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. 38. MONDAY, JANUARY 7, 1895, SALT LAKE CITY, UTAH. VOL. XXVIII.

WYOMING'S CONTEST.

The Principal Topic of Discussion in Our Neighboring State.

TWO U. S. SENATORS TO BE ELECTED

Six Aspirants for the Honor in the Field—The Chances Now Favor Warren and Clark.

Special to the News.

CHEYENNE, Wyo., Jan. 7.—The senatorial contest is the principal topic of discussion in Wyoming at the present time, and the final outcome will be watched with considerable interest. The fact that two United States senators are to be elected before the session of the third legislative assembly of Wyoming, which will convene on the 8th inst., one of more than usual importance.

One senator will be chosen for a term of six years, to succeed Joseph M. Carey, whose term expires March 4th next, and another for a long year term to fill the vacancy occasioned by the failure of the legislature two years ago to elect a successor to Franklin J. Warren, whose term expired March 4, 1894. Both of the senators are candidates for re-election, and there are four other aspirants in the field contesting for the honors.

Four years ago, when Wyoming was first admitted to the Union, Messrs. Warren and Carey were elected to the positions to which they now aspire, without any serious opposition, but since that time strong opposition has sprung up throughout the state against allowing both of the senators to come from the same county, although they do reside in Cheyenne, the capital city and commercial center of the commonwealth.

The counties outside of Cheyenne have three-fourths of the members of the legislature, consequently when the unanimous demand was made that one of the senators should come from another section of the state it was apparent that a choice between Warren and Carey would have to be made, because both would not be returned to the Senate.

The long term membership was conceded to Cheyenne, the short candidates apparently being content to allow the legislature to decide upon their merits for the four year position. Ex-Senator Warren enjoying the freedom of private citizenship during the past two years has kept in closer touch with the people of Wyoming, than Senator Carey. The latter has many of his warmest friends on account of his votes in the Senate against the free coinage of silver and for the repeal of the Sherman law, and there appears to be a disposition to punish him with retirement to private life, for his temerity in going directly contrary to the will of his constituents as expressed by petition and resolutions adopted by mass conventions held for the purpose of requesting him to stand by the cause of silver.

The election of Mr. Warren is universally conceded. Senator Carey may possibly secure some strength in the caucus, for the second place, but such a contingency is hardly probable after his being defeated for the long term.

Hon. Clarence C. Clark, who represented Wyoming in the Fifty-first and Fifty-second Congresses, is said to be the leading candidate for the four-year position, and unless some unforeseen complications arise he will be the choice at the caucus.

The other candidates whose strength is at present problematical, are Hon. John G. Dave, a banker and wealthy wool grower of Carbon county; Judge Melville C. Brown, a prominent attorney of Albany county, and Judge Jay L. Torrey (author of the bankruptcy bill) formerly of St. Louis, but now a resident of Fremont county, where he has extensive live stock interests. In the event of any prolonged struggle the latter is considered the most formidable.

The legislature will begin balloting for United States senators on the 22nd inst., and no doubt the question will be speedily settled. The Republicans have a majority of forty-one votes on a joint ballot, there being but seven Democrats and no Populists in both branches.

Special Dispatch to the NEWS.

WARREN AND CLARK SURE OF ELECTION.

CHEYENNE, Wyo., Jan. 7.—Judge Jay L. Torrey, of Fremont, and John C. Davis, of Carbon county, have withdrawn from the senatorial race. They announced this morning that they believed that it would greatly complicate matters if they permitted their names to go before the caucus, and that in order to facilitate the business of the legislature, they would withdraw. This leaves Judge Brown, of Albany county, and Clarence D. Clark, the only candidates for the second place. It is probable that the former will withdraw before the caucus convenes. The action of Davis and Torrey makes the election of F. E. Warren and Mr. Clark absolutely certain.

TWO CANDIDATES WITHDRAW.

Special to the NEWS.

CHEYENNE, Wyo., Jan. 7.—J. C. Davis and Jay L. Torrey, prominent candidates for the Wyoming senatorship, will withdraw from the contest today, making the election of ex-Senator F. E. Warren and ex-Congressman C. D. Clark almost assured.

