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. 59. THURSDAY, JANUARY 31, 1895, SALT LAKE CITY, UTAH. VOL. XXVIII.

THE ELBE DISASTER.

Terrible Struggle With Death in the Cold Deep.

WHAT THE SURVIVORS SAY.

Crowds of Human Beings Left on the Sinking Ship Without Assistance by Passing Vessels.

LOWESTOFT, England, Jan. 31.—Bitterly cold weather is prevailing and lack of news from along the coast shows that there is little if any hope of any survivors of the Elbe disaster reaching land. A life boat has been washed ashore near Yarmouth. It is believed to be the boat from which the fishing smack Wildflower rescued the few passengers who escaped from the steamer after the collision yesterday morning.

The survivors claim that the unknown ship which rammed and sank the Elbe should have stood by the Elbe, and if she had done so a great many lives would have been saved. This, of course, is a matter which cannot be decided until all the facts are brought to light by the board of inquiry. It is not definitely established that the Crathie was the offending steamer. There are people who believe the steamer may have foundered. They base their opinions on the fact that the Ramsgate life boat was put to sea yesterday evening in answer to signals of distress supposed to have come from the steamer. But the life boat has not returned and as she got away in a blinding snow storm it is believed she is lost and that the steamer she attempted to assist also went down. Then the word "Annie" is branded on the [illegible] of a boat stranded near Yarmouth, so people say it could not be the boat from which the Wildflower rescued the survivors of the Elbe. The name "Annie" is not known in shipping circles here.

It seems that neither of the two pilots was on the bridge of the Elbe at the time of the collision. The German pilot ceased duty when the Elbe cleared from the Weser and the turn of duty of the Trinity or English pilot did not commence until the steamship entered the waters of the Isle of Wight.

The surviving officers refuse to say who was in charge of the Elbe when the collision occurred, but it is supposed to have been the third officer, Stollberg, one of the survivors. Stollberg is understood to have asserted that the ship which sank the Elbe was out of her course, and to have admitted that he saw a green light on the port bow of the Elbe shortly before the collision.

Chief Engineer Neussel says the stem of the unknown ship struck the Elbe about [illegible] feet forward the funnel or just about the engine rooms. The engines were not damaged by the collision, but the water soon poured in and, although the steam pumps were put to work in about three minutes, it became useless and the engine rooms were soon deserted for the upper deck.

THE PILOT'S STATEMENT.

Later in the day at the request of the agents of the North German Lloyd company, Greenham, the Trinity pilot, made the following statement: "When I came on deck with some passengers, Captain Von Goessel was in charge. The first order given was to swing the boats out, but not to lower them until further orders. The next order was for everybody to come on deck and for the crew to go to their stations. Then followed an order for the women and children to go to the starboard boats, in which it was proposed to save them. The first of these orders were given by Captain Von Goessel and repeated by Chief Officer Theims. The captain was on the bridge and I believe he went down with the ship.

"The next order I heard given was to lower the boats. There was no confusion whatever, nor was there a panic. Every order was executed with the greatest calmness and promptitude.

"At the time of the collision, there was a high sea running and a strong wind was blowing from east-south-east. It was bitterly cold. The lanyards and boats grips and falls were frozen and the lanyards securing the falls had to be chopped in order to save time, but that would have been done in any case in the event of a collision. The Elbe went down about two minutes after we left her side."

The explanation given by the surviving officers as to the proportion of the crew saved to the number of passengers saved is that the following orders were given by the officers of the Elbe. The children were to be saved first and then the women and they were to be placed in the boats on starboard where the women and children were told to gather. But almost immediately after these orders had been obeyed, the Elbe listed heavily to starboard and the sea swept up to the promenade deck, so the starboard boats were rendered useless. The boat which brought the survivors away from the Elbe was one of the port boats and was [illegible] to leave the vessel. Acting upon the orders of Captain Von Goessel, third officer Stollberg and the paymaster, who were in charge of this boat, took their seats inside her and then, when the water was creeping over deck, a rush was made for the boat and anybody who could get into it did so. The Trinity pilot, Greenham, assisted the crew of the Elbe in fixing [illegible]. It is understood that Greenham had been heard to express the opinion that the steamer which sank the Elbe was distinctly at fault as she attempted to cross the bows of the Elbe.

