

## SNOWDEN GRANTED A NEW TRIAL.

Statement of Mr. Putnam to Jury Held to Have Been Erroneous.

HIS BOND IS INCREASED.

New Trial Will Be Had During the Present Term of Court, May Be Next Month.

Dr. Cornelius R. Snowden, convicted Wednesday of adultery, will be given a new trial. Judge Norrell so decided today by sustaining the defendant's motion asking that he be given another hearing. The defendant based his motion upon four grounds, and in support of the same filed an affidavit setting forth that he was absent from the court room a portion of the time, while Assistant County Attorney Van Cotti was making argument to the jury. In rendering his decision the court overruled the motion on all grounds except one. The one sustained was in relation to Mr. Putnam's argument to the jury, which the court held was prejudicial to the defendant.

In his closing remarks the prosecutor dwelt upon the refusal of Miss Keeler to answer his questions relating to her intimacy with Snowden, and argued that her declaration tended to establish her guilt. "Had she been innocent," said Mr. Putnam, "she, of course, would have denied that there had ever been anything wrong between her and the defendant." Miss Keeler, it will be remembered, declined to answer Mr. Putnam's questions for fear of incriminating herself.

Attorney Rogers objected to Mr. Putnam's remarks at the time they were being made, but Judge Norrell sustained the prosecutor and allowed him to proceed. The court now holds that the statements made by Mr. Putnam to the jury were erroneous and prejudicial to the substantial rights of the defendant, and therefore sustained the motion for a new trial on this ground.

Snowden will be tried again during the present term of court, probably within a month or six weeks. His bond of \$100 was today increased to \$1,000, upon motion of Mr. Putnam.

The offense for which Snowden was convicted was committed in this city on October 2nd last, with Audrey Keeler, an unmarried woman, about twenty years of age. Both the defendant and Miss Keeler resided at Richmond, and the young woman prior to meeting the defendant bore a splendid character.

The evidence adduced at the trial showed that the intimacy between Snowden and Miss Keeler had been going on for months prior to their visit to Salt Lake, and the result was that on January 23rd, this year, the young woman gave birth to a child.

Snowden was arrested at Richmond last October upon a complaint sworn to by Sheriff Coons of Sevier county. It charged that the specific acts of adultery were committed in this city.

Mrs. Snowden, the defendant's wife, was shocked upon learning the news, and immediately began divorce proceedings. The case was tried before Judge McCarty, who took the case under advisement. The defendant was anxious that his wife should obtain an annulment of the marriage ties so that he could marry the girl he had ruined and thus escape going to prison.

Mrs. Snowden was not present during the trial, having left the State for the East, taking with her the only child she has, a son, shortly after the scandal was made public.

UNABLE TO FURNISH BONDS.

Up to a late hour this afternoon Snowden had been unable to furnish the additional bond, and since he left the court room this morning, he has been confined in the county jail. His former bondsmen were L. S. Hills and W. W. Kiter.

What the county attorney's office now fear is that Judge McCarty will render his decision right away in the divorce case, granting Mrs. Snowden a decree, when the defendant, it is believed, will marry Miss Keeler, an event that would make a second conviction extremely doubtful.

COLORED MAN ON TRIAL.

Frank Whitlock charged with Cutting W. M. Green.

The trial of Frank Whitlock, a colored man, on the charge of assault with a deadly weapon, with intent to do bodily harm began before Judge Norrell and a jury this afternoon.

The information accuses the defendant of having, on February 9, last, used a razor on William M. Green, another colored man, in a manner different to the average barber and "contrary to the form of the statute in such case made and provided, and against the peace and dignity of the people of Utah."

The affair took place in Murray at a residence where a colored dance was in progress. All the witnesses are colored people who, with their friends, including "Hace Horse Dick," monopolized most of the seats in the court room this afternoon. The taking of testimony had only begun when this report closed.

Excused for Term.

Petit Jurors Andrew Jacobson and J. R. Isaacs were excused for the term by Judge Cherry today.

Seven More Jurors Drawn.

The names of seven persons were drawn from the jury box by Judge Cherry's court today and a venire was issued calling upon James D. Stirling, Jesse T. Burbridge, John R. Jones, Clarence K. McCormick, Clement A. Whiting, Thomas S. Newman, and Richard G. Winter to appear before Judge Cherry at 10 o'clock Tuesday morning.

