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.

FRIDAY, MAY 18, 1894, SALT LAKE CITY, UTAH.

NO. 140. VOL. XXVII.

TRAIN STEALERS.

The Gang at Green River Will Hear from Judge Riner.

FORTY INDUSTRIALS LEFT.

Had Taken a Train at Echo, Utah, But Are Shipwrecked and Abandoned.

Special Dispatch to the News.

GREEN RIVER, WYO., May 18.—Judge Riner, accompanied by U. S. Attorney Fowler and Clerk of the court Kirk, arrived from Cheyenne this evening on No. 1. Superintendent Mulloy, of the Wyoming division of the Union Pacific, accompanied them.

Mr. Mulloy this morning received a message from Assistant Superintendent O'Neill at Evanston, stating that a company of about forty industrials had got aboard an east bound freight train at Echo, Utah, early this morning. The empty cars in which the industrials were quartered were put on the side track and the train pulled out before the town were aware that they had been given the slip. Deputy marshals have been sent out from Evanston to prevent them from getting on other trains.

BACK TO IDAHO.

GREEN RIVER, WYO., May 18.—The Industrials were taken before Judge Riner at 1 o'clock and upon application of the United States attorney the order for removal was made for United States Marshal Hanks of Wyoming to deliver the prisoners before the United States court at Idaho at Boise City, Idaho. Two companies of the Seventeenth infantry have been detailed as an escort. The special train to transport them will leave at three o'clock this afternoon.

Special Dispatch to the News.

GREEN RIVER, WYO., May 18.—The Industrials boarded a Union Pacific freight at Echo, Utah, today. The cars which they occupied were sidetracked. Deputies here been sent to prevent another seizure. Judge Riner accompanied by United States Attorney Fowler arrived today to give a hearing to the Idaho Industrials.

TRAIN INDUSTRIALS IN DENVER.

DENVER, May 18.—One hundred and fifty Coxey Industrials arrived in Denver today, having stolen a ride from Pueblo on the Fort Worth train.

ON THE CHEAT OF ALENTO.

"Industrials" Meeting There, It is Supposed to Steal a Train.

Special to the News.

GREEN RIVER, Wyoming, May 18.—Marshal Pinkton received a message Deputy O'Brien to Wallace, Idaho this morning stating that Jeffreys, the owner of the industrials from Spokane has arrived there and rented a hall and it is believed that it is the intention to issue the men there for the purpose of capturing a Northern Pacific train. The Coeur d'Alene miners have offered assistance.

ARRANGING FOR A GHOST DANCE.

The Ute Indians Raise Funds and Invite their Neighbors.

GUNNISON, COL., May 18.—The Ute Indians have closed up all fords on the reservation and erected toll bridges, compelling the people traveling over land to pay toll. The receipts have been large. The tribe is arranging to use the funds on May 29 for a ghost dance and feast. All neighboring tribes are invited.

New York Exchange.

NEW YORK, May 18.—The opening prices on the stock exchange were slightly below yesterday's closing; sugar 1 lower; Northern Pacific, preferred, 1 and advanced 1.

Sugar recovered with other shares, gaining 1, breaking 11, recovering 4, losing 1½ recovering 1. Manhattan broke 2½ and recovered 1. Rubber lost 2 per cent.

Last Night's Storm.

PERU, Ind., May 18.—In last night's storm a school house and 50 dwellings were leveled. A large Rooting mill was unroofed and great damage was done to trees and smaller buildings.

Miners Demonstrative.

OSKALOOSA, IOWA, May 18.—Miners at Evans have quit. Five hundred miners are to make a demonstration at Muchakinck this afternoon. Trouble is feared.

In Peril from High Waters.

STILLWATER, MINN., May 18.—Lake St. Croix is now at its highest point. It is feared the heavy wind will break the huge log rafts.

IN THE SECOND DEGREE.

Dr. Meyer, the Poisoner, Found Guilty of Murder.