OFFICIAL ACCOUNT.

The following statement was officially given this afternoon to an Associated Press correspondent by the German vice consul, Herr Brucher, after sifting all the interviews with survivors and cross questioning the officers and the crew, and may be classed as the consensus of the officers' opinion: "Elbe's course approximately forty-five miles from Hervenhalting light ship. Though both the Elbe and the colliding steamer were going at full steam ahead, the collision was very slight. Immediately after the collision the Elbe began to settle down stern first, her bow mounting high into air and rendering it impossible to reach some of the boats. As everybody crowded upon deck immediately after the shock and in a state of great alarm, it was impossible for the orders of the captain, who was standing on the bridge, that women and children should be saved first, could be obeyed. "A rush was made for the boats that were accessible. The first boat to be launched was immediately swamped and the passengers who had crowded into it were drowned.

"The second boat launched was lost sight of in the high sea, which was running, but it is feared she capsized. Into the third boat at the last moment, when the water was up to the promenade deck, the vessel sinking under their feet and two minutes before she disappeared, there crowded nineteen men, women and children, having [illegible] to the other side, owing to the [illegible] that they should get into the [illegible] there. This third boat pulled away from the ship and in so doing, shortly afterwards passed a lady passenger, Miss Anna Boecker, who clung to the gunwale or side of the life boat. Some time elapsed before she could be pulled into the boat. Twenty survivors drifted about until 11:30 a.m., the heavy seas repeatedly washing over the small craft, which was in constant danger of being swamped and devouring its occupants who had not a morsel of food. Miss Boecker lay in the bottom of the boat, half drowned and semi-conscious. The lights of many vessels were seen all around, but not one approached them, though after daylight a steamer and two fishing vessels passed. Their crews, however, did not notice the signals of the distress. Finally the waving of a shirt from the boat attracted the attention of the crew of the fishing smack Wildflower, which rescued the survivors with extreme difficulty. After the collision an unknown steamer passed under the stern of the Elbe and proceeded on her course without paying any heed to the cries of the people on board the sinking steamer."

GREAT CHEERFULNESS PREVAILED.

The rescued seamen in the sailors' home here were stitching up their tattered clothing today, laughing and joking the while. They said they were all below asleep when the collision took place. It was impossible to reach the [illegible] boats as the bow of the steamer had risen high out of the water. The seamen then went aft and escaped in the manner already described. They strongly denied that there had been any panic on board the Elbe after the collision, but the excited manner in which they replied to a question on this point showed that great confusion had prevailed.

IT WAS TERRIBLE.

All the passengers are understood to have been below and asleep at the time of the collision, and nearly all must have been either drowned below or have met death while seeking to rush up on deck. The man who furnished this information was in such an excited state that little more could be gathered from him than exclamations of horror. He repeated time and again: "It was terrible; it was terrible. The poor women and children went down without hardly being able to utter a prayer. It was terrible. The steamship must be full of dead bodies. They were caught like rats in a trap. I can't tell you any more about it. All I know is I heard a terrible crash and it was followed by an awful sound of rushing water and escaping steam. It was very dark down below where I was, but somehow I managed to push my way on deck. The ship resounded with heartrending cries from all quarters, although the officers seemed to be doing all they could to calm the people. I saw a lot of sailors making a rush for the boat and I joined in with them. Somehow the boat was lowered and I managed to scramble into it, although it seemed to me that a hundred people were trying to do the same. We pushed some of them away, for it was utterly impossible to load the boat any more and we could see the Elbe was doomed. She was rolling terribly and settling down one side in a manner which seemed threatening to turn her over entirely. Somehow or other we got away and a number of people were drowned as they jumped into the sea and swam after us. Of course we could not put back for anybody, or we would have been pulled under by the people already struggling in the water. Some time later, I can't say how long, for I was too horrified to think, the Elbe gave a fearful lurch sideways and sank with a bursting sound. It seemed to me as if something blew up on board her as she went down.