WYOMING'S NEW GOVERNOR.

Inaugural Ceremonies with Parades and Speeches.

Special Dispatch to the NEWS.

CHEYENNE, Wyo., Jan. 7.—Governor William A. Richards and the other state officers of Wyoming were sworn in at noon today. The inaugural ceremonies were preceded by a grand parade which was participated in by eight companies of the Eighth and Seventeenth infantry stationed at Fort D. A. Russell, the Wyoming National Guard, the Wyoming university cadets and the Cheyenne fire department and other civic organizations. Hon. John A. Osborne, the retiring governor, made a brief address, congratulating the incoming officials upon the auspicious circumstances under which they assumed the reins of government. He was followed by Governor-Elect Richards, who made a few remarks upon the responsibilities that had been imposed upon himself and the other officials of the state, and asked the cooperation of the people, that the promises made during the campaign might be carried out. The oath of office was administered by Chief Justice Groesbeck, of the supreme court. In addition to Governor Richards, the new officers are secretary of state, Chas. W. Burdick; auditor, William O. Owen; treasurer, Henry G. Hay; supreme judge, Chas. N. Potter; superintendent of schools, Miss Lorena Beck. A large number of prominent citizens from all sections of the state were present to witness the inauguration and to attend the inaugural ball this evening.

THE CURRENCY BILL.

Congressman Pence's Death Necessitates a Change of Program.

WASHINGTON, Jan. 7.—It has been found necessary to change the plan of action on the currency bill, in consequence of the death of Representative Pence. The House Democratic caucus committee at 2 which instead of 3, as announced previously. The caucus is expected to take long consideration of the suspension question and give opportunity to the general debate. This will postpone the final vote until late in the week. Springer calculates it will be taken Saturday. The program for the caucus is pretty well outlined. Springer will submit a resolution pledging to substantiate that it is the judgment of the Democratic caucus, that the Carlisle currency bill should pass. It will also direct the committee on rules to prepare a rule arranging the future action of the bill, fixing the time for the final vote. Springer's resolution is likely to be the main issue, as it embodies the views of those supporting the bill. Springer conferred with Secretary Carlisle this morning and, it is understood, outlined a plan of action. Springer and others conversed with the management of the bill discussed entirely that the new currency bill is to be framed with the administration's approval.

DEMORALIZED CAUCUS.

WASHINGTON, D. C., Jan. 7.—The House Democratic caucus on the Carlisle currency bill assembled at 3 o'clock today with 150 members present, including all the leaders. Announcements were given that the caucus was actively and not binding. A resolution prepared by Springer was offered by Speaker Crisp, declaring the currency bill should be passed substantially as it is, and requesting the committee on rules to bring it to a vote.

Murderous Police Officer.

SOUTH BEND, O. T., Jan. 7.—Chief of Police Williams shot and killed Joe. Brown and mortally wounded James Smith, who resisted arrest for creating a disturbance last night. Excitement runs high and more killings are feared.

Supposed Embezzler Arrested.

NEW ORLEANS, Jan. 7.—On a telegram from Boston the police arrested a man registered at a hotel here as Henry J. Leonard. He is said to be Henry B. Spaulding, who embezzled $15,000 last spring from a Boston mercantile house.

Incendiary Fire.

BEDFORD, Pa., Jan. 7.—The large general store of Bell, Lewis & Yates, coal operators, was burned who a loss of $75,000. The company's miners are on a strike and it is believed the fire was of incendiary origin.

Homestead Strike Broken.

PITTSBURG, Jan. 7.—The 119-inch mill at the Homestead work is working today and the strike at that place broken. All furnaces at the Edgar Thompson works, at Braddock, are also working and the steel mill will resume tomorrow.

Clay Bill Recommended.

ASHVILLE, N. C., Jan. 7.—The Democratic caucus today recommended United State Senator Harris, State Treasurer Craig and Comptroller Harris.

Rain and Sweet Sentiment.