NEW YORK, May 18.—Dr. Henry C. Meyer, charged with poisoning Lodwig Bischoff to obtain the insurance, was found guilty of murder in the second degree. The penalty is imprisonment for life.

Ordered the Traders Closed.

CHICAGO, May 18.—G. J. Duncan & Co. have ordered the traders closed on the board of trade. The firm was long on the sugar and lard.

IN THEIR ELEMENT.

Two Captains Fight in the Muddy Water of the Mississippi.

ST. LOUIS, May 18.—A peculiar fight occurred at the foot of Olive street. The principals were Capt. W. H. Thorsman, in charge of the excursion steamers Grand Republic and City of Vicksburg, and Capt. Harry B. Hulbert of the opposition fleet, composed of the Pargoud and State of Kansas. The two capitains have been on bad terms for some time over the landing privileges at the foot of Olive street. They met on the wharf boat and were soon engaged in a personal encounter. They had exchanged only a few blows when both tumbled into the muddy waters of the Mississippi. The water was only about four feet deep, and as soon as they regained their feet they seized each other and renewed the fight. Policemen hauled them out, however, and they were arrested, but later released under bond.

Vessels Confiscated by Canada.

TORONTO, May 18.—A Sault special from Ashmenshung says: Two pleasure steamers, Leroy Brooks and Visitor, seized for infringing on the Canadian fishing laws, have been confiscated by the Dominion government.

IN CONGRESS.

The Senate Will Meet at Ten O'clock Next Week.

WASHINGTON, May 18.—Without discussion the Senate today adopted the resolution introduced by Senator Harris, fixing the meeting hour, beginning on Monday next, at 10 o'clock.

The consideration of the chemical schedule has been continued up the Senate.

Attempted Train Wrecking.

WORCESTER, Mass., May 18.—Tramps attempted to wreck the night express on the Boston and Albany road, near Cardenville, by piling a log of fifty pickets on the track. The train going forty miles an hour went through the obstruction, only the locomotive being injured.

MUST QUIT WORK OR FIGHT

Serious Trouble Feared in the Coeur d'Alene District.

Six Hundred Coxeyites Ready to Take in Hand in the Fight—The Militia Concentrates.

MOSCOW, IDAHO, May 18.—A Boise special to the Journal says: The Bunker Hill Mine's action in all non-union men to join the union or quit work caused last night. Pinky Burke is at Wardner and says they must either quit work or fight. Governor Shoup has been advised that serious trouble is imminent and the militia is powerless. Six hundred Coxeyites are between Tekoa and Coeur d'Alene city, and if the union miners strike, the combined forces will make serious trouble.

GAINED A POINT BY THREATS.

ST. LOUIS, May 18.—The striking coal miners have gained an important point, causing the abandonment of work in several mines in Belleville, Ill., operated by the owners which supplied local manufacturers. The striking miners assembled at Belleville, Ill., today, and by threats, firing pistols and breaking a miner severely, frightened off the few men who went to work yesterday.

At Gillespie, Ill., the miners returned to work yesterday, today the strikers from Mount Olive came—yet to drive them out, but the coal company was advised in time and warned the men not to work. The strikers attempted a house to house canvass during which they severely beat John T. Lobb.

DIED OF POISONING.

A Man Suspected of Doing the Missing William Simeroit.

CHICAGO, May 18.—A man suspected to be William Simeroit, treasurer of the Switchmens' Mutual Aid association, missing several days, died today of morphine poisoning. He was found in a restaurant in this city. The police claim that Mary Smith with the aid of others dragged his attaché and attempted to rob him.

Later—The friends of Simeroit viewed the body and declared it not that of the missing man.

Restoring the Freight Rates.

NEW YORK, May 18.—The Atchison has issued circulars similarly with the Missouri Pacific, notice of the restoration of the freight rates to the schedule. All the lines have issued the required ten-days notice.

MINE ACCIDENTS.

Colliery Owners Liable for Accidents the Miners Say.