I don't know what became of the vessel that ran into us. I saw a light somewhere in the distance and supposed it was hers, but I can't say anything for certain. I had a brother on board who was from Germany, like myself. We were on our way to the United States where we have relatives. I do not know how many people were drowned, but I should think at least 300 persons went down in that terrible ship. There was another boat lowered about the same time we got away, but it sunk afterwards, I think it was so crowded it could not float. The chief engineer, who had charge of our boat, is a very nice man and he did all he could for us while we drifted about. He says he is certain a third boat was lowered from the Elbe and believes she surely will be able to reach the coast of Holland in safety. He wanted the English fishing smacks to take us to the German coast, but the fishermen insisted upon bringing us here.

VERY FEW SAVED.

A [illegible] later dispatch received from Lowestoft about 10:30 p. m. indicates that the disaster is more serious than at first outlined. It is now said there were about [illegible] people on the Elbe, [illegible] passengers and a crew of about [illegible], besides a number of [illegible] returning to the United States. Of this number it is now announced that five passengers, the first engineer, the third officer, [illegible] paymaster, seven seamen and two pilots were landed by the fishing smacks. The remainder went down almost immediately with the ship.

The surviving passengers of the Elbe will go to Southampton tomorrow and there embark for New York on the next steamer. The crew will go to Bremen, after having made statements to the German vice consul. They will there be shipped to Bremen. Tugs are searching for the missing Elbe, but into this afternoon there had been no news of her.

An agent of the North German Lloyd Steamship company announces that some [illegible], whose names were on the list of the Elbe's passengers, decided at the last moment to go from Bremen to Southampton direct, and were not on the Elbe when she sank.

On behalf of the board of trade this afternoon a preliminary inquiry was held here into the sinking of the Elbe. Its surviving officer said in substance:

The Elbe was proceeding on a south-southwest course, down the channel, steaming about fifteen knots. When about forty-five miles off the Terschelling lightship, a vessel was seen approaching two and a half points off the port bow. This vessel's course was apparently W. N. W. According to the rule of road at sea, the vessel as seen should have ported her helm and passed under the Elbe's stern. Both vessels, however, kept their course and struck. The shock of the concussion was very slight.

Third officer Stollberg denies the statement of Captain Gordon of the Crathie that no signals of distress were made from the Elbe. He says rockets were fired after the collision.

The Ramsgate life savers returned to the station today, having found no trace of the missing life boat. It is believed the rockets seen were those of the Elbe.

OFFICERS OF THE CRATHIE INTERVIEWED.

ROTTERDAM, Jan. 31.—Interviews had here this afternoon with Captain Gordon of the steamer Crathie and the second officer of that vessel, leave no doubt that it was that steamship which ran into and sank the Elbe. Gordon said the Crathie at 5:30 a.m. was about thirty-five miles from Waterway. The wind was north by west, half west. It was very dark and the sea and wind strong. "I stood at the bottom of the cabin case," he said, "and was going on deck when there was a heavy shock, and the water began to pour into deck. I ran on deck and saw a large, strange ship lying across the bows of the Crathie. After the collision we returned to the spot where it occurred, or as near as we could make out, but were unable to see any signs of the steamer, which, we thought, had proceeded on her voyage. We lowered after some time, but lost all sight of her. We waited two hours and then proceeded to Maassluis. We reached there yesterday and came here for repairs which will take five weeks."

"The second officer of the Crathie said: "There was no fog, but it was dark. It was my watch on deck and I suddenly saw ahead of us three lights and made out a steamer, painted in light color with two smoke stacks, also painted in light color, coming towards us. It was impossible to escape a collision, although ten or a dozen yards more would have cleared us. After we struck it was impossible for some time to disengage the two ships and our gear had to be cut. We heard no cries and there was no commotion to [illegible] the steamer as far as we know.

After the collision the other vessel showed blue and red lights. We returned the same signals, understanding that it meant that neither of us needed assistance. Our captain was below at the time I sighted the steamer. A [illegible] asleep had his right ear torn off by an iron plate which was driven through the side of the Crathie. I don't believe the ship we collided with was the Elbe, but I did not see the name. The Crathie's bow was completely stove in and was not fit to proceed in high sea."

