

THE EVENING NEWS

A DAILY NEWSPAPER AT
FOUR O'CLOCK.

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BRIGHAM YOUNG,
EDITORS AND PUBLISHERS.

Wednesday - February 12, 1875.

EDITORIAL NOTE.

The Legislative Session is drawing to its latter end. Little has been done, though sufficient has been passed. Our laws have had a great deal to do in a short time, and will have to be a great deal to accomplish before we believe they'll do it.

Our Welsh friends should lead the call, in another country, for help to be extended to their suffering countrymen. Now is the time to prepare for the coming emigration season. Delay may be death to some of the unfortunate who are waiting for deliverance and for help to come out of Zion.

The meeting to-morrow at which the wool interest should be a meeting of the wool interest. Wool is one of the staple products and articles of export from this Territory, as well as being extensively used in local manufacturers. Protection is needed for it at present, and the movement to retain the tariff on the raw material is one that can be easily made by the people of Utah.

There is a wide difference between putting a man's name on a ticket at a political convention without asking his consent, but giving him the opportunity of withdrawing if he feels so inclined, and making a candidate of a man against his wishes publicly expressed, without giving him a chance to put himself right with the public. Any mind which can notice this must be drowsy indeed.

A tree-felling machine has been invented which has been tried with great success. The machine cuts the lumber close to the ground. An aim two feet nine inches is fallen in less than four minutes, and another, 22 inches in diameter, in a minute and a half. It is not a Yankee notion, but was invented in "Ih'ow's" country, and patented by Ransome & Co., Chelmsford, London.

Home industry should be encouraged. Young girls will buy Valentine's. This being the case Mr. C. R. Savage's enterprise is worth of support. His Art Gallery is filled with beautiful designs manufactured at home and prepared to meet the demand for Cupid's offerings on "St. Valentine's day." They are really artistic, just as good as the best imported and much less than some, and while furnishing employment for nimble, dexterous and tasteful minds, the products of the home made "Valentines" will keep money in the Territory. Therefore if you have cash to spend on these pretty trifles, spend it at Savage's.

**TARGET PRACTICE, OR
CULTURE?**

The riflemen of Utah want to go to the Legislature to have \$4,000. They ask the Legislature to appropriate this amount in aid of their favorite pastime.

We say pasture advisedly. Sharp-shooters and marksmen, gentlemen who delight in target sports and are enthusiastic "bulls-eyes," engage in this sport for personal pleasure. There is no vital principle involved in the organization of rifle clubs and sectional public meetings as presented as target practice. We do not wish to deprecate this many exercises nor throw cold water on the burn of gunpowder. But we merely point out that it is simply recreation, and therefore, in the present condition of our territorial finances, makes a subject for the expenditure of public money.

If target practice is to be encouraged by legislative appropriation, horse-racing might claim equal assistance from the public purse. Then the ladies might demand an appropriation in aid of archery, thus Cupid's darts, which are important in this Territory, would be made still further effective by association with the several cow-puncher arrow. Then the base ball club would want an appropriation dashing uniforms, implements of field practice, and articles and pictures for baseball stars and other novelties. Then the girls would demand a croquet appropriation, finally the little boys would petition for a portion of the new funds to purchase top-gum and pop-gums.

Seriously, we think there are many demands on the treasury for the support of measures for public benefit to leave anything else of private pleasure. If there is a dollar to spare after the appropriations already apportioned, we would respectfully suggest that the important enterpriser receive pecuniary assistance from the Assembly. This region is admirably adapted for cultivation of the potato, raising of silk-worms and the manufacture of silk. Boys and girls are growing up in large numbers with little prospect for remunerative employment; and the encouragement of the silk interest would help to find work for many hands to do.

A little money in aid of this enterprise would be judiciously appropriated, and its expenditure, we suppose, of the most benefit, the money devoted to the encouragement of pastimes, which, however pleasant, it may be to marksmen and puzzle makers, is one that could be spared to go along without material detriment to the interests of the Territory. The territory has almost, but not quite, passed us, and this time.

THE OLD TELEGRAPH CASE.

Synopsis of Proceedings.

