

UNEXPECTED TURN IN ROBERTS' TRIAL

The Case is Submitted to the Jury, by Stipulation, Upon an Agreed Statement of Facts.

Attorneys Do Not, However, Admit That All the Allegations in the Statement are True, but That the Witnesses Would so Testify if Called to the Stand—Great Care Exercised in Securing a Jury—Examination as to Their Belief With Reference to Plural Marriage—Both Sides Exercise Peremptory Challenges—A Great Deal of Interest Manifested in the Proceedings—Charles Mostyn Owen Much in Evidence.

Robert Graham, John H. Thorn, John H. Edwards, John Spencer, Joseph Wright, William Hart, Jr., C. E. Stokes, and Allen J. Thorne, were the persons sworn to try the case of B. H. Roberts. The case of B. H. Roberts, charged with unlawful cohabitation, took an unexpected turn this afternoon. After spending the entire morning in securing the eight jurors, Attorney Putnam this afternoon announced that by stipulation, the case would be submitted on an agreed statement of facts, constituting the evidence to be presented to the jury.

one time believed in the rightfulness of plural marriage, but did not at present believe in it.

"Suppose," said Mr. Putnam, "that the church should withdraw the manifesto, the law remaining the same, would you believe in the doctrine of plural marriage, also change?"

"I would abide by the law of the land," he replied.

"And would you believe in the enforcement of the law of the land in the conviction and punishment of those who violated it?"

"I would," he replied.

"Now in the trial of a man who took his wives prior to 1890, and has since associated with them and held them out to the world as his wives, would you convict?"

"I would," he replied.

"Have you any sympathy with this defendant?"

"No more than I would have for any man who comes up for trial."

"Would you hesitate to bring in a verdict of guilty through fear of criticism, social ostracism or loss of business?"

"Not at all," he replied.

PASSED FOR CAUSE.

W. F. Hills stated that he did not belong to any church at all. He had no belief for or against the defendant. He was shown that the defendant, having taken his wives prior to 1890, had since associated with them and held them out to the world as his wives and he held them out to the world as his wives.

CHARLES MOSTYN OWEN ON HAND.

Charles Mostyn Owen was on hand and occupied a seat at the press table. He is a well known industrialist and has been making copious notes for his own use during the examination of the witnesses. He is a member of the church and has been a member of the church for many years.

THE COURT CALLED.

The first call brought into the box Robert Graham, John H. Thorn, John H. Edwards, John Spencer, Joseph Wright, William Hart, Jr., C. E. Stokes, and Allen J. Thorne.

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BOER ARMIES TAKE A FRESH GRIP.

Vacated Tnaba N'Chu Only to Occupy Stronger Positions.

BRITISH ARE AT BIERA, P.E.A.

Mafeking Holding On—677 British Troops Sent Home—Getting Native Indians to Help in South Africa.

[Afternoon Dispatches.]

London, April 30, 3:50 p. m.—The latest news received from the Orange Free State indicates that though the Boers have vacated Tnaba N'Chu they have only done so in order to occupy stronger positions. On Sunday, April 29th, Gen. Dewet made an effort to turn French's eastern flank which was only foiled by the cavalry after vigorous maneuvering.

The Boers hold the ridges to the eastward, whence they will probably fall back when the pressure of superior numbers increases.

The British casualties sustained during the Tnaba N'Chu fighting were slight.

Gen. French's object, now that all chances of catching the main body of the burghers has disappeared, is to harass the Boers and prevent any well organized retreat.

From Biera, Portuguese East Africa, under date of Monday, April 23rd, comes the news of the arrival there of a Canadian 12-pounder battery. It is added that Gen. Frederick Carrington, who is to command the British troops going to Rhodesia, has been cordially welcomed by the Portuguese officials, and that he had reviewed the Portuguese troops.

Capetown reports say Dr. Jameson has recovered from the severe attack of fever from which he has been suffering, and he is mentioned as a candidate for one of the seats in the Cape parliament representing Kimberley, in succession to Dr. Frederic Rutherford Harris.

The agent of Julius Weil at Mafeking wrote, under date of April 12th, most cheerfully, saying everything was satisfactory and that the Boer guns were firing heavily into the town, and that a determined attack had been repulsed without casualties on the British side.

A conception of the continuous ravages of the war can be gathered from a Capetown dispatch dated today, briefly announcing the arrival from Natal of twenty-five officers and 252 men invalided home, and the sailing of the Auramian for England with 499 sick and wounded soldiers.