BOSTON, Jan. 7.—Archbishop John J. Williams has sent out the following letter to be read in all the churches of the archdiocese of Boston: "We learn by letters from Rome, forwarded by his excellency the apostolic delegate at Washington, that the most holy father has invited Catholics to join Odd Fellows, Knights of Pythias or Sons of Temperance. As to those who already have joined any of these societies, they are to be admonished to withdraw from them and, if they refuse to do so, they are to be denied the sacraments."

Rain and Flood.

PARKERSBURG, W. Va., Jan. 7.—Rain has fallen here steadily for forty-six hours and the river is twenty-five feet and rising. At Grantsville, on Kanawha river, the water is twenty-three feet and rising. The timber men present immense damage. The steamer Queen, a river packet, was sunk here at midnight. The ice knocked a hole in the hull and she will be a total wreck.

PEOPLE NOTIFIED.

BRISTOLEE, O., Jan. 7.—Indications point to a rise in the Ohio river and tributaries unless the rain ceases in the last night, several bridges were lost. Two bridges on the Cleveland, Lorain and Wheeling railway were washed away. Traffic on that road is completely blocked. All snow has melted and is gone. The low lands will be flooded by tomorrow morning. The people are moving to higher ground.

THE BANDIS LINE.

PITTSBURG, Jan. 7.—There is probability of a flood if the river continues to rise any length of time at the present rate. A large amount of ice is moving out of the Youghiogheny and at McKeesport the little steamer Time was sunk. Ice is also coming down the Allegheny and Cellerans and Harts island is in danger. A twenty-five foot stag in the Ohio river is expected here and the river may rise that it will reach thirty feet. Twenty-five feet will flood the mills along the river and cause damage to property. Thirty feet is considered the danger line. It has been raining all night.

DISASTROUS FLOODS.

INDIANAPOLIS, Jan. 7.—Advices from southern Indiana to the News report disastrous floods, resulting from heavy rains.

UNPRECEDENTED RAINFALL.

CINCINNATI, Jan. 7.—The unprecedented rainfall of 3.17 inches in twenty-four hours ending at 7 a.m., and of 3.91 inches in twenty-four hours, had the effect of carrying all the ice from the river without any damage whatever. River men say they never saw a safer break up. The river here is expected to give about forty feet, but no disastrous floods are expected.

RIGHTS OF WAY.

Of Interest to Men in the Lumber Business.

WASHINGTON, Jan. 7.—The Senate committee on public lands today submitted a favorable report on the bill passed by the House last August, giving the secretary of the interior to permit the use of right of way through public lands not within the limits of any park, forest, military or Indian reservation, from tramroads, canals or reservoirs, also 50 feet on each side of the main actual limits thereof, or 25 feet on each side of the center of the line of a tram road, by any citizen of any association of citizens of the United States engaged in the business of selling timber and manufacturing lumber.

SENATOR OVERRULED

In the Case of the Brokers Who Refused to Testify.

WASHINGTON, Jan. 7.—The court of appeals (Justice of Columbia) today rendered an opinion sustaining the opinion of Judge Cole in the case of Messrs. Chapman and McCartney, stock brokers, who refused to testify before the sugar investigating committee regarding individual speculations in sugar trust stocks. The decision overruled the demurrer filed by the brokers to the government indictment.

Nominations Legislature Next.

HELENA, Mont., Jan. 7.—The fourth legislative assembly met at noon today. The Republicans have a majority in both houses and named all the officers. Senator Faulon was elected president pro tem. of the senate and W. H. Hunt, speaker of the house. Balloting for United States senator will begin a week from tomorrow.

The America's Cup.

LONDON, Jan. 7.—There will be an international yacht race this year for the America's cup. The Royal Yacht squadron today decided that it would not be objectionable to give a receipt, in the event of the cup being won by an English yacht, for the cup as specified by deed gift in 1857.

THE SENATE.

WASHINGTON, Jan. 7.—In the absence from the city of the vice-President and the president pro tem. Hansom, the senate was in session today. The oath of office was administered by the venerable Senator Morrill.