As far as ascertained [illegible] of the passengers and crew of the Elbe are missing.

WHERE SHE WAS STRUCK.

LONDON, Jan. 31.—Mr. Keller, the London manager of the North German Lloyd Steamship company, in an interview this afternoon said: "I have examined the plans carefully and find that the Elbe was struck right on the bulk-head partition, so both the water tight compartments in which it was divided were instantly filled.

A HONOLULU EDITOR DROWNED.

WASHINGTON, Jan. 31. — Senator Kyle says Henry Castle, of Hawaii, lost on the Elbe, was a brother of the commissioner, not the commissioner himself, as reported. He also states that Castle was a strong supporter of the present administration at Hawaii and an advocate of annexation. He was editor of the Honolulu Gazette. Kyle also contradicts the statement that it was Castle's wife who was drowned with him, and says it was his 4-year-old daughter.

The Brooklyn Strike.

BROOKLYN, Jan. 31.—President Norton, of the Atlantic Avenue Railroad company, appeared before Judge Walsh in Adams street police court today to answer a charge of breaking the law in making the men work over ten hours a day. His attorney asked for adjournment until Saturday, which was granted.

CHINESE MORE HOPEFUL.

They Think They Will Be Able to Hold the Fort.

SHANGHAI, Jan. 31.—Japanese infantry have captured the eastern fort at Wei Hai Wei, but it is reported the other fort bombarded and captured the fort and the Chinese believe they will be able to hold Wei Hai Wei.

THE JAPANESE VERSION.

LONDON, Jan. 31.—A dispatch to the *Pall Mall Gazette* from Chee Foo says: The Japanese fleet yesterday bombarded the forts at Wei Hai Wei, landed troops, captured three forts and silenced another by heavy firing of the fleet.

THE DEBS CASE.

One of the Defendants Dismissed by the Judge.

CHICAGO, Jan. 31.—The charges against Moses Avener, the Rock Island switchman, one of the co-defendants with Debs in the conspiracy case, was dismissed by Judge Grosscup today. The court held the evidence against Avener was insufficient.

MUST FIGHT ALONE.

Secretary Gresham Never Intended to Interfere

BETWEEN MEXICO AND GUATEMALA

So Says the Official Organ of the Mexican Government in an Evidently "Inspired" Article.

MEXICO CITY, Jan. 31.—Under the heading of "Important rectification" the Mexican official government daily says today:

"Some of the newspapers of this city, on the authority of information from the United States have said that the Washington government desired to interfere in our question with Guatemala. Although intending to publish at the proper time the correspondence on this subject, we are authorized to state that according to a telegram dated the 21st and a telegram from the same gentleman dated the 29th, the secretary of state of the United States declares he has expressed no opinion regarding the advisability of proposing to the government that it withdraw some of its demands, and Mexico has advised Guatemala that the government of the United States does not care to intervene, inasmuch as Mexico has a right to act as it thinks best. We make haste to publish this rectification in order to save our contemporaries from making comments on incorrect news."

The newspaper correspondents were assured at the palace that this would put an end for the present at least to the rumors flying thick and fast of the intervention of the United States in the Guatemalan question.

The Spanish papers of this capital silently assail the intended interference on the part of the United States and [illegible] the measure as entirely uncalled for. The [illegible] statement of the government in the official daily today will cause much rejoicing that the northern Republic will keep its hands off and Guatemala will have to fight out its own battles so far as the United States is concerned.

EARTHQUAKES IN OAXACA.

The Eruption of a Subterranean Volcano Expected.

CITY OF MEXICO, Jan. 31.—Since the great earthquake shock of November 22, 1894, which caused the loss of [illegible] lives in this city and destroyed thousands of dollars' worth of property, a reign of terror has prevailed in the towns of Jamiltepec and Pinotepa, in the state of Oaxaca, where the earth trembled from six to eight times a day. The churches and houses are a heap of ruins and the inhabitants have nearly all fled to neighboring hamlets. The eruption of some volcano, presumed to exist in a subterranean form close by, is momentarily expected. Last night earthquake shocks were felt in many places in the state of Oaxaca. The [illegible] duration was three seconds.

