late Cardinal Parocchi, who was not then even a bishop, one day met an old woman in the country. She was a typical witch with appearance and planted herself before Parocchi, saying, "The bishop of Santa Rufini will be the next pope." The woman refused to say anything more. Parocchi repeated the tale which gained added elevation when he was appointed to that see, and before his death he was considered to be the most likely successor of Pope Leo. When Parocchi was dying he repeated the old woman's prophecy. The famous biographer of Santa Rufini, afterwards given to Cardinal S. Vannutelli, and now people are asking themselves, will the prophecy come true at last?

**ROBBERS HOLD UP A TRAIN.**  
Board a Short Line Train Between American Falls and Pocatello, Relieve Brakeman and Passengers of Cash and Watches—Officers in Hot Pursuit.

(Special to the "News.")  
Pocatello, Idaho, July 30.—Two robbers held up an extra freight train between American Falls and Pocatello this morning about 1 o'clock. Brakeman Swain was compelled to enter a car, where he was relieved of \$11 cash and a watch. Some travelers in another car were relieved of about \$12 cash and a watch. The robbers got off near Hancock station, and the sheriff is now in pursuit of them. Conductor Marman was in charge of the train.

## TEN STRIKING WORKMEN KILLED

St. Petersburg, July 30.—Ten striking workmen were killed and one injured as the result of a volley fired by troops at Mikhailovo on the Tiflis-Batumi July 28.

The strikers attempted to stop trains and a detachment of 40 soldiers was summoned. The soldiers were greeted with a volley of stones and a few revolver shots. After repeated warnings the troops were ordered to fire. The street car service at Odessa is suspended in consequence of a strike of drivers and conductors for higher wages.

## UTAH DESERTERS.

Two More Salt Lake Boys Quit the Navy Without Leave.

Notice of two more desertions of Utah boys from the navy was received by Mayor Thompson today. The names of the deserters are Frederick M. Dunlap and Joseph M. Ludwig, both of this city. Commander C. Thomas notified the mayor that boys deserted from the United States ship Bennington, which is now in Alaskan waters, on July 8, 1903. These make a total of 20 Utah boys who have deserted from the navy.

**Callers at Sagamore Hill.**  
Oyster Bay, L. I., July 29.—President Theodore Roosevelt was in the University of California, was the first caller on President Roosevelt today. He has just returned from Europe and desired to pay his respects to the president and talk with him concerning his observations during his travels before proceeding to California.

President Roosevelt's guests at Sagamore today were Postmaster-General and Mrs. Payne and Immigration Commissioner Williams and Mr. Van Enging, of New York.

The president, it is understood, impressed upon Mr. Payne the possibility of concluding the postal investigation at as early a date as practicable.



CARDINAL SERAFINO VANNUTELLI, A CONSPICUOUS CANDIDATE FOR THE PAPAL CHAIR.

Cardinal Serafino Vannutelli, descendant of a distinguished Roman family and cardinal bishop since 1887, has long been regarded as a formidable candidate for the papacy. For years he has been one of Pope Leo's principal advisers. His younger brother, Vincenzo Vannutelli, is also a cardinal.