Hansom briefly thanked the Senate for its expression of confidence. It was due to himself to say that on the return of the distinguished senator from Tennessee (Harris) who has been elected president pro tem. he should ask to be relieved from the position.

The presiding officer then called Mr. Morrill to the chair and a resolution was adopted authorizing the secretary of the senate to wait before the President of the United States and the House of Representatives of its action regarding the election of presiding officer.

George and Butler opposed the Lodge resolution calling on the secretary of the navy for information why U. S. warships had been withdrawn from Hawaii. Peffer then made a speech on the service pension bill, after which the Senate proceeded to the consideration of the Nicaraguan canal bill.

Mitchell, Oregon, addressed the Senate.

THE HOUSE.

WASHINGTON, Jan. 7.—The desk of the late Representative Peel of Illinois was covered with crape, on which rested a wreath of flowers, when the House met today, and Chaplain Bagby in his prayer referred to the dead member eloquently.

Johnson (Ohio) presented a memorial from Samuel J. Bickle (Ohio) asking for the impeachment of Judge Augusta J. Hicks, and the committee on judiary was instructed to investigate the charges contained therein.

The death of General Post was announced by Henderson (Ill.), who spoke of the shock caused by the sudden decease of a member who had been seen by many colleagues in good health on Friday, and referred to him as a brave and gallant soldier and faithful and intelligent representative. Resolutions prepared by Lincoln (Ill.) were adopted.

Speaker Crisp appointed the following committee to accompany the remains to Illinois: Henderson, Lane, Marsh, Cullen and Wheeler (Illinois), Bryan (Indiana), Rowell (Illinois), Lucas (Iowa), Hallowes (Ala.).

The House, at 12:35 p. m., adjourned.

English Cabinet Rumors.

LONDON, Jan. 7.—The Pall Mall Gazette publishes a rumor that ex-William Vernon Harcourt, chancellor of the exchequer and liberal leader of the House of Commons, has resigned, and a dissolution of Parliament is imminent. It is believed the report is based on the fact that Postmaster General Arnold Morley, and President of the Local Government Board Shaw Lefevre, both of whom are cabinet ministers, have been summoned from Monte Carlo to attend the cabinet council to be held here next Thursday.

The Westminster Gazette authoritatively denies the report that Harcourt has resigned.

CHINA AND JAPAN.

No Prospect of Peace Before Pekin is Taken.

JAPAN CAN GRANT NO ARMISTICE

The Mikado's Ambassador to Great Britain Discusses the Situation.

SAN FRANCISCO, Jan. 7.—K. Kato, the newly appointed Japanese minister to Great Britain, has arrived from Japan on the steamer China. Kato is one of the most distinguished and able diplomats in the Japanese service. He was lately been head minister of the bureau of politics in the department of foreign affairs at Tokio—the position filled by Komura until his appointment to the office of minister to the United States. He will succeed Viscount Kaneko as the Japanese minister to the court of St. James. Viscount Kaneko has been filling the two offices of Minister to Great Britain and Germany, and to relieve him of a share of his burdensome duties Kato has been given the British mission. Viscount Kaneko will remain in Berlin.

"When I left Japan," said the new minister, "the Chinese government was making overtures for peace, but as you have probably been informed, nothing has come of it. The Japanese government is equally willing to receive the Chinese plenipotentiaries and negotiate a treaty of peace, but my last advices are to the effect that China would not agree to the meeting being held in Japan. China preferred that Japan's representatives go over to China, but Japan insists that the plenipotentiaries of China should meet her own representatives on Japanese soil, since it is China that is suing for peace, and not Japan. Just what the outcome of the present negotiations will be, it is difficult to surmise.

"Our armies are still prosecuting the war in China. Overtures were made by China for an armistice, pending the settlement of the negotiations for peace, but Japan naturally declined to entertain that favor. It would give China an advantage to which she is not entitled, and there will be no cessation of hostilities until the final settlement of peace."

Mr. Kato said that no official announcement or intimation of the terms upon which Japan would agree to a cessation of the war has been made to him.