LOOKING THIS WAY.

Newfoundland Favoring Annexation to the United States.

ST. JOHNS, N. F., Jan. 31.—A movement favoring annexation with the United States has been inaugurated here. The town is placarded with bills advocating annexation and bearing "Now's the day; Now's the hour."

Following this advocacy of union with the United States there will be a meeting held at which the whole subject will be ventilated. Many of the principal citizens of this place are working for annexation and there is a strong sentiment in its favor throughout the various cities. The press generally refer to the value of the fisheries to the American people as well as to the advantage the introduction of American capital would be to Newfoundland. A great many people living here now have relatives and business connection in Boston, New York and other cities of the United States.

DROVE THE GAMBLERS OUT.

A Victory of the Anti-Vice Association of Kansas City.

KANSAS CITY, Mo., Jan. 31.—The last of the horde of gamblers and lottery fakirs who have for years infested Kansas City, Kansas, practically unmolested by the authorities, have at last moved out. This ends the crusade begun against them last summer and brought up in the legislature as soon as it convened at Topeka this session. The anti-vice association's hopes were embodied in the Cubbison anti-gambling bill, a measure most sweeping in its nature, and when it finally passed drove the gamblers across the line from here, by common consent giving up the good and folding their tents quietly stole away. The word was passed along the line that when the bill should have passed the authorities would enforce the law to the letter. The lotteries had already been scared out and the enactment of the law once more places the twin city on a high moral plane.

Many of the gamblers it was said would transfer their operations to this city, but the local police declare they will not be permitted to stop here and they will doubtless spread out over the country.

In the legislature while it was up, the Cubbison bill was antagonized by a strong lobby representing gambling interests, but the outspoken utterances of the newspapers concerning these individuals nullified the efforts of their work.

CHILDREN KIDNAPPED.

A Story Full of Romance, Involving Aristocratic Families.

CHICAGO, Jan. 31.—A message sent out from the 35th street police station last night brings to light an interesting story with many romantic features involving two families prominent among the nobility of Russia. The message requested the police of the city to look out for the two children of Count Lebanoff Smitka, who, it is said, have been kidnapped. The children are Minnie and Elsie aged [illegible] and 10 years respectively. It is also said that agents of their grandfather, Count Phillip Agamon-Lubomski, of Warsaw, Poland, have carried off the children and taken them back to Warsaw. Count Lubomski is Smitka's father-in-law and it is said that the children are heirs to an immense estate in Poland. In 1884 Smitka lived with his parents on their ancestral estate at Cracow. At the imperial court he said he met the daughter of Count Lubomski. It is said they became enamored with each other, but because of a feud between the two families of long standing, they were forbidden each other's society. This, however, did not prevent clandestine meetings and finally the lovers decided to elope. They succeeded in reaching New York. They had considerable money and several years lived in comparative affluence. In 1889 the count was left a widower and his children motherless, and since their arrival in New York two children, a boy and a girl, had been born. Then the count came to Chicago, his circumstances meanwhile becoming poorer. He was forced to obtain a situation as a waiter in a down town restaurant, and in this way he supported his children until recently he has been [illegible]. Count Phillip had heard of the poverty of his relatives and made several proposals to take charge of the children, but Count Smitka would not permit him to do so. When the father was no longer able to work and there was no food in the little home at [illegible] James street, the children were sent to the various soup houses and places where charitable disposed persons were giving out relief, and it was on errand of this kind that the two children started on yesterday morning and did not return home. It is not the first time that an attempt has been made to kidnap them, the father says, and he being suspicious reported the matter to the police.

Harvest of Ice.

KINGSTON, N. Y., Jan. 31.—This is ideal weather for the Hudson river harvest and it is now in full progress at every point. The zero nights have made excellent ice and the cakes now being housed are from nine to eleven inches thick. It is estimated that about [illegible] tons per day are being stored in the various houses on the river.

Out of Employment.