BERLIN, May 18.—The miners' international congress adopted a resolution affirming that colliery owners be liable to compensate employes for every accident to the latter working in the pits. The British delegates opposed the resolution.

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An Alleged Crook in Jail.

ST. LOUIS, May 18.—A forger who has been fleecing the country with worthless Wells Fargo money orders is said to be in custody in San Antonio, Texas. The prisoner is James M. Breeding, a dentist.

Bankers Pass a Resolution.

JACKSON, Miss., May 18.—The state convention of bankers adopted resolutions requesting senators and representatives to vote for the repeal of the 10 per cent tax on state banks.

Died of Heart Trouble.

WEEPING WATER, Neb., May 18.—Col. Robert S. Rieser, formerly general superintendent of the Missouri, Kansas and Southern and Denver and Rio Grande roads, died last night in this city, of heart trouble.

On Lake Michigan.

CHICAGO, May 18.—The storm today is the worst on Lake Michigan this spring. Scores of vessels are laying in harbor unable to make way into the river. Eleven fishermen spent the night on the government pier. Tom Bidlow, a sailor, was washed off the pier and lost. Others were rescued by the life saving crew today.

In the Hands of a Mob.

DULUTH, May 18.—Harry Moe, a prominent land attorney of Duluth, W. L. Morrison, explorer, and W. H. Cook were run out of Tower, Minn., today by a mob of claimants to land, who allege that Moe and his men have been jumping claims. The three were about to start for the woods when a crowd attacked them. Cook drew a revolver and walked through them. Blows were thrown around the mobs of Morrison and Moe. They were kicked and beaten, and led to the train, placed on board and told never to show their faces in Tower again.

Capsized Near the Harbor.

MILWAUKEE, May 18.—The schooner M. J. Cummings, laden with grain from Chicago, foundered just south of the harbor piers this morning. The crew were in the rigging. It is reported that two men were swept overboard and drowned. The lifeboat which went to rescue the crew was driven past the wreck and capsized by the breakers at Bayview.

A fierce gale from the northeast is raging and a tremendous sea sweeping to the bay. In the city trees are blown down, light structures uprooted and signs torn from their fastenings.

The crew of the Cummings is still in the rigging, together with one of the life saving crew who attempted to reach the fast. The line parted and the life cast drifted off into the breakers.

The life-saving crew reached there safely by clinging to the line which was placed high and dry. They will take other measures to rescue the imperiled crew of the Cummings, one of whom is a woman, the steersmen.

The Racine lifeboat and crew are coming on a special train to rescue the crew of the Cummings. The schooner C. C. Barnes is dragging anchor and rapidly approaching the beach.

Pressures in Session.

IDAHO SPRINGS, COLO., May 18.—The grand court of the Knights of Pythias, whose jurisdiction embraces Montana, Idaho, Colorado and Nebraska, is in session here.

The Federation Question.

ST. PAUL, May 18.—The engineers today disposed of the question of federation by combining the present plan with slight modifications.

It is allowable for the brotherhood men on any railway system to federate on certain conditions.

The Recent Arson Scandal.

PITTSBURG, May 18.—The investigation of the arson plate scandal concluded today and the naval board will return to Washington tonight. It will probably be a month before the report is made public. The board recommends that mechanical engineers and not sailors be selected to inspect the government material.

Nominated Bishop.

ROME, May 18.—Very Rev. Thomas M. A. Burke, vicar general of the diocese of Albany, N. Y., has been nominated bishop to succeed Right Rev. Francis McLeory.

Settling With the Water.

SHEBOYGAN, WIS., May 18.—A severe storm, accompanied by a terrific wind struck this city today and did much damage. The schooner Surprise of Chicago, lies half a mile out of port, pounding in a fearful sea.

Pouring Out the Liquor.

LEXINGTON, N. C., May 18.—A mob last night wrecked two blind pig saloons, emptying the liquor into the street.

A COW DID IT.

Two Railroad Coaches Derailed and Several Persons Injured.