Endeavors are being made to remedy the present situation, a dispatch announcing that 500 experienced native horse keepers, 100 shoemakers, and fifty veterinary officers, have been sent from India for service in South Africa.

Chief Johnson Resigns.

Washington, April 30.—Claude M. Johnson, chief of the bureau of engraving and printing, has tendered his resignation to Secretary Gage.

WORRYING OVER POLYGAMY.

Proposition to Amend the Constitution Again in the House.

Washington, April 30.—In the House today Mr. Corlies, (Mich.) chairman of the committee on election of President, Vice President and representatives in Congress, called up the joint resolution for a constitutional amendment to disqualify polygamists for election as senators and representatives, and prohibiting polygamy and polygamous cohabitation between the sexes.

After a short debate it was referred to the committee on judiciary.

Panama Concession Extended.

Panama, April 30.—A dispatch to the States and Territories from Panama today announces that the Panama canal company's concession has been extended for six years commencing in April, 1904.

FLEE FROM HOMES IN COLORADO.

Denver, Colo., April 30.—The storm of the past thirty-six hours in Denver and the surrounding country has been exactly the same as the two previous spells of bad weather this month—a steady downpour along the eastern slope of the Rockies for hundreds of miles, with the storm center apparently at Denver.

The precipitation here for the twenty-eight days of April has been more than eight inches, six inches in excess of normal. Denver has received so far this year a precipitation of 9.20 inches, approximately as much as was received during the entire year of 1899. April's rain fall alone is almost equal to the quantity that fell during the entire year of 1899.

Apprehensions are again felt regarding the safety of Castle Rock dam at the head of Cherry creek, thirty miles from Denver. The dam holds back 2,000,000 gallons of water and should it be let loose it would cause great property damage and probably some loss of life.

Owing to an unfounded report that the dam had broken, ranchmen, dairymen and others living along the creek fled from their homes last night. The Platte river in this city is thirty inches higher this morning than it has been for eight years.

Many people living in the river bottoms have been forced to leave their homes but so far no loss of life is reported.

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WIPED OUT THE TOWN OF AMES

Furious Forest Fires Raging in Wisconsin and Michigan.

RESCUING THE INHABITANTS

Special Trains in the Work—Heroic Task to Save the Town of Fisher—More Danger Ahead.

[Afternoon Dispatches.]

Marquette, Wis., April 30.—Forest fires raged furiously north of Fisher, Mich., along the right of way of the Wisconsin and Michigan railway Saturday and Sunday. The property damage will be large. The town of Ames, Mich., was practically wiped out, entailing a loss of \$30,000 or more.

Considerable cedar stock at Nathan, Wis., was also destroyed. The Wisconsin and Michigan ran a special train up the line Sunday to rescue the fire stricken people in the small villages along the road. All the inhabitants of the towns of Ames and Nathan were taken to Peshigo for safety.

It is said the Wisconsin and Michigan passenger which left here last night was unable to get further north than Fisher.

At the latter place only a heroic resistance saved the town.

Forest fires are burning everywhere north of here and further damage will result unless there is rain. The country is very dry and the fires spread rapidly.

Fires are said to be burning along the right of way of the Milwaukee road north of Hills Junction.

Further reports are to the effect that the forest fires are spreading and great concern is felt for all towns north.

Nothing definite is known concerning the towns along the Wisconsin and Michigan road, but the danger to all of them is increasing.

A report from Hills Junction says the fire is spreading.

Iron Mountain, Mich., April 30.—A big fire is raging at Niagara, Wis., sixty miles north of here, and assistance has been asked. The town is in the region of the forest fires.

ADMIRAL DEWEY IS IN CHICAGO.

Chicago, April 30.—Amid the booming of cannon and the cheers of hundreds of people, Admiral George Dewey arrived in Chicago today. For the next three days he will be the guest of this city, and the program for his entertainment will take up nearly every moment until his departure, Tuesday morning, for Jacksonville, Fla.

The special train bearing the admiral and Mrs. Dewey, Lieut. Caldwell, his secretary, and Lieut. Crawford, his aide, was met near South Chicago by a special train carrying the general executive committee of the Dewey celebration and including Mayor Harrison, Hon. Charles Plamondon and the admiral's son, George Goodwin Dewey.