ALTON, Ill., Jan. 31.—The Illinois Glass company has shut down a continuous tank furnace, throwing out of employment 225 hands. This is owing to the action of the child labor law. Coming in the winter season, much suffering and destitution is sure to result.

TRAIN HELD UP.

The Robbers Secure $10,000 in Mexican Silver.

DENVER, Jan. 31.—A special to the Times from Phoenix, Arizona, says:

"The Southern Pacific westbound train No. 20 was held up six miles this side of Wilcox last night at 9:35 by masked men. They separated the express car from the train, hauled it five miles west and with six shots of dynamite blew the through safe wide open. It contained $10,000 Mexican silver, which was removed. The trail of the robbers is marked by the promiscuous [illegible] in Sulphur Springs valley of Mexican dollars.

Burned to Death.

PHILADELPHIA, Jan. 31. — Mrs. Christian Zindlinger and her year-old twin daughters were burned to death early today in the house 2029, Kansas street. The mother ran back into the house, after being rescued, to save the children.

Fighting Rebels.

COLON, Colombia, Jan. 31.—A severe engagement has been fought at Bogota between the government forces and rebels. Two hundred of the latter were killed. The government troops were under the personal command of the president. The victorious troops have been sent by train from Cartagena to Michillan to engage the rebels. Six liberals have been arrested at Cartagena. The men are being pressed into the service of the government. The steamer Americas is aground near Savinalla. The position is serious.

Cabinet Crisis in Norway.

CHRISTIANA, Norway, Jan. 31.—The ministry has resigned. The king has accepted the resignations.

BANKERS BUSY.

A Government Loan Will Probably Be Issued.

NEW YORK, Jan. 31.—It is believed in financial circles that a government loan is certain to be issued. This view is reflected in the activity of the market for time loans. Two leading banking firms have the last two days borrowed large amounts on long time, one firm taking $10,000,000. It is said, too, that foreign bankers have communicated to secretary of the treasury their preference for a four per cent loan. It is stated on undoubted authority that the Rothschilds and Seligman & Co. are arranging to make a proposition to the United States government to place a big block of four per cent bonds in London, or make a gold loan to the government for from six to nine months against the deposit of bonds in the New York sub-treasury. In order to secure the retention of the bonds, if brought abroad, and prevent their being thrown back on this market in the immediate future, a plan will be matured to meet the situation.

Assistant Secretary of the Treasury Curtis is at the sub-treasury today. Mr. Crane, of Baring, Magoun & Co., had a brief interview with Curtis and Mr. Jordan. He substantially admitted the overtures looking to a sterling loan had been made to foreign bankers, but said everything was too indefinite yet to say anything on the subject.

THE SENATE.

WASHINGTON, Jan. 31.—Peffer introduced in the Senate today a resolution "To provide for special election to take the sense of the people concerning the several questions as to the financial policy of the government."

Allen (Neb.) spoke on his resolution requiring the secretary of the treasury to redeem government obligations in silver as often as he is convinced a systematic attempt is being made to depose the gold reserve and force the issue of gold bonds. Allen said the secretary usurped authority by redeeming all forms of currency in gold. Allen failed to get a vote on his resolution.

McPherson attempted to bring the entire financial question before the Senate at once, by moving to discharge the finance committee from further consideration of Sherman's bill.

Cockrell objected to the resolution and it went over till tomorrow.

The Senate took up the District of Columbia bill.

THE HOUSE.

WASHINGTON, Jan. 31.—The House resumed consideration of the Pacific railroad funding bill today after the morning hour. Harris (Pop., Kans.) finished his speech against the bill, begun yesterday. He said by the expenditure of [illegible] the government could acquire the roads and operate them by lease or directly.

Boatner (Dem., La.) followed with a strong speech against the measure. He did not oppose the government ownership, but preferred to see his substitute passed, providing that the companies forfeit the charters in case of default.

Cherokee Bill Pleads Guilty.

FORT SMITH, Ark., Jan. 31.—Cherokee Bill was arraigned today and pleaded guilty of the Red Fork robbery.

KNOCK OUT GLOVE FIGHT.