"Various stories have been telegraphed over the world designed to show the amount of indemnity asked by Japan," he said, "but I can say that not even the Chinese government knows what Japan will demand. The secrets of the various departments of the Japanese government are carefully guarded. I know little much, however, China has asked the Japanese government for a statement of what indemnity it would require as a condition for the cessation of hostilities, and the reply made to China was that the matter would only be discussed when China appointed to send plenipotentiaries to Japan to negotiate a peace treaty."

Minister Kato says that in the absence of any agreement between the two powers for the termination of the war, Japan will continue to prosecute its campaign in China this winter with unrelenting vigor, though he does not expect to see the Chinese capital taken before the cold weather begins.

"Just before I left Japan, he said, "we received word of the capture of Hai Cheng, which is on the road to Mukden. The first army is pushing on to Mukden, and it is confidently expected that it will be in sight of the Manchu dynasty with consummate ease in a few days."

Minister Kato will leave for the East this evening.

The Lexow Committee.

ALBANY, N. Y., Jan. 8.—In the state senate today a resolution extending the time of the investigation of the Lexow committee and giving it further powers, but allowing it to make a preliminary review.

Escaped Convict Wanted.

LOS ANGELES, Cal., Jan. 7.—Chief of Police Glass has received a dispatch from the warden of the Joliet penitentiary asking that Edward Shannon be returned there to complete a seven-year sentence for burglary. It is quite likely that the chief will be taken to San Quentin first, as he escaped from there with a five-year sentence yet to serve.

Shannon is one of the two crooks arrested on suspicion of being the Oakdale bank robber and who turned out to be innocent of that crime, but was an escaped convict.

EDUCATING HER WIFE.

Mrs. Clay Will Be an Accomplished Lady Before Long.

LOUISVILLE, Ky., Jan. 7.—General Cassius M. Clay, the "old lion of White Hall," is carrying out his plan of educating his young wife to fit her for her new station in life. A few days ago he engaged a governess, who has gone to White Hall to give Mrs. Clay lessons in deportment, music and the ordinary branches of learning. Mrs. Clay is only 19 years old and is little more than the rudiments of an education. She has had absolutely no advantages of society. Miss Martin, the governess, is expected to make a finished lady of her and is to be paid a liberal salary. General Clay is as devoted to the girl as ever and has lost nothing of his former eccentricity. His children have had nothing to do with him, except Lonnie Clay, who was born during his father's sojourn in St. Petersburg as minister to Russia.

FOUND ON THE TRACK.

The Body of a Young German Found Partly Sampled.

SHEFFIELD, Conn., Jan. 7.—The body of John Schmidt, a young German who came from Germany about six months ago, was found lying on the railroad track in the "cut" one mile south of Sheffield station last night. The body, which had a rope around it as though it had been hauled to the track, was fearfully mangled. The track walker found the body shortly after a train had passed and the last man must have been struck by it, as his body was warm when found.

Three newsboys who were going after their paper said they met three men about half a mile from the spot and two of them looked like tramps while the third talked somewhat with the dead man's description. Schmidt was a laborer and a sober man, and has a mother living in West Winsted. It is also said that he had considerable money with him, having just received his month's wages from a farmer and was on his way to see his mother, who is very poor. This money was missing as well as some of his clothing.

Valentin's Secretary Sick.

OMAHA, Isle of Wight, Jan. 7.—General Right Hon. Sir Henry Fredrick Ponsonby, G. C. B., private secretary of Queen Victoria, was taken with paralysis at Osborne cottage today and is in a critical condition. Sir Henry Ponsonby retired with his majesty last evening. He was born in 1825 and was formerly secretary to Prince Albert, the prince consort.

To Investigate the Charges.

WASHINGTON, D. C., Jan. 7.—The Senate judiciary committee today considered the case of Judge Charles, appointed U. S. district judge in the eastern and middle districts of Tennessee, by subcommittee, consisting of Senators Hill, Lindsay and Pugh, was appointed to investigate the charges and report to the full committee.

SENSATIONAL CHARGES.

A District Judge and Other Prominent Men Implicated.