The admiral's train arrived at the Grand Central depot, Fifth Avenue and Madison streets, ten minutes ahead of schedule time, 11 o'clock. A strong platoon of police had been stationed at the platform gates, and the immense crowd which had congregated in the streets surrounding the station and had packed almost to suffocation the big depot building itself was not allowed to go inside the train shed. The moment the white moustached naval hero was seen, a roar of cheers went up from the thousands in the streets. Escorted by the members of the general executive committee, Admiral Dewey and Lieut. Caldwell, once inside the station, stepped leading to the driveway, where carriages were in waiting.

Mrs. Dewey, who was somewhat fatigued after the long journey from Washington, did not accompany Admiral Dewey on his ride through the downtown streets, but accompanied by the special committee of the woman's reception committee, Mrs. Byron Lathrop, Mrs. C. C. Harrison and Mrs. Charles A. Plamondon, went direct to the Annex, where she rested until the arrival of Admiral Dewey.

Leaving the Grand Central station, the order of the escort to Admiral Dewey and party was as follows: Platoon of police.

Major B. F. Alsip and staff, commanding.

Escort.

First Cavalry I. N. G.

Guard of honor, Illinois naval reserve.

Carriage containing Admiral Dewey, Mayor Harrison and Charles A. Plamondon.

Carriage containing Lieut. Caldwell, Lieut. Crawford and members of the Chicago committee.

HAWAII IS A TERRITORY.

President Admits His Signature to the Bill Today.

Washington, April 30.—The President signed the Hawaiian bill at 12:40 today.

ENGLISH WOMEN ARE A TERROR.

Dr. Treves Says They are a Worse Plague Than Flies.

WORRYING SOUTH AFRICA.

Stinging Rebuke to the "Smart" Women Who Go to the Cape as Nurses.

New York, April 30.—A dispatch to the World from London says:

Frederick Treves, the famous surgeon who has just returned from the war, was entertained together with Sir William McCormack at a ball at the Reform club Saturday night, presided over by Lord Rosebery.

Mr. Treves took occasion to administer a stinging rebuke to the "smart" women suffering from khaki fever, who have gone as alleged nurses to the front. He said:

"So far as the sick are concerned, there are only two plagues in South Africa—the plague of flies and the plague of women."

The flies were a rid of by horse hair wisps and other appliances, and the flies at least depart at night.

"But the women are absolutely and really a terror. They came out in the guise of amateur nurses, after having exhausted every other form of excitement."

"Considering that we are engaged in a war the number of well-dressed ladies at Capetown and elsewhere giving picnics is a blot on the campaign."

D. WOLSTENHOLME WINS EQUITY SUIT

The Supreme court handed down a decision today in the case of C. E. Thum, receiver of Bunting & Co., bankers, of Blackfoot, Idaho, vs. Daniel Wolstenholme, appellant, reversing the judgment of the Third district court, Ogden Hills, Judge.

Three opinions were written in the case. The opinion of the court was written by Justice Miner, Justice Baskin writing a special concurring opinion, and Chief Justice Barth dissenting.

Action was brought by the plaintiff Thum to recover from the defendant Wolstenholme the sum of \$50,000 alleged to have been held and acquired as trustee for the bank of C. Bunting & Co., a corporation organized under the laws of Utah, but doing business in Idaho.

In his lifetime Charles Bunting, who was president of the banking concern and brother-in-law to Wolstenholme on November 29, 1894, insured his life in the New York Life insurance company for \$50,000.

In payment of the first premium amounting to \$1,500 he executed his note due July 1, 1895. This note was delivered to W. C. Fritter, general agent of the insurance company, who endorsed the same to the First National Bank of Pocatello. Upon the maturity of the note it was presented to C. Bunting & Co. and paid. Bunting's account with the bank was charged with the amount, and also were two other premiums of \$1,800 each.

The weight of the testimony, though, as there was a conflict, showed Bunting had no money in the bank at the time the note and two premiums were paid. The consequent payments of premium, however, did not allege his insolvency but accused him of fraud in that he guised the money to be paid when he had no money of his own deposited in the bank, and had no credit there upon which he could draw, or which he was authorized to use in the payment of his own personal debts.

Bunting died on May 16, 1897, and before his death he assigned the insurance policy, without consideration, to Wolstenholme, who received the amount it called for. The plaintiff, Thum, thought the resolution would be voted, while others were confident the Mayor would approve of it. All doubts were set at rest shortly after 1 o'clock this afternoon, when Recorder Taylor was handed the document with the words, "approved, April 30, 1900. Ezra Thompson, Mayor," written on it.