John L. May was among the number drawn, but it appearing that "Jack" has moved to Mercer, Judge Cherry ordered that his name be withdrawn from the jury box and destroyed.

Excused Until Tuesday.

All the jurors not on the present panel in Judge Norrell's court were excused this afternoon until Tuesday morning.

Won't Get Any Fees.

The case of C. P. Louthhouse et al vs Jeremiah Schenck was submitted to the jury today and a verdict was returned in favor of defendant.

The suit was to recover \$229.75 attorneys' fees and costs.

Suit on a Contract.

William H. Fowler and James Sabine, Jr., contractors and builders, left business under the name of Fowler & Sabine, filed a suit against George F. Feil in the Third district court today

to recover \$1,033.12 alleged to be due on a contract for the erection of a building and for certain extras. Plaintiffs have a lien on the premises and they ask the court to order that the property be sold to satisfy the lien.

SNYDER AND DAVIS DISCHARGED

Men Accused of Stealing Iron from the O. S. L. Go Free.

Single Snyder and John Davis, arrested about five weeks ago for grand larceny, were discharged today upon motion of Prosecutor Van Cotti, who said the State lacked testimony.

The men were accused of stealing 2,000 pounds of iron, of the value of \$35, belonging to the Oregon Short Line Railroad company.

JUDGE TIMMONY'S COURT.

Poor old Ed Murtie drifted back again today. Murtie said, "I was never guilty of vagrancy or anything but drunk, upon my word of honor." Thirty days was Ed's portion.

Peter Poulson and Susan Tullidge were tried on the charge of disturbing the peace. It seems from the evidence in the case that Peter and Susan went to a respectable rooming house on Third South street and engaged in a blatant quarrel.

Peter told his story, which was to the effect that he found his "wife" in some shoemaker's place drunk, and took her to the rooming house. "Didn't you know better than to go to a respectable place?" asked the court, but Peter dignified not to answer.

"When were you married to this woman?" inquired Judge Timmony. "About three years ago," answered Poulson.

"Were you married to Poulson?" asked the Judge of Susan.

"Yes," she replied, "we were married three years ago by a Methodist minister on Second South."

"Did you have a license?"

"No, sir, we did not."

"When did you get a divorce from your first wife, Poulson?"

"Two years ago, your honor," answered Peter.

His honor then sentenced Peter and Susan to sixty days at hard labor.

YOUNG MAN'S SUDDEN DEATH

William Harris of Nephi the Victim—No Inquest Held.

[SPECIAL TO THE "NEWS"]

Nephi, Utah, March 30.—William Harris, a young man of this city, died suddenly of heart failure last night at 8 o'clock while working on a farm eight miles south of this place. The body was brought in last night. No inquest was held.

FOR ILLTREATING ANIMALS.

D. B. Brinton and Alvin Thompson Arrested at Instigation of Dr. Beattie.

This afternoon D. B. Brinton and Alvin Thompson of South Cottonwood were arrested by Officer Hempel at the instigation of Dr. Beattie, on the charge of cruelty to animals. It is alleged that the men have been hauling 450 pounds of grain per load up to Fort Douglas.

The animals' necks, it is said, were drawn and sore from the incessant rubbing of the harness. The accused were released on their own recognizance, and will be arraigned tomorrow.

ESTATE OF F. A. HEPPWORTH

Will Filed for Probate in the District Court Today.

Value of Estate is \$46,000, Consisting for the Greater Part of Real Property.

The will of Frances Amelia Hepworth, who died in this city on the 21st inst, was filed for probate in the Third district court today, accompanying the same was the petition of Maria Moech and Sara Hepworth, daughters of deceased, praying that the will be admitted to probate and that they be appointed executors in accordance with the written request of their mother.

The will is dated May 20, 1895, and was witnessed by O. C. and Mary A. Brown and Charles E. Morris.

The heirs at law are John Hepworth, husband of deceased, aged 78, residing in this city; one son, five daughters and three grandchildren, by a deceased daughter.