WASHINGTON, Jan. 7.—Charges of a sensational nature against U. S. District Judge Hicks, of Cleveland, are contained in a memorial presented to the House of Representatives today. Johnson of Ohio secured immediate consideration for a resolution instructing the judiciary committee to investigate the charges and without debate the resolution was adopted. The charges are made under oath of Mr. J. J. Biddle of Akron, Ohio, a wealthy citizen and capitalist. While directly mainly at Judge Hicks, they intimately affect Judge Hayes and ex-United States Senator Payne, of Cleveland. Citizens give the name of a female decoy as concerned in Washington, Cleveland and Akron, related to the inquiry.

ATTORNEY IN CONTEMPT.

He Says He Knows a Witness for Defense is Noble Dead.

CLEVELAND, O., Jan. 7.—Sensational testimony was brought out today in the coroner's investigation of the mysterious murder of General Passenger and Freight Agent Green, of the Valley road, which occurred some time ago. Walter L. Shupe, a well known attorney, testified that he knew Green's murderer and could put his hand on him any time. He refused point blank, however, to give the name, saying the party was his client.

It was brought out that Green had been seen in the society of a married woman, whose husband applied for a divorce on account of infidelity. The man was employed to watch the pair and attempt corrective evidence and wound Green slightly. If possible, the shot, however, went to Green's vitals and he died almost instantly. Attorney Shupe persisting will go to jail this afternoon for contempt, unless he divulges the name desired.

RELIEF FOR SETTLERS.

A Bill Favorably Reported by a Senate Committee.

WASHINGTON, Jan. 7.—The Senate committee on public lands today favorably reported a bill recommended by Secretary Smith for the relief of homestead settlers on the timber lands in Wisconsin, Minnesota and Michigan, who suffered loss by reason of the severe fires the past autumn. The bill has already passed the House.

New Trial Granted.

KANSAS CITY, KS., Jan. 7.—Judge Phillips in the United States circuit court today granted a new trial in the Fisher insurance cases. The attorneys for the defense argued that Judge Phillips erred in allowing them but three peremptory challenges. Judge Phillips admitted the claim.

Nominations.

WASHINGTON, Jan. 7.—The President today sent the following nominations to the Senate:

State—Hiram A. Loll, Louisiana, consul at Managua, Nicaragua.

Navy—Surgeon Joseph B. Parker, to be medical inspector. Passed Assistant surgeon William H. Bush to be surgeon.

Postmasters—John H. Hayden, Santa Maria, Calif.; Mary Foley, Walla Walla, Idaho; Isaac W. Winslow, Evanston, Wyo.

BRIEF TELEGRAMS.

Peace Commissioner Chang Yin Huan left Pekin today for Shanghai.

In a duel with pistols between Lieutenant Bussi and Captain Minist, of the German navy, the latter was killed.

The New Jersey Central railroad has declared the regular quarterly dividend of 1½ per cent.

Ernest Carnot, son of the late French president, was elected yesterday member of the chamber of deputies.

Fifty Armenians imprisoned at Constantinople, charged with being concerned in political agitations, escaped and were pursued by the troops, who shot five of them.

TONIGHT'S EXHIBITION.

Rare Unforeseable Animals to be Tested by the Great and Only Gleason.

The horse training exhibition to be given at the Continental Market hall this evening should be attended by a large audience. Surely the who do attend will not regret many hits for the trouble of going.

At least five animals, either wholly or partially broken, will be handled by the professor. Test they will assuredly be tractable and docile to the traditional back is certain, judging from the tractory to which the lion tiger animals have yielded to the treatment given them. Among the horses to be handled tonight is an unbroken colt belonging to John Clark, the well known horseman, and a high spirited driving mare, with a record of 2:30, the property of Abraham H. Cannon. The exhibition on Saturday night was of the same standard of excellence as those which preceded it.

That Mining Suit.