On Monday morning last the hearing for the appointment of a receiver in the "Old Telegraph Case" was continued, an adjournment having been made from January 14th.

The examination of Librarian Mr. Holden, conducted by Mr. Critchfield, which substance was as follows. Two bodies of ore had been discovered since the beginning of the suits, one in the southwest vein, and a second in the Montana claim.

Mr. Holden, who had been examined by Mr. Critchfield, testified that no obstructions were placed in the way of Kalamazoo parties examining the Old Telegraph bank account.

Mr. R. G. Bayhould, an expert in examining mines, testified that \$3 per cent. was the net proceeds out of the mine after expenses were paid.

Under cross-examination, Mr. Holden stated that there was a large personal service account of Holden and Deane, from \$16,000 to \$164,000.

Mr. McAdoo testified that there were about 14 or 16 cubic feet of ore to the ton. Galena ore would take 9 or 11 feet; 10 percent; 8½ feet.

Under cross-examination, Mr. Bennett, a witness called by Mr. Critchfield, stated that he secured affidavits from Cleveland, court adjourned till Monday.

Court convened Monday morning at 9 A.M. Several affidavits concerning Mr. Holden's financial standing at Cleveland and the value of his real estate were offered.

These affidavits were made by the following witnesses: Amasa, formerly President of the Lake Shore and Michigan Southern R. R. Co., and formerly President of the Second National Bank of Cleveland; and J. W. Wade, formerly President of the Western Union Telegraph Company, and now President of the Second National Bank of Cleveland. A. Evans, a mining engineer in Cleveland, together with insurance and real estate men, testified that Mr. Holden's credit was good in 1874 and in 1876, and is now good. A number of real estate men testified that Mr. Holden was worth in 1875, when he came to Utah, over and above all his liabilities, \$200,000 to \$250,000.

In rebuttal the plaintiff offered several affidavits showing that the valuation of the Old Telegraph Mine, from February 1st to May 1st, was from \$250,000 to \$600,000.

In some of the affidavits it was also shown that Mr. Holden had claimed as early as February and April, that he valued the mine at \$500,000.

The afternoon was devoted to the reading of the complaint preparatory to the argument for the plaintiff, and adjourned till Tuesday morning.

The argument for the plaintiff was continued yesterday, by Judge Johnson. He contended that Holden, as agent of the Old Telegraph Company, had misrepresented the value and production of the mine, and withheld important information from the stockholders; and by this means not only took their money but schemed for the possession of the whole property. Holden had denied being the agent of the company, or that he had embodied in his firm, and said that the company had no existence. Counsel did not find him in strong language, asserted his statements were "feeble," and contended that the company still existed, and though it had been crippled, "Holden's opinion" yet it was still a corporation, and no receiver could and should be appointed.

The argument, maintaining Holden's position, responsibility was upon the stand by the defense, for amendments to the original answer. It was claimed by the plaintiff that it contained nothing new, and was simply a repetition of the previous argument for affirmative relief.

The Court allowed the motion to be filed on payment of costs incident upon the filing—exception taken. Mr. Bolton was further examined by Judge Burke. A new contract about contracts was mailed to Mr. Ford.

Mr. G. D. Ford was, after dinner, upon the stand by the defense, and upon the stand by the defense, had lived in Cleveland 21 years.

He stated that he had paid \$40,000 for his New Jersey stocks and bonds, \$20,000 in real estate and \$10,000 in personal property.

He was acquainted with Mr. Marshall, and when he showed him some of Holden's letters about January 1, 1877, "Burnett" told him that Holden was still a corporation, and not a small one.

The argument, maintained by Mr. Johnson, that Holden was guilty of perjury, was continued.

Mr. D. Ford was, after dinner, upon the stand by the defense, and was continuing his argument up to the hour of going to press.

Mr. Marshall will be the next for plaintiff, to be followed by Mr. Holden, for defendant. The concluding argument will be made by Judge Critchfield for plaintiff.

Funding arguments on the amendment to the original answer, which was objected to on account of its being verified only by a notary public, and not according to the statutes of the Territory, Court adjourned till Thursday morning, at 9 A.M.