The devisees mentioned in the will are: John Hepworth, John Hepworth, Jr., Julia Wright, Fannie Moore, Florence Donohue, John Donohue, May Donohue, Marie Moech, Charlotte Higley and Sara Hepworth.

The value and character of the property, real and personal, left by deceased, are as follows:

The south end of lot 4, block 24, plat A, upon which is situated the family residence, and other buildings, and improvements, valued at \$25,000. This property brings in \$30 per month rent.

Part of lot 4, in block 20, plat A, known as 165 south Main street, now occupied by the Western Union Telegraph company, worth \$25,000 and bringing a monthly rental of \$175.

About \$35 in the bank and household furniture.

The will recites that the husband of deceased shall enjoy, during his natural life, the full income from the real property, after first paying the expenses of its maintenance, and have the disposition of the personal property as he desires. All the household furniture, real and personal, upon the death of deceased's husband, goes equally to the (now) unmarried daughters. It is then provided that all the residue of the estate shall be divided as follows:

To the three grandchildren one seventh of the residue less \$66, which is to be divided equally between them, share and share alike.

To Fanny Moore, a daughter, is bequeathed one seventh of estate, less \$2,166.

To John Hepworth and Julia Wright, Maria Moech, Charlotte Higley and Sara Hepworth, is bequeathed the remainder of the estate, to be divided equally.

Maria Moech and Charlotte Higley are appointed executors without bonds, and guardians of the three grandchildren.

Saturday, April 14th, was set for the hearing.

Headache

Is often a warning that the liver is torpid or inactive. More serious troubles may follow. For a prompt, efficient cure of Headache and all liver troubles, take

Hood's Pills

While they rouse the liver, restore full, regular action of the bowels, they do not grip or pain, do not irritate or inflame the internal organs, but have a positive tonic effect. 25c at all druggists.

C. I. Hood & Co., Lowell, Mass.

William H. Fowler and James Sabine, Jr., contractors and builders, left business under the name of Fowler & Sabine, filed a suit against George F. Feil in the Third district court today

## THE REPUBLICAN RALLY TONIGHT.

It Will Be Presided Over by Gov. Heber M. Wells.

BIG TURNOUT IS EXPECTED.

Speakers Will Be Introduced By Ex-Congressman Allen-Ogden Excursion—Mr. Fitch Meets Old Friends.

Complete arrangements were made today by the Republican state committee for the big rally announced for the Exposition building tonight. The meeting will be presided over by Governor Heber M. Wells, who will make a few preliminary remarks and the speaker will be introduced to the audience by ex-Congressman C. E. Allen.

In addition to the orator of the evening there will be glee club and band music. The seating capacity is the same as it was on the occasion of the visit of Mr. Bryan last week, and that together with the fine weather and well known speaking abilities of Mr. Fitch is certain to attract a large crowd.

Arrangements were made this afternoon for a special excursion train which will leave here at 8 o'clock tomorrow evening over the Rio Grande Western carrying a delegation of Salt Lake to the rally in the Ogden opera house where Hon. James T. Hammond closes his campaign, and where William Glasmann will also speak.

Governor Wells will likewise preside at this meeting. The special train will leave Ogden for Salt Lake immediately after the rally. Efforts were being made this afternoon to have Mr. Fitch speak at the Ogden meeting. It was not certain whether or not this could be done though it is believed the gentleman will be induced to make a five minutes' talk on the issues of the day.

Mr. Fitch spent a goodly portion of today in renewing acquaintances with old time friends, and made a pleasant call at the "New office" to exchange greetings with the editor-in-chief whom he knew intimately when he resided here, having served with him on the same committee during the Constitutional convention of 1895.

Mr. Fitch also spent some minutes in viewing the Brigham Young monument which he pronounced an excellent piece of workmanship, saying that Sculptor Dallin had succeeded admirably in preserving the features of the great "Mormon" pioneer for whose memory he retains such fond recollections.

POWERS VS. FITCH.

Attempt to Have the Two Orators Meet Here in Joint Debate.

It was reported this afternoon that an attempt was being made by the Democrats to have Judge Powers meet Hon. Charles Fitch, the Republican orator, in joint debate in this city some time tomorrow. Inquiry at Democratic headquarters elicited the information that there was such a desire on the part of leading Democrats, but that nothing definite had been done in the matter though it was intimated that steps might be taken to that end some time this evening.