How the Contest of the Salt Lake and San Francisco Pugilists Was "Pulled off" at Denver.

The Denver *Republican* which reached here in this morning's mail contains a very lengthy and lurid "exclusive" write up of the "knock out glove fight between Jim Williams of Salt Lake and Billy Mahan of San Francisco," as briefly mentioned in yesterday's dispatches.

The termination of the contest is thus referred to: "The slumber of W. Mahan. It was caused by a thump on the jaw from Jim Williams, who obtains temporary oblivion in a Jefferson county resort. Denver police prevent the match coming off in this city by arresting Mahan and escorting him to the county line."

The fight took place in the dance hall of a Jefferson county resort northwest of Denver between 11 and 12 o'clock last night. Williams agreed to stop the San Franciscan in six rounds for $100 side and the gate receipts, but Mahan was put to sleep at the close of the third round. Tickets of admission cost $2.50 apiece and about fifty sports from Denver patronized the affair.

The articles of agreement stipulated that the fight should take place between 9 and 10 o'clock, but owing to the arrest of one of the principals by the police at 8 o'clock in the evening, the bout was set forward. Billy Mahan spent half an hour in the city jail as a sort of finish to his training. Late in the afternoon word of the coming scrap was carried to Chief Armstrong. The selected battle-ground was reported to be within Denver's limits, and the chief determined to stop the fight. He left instructions with Detective Cuddy to that effect and a plan was determined on to carry them out. About 5 o'clock Detectives Dougal and Robinson put it into effect.

"After a short hunt they found Billy Mahan on Larimer street, near Seventeenth, and without any explanations marched him to the city jail, where he was lodged in a cell. On the record of arrests suspicion of burglary and safe-keeping were charged against him. The backers of the fight made every effort to get the pugilist free and finally Lieutenant Jones released him on a $500 bond from Cater's court. But this precaution did not satisfy the lieutenant. So when the hack containing Mahan and his seconds started for the scene of the fight Detective Cuddy and Officer Crane followed in a buggy and escorted the fighter's vehicle outside the Denver boundary. Williams, his seconds and backers, together with a crowd of sports, were awaiting Mahan. It took some time to fix up an 18-foot ring and then the other preliminaries were arranged."

After chronicling how Williams administered terrific punishment to his antagonist covering three rounds, the paper closes its account of the fight by saying, "Finally he knocked the San Franciscan against the wall with a right swing to the jaw and Mahan dropped. Time was called and Mahan's seconds carried him to his corner. The [illegible] came but much [illegible] Mahan was done for and his backers saw it. Wishing to save him his second stepped to the center of the ring and threw up the sponge. He saw that another round would end the fight and only increase Mahan's punishment without benefiting him any. The knocked out man feebly tried to rise and continue the fight, but was scarcely able to stand and was helped outside the ropes. The referee gave Williams the decision.

"The winner of last night's bout will today challenge "Reddy" Gallagher to a match, finish or limited number of rounds, and has the financial backing for big stakes. He is in the middle class and has a good record. In Stockton, California, he knocked out Charley Turner, the colored lad, who was champion middleweight of the coast at the time, besides whipping other good western men. He met "Denver Ed" Smith in Salt Lake City in the fall of '92, and the big heavy weight failed to put Williams out in a four-round slugging match.

Directors' Meeting.

The first full meeting of the new board of directors of the Chamber of Commerce will be held tomorrow, Friday evening, when it is expected that a plan will be formulated and a policy defined for the coming year.

The Dyer Estate.

In the Probate court this morning, in the matter of the estate of Frank H. Dyer, deceased, hearing was had on the third annual account of the executors—Judge Henderson and Attorney P. L. Williams. Judge Henderson and H. E. Hoag were examined, after which the account was approved and allowed.

THE PIXTON ESTATE.

Hearing on Petition for the Removal of a Guardian.

TEASDEL & SONS COME IN.

A Matter in which Trust Moneys Were Invested Without Security.

A case possessing some features of general interest occupied Probate Judge Blair's time nearly the entire forenoon.

