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. 230 THURSDAY, AUGUST 23, 1894. SALT LAKE CITY, UTAH. VOL. XXVII.

THE ARMOR FRAUDS.

The Charges Against the Carnegie Company Sustained.

THE INSPECTORS NEGLIGENT.

Fifty-Nine Suspected Plates, Now in Use, to be Tested as to Their Quality.

WASHINGTON, D. C., Aug. 23.—Representative Cummings, chairman of the House committee on naval affairs, presented today a preliminary report upon the investigation of the armor plate billets furnished by the Carnegie Steel company. The committee finds the charges of fraud sustained, and censures the company severely and recommends that fifty-nine suspected plates in use be tested as the only method of proving their fitness or unfitness. It finds that the government inspection was negligent, but no charge of authority rests upon the inspectors.

FOOLED WITH THE PISTOL.

A Young Man Near Me, as a Result.

NEW YORK, Aug. 23.—There was a wake over the body of Mrs. Mary O'Brien, at 46 Adams street, Newark, last night. All the mourners had gone away at midnight except Richard Purcell and Owen Kane, young men who undertook to remain all night. Health Inspector James Morrisey, who was on duty at an adjoining house, which was quarantined because of smallpox, joined them. Morrisey was tired and dropped on a lounge for a nap, asking to be called within an hour. He handed Purcell a club and revolver. Purcell, after Morrisey was asleep, thought he would have a little fun with the weapon which he supposed was empty. He waked to the coffin where the dead woman lay and putting the revolver to his head in a mandlin manner said: "Ah, me poor girl, you're dead. I'll follow you," and snapped the trigger. It happened that the particular chamber on which the hammer fell was empty. Then calling to his companions, Kane, Purcell said: "Stand up there, Owen, while I shoot you."

Kane entered into the spirit of the thing, arose, solemnly bolted his arms and said: "Go ahead, I'm weary of life." The next moment there was a report and Kane fell heavy to the floor with a bullet in his neck.

Purcell ran out in the street shouting: "I've killed him, I've killed him."

The health officer followed. The dead woman's husband, startled by the pistol shot, rushed to her room, saw what had occured and called the police. Kane was sent to the city hospital, where it was found that the bullet, after entering the neck, had taken a downward course and lodged over the lung. Purcell was arrested, and declared that he "didn't know it was loaded."

He was held to await the result of his victim's injuries. Morrisey has disappeared.

The Ezeta Warrants.

WASHINGTON, D. C., Aug. 23.—The navy department has telegraphed Captain Howlett, commander of the Mare Island navy yard, to have U. S. marshals assist him in serving the warrants on Ezeta and other Salvadorean refugees on the U. S. S. Bennington.

THE TARIFF BILL.

Cleveland Remains Firm and Will Not Sign It.

WASHINGTON, Aug. 23.—The President remains firm in his purpose to let the tariff bill become a law without his signature, although Congressmen have expressed very strongly that should it not have presidential approval, their position on the stamp will be embarrassed. Speaker Crisp presented this view. The bill cannot become a law without the presidential autograph until next Monday, and an adjournment of Congress will hardly take place before next Tuesday.

Speaker Crisp, who spent some time with the President today in the discussion of the tariff situation told the members that he thought the session would last until Tuesday.

THE LEGISLATIVE.

Annual Address Before the American Bar Association.

SARATOGA, Aug. 23.—The annual address before the American Bar Association was delivered today by Moorfield Storey, of Massachusetts. The subject was "The American Legislative." He reviewed the causes which are bringing legislative bodies into contempt, and dwelt on the subject of restoring and maintaining their integrity.

KILLED HIMSELF.

CHICAGO, Aug. 23.—A. S. Tucker, a prominent board of trade broker, shot and killed himself in Washington Park today. No cause is known.

Shortly before the news of the death was received at the board of trade, a notice was posted announcing that he had failed. The amount of indebtedness is small.

The Britannia Wins.

WEYMOUTH, Aug. 23.—In the race under the auspices of the Royal Dorset Yacht Club today the Britannia defeated the Satanita by a quarter of a minute. The course was from Cowes to Weymouth.

Trying to Arbitrate.

NEW BEDFORD, Mass., Aug. 23.—Mayor Roswell has invited the state board of arbitration to be present at the conference of the strikers and manufacturers tonight.

CROSSED HER BOWS.

A Photographer Takes a Snap Shot at a Bottle Ship.

SAN FRANCISCO, Aug. 23.—The bottle ship Oregon was out on the bay yesterday and her engines worked beautifully. Coming down the bay, from above Goat Island, Captain Goodall opened her out for a spurt, and she fairly flew through the water. She presented a very fine showing as she sped along the water front with a bone in her mouth which seemed to be about ten feet high. Suddenly the spray flying to all directions. While she was going along at this terrific pace the tug Rockaway had the temerity to cross her bows, and the little boat barely escaped being cut in two. It was very exciting for a while and those on the tug had an experience which they will remember for some time to come.