MARIETTA, OHIO, May 18.—A passenger train which was backing over the approach to Parkersburg bridge last night struck a cow. Two coaches were thrown down an embankment. S. J. Lund, the county treasurer-elect, John Hawks of Cincinnati and J. C. Arnold of Parkersburg were seriously but not fatally injured.

The Miners Will Not Yield.

CLEVELAND, May 18.—The miners decided to continue the fight until the operators restore the old scale. President McBride urged the delegates to use only peaceable means. While the miners seem determined they believed the leaders realize the odds against them. They will attempt to organize a district of Illinois, West Virginia and Pennsylvania, where the men still are working, and get them out.

Jewelers Assign.

NEW YORK, May 18.—J. F. Scott & Co., wholesale jewelers, Maiden Lane, assigned today to Lee Wormser with preferences of $72,500.

To Dispose of the Sioux.

BERLIN, May 18.—Vossische Zeitung says the Upper House of the Bavarian Diet has agreed to the proposal to place the insane King Otto of Bavaria under guardianship and transfer the crown to the regent and heir presumptive, Prince Luitpold. It is believed the Deputies will give their assent.

Gold for Shipments.

NEW YORK, May 18.—$2,550,000 gold is engaged for shipment tomorrow.

The Valkyrie Not Foundered.

LONDON, May 18.—The report that the yacht Valkyrie was foundered with the loss of all hands is denied.

The Anarchists Must Die.

MADRID, May 18.—The superior council of war confirmed the sentence of death imposed upon the five anarchists convicted of complicity in the plot to murder Captain General Martinez and in the Liceu theater bomb outrage. It is expected they will be shot tomorrow.

The Ohio Tornado.

TOLEDO, OHIO, May 18.—Four persons were killed by the Hooks tornado last night. Martha Dray, Clara Moore and her little boy were fatally injured and Mrs. Ella Evans is missing. A gruesome incident was the finding of a gory human heart in the cemetery. It belonged to Mrs. Hartman, whose body was torn to pieces. Had the tornado gone 200 yards farther north it would have wiped out Hooks and killed a greater portion of its people.

Bill Has a Tariff Bill.

ST. PAUL, May 18.—A Washington special to the Dispatch says Senator Hill has been for a week at work on a substitute for the compromise tariff bill. He will hardly demand its adoption.

HELD FOR CONTEMPT.

Carter and Nineteen of his Followers Sent to Prison.

THE JUDGE'S REMARKS IN FULL.

The General Also Fined $100, Newell $25, and Three Others $10 Each.

Adjudged guilty of contempt of court by Chief Justice Merritt, this morning, "General" Carter and the nineteen of the twenty-seven defendants jointly charged with him were been fined in sums varying from $100 to $10 each, with five days' imprisonment in addition, while fifteen more are required to undergo the "polling" without any fine. The remaining seven have been set at liberty. The crowd present in court while the judge was passing sentence was the largest ever seen in the Dolly building at one time, and immense interest and curiosity were evinced in the result. There was scarcely standing room during the forty-five minutes that the proceedings lasted.

THE DECISION.

Judge Merritt, upon taking his seat on the bench at 10 o'clock, at once delivered judgment as follows:

An affidavit was filed herein charging the defendants with a contempt of court and committed in the view and presence of the court. Thereupon a warrant of attachment was issued and in pursuance thereof the defendants were arrested and brought before the court to answer. All entered a plea of "not guilty," and much evidence has been introduced on the issue thus tendered. From this evidence appears that after midnight and on the early morning of May 12th, 1894, at Lake Junction, in Utah Territory, some members of the so-called "Industrial Army," carrying sticks and clubs and with intents of violence, seized a locomotive and cars there in the possession of receivers of the property of the Union Pacific Railway Company, heretofore appointed by this court. The seized cars were made to go upon the Rio Grande Railway track by means of a connecting switch and on said other track to a point near the camp of the main body of the army a few miles south of American Fork, where they found the balance of the army at about two o'clock at night dressed and with baggage packed ready to board the train. This they did and proceeded to Provo, at which point the locomotive and cars were derailed. From the time of such derailment and until the arrival of the armed deputy U. S. marshals from Salt Lake City at about one o'clock p. m., various members of the army worked unceasingly to replace the train on the track. The local peace officers endeavored and were powerless to restrain them. Threats of arrest, commonly in the name of the law and statements that the train in question had been taken from the custody of this court through its receivers were treated by the army with derision and contempt. When a large number of armed deputy U. S. marshals arrived on the scene they succeeded in recovering the seized property, but were still powerless to arrest any of the rioters. The army massed together, brandished sticks, defied the officers, denounced the law and declared that they would die before a man should be arrested. It was not until the militia appeared that the riot was quelled.

The different defendants sustained some or all the different relations to this gross violation of law and order. Defendant Carter was the organizer and leader of this army. He was in supreme command and all others were subordinate to him. Newell was one, as claimed, the old nut participate in the seizure nor in the conspiracy to effect it. It satisfactorily appears that Carter was not present at the taking of subsequent use of the train, and the evidence against him is derived from his own declarations and conduct prior to such seizure. His testimony in his favor must be considered in the light of such declarations, and not by themselves with them as well as in conflict with the testimony of credible witnesses, is entitled to but little weight. His concurrence in the common unlawful purpose, like all other parts of a criminal case may be established by inference from his declarations and conduct, in other words, by circumstantial evidence. I can place no other construction on his declarations made in Salt Lake City on May 3rd last and again on the day immediately preceding the taking of the train, than that he and his men intended to seize a train and take by force what had been denied to emigration. It most strongly intending on winning do not. But it necessary in announcing their intent to overcome to defy the power of the law to prevent them, and, when they speak of the failure of peaceful negotiations, to assert an intention of attaining the result at all events with or without consent. His own language, as quoted by him, or at least with his concurrence, to seize the train, it could do him but little good to leave his camp near 10 o'clock on the night of May 11th and over his men left to seize the train at Lake Junction and walk two and a half miles to American Fork, where it might be seen that he was not physically participating in the unlawful acts of his followers.

As to the other defendants, Newell, Day, Gregory and Lowry were of the party who first seized the train and it is not contended that they are innocent, but it is strenuously argued that none of the others are guilty because, as it is claimed, they took no part in the trip provided by the owners of the company and not unlawfully, and because they were not parties to the conspiracy to unlawfully possess it. According to their account of the transaction Newell formed a ring of 12 or 13 men within the ranks of the army, and only members of this ring knew of the illegal taking. That as soon as the train was captured Newell sent Day back to camp to inform the adjutant that a train was coming. He then told the latter expressed no surprise and asked no questions, that the men were arrested after 12 o'clock at night, spoke easy and still no one expressed surprise nor asked a question; that finally the train came with Newell in command, Newell not being an officer but a private in the army, and still neither surprise nor question. All the men enlisted under his self-constituted leadership, and when they reached Provo and were headed, they by force and defying in manner kept possession of the stolen train after being informed of the theft and in course defiance of the officers of the law. Twenty-one of the defendants are specifically identified as actively aiding in the seizure and the evidence shows that all except Carter take no interest in quiting. It is indeed a heavy draft on credulity to believe that any of these men were headed while they boarded the train of the new arrivals in squeaking, but even if this be true, remembering into the conspiracy after knowledge of what means would in law make them parties to all acts in furtherance of the common design, some by their accompanying either before or after each entry.

It is fairly evidenced that none of these defendants knew that the property of the receivers was in custodia legis, nor that possession of the property of the Union Pacific Railway Company in this Territory had ever been questioned, and that such knowledge is essential to the contempt charged. Production of ignorance of matters of general notoriety are equally or rejected with acceptance; but there is direct evidence of knowledge in this case. Carter admits that he had heard vague rumors of such receivership; Blake testifies that when the train was first taken he notified the men that the property was in possession of the court through its receivers and that one as employes was an officer of the court. After they reached Provo, Fowler notified them of the receivership and that the property had been seized from the possession of the court, and he was treated with scorn; and thereafter the army continued in their efforts to replace the train on the track so that they could continue their flight. The evidence warrants me in thinking that Fowler's statement conveyed no news to them.