A question of information at the Republican headquarters brought forth the reply that nothing had been heard of the matter there and that probably nothing would be as there was little or no time now to arrange for such a meeting between the distinguished exponents of the respective parties.

WARD ENTERTAINMENTS.

A social and dance will be given tonight in the Sugar Ward central building in honor of Carlos and Ernest Kimball, who will shortly leave on a mission to Great Britain. During the evening refreshments will be served by the young ladies of the ward.

HOTEL AND PERSONAL.

Lieut. Gov. Carney, of Colorado, passed through yesterday on his way home from California.

Mrs. Elvina Campbell, at St. Mark's hospital, has so far improved that she is able to see friends. Mrs. Campbell received an injury to her knee.

Gus Sargent, a merchant of Bayhorse, Idaho, is on his way to the Paris exposition. He starts this evening in order to have sufficient time to visit several eastern cities before going across the water.

C. P. Overfield has returned from the east.

J. S. Roof, of Leadville, is a cattleman who is paying Salt Lake a business visit.

Joseph F. Potter, of Caterham, Surrey, England, is here on pleasure.

A. W. Geer and A. D. Geer, of Hicks, Nevada, are at the Cullen today.

White House—R. L. Booth, Thos. M. Hughes, Cedar Fort, Mr. and Mrs. Robert Dunn and John Dunn, Nevada; Dr. Sykes, Mercer; H. E. Stevens and wife, Rawlins, Wyo.; J. H. Morris, Lewistown, Idaho; John Painter, Logan.

Walker House—A. L. Warren, Hard-ward, Vermont; Mrs. A. B. Brown, Mrs. Warren S. Clark, Macqueta, Iowa; Fred Vonn and John Dunn, Nevada; J. D. McAulay and wife, A. W. McLeod and wife, Price; R. A. Ward, Oklahoma; G. W. Coleman, Silver City; F. H. Schmidt, Eureka; J. Parrell, Oklahoma.

Kenyon—H. Seils, L. G. Newby, C. A. Garlick, F. W. Petree, Ed. P. Murphy, Chicago; M. R. Fish, Kansas; C. B. Hurt, Boise; Mr. and Mrs. W. S. Brooklin; P. Van Brocklin, S. Quilhot and wife, Edith Quilhot, Amsterdam, New York; R. Van Hoesen and wife, Mrs. W. A. Granby, Catekill, New York; Chas. E. Knight, San Francisco; W. H. Coats, Saginaw, Mich.; Jerome Scott, Miss Martha Scott, Whitehaven, Pa.; W. F. Nesbitt, Louisville; M. W. Kennely, K. Co., Sol. L. Deen, Omaha; A. H. Hilbert, Helper.

CLEARING HOUSE REPORT.

March 30, 1900.

Today's clearings \$1,247.25

Same day last year \$221,954.31

ORE AND BULLION REPORTS.

McCORMICK & CO.

Mingo bullion \$2,200

Silver and lead ore \$12,400

BAMBERGER & McMILLAN.

Bullion \$7,524

TO CURE A COLD IN ONE DAY.

Take Laxative Bromine Quinine Tablets. All druggists refund the money if it fails to cure. E. W. Grove's signature is on each box. 25c

## LIQUOR AMONG THE INDIANS.

Deputy Marshal Smyth Returns Today from Fort Duchesne.

CHARLES LINDSAY ACCUSED

Two Indians Found Drunk on United States Military Reservation—Where Liquor Came From.

Deputy Marshal L. H. Smyth and Assistant District Attorney Cherrington returned today from Fort Duchesne, where they have been investigating an infraction of the law in relation to the selling of liquor. Two Indians, Waro and Jack Johnson, respectively, were found in an intoxicated state a few days ago on the United States military reservation. Captain Guilfoyle, commanding officer at the fort, had the two Indians taken to the guard house. The next day the Indians having recovered their wits, said they had secured their "fire water" from a soldier. Captain Guilfoyle had the soldiers line up and sent the Indians down the row to pick out the offending patriot. They went promptly to Charles Lindsay, one of the stable protectors of "Uncle Sam," and designated him as the one who had sold them the beverage. While there was nothing to prove it, it was the general opinion of the men here that Lindsay purchased the liquor at the "trader's store," which was at that time in charge of Mr. Lees, the head clerk. Mr. Mease, the manager, being in Salt Lake City, the matter was reported to the United States attorney, and Mr. Smyth was sent down to look into it.