On Thursday morning Mr. Marshall began proceedings by testifying that he had been taken by a short-hand reporter and copied them wholly over by Judge Burke, and sworn to by Burke as correct. Such was the relation of Mr. Cowles to the sending state, that it stood through it compelled him to return to the Cowles testimony, taken in Cleveland, O. Purchased his New Jersey stock from Hinsman & Winsor not over 3 days ago for the Kalamazoo parties purchased their Boston amalgamated with Frank, Sill, Kendall and Critchfield, and was then sent to Mr. Bolton to Kalamazoo to meet with Mr. Critchfield, and was then supplied with Mr. Critchfield's letter to Mr. Holden, and was then sent to the Kalamazoo parties requested Mark Birney to come with witness. Had not been connected with Kalamazoo parties for three months in 1874, and at Commercial National Bank, Boston had state connected with him, and the money was furnished for carrying on suits against Mr. Holden. Employed Birney in his office. Made arrangements to get Holden's private telegrams. Birney called his attention to these letters in the early part of 1877. The men used to strike off the testimony given by the Court. Next summer, he, Birney, Mr. Lee, D. Hall, and others, Cleveland, and he was president of the Commercial National Bank at Cleveland. Known Cowles from 1874, and had not been connected with him, and Merriman spoke in favor thereof.

Merrill, of VT., called up the House joint resolution declaring that a reduction of the tax on distilled spirits is inexpedient, which was discussed at the expiration of the session, and then laid aside, and the Senate resumed consideration of the silver bill, and Merriman spoke in favor thereof.

In the afternoon Mr. Bennett of Cleveland, a voluminous record of evidence for prosecuting him against Mr. Holden. He and Col. Marquis had each furnished between \$4,000 and \$5,000. Was induced to furnish money, as he believed a great fraud had been practiced against Ford and Cowles.

Under cross-examination, he admitted that the miners' ranks had been strengthened, and other efforts were offered, when the Court adjourned till 1 P.M.

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New York, 12.—Robert L. Clegg, the convicted embezzler of the Security Life Insurance and Annuity Company, but who has been granted a stay of proceedings, pending the argument of his case before the general term of the supreme court, was admitted to bail, \$1,000, by Justice Donnelly in his trial for his embezzlement. The judge said he was governed in this action by the decision in the Gruet case.

New York Stock.

Silver bars, 100 greenbacks, 1162 gold; silver coins 100 discount; Gold coins, strong 4; gold 100, 1000; gold 1000, 10000; gold 10000, 100000; gold 100000, 1000000; gold 1000000, 10000000; gold 10000000, 100000000; gold 100000000, 1000000000.

George N. Wallace, next avowed, was a forwarding agent, New York Telegraph Mine. He sold the ore and collected the money, and deposited same in McCrank & Co.'s bank. He forwarded the ore to New York, and sent him from February 1, 1877, to April 1, 1878, to be about 35,000 tons, the total amount deposited for him, \$10,000,000. The amount having been ordered by Holden, the Secretary of the Treasury, to investigate the wreck of the Adirondack, reports that the fragments of the wreck are unusually small, and the rotteness so apparent that there was but one opinion as to her unseaworthy.

James Ross for the Standard Paper.

Washington, 12.—Captain Marquis, of the revenue marine service, having been ordered by the Secretary of the Treasury to investigate the wreck of the Adirondack, reports that the fragments of the wreck are unusually small, and the rotteness so apparent that there was but one opinion as to her unseaworthy.

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The grand and impressive ceremonial of the solemn mass of reparation for Pope Pius IX, was observed in Bingham, to-day, in the Cardinal's Church, St. Peter's Cathedral. The services opened from half past nine until

tendent of Bingham Canon R. R. Holden told him, in March, 1876, that the mines would produce 10 tons of ore per day for more than a year, and that the miners and a competent examination of the large bodies then in sight, so that he extended the framway to the mines, and that he told Mr. Tracy, on the 22nd day of April, 1876, coming from Bingham, that

the cathedral was crowded, and officiated.

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Mr. Holden, who had been examined by Mr. Critchfield, testified that he was not present at the Feb. 1, 1877, in Salt Lake City, when he came to Salt Lake City, to talk with the Kalamazoo parties.

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