It must be remembered that the object of this conspiracy, being to wrongfully seize and take away from the owner a train of cars, was a public offense, and having united in that unlawful purpose each became liable for the means used by any co-conspirator in the accomplishment of such purpose. If one of the band so indicated to such purpose had committed a murder with premeditation all would have been guilty of murder in the first degree. It would be an anomaly to attribute the baseline and premeditation of one to all and yet not attribute his homicide to them all. The evidence justifies the inference that all knew of the receivership, but in my judgment it would have been sufficient to show that only the culprits of the train were informed of it and that they were but carrying out the unlawful common design of the others.

It follows that all of the defendants are guilty of the contempt charged, but it does not follow that all deserve equal punishment. Men are nearly all astray by the force of example and the men who are the instigators and leaders in the wrong are the more guilty. Defendant Carter, in the opinion of the court, is chiefly responsible for this offense. Newell, Day, Gregory and Lowry were leaders in the seizure of the train. Defendants Smith and Van Horsick are identified as especially violent in resisting the officers of this court and defying the power of the law. All of these deserve a greater punishment than the others.

"Is the court about to pass judgment at this time?" interrupted Attorney Houtz.

Judge Merritt—Yes, sir, have you anything to say?

Attorney Houtz—Well, before that is done we desire to move the court in arrest of judgment—the inflicting of any punishment on any of these parties. Counsel went on to say that he did not rate it in his arrest of judgment, but directed attention to the case ex-parte Wellmore, in which, he said, the Territorial Supreme Court laid down the doctrine that there were two forms of contempt of court, civil and criminal, the latter being, in the statute, what was denominated in the statute as a crime; in other words, a public offense. It was further stated in the same decision that all proceedings of this character must be prosecuted in the name of the People of the Territory of Utah. In the case the People were not a party to the proceeding, it was Oliver Ames against the Union Pacific Railroad and others. This record was peculiar, and it seemed to him that it would be a monstrous injustice against these men criminally in this way, especially against Carter. Here were twenty-seven men not all of whom were held in contempt, but in regard to those who were there was not one thing to the record, from beginning to end, which would indicate that they were parties to it, or defendants in it. Here was an order issued against "Carter and one hundred others;" here was the thing and here was the record, the record that stood in the present moment. What protection had these men? What was there to prevent their being brought here again tomorrow, or as soon as they were released from custody? A warrant of that kind, counsel thought, was not good, and the accused could not be held upon it, and he desired to their behalf, therefore, to move for the discharge of every one of them.

Judge Marshall, replying, said the fact that these men had pleaded to the charge by their counsel has made these parties to the record. An indictment did not necessarily state the true name of the offender; very frequently it was unknown. When he pleaded by an fictitious name he became a party to the record, and was convicted and sentenced in that name. Surely he could plead that as a bar to any further prosecution. Counsel did not understand that the mere title of the People of the Territory was necessary here and insisted that the Wellmore case did not apply in this instance.

Judge Merritt said he looked into this case very carefully last night and again this morning, and had satisfied himself thoroughly in reference to it. "I overrule the motion," he added.

Then it was that all eyes were fastened upon the board as he proceeded to pass sentence as follows:

Carter, 5 days' imprisonment and $100 fine; the Newell, to stand confined one day for each dollar he does not pay.

Newell, 5 days' imprisonment and $25 fine. Same order in respect to the fine.

Lowry, Gregory, and Day, 5 days, $10 fine each, none of not a fine.

The defendants Church, Carrington, Hinton, Van Horsick, Murray, Ellis, Smith, Griffin, Miller, Hansen, Thompson, Miller, Middleton, Powell and Rowan, 5 days' imprisonment each—all for contempt of court.