This means that the Eighteenth ward will get a new school building this year, and the members of the board of education were in high feather this afternoon in consequence.

GOOD HUSBAND THUS FAR.

Russian Count Saves His Bride During the Marriage Ceremony.

London, April 30.—During the marriage of the daughter of the Russian ambassador here, M. De Staal, to Count Alexis Davidoff, in the Russian chapel, London, this afternoon, at which the prince of Wales, Lord Rosebery and most of the members of the United States and other embassies were present, the bride's veil caught fire from a candle, which she carried in her hand. The bridegroom maintained his presence of mind, seized the veil and quenched the incipient blaze by crumpling the costly fabric between his hands. There was intense excitement until it was found that no serious damage had been done.

Burned Sixteen Buildings.

Glandwin, Mich., April 30.—Added by a high wind, fire last night destroyed sixteen buildings here, including the Methodist church, Michigan Central depot and Brunswick hotel, causing a loss of \$50,000. The fire originated in a billiard hall, and Albert Bergren, who slept there, is believed to have burned to death.

CLEARING HOUSE REPORT.

Salt Lake City, April 30, 1900.

Today's clearings . . . \$145,625.27

Same day last year . . . \$40,222.91

Month's clearings . . . \$3,925,625.81

Same month last year . . . \$7,515,270.00

BIG JUMP IN RYE FLOUR COMING.

Article Goes from \$2 to \$2.20 Per Hundred Weight.

CORN AND BARLEY FOLLOW

Feed Stuffs for Animals Getting Dearer—Those for Man Remain Stationary With Indications of Lowering.

There is a decided stiffening in the prices offered for feed stuffs in the Salt Lake market at the opening of this week as compared with the figures that have obtained for some time past. The biggest raise is in that of rye and rye flour with corn and barley following.

The advance in the first named product is something considerable, going as it has, from \$2 per hundred weight to \$2.20 with the absolute certainty, said Manager Rich, of the People's Forwarding company, this afternoon, of striking the \$2.50 mark within a week. The unground product has advanced at a corresponding rate.

The reason for the increase is said to lie in the fact that the demand for rye flour and for rye chopped feed is greater than ever before. Last year was anything but a good rye year, the drought interfering materially in the number of bushels raised and the quality thereof. This year promises to furnish one of the best seasons for a long time past, but the product will not be on the market until about September. In the mean time Utah must rely on Nebraska for the rye that it consumes.

Corn and barley are increasing in price every day, at least that is what dealers say. Further advances are also predicted. The wholesale price of corn, unchopped, is \$1.15; chopped, \$1.15. Two weeks ago the price was 75 cents and \$1.02 respectively. The wholesale price of barley is \$1.25 uncracked, or ground, and the retail, \$1.45, uncracked, \$1.30; retail, \$1.50.

The price of flour remains unchanged though dealers predict a fall. It is claimed that Salt Lake millers are now doing all in their power to keep up the price of wheat which is from 51 to 52 cents, but they say that a reduction of that figure is inevitable.

DAVID ADAMSON DEAD.

Old Pleasant Grove Citizen Passed Away This Afternoon.

A telephone message from Pleasant Grove to the "News" this afternoon announced the death at that place of David Adamson, one of the pioneer millers of Utah, whose serious illness was chronicled in this paper on Saturday evening. The deceased leaves a large and highly respected family. He was known as a good man. The time of his funeral has not yet been announced.

APPROVED BY THE MAYOR.

Exchange of City for School Property Receives Official Endorsement.

Action of the Council Sustained by the City's Chief Executive—School Building Now Assured.

The action of the City Council in adopting the report of the special committee, recommending the exchange of the city's 12x12 rods of ground at the corner of North Temple and State streets for the piece of property on Fourth South, near the city and county building, and the unexpired sixteenth ward school site, belonging to the board of education, was approved by Mayor Thompson today.

His honor has had the matter under consideration since last Wednesday and all sorts of rumors have been abroad regarding Mayor Taylor's thought the resolution would be voted, while others were confident the Mayor would approve of it. All doubts were set at rest shortly after 1 o'clock this afternoon, when Recorder Taylor was handed the document with the words, "approved, April 30, 1900. Ezra Thompson, Mayor," written on it.

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