The further hearing of the mining suit began last Tuesday—Henry Dreyfuss and Frank Huffman vs the Golden Consolidated Mining Co. and Liberty E. Holden—was resumed before Judge Chief Justice Hurritt this morning. Plaintiffs are owners of a half interest in mining claims adjoining the Golden property, and they claim damages as their share of the proceeds of ore extracted from their claims by the defendant company from 1888 to 1894. For the defense it is set out that the veins from within the two claims take one dip and in the Golden claim and that the plaintiffs have no interest in it.

The trial will probably occupy the whole of tomorrow, and may last longer.

Park City Bank Suit.

W. V. Rice is suing the Park City bank, D. C. McLaughlin, receiver, and Thomas Cagin, demanding that a verbal agreement and understanding made between D. C. Erwin and the bank, with reference to the erection and use of a building on land jointly owned by the two parties, be enjoined. The building was constructed by Erwin and the bank and Rice succeeded to Erwin's interest. After the bank made the assignment, differences arose, which the court is now asked to settle.

Home Again.

Traveling Passenger Agent Taggart of the Union Pacific was recently paid a very important visit to the "Keystone" state, having in view the fact that he was to become the happy husband of one of Pennsylvania's fair daughters, arrived in this city last evening. Shooting his lines with him, "Tag" is a smiling, handsome gentleman and, we give a hearty welcome and today he was at his desk the picture of marital peace and contentment. The young couple will make this their permanent home.

Suing a Railroad.

Nina Hymes is suing the Rio Grande Western Railway company in the Third district court to recover $5,000 for damages. Mrs. Hymes was a passenger on the train of the Co. from Salt Lake City to Tucker, that at Grand Junction the conductor directed her to a wrong car, by which she was carried four miles, when she was ejected from the car and she compelled to walk back to Grand Junction, carrying her 2-year-old child and her baggage, by which she suffered great mental and bodily pain and distress and claims damages in the sum named.

The Police Commissioners.

The fire and police commissioners will meet to organize session this evening. There is but little business to transact unless perchance they decide to consider the question of "night ladies" finding permanent lodgment in the Commercial street building belonging to Chief of Police Pratt and Member of the Board of Public Works Joseph A. Caine.

PROVO.

PROVO, UTAH, JAN. 7, 1895.

First District Court.

The First district court opened this morning with Judge Harvey W. Smith presiding.

The first business to come up was the divorce case of Sophia Nielsen vs N. C. Nielsen. The decree was granted.

Following this were the proceedings against the board of directors of the Lake Shore Irrigation Co. The directors were cited to show cause why they should not be punished for contempt, for failing to comply with a decree from the First district court in 1892, directing them to construct certain portions of their ditches in repair. Plaintiffs, H. S. Stocks et al, also ask for a mandatory order to compel the defendants from depositing of plaintiff's stock for unpaid assessments, plaintiffs having been compelled to do work on the ditches in order to keep them in repair, which should have been done by the defendants under the decree, and the defendants having refused to pay them for their work.

The action was demurred to, and the demurrer was argued by Taken under advisement. The complaint in the matter of the injunction was then taken up. This was also demurred to, and is being argued.

Death of Wm. Harrison.

Wm. Harrison, formerly of Salt Lake City, died Sunday morning. He has been ailing for some time, and since Christmas day he was confined to his bed. Brother Harrison was past 60 years of age and serve a large family. He contributed a large handsome monument on East Temple street, and Salt Lake City, many years ago, but business reverses came and caused him to suspend. Since that time he has lived in Provo, and has been engaged in a business and accomplishes a comfortable home.

The funeral services will be conducted from the Fourth ward assembly rooms tomorrow, Tuesday, January 8.

Marriage Licenses.

The following marriage licenses have been issued by County Clerk Jesse W. Fox: E. Simonson, aged 24, and Ly ia V. Harper, aged 20, Alan L. Hyatt, 21, and Ellen Grace Sanborn, 20, all of Springville.

A SURPRISE SPRUNG.

Turlock Suspects George E. Blair of the Forgeries.

BUT THE PROOF IS LACKING.

A Sensational Feature in the Alleged Election Fraud—the Testimony today.

The hearing in the prohibition proceedings instituted against the Utah Commission from Cooper county was resumed before Judge Hurritt, in the Third district court room at o'clock this morning, the same counsel appearing as on the preceding days of the investigation. From present appearances the case are likely to occupy the court's attention another day, at least.