Lindsay was arrested and had a hearing before Justice Oscar Lipps on the 27th. There was no sufficient evidence, however, to justify the court in binding Lindsay over to await the action of the grand jury, so he was therefore discharged. There was no evidence against the services beginning with Mr. Lees, or Manager Mease, but Captain Guilfoyle has ordered Lees to sever his connection with the store on the 31st inst.

OFFICERS' CLEVER CAPTURE

Receive the Startling Information That Criminals are Near.

Were Said to Be Trespassing at the Rear of the Jail—Caught in the Very Act.

This afternoon Officer Fitzmaurice rushed breathlessly into the police station with the hair raising information that two men were trespassing upon the jail yard at the rear of the jail. After recovering from the shock of such intelligence Patrol Driver Cannon, Jailer Kimball and Fitzmaurice armed themselves to the teeth and laid hasty plans for the capture, dead or alive, of the desperadoes who were committing such a daring deed, and right under the noses of Uncle Sam.

Sol suggested that Officer Fitzmaurice run around to the entrance of the jail yard to head off the lawbreakers, but Cannon objected to this, saying, "I believe I can run fast enough to apprehend them." The officers stealthily approached the east end of the jail and at a given signal made a general rush for the trespassers. But the "intruders" were merely a couple of negro trustees sunning themselves.

On whom is the treat?

INFORMATION WANTED.

Mr. E. Marsh, of Onida, Ill., seeks information regarding the family of James Long, whom, he says, he has not heard from since the "Mormon" people left Nauvoo. The writer says: "My mother was a Long. I feel sure her father's name was James. There were several children, and all went with father and mother, except my mother, whose maiden name was Elizabeth Long."

The gentleman would appreciate any information that might be obtainable about his relatives.

LATE LOCAL NEWS.

Paul Lovelace, convicted yesterday of grand larceny and sentenced to one year's imprisonment, was taken out to the State prison this afternoon.

The funeral of Mrs. Susanah Neelen Spencer will be held from the Twentieth ward meeting house tomorrow afternoon at 2 o'clock. Friends may view the remains at the late residence of the deceased, No. 223 B street from 11 a. m. to 1 p. m., one hour before the obsequies begin.

Mr. Spencer will arrive in the morning train in time to attend the services to which friends of the deceased are respectfully invited.

THE JUDICIAL SYSTEM OF CUBA

The judicial system which prevailed in Cuba under Spanish sovereignty consisted of four classes of courts. They were the supreme court at Madrid, the audiencias or provincial courts, the courts of first instance, and municipal courts having jurisdiction over misdemeanors. A provincial court was established in each province, each of which had criminal jurisdiction, while those in Havana, Matanzas and Santiago had civil and criminal jurisdiction.

When Spain relinquished sovereignty over the island the supreme court at Madrid no longer had jurisdiction, except as to cases in which the jurisdiction was continued by the Treaty of Peace, and it became necessary to create a supreme court for the island. This was done soon after the establishment of the military government. It consists of a chief justice and six associate justices. At the same time civil and criminal jurisdiction was conferred upon the provincial courts in each province.

These sweeping reforms in the judiciary have been potent in securing an honest administration of justice and eliminating the corrupt influences to which the inhabitants were subjected in asserting in the courts such rights as they had. Life and property were subjected to the demands of avaricious officials, under the system which prevailed and which has been supplanted by this government with fixed salaries. Justice was measured by the size of the fees which litigants could pay.

Those unfortunate persons arrested for criminal offenses possessing no resources from which they could liquidate the fees demanded by the court officials were thrown into prison, where, under the vicious fee system, they remained until friends or relatives came to their rescue and secured their enlargement according to the law.

## OPPOSED TO INTERVENTION.

Jarvis and Conklin File Response to Petition in Water Case.

CROSS-BILL IS ALSO FILED.