The remaining defendants whom I have not named are discharged.

A moment later Judge Merritt added: "Take the prisoners, Marshal, and after the court room is cleared the court."

Strangely enough, there seemed to be some doubt as to whether the defendants would be required to serve time in the county jail or in the Salt Lake City jail, as the judge did not state the place in passing sentence, and it was not until Attorney Howe returned from the conference and said the majority about his clients stated that it was learned the penitentiary was meant.

"General" Carter received encouragement from a number of sympathizers as he left the courtroom, but did not appear inclined to talk very much. Both he and his men were, however, in the best of spirits.

After the sentence had been pronounced a gentleman approached toward Carter and whispered to him that the fine assessed required to pay the fines would be taken by subscriptions among certain citizens of Salt Lake, and requested him and his followers to be present at the office.

The defendants were taken direct from the court into the grand jury room and there they remained in charge of a couple of bailiffs until they departed to the penitentiary this afternoon.

WHAT CARTER SAYS.

In a short interview with a News reporter, Carter said that what has now happened would not daunt the army's order in the east. While they were anxious and determined to obey the law, and had no desire whatever to impinge upon the rights of others, yet they were resolute upon carrying out their lawful object. If the railroad companies now owned in every them in equity, then they would enter the grounds on foot. He declared most solemnly that he was actuated by no sort of premeditated plan to what the trials last Saturday morning, and expressed an opinion that there had been treachery on the part of certain persons among the army's ranks.

En Route Home.

The News received a call today from Elder Reuben Hamblin, of Chesterfield, Bingham county, Idaho, who is on his way home from a mission to the United States. He departed on his mission March 29, 1892, and was assigned to labor in the North Carolina conference, where he has been engaged in missionary work for more than two years, meeting with good success. He was generally well treated by the people, though he had some experience with mobs. After his release he returns home by way of Dallas, Gaston county, for his valise, to start westward with. He has been previously entered out of that place, and on the moderate learning of his presence there, again gathered, threatening to do him bodily injury. A number of friends, however, came to the relief, affected the necessary protection until he had time to gather his effects, and the people good bye and depart on the regular train. Elder Hamblin says it is his duty according to the prejudice against the Saints has been greatly modified during the past year. His journey homeward will be continued tomorrow. He reached this city yesterday.

AMUSEMENTS.

JEFFERSON DAVIS played La Belle House before a diminutive audience last evening. Any review of the performance would be judged fair tomorrow evening, when our critic may partially have recovered from the shock of witnessing it.

Ordered to Show Cause.

In the Third district court, not even long, C. H. Parsons filed a petition for a writ of mandamus against U. S. Commissioner McNally, the object in view being to stop him from taking any further proceedings in the case of A. B. Dick & Co. vs C. H. Paladin. Judge Henderson granted the petition and issued an order to show cause on May 26.

Three Score Years Young.

Yesterday, the 17th of May, was the sixtieth anniversary of the birth of Elder Angus M. Cannon, president of the Salt Lake Stake of Zion. In honor of the event, a large number of relatives and friends assembled last evening at the home of his daughter, Mrs. W. M. Cannon, and had there a highly enjoyable time. Music and recitations, with brief addresses by Elders Joseph E. Taylor and Charles W. Penrose, conducted to President Cannon. In the Stake Presidency, and to President George Q. Cannon, the aged father, the whole varied this social conversation, lasty informations, and congratulations and good wishes to the guest of honor, caused the time to pass quickly and pleasantly. A spirit of love and peace prevailed, the addresses abounded in expressions of esteem, and the wish was general that President Cannon's life be prolonged for years of usefulness and to health and prosperity until in his own heart he shall be fully satisfied—a wish which the News cordially echoes and, in behalf of those of its readers who enjoy the acquaintance and friendship, hereby gives utterance to.

AT ECHO THIS TIME.