After the Noon recess there was Saturday afternoon, Walter W. Butler, one of the judges at Brigham, testified from Samuel Amos Joseph Anderson and Wm. Hall had not voted. They were not so sworn when the pile placed, and the work as to how they was not in the membership of witness.

Cross-examined by Attorney F. L. Williams, witness admitted that in balloting in the water for Henry Dodge, witness had made a mistake in the ballots, giving him 750 instead of 150 votes. Other mistakes in footing up the tally sheets were also admitted. Witness professed to be not having written the word "Democrat" opposite the names he had taken down. He might have written some of them, this was not sure. He did not know how long.

Joseph L. Jolley Jr., of Mount, said he was present at the election. He was quite sure that Hall and Jordan did not vote.

Joe Peterson, Spring City, and John P. Jackson had not voted for Commissioner Dwyer. He was sworn, however, as having gone to on the poll list. The both was alleged to have been made afterwards and in different pens and ink. Witness had seen Andrew Jensen in Spring City, and talked about the election with him. Byron asked him if he did not think the Republicans had got the best of them. Witness says the ballot boxes secretly held they were called in by the Utah Commission.

J. W. Redford, judge of election at Spring City, said that Jackson voted the county not for the Constitutional ticket. Jackson was the only man in the whole election who voted the ticket only, all the others voting both tickets.

John A. Street, of the law firm of Day & Street, said he had examined the poll lists for Mount Pleasant precinct, and judging from the different colors in the ink picked out the names which were not on the Constitutional registration list, but were marked as voted on the poll lists. The names were Andrew Jensen Jr., Hamlet Wilcox, James Merrill, Kilmore Jensen, Ole P. Jensen, Andrew Jensen. The same opposite those six names were apparently made with the same ink, which was a dark blue color, while the names on the other marks were made with was black. Judge Powers moved that Mr. Street's testimony be stricken out, on the ground that he had not been shown to be an expert in colored inks.

The witness said he was an expert in the color of inks, and the testimony was admitted subject to objection. Mr. Street said in his early youth he had had great experience in colors and dyeing, having managed a business of that kind for some years. Mr. Street was shown the poll lists, number present and picked out names marked with a color in different colors ink from the rest of the marks and the names so marked were not found on the poll books.

The petitioners rested their case by putting in evidence the protests sent to the Commission against the recount, and court adjourned till Monday morning.

This morning, Commissioner E. W. Taylock was called to the witness stand by Attorney Jno. M. Zane and when on what day it was decided by the Commission to "go into" the ballot boxes from Cooper county.

"On Dec. 5th, 1894," answered the witness.

"At what time?" inquired Mr. Zane, "had different members of the Utah Commission reached any conclusion as to the discrepancies?"

"Yes."

"You may state what was said on that day by Commissioner Norrell.

"Late in the evening of that day," answered the witness, "after the returns were and the registration lists had been examined, the statement was made by Commissioner Norrell, commissioner, and he had figured the discrepancies at least three different ways—that there were not sufficient discrepancies, in his opinion, to affect the result of the election, and that he was ready to certify to the tally list."

"On the 6th of December and before had any of the Commissioners insisted on the certificates being issued on the tally sheets?"

Witness answered in the affirmative, and said that Commissioner Norrell afterwards said that he had changed his mind as to the certification of the tally sheets.

The witness was cross-examined by Judge Powers and stated that to his evidence with a resolution embodied by Commissioner Thatcher and signed, the effect of certain grants was taken as to what constituted the returns. This was at a meeting on November 26th.

"Were those gentlemen considered in the matter?" asked the judge.

"Yes, sir," was the reply.

"Who were they?" quizzed Judge Powers.

"Orlando W. Powers is the name of one—(laughter)—Farley L. Wilcox is another—(laughter)"—and the witness ended the sentence.

"Why do you say that?"

"Because I am uncertain about anyone else being there."

Witness then said, however, that he believed Judge James A. Miner was also present.

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