Trustees Want Bear River Company to Furnish Water for a Reasonable Compensation.

S. M. Jarvis and R. R. Conklin, trustees for the Bear River Canal company, today filed in the Federal court an answer to the petition in intervention of the Bear River Land, Orchard and Sugar Bear company, in the case against the Bear River Irrigation and Ogden Waterworks company. There was also in connection therewith a cross-bill, asking that the court so rule that the Bear River company will have to permit water to pass through canals from Bear River to the canal or canals of complainants, for reasonable compensation. That an adequate amount of water be so run as to furnish the people who are so situated as to require it, both for irrigation and culinary purposes, and that to get an ample supply of water for this object, the company will have to enlarge the capacity of its water channels.

GEN. LOUIS BOTHA

THE BOER HERO

New York, March 30.—A World correspondent, writing from Pretoria, March 7, says:

The Boer army has thus far been strengthened by about 3,500 men, who have come into the country through Delagoa bay since the war began.

This large body of men has been recruited chiefly in Europe, but many men have come from America and even Australia. Ever since the war began this steady stream of fighting men has been pouring into the Transvaal over the Portuguese border, although the English officials there have done everything in their power to stop it. Every train arriving from Lourenco Marques brings from ten to fifty recruits.

Two direct lines of steamers arrive at Lourenco Marques, and each is carrying all the passengers from Naples and Marseilles that it can accommodate.

For the most part the passengers buy tickets to Durban, but leave the boats at Lourenco Marques in order to give a strong impression to the British officers who search the vessels at Aden.

The Boer hero of the first four months of the war is Louis Botha, the victor of Colenso and Spion Kop, and the youngest general in the republican armies.

The name of Botha is on every tongue in the two republics, and already he is being mentioned as a possible candidate for the presidency.

The fight on Spion Kop in the latter part of January was the first of any great consequence, inasmuch as a British victory would have been followed by the raising of the siege of Ladysmith. The defeat of the Boers would have changed the tide of the entire campaign in Natal, and to guard against such a calamity Gen. Joubert placed Gen. Botha in charge.

To show how successful Gen. Botha was in combating the British forces, it is only necessary to say that seven days after the battle there remained on the side of Spion Kop and in the valley below more than 700 bodies of English soldiers, while the total loss of the Boers was fifty killed and 123 wounded.

The total Boer force engaged in the fight was not more than 350, while the British force was not less than 2,000, and probably twice that number.

Botha did not seem to be proud of his victory, but spoke only of the bravery of the British soldiers and the injustice of the war which made such slaughter necessary.

"After the battle of Colenso," the general said, "which the forces under my command won as a result of the careful planning of the British and their own prowess, I was prepared to return to Pretoria for a short rest, when I received instructions from the president to go at once toward the upper Tugela, where the British and Boer forces were advancing to the relief of Ladysmith. They had crossed the river at Trichardt's drift and were on the main road which leads into the besieged city. I arrived in General Burger's camp at 3 o'clock in the morning. I saw there was nothing to do but prepare for an immediate attack, and for four days we fought hard on a large plateau, the right of Spion Kop. On the evening of the fifth day the British forces suddenly retired toward Trichardt's drift, but instead of recrossing the stream, they took up positions on Spion Kop, which was a position of great strategic importance and Gen. Burger and I agreed that we must have it. During the night we selected our men from different commandoes in the vicinity, took up our positions and waited for the dawn before beginning hostilities.

"Only 350 men were in these positions, but there were more men by to render assistance if it became necessary. During the day before we estimated the British force at 3,000, although there might have been more.

"There was a heavy mist over the top of the kopje at dawn, and it was impossible for us to see the British forces, but we knew they were there for almost as soon as I gave the order to begin the ascent the fighting began. My men climbed slowly but steadily under the fire of all sorts of guns and started to drive the British back to the top and down the other side.

"Toward the top the mist was so thick that the smoke of the enemy's rifles mingled with that of our, and for a short time the soldiers of the two combatants were running against each other. My men were being killed and wounded by the dozens, but the others kept on toward the top. Shortly before the summit was reached the mist lifted and then our men could see those of the enemy.

"For a short time it was really amusing to see our men so close to the British