Industrialists Steal a Train at the Head of the Weber.

WERE FINALLY THROWN OFF

They Relinquished to the Same Train Robbing Gang which was Helped Out of Idaho on Wednesday.

Information received in this city this morning regarding the movements of the gang of Industrialists who were discharged from the stolen freight train at Ogden on Wednesday, tells the effect that they reached Echo, at the head of Weber canyon, last night, and pilfered their same cars.

It appears that they prepared to capture the first eastbound freight and this morning an opportunity presented itself. They were not prepared. The railway employes refused to go on or permit the crew to go without them. A good deal of pulling ensued. According to reports water was very difficult to obtain, the industrialists were beaten by some street sweepers on the part of the train men and were frustrated in their efforts and determination to rule.

CARTERITES AT SPRINGVILLE.

The News of Their Leaders' Conviction Creates Enthusiasm.

Special Dispatch to the News.

SPRINGVILLE, MAY 18.—The Carterite army now encamped at this place anxiously awaited the ruling of the Third district court at Salt Lake this morning. When the news reached here that Carter and his immediate associates had been convicted and sent to the penitentiary, there was intense excitement. Consternation reigns among them and they are in a condition bordering close on to disorganization.

A committee of citizens waited on them late morning and in consultation with "Colonel" Miller and others now in charge, they were informed that the hospitality of the people of this place had about reached its limit and that they must move on. The army are not desirous of being until they hear from Carter. But the time is not far ahead when they must get out whether they wish to or not. They have had plenty to eat so far but there will be a thinning down to the matter of charitable donations.

There are over 200 men in the army at present. There have been but few desertions the last two days and quite a number of accessions. The men say they will start into the canyon providing they are furnished with plenty of provisions but not otherwise. The officers are so anxious to get rid of the horse that they have sent a fleeting committee to Payson and Spanish Fork in their behalf hoping to get supplies enough to last the men until they can get well beyond the borders of the Territory.

The army is assembling this afternoon to discuss ways and means but none of them are very active appearances indicate that they are determined to stay until they receive instructions from Carter.

Hearing of Equity Cases.

When Judge Merritt had rendered his decision in the Carter contemptcase this morning he turned his attention to the equity calendar and proceeded with the hearing of cases thereon set down for Tuesday last.

In the case of Mary Bright vs James W. Sanders et al, an order was granted setting aside default and order for judgment heretofore made.

Bennington, Johnson & Co. vs M. Monahan. Order of dismissal entered on motion of plaintiff.

John Hutter vs Florence Ireland et al. Decree of foreclosure entered.

Brighton and North Point Irrigation Co. vs Charles J. Rushard et al. Order issued excusing witnesses till the 23d inst.

Utah and Wyoming Improvement Co. vs Thomas Laughlin. Motion for continuance argued and overruled.

LODGING HOUSE FIRE.

Narrow Escape of the Landlady from Suffocation—Loss and Insurance.

The Hub lodging house at the corner of First West and Second South streets was visited by a disastrous fire at an early hour this morning. At 4 o'clock an alarm was sent to headquarters and the fire brigade rolled out in a lively manner. On their arrival at the scene of the blaze the whole of the upper story was in flames.

The structure was a two story frame and a veritable firetrap. The fire is supposed to have originated in Room 9 on the second floor, from the explosion of a kerosene lamp, though that remains to be simply a matter of conjecture. The landlady was a Mrs. Dora Brunner, and the owner's name is given as a Mrs. Bennett. The former succeeded in escaping to the rear of the house when the alarm was sounded, and was well nigh suffocated when rescued by the firemen. Chief Devine declares that in a short time she would have been beyond human aid. About ten lodging rooms were occupied but all were in time to get out with their personal effects.

The loss to the building is estimated at about $1,000. The furniture is damaged to probably about the same amount. Both are covered by insurance.

No Probate Today.

Probate Judge Hiles has had nothing to do in the probate court today, not a single case having been set down on the list for hearing.