It was in regard to the estate and guardianship of Seth, Jane and Olive Pixton, minors. The hearing was on the account of Guardian William H. Barton, objections thereto, a petition for the removal of the guardian and the substitution of Martha Pixton.

In the statement submitted on behalf of the minors objection was taken to the guardian's general account, filed January 19th of the present year, to the annual compensation of [illegible], and to the following loans made to the late firm of Teasdel & Sons: Dec. 27th, 1889, $125; Dec. 29th, 1889, $3,000; Dec. 31st, 1889, [illegible] and $1,000; Jan. 8th, 1891, $2,000; and Jan. [illegible], 1894, [illegible]. Petitioners asked that the amounts be not approved until the money due on these notes is collected, as the loans were made without security and authority of law.

The guardian's attorney was S. W. Darke.

The guardian went on the witness stand and told of the manner of services he had rendered since his appointment in the fall of 1886. The estate includes a farm at Riverton. The compensation he now asked for, he said, had been regularly granted, annually, before. The estate was valued at about $12,000, independent of the Riverton property.

Attorney John M. Cannon, who represented the minors, said the objection here was that the guardian had invested a portion of the money on the estate without security, he having loaned it to one of his bondsmen. Under these circumstances it would be unreasonable to allow him compensation for his services.

In answer to further questions put by his attorney, Mr. Barton testified that at the time he made the loans he considered it a safe investment; he exercised his best judgment in the matter.

Attorney Cannon contended that that cut no figure. The point was, had he the approval of this court on the loans so made? If not, his intention or judgment stood for nothing. If he made them without the court's sanction he himself assumed the responsibility.

Attorney Darke said the question of the guardian's responsibility would come up hereafter. The question now was—is the guardian entitled to a reasonable compensation for his services, whether the estate would suffer loss eventually by his investments or not? Because, if such were the case he would be required to replace the money. If he had acted with ordinary prudence in making the investment he was entitled to compensation.

Further interrogated the witness said he made the loans, in the first instance, to S. P. Teasdel personally; when the partnership began the notes were renewed to Teasdel & Sons. Most of them were renewed a little over a year ago. The loans amounted altogether to [illegible].

Attorney Darke—What was the financial condition of Teasdel & Sons at the time and what steps did you take to find out their solvency?

Witness said the investigation which he made showed that on August 16th, 1893, about five months before the notes were executed, the firm's books showed a balance over and above all liabilities of $117,000. He inspected Bradstreet's printed report on September 18, 1894, and this showed over [illegible] clear.

"If that had been your own money," asked Attorney Darke, "would you have made those loans?"

Witness—Yes, sir, I would.

To Attorney Cannon Mr. Barton said he was bookkeeper in the employ of Teasdel & Sons up to the day of the assignment. He had made a personal examination of the books and looked upon the firm as being in a very fair condition. "There were no notes unpaid and nothing [illegible] at the time I made the investigation referred to."

Attorney Cannon—You loaned this money without security?

Witness—On promissory notes, all of which were payable one year after date. (Notes produced.)

"How long before Mr. Teasdel assigned did you know that he was going to assign?"

"I never knew anything about it until the time."

Attorney Cannon said he was prepared to show that since the maturity of the notes, and since the assignment of Messrs. Teasdel, Mr. Barton had done nothing to have those notes made a preference on account of the position which he held with the firm.

Judge Blair asked whether any order of court had ever been made as to how the funds of the estate should be invested, and counsel answered in the negative.

"Have you taken any steps since the Teasdel failure to enforce payment on these notes?" was asked by counsel.

Witness replied nothing beyond making inquiries of the assignees who, however, could give him no estimate as to the final outcome of the assignment, but they were doing their best in the winding up of the affairs. He further stated that a sort of "half offer" came to him from S. P. Teasdel, on behalf of the late firm, of 75 cents on the dollar in payment of the loans, but he did not entertain it, nor had he consulted an attorney since the assignment as to how he should act.

Judge Blair—You were bookkeeper for Messrs. Teasdel up to the time of the assignment?

Witness—Yes.

"Did you know the state of their affairs?"

"Yes, but I didn't consider there

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