The Rockaway is the Union Iron Works tow boat and she was sent out with a photographer to take a snap shot at the bottle ship as she was throwing up the spray and rolling the big waves out from her prow. It would have made a better picture had the vessel been snapped, but as it was, the big canoe near being snapped instead. The photographer, all intent on his business, saw his splendid chance, but he wanted to get a snap-shot on, and the only way he could do it was to get in front of her.

Captain Goodall saw this danger, but at first did not imagine that the little boat was going to attempt such a foolhardy experiment. Goodall sounded two whistles and the tug responded with only one. In a moment the greatest confusion prevailed and it seemed impossible for the Oregon to miss the tug, as the latter kept right on her course. The tug was going at her best and Captain Goodall rang to back the war ship at full speed. Her impetus could not be checked at such short notice and the was carried on by her momentum almost on top of the tug.

The latter's stern was under the Oregon's bow and the next moment she was lost sight of. The big rollers from the Oregon had struck the tug's stern and nearly based the vessel out of harm's way.

Enlisting Men for the Chicago.

NEW YORK, Aug. 23.—The terms of enlistment for over one hundred able seamen of the Chicago, formerly Erikson's Baltic, now on the European station, have expired within the last few weeks. Many of these men have not re-enlisted and have been sent home to Southampton. To replace these with native sailors, detachments have been sent over from time to time so that the Chicago will have her full complement of seamen. The men have been selected from those at the Brooklyn navy yard and the crew of the receiving ship Vermont.

Died of Appendicitis.

PRINCESS ANNE, Md., Aug. 23.—Miss Mary Brown, of this city, died last night from the effects of an operation for appendicitis. She had been ill for several weeks and a Baltimore specialist, who had been summoned, said that some foreign substance had lodged in the vermiform appendix and that an operation was necessary. It was found that a small piece of chewing gum, which the young woman had swallowed, had formed its way into the appendix and caused her death.

Important Railroad Meeting.

SAN FRANCISCO, Aug. 23.—Richard Gray, of the Northern Pacific, left for Chicago today to attend an important meeting of the Trans-Continental association.

Speaking of his mission Mr. Gray said: "For some time there has been considerable complaint on account of scalping, cutting and general demoralization. The association has no intention of increasing the rates now in force, but will endeavor to devise means for maintaining the present schedule."

Prosecuting the Strikers.

OAKLAND, Cal., Aug. 23.—Notwithstanding the partial outside made, the Southern Pacific company is continuing an unrelenting prosecution of the six hundred men in West Oakland who recently went on a strike. Several of the American Railway Union members relate their experiences, which go to show that the railroad not only remains unchanged in its attitude toward the strikers, but that it is as resolute in its battle against them.

The railway union branch at West Oakland is entirely disorganized and the members are looking to the responsible people of Oakland for the support of their families while they are endeavoring to find work. Some of them have obtained work from men or firms that are beyond the railway dictation, while others who have succeeded in getting work with firms have great dealings with the S. P. has been let out as soon as the railroad has become aware of the fact.

A Newspaper Man Dead.

CHICAGO, Aug. 23.—David D. Michaels died at his residence in Chicago, 69 years old. Mr. Michaels was born in Adams, Ill. He came to Chicago in 1856 and connected himself with the Chicago Times, then owned by Cyrus McCormick, as commercial and financial editor. He afterward was editor in the Republican, now the Inter-Ocean. Later he was with the Morning Herald. Still later he was with the Inter-Ocean. For many years he was the correspondent of the New York Commercial Bulletin, which is still published, and was the first man in Chicago to collect statistics of pork packing, grain and cattle receipts. He leaves a widow and six children.

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Strike and Riots.

GLASGOW, Aug. 23.—In connection with the coal strike, serious rioting has occurred. Several pits have been wrecked by the disorderly mobs. Dondalson, the leader of the striking miners, and five others have been arrested.

In Favor of Government Aid.

LONDON, Aug. 22.—The Times today says it is expected that the report of Earl Jersey, who represented Great Britain at the Ottawa inter-colonial conference, will favor active assistance by the imperial government of the cable and steamship lines to connect New Zealand with Canada.

Saved Three Lives.

CAPE MAY, N. J., Aug. 23.—Thos. J. Byrnes, a lawyer and prominent Democrat of Philadelphia, ex-State Comptroller Hancock of New Jersey, ex-Attorney Clark Archer Gummere of Newark, and ex-Postmaster Wm. Hart of Trenton, from drowning in the surf this today. The three men arrived here this afternoon and took a sail in the surf. They drifted beyond their depth and called for help. Mr. Byrnes swam out to them with a rope and rescued the bathers to it. They were then drawn ashore.

The Iron Trade.

NEW YORK, Aug. 23.—The Iron Age says: Thus far the expected general improvement in the iron trade has materialized only to a very moderate extent. In some localities there has been a somewhat larger demand but its volume is far from being such as to make the slightest impression upon prices.

In finished and steel there is a fair volume of business, but not enough to prevent pounding of values, which are not perceptibly close to the record.

Russia in the Pacific.

BERLIN, Aug. 23.—It is reported here that nine Russian war ships will leave Cronstadt August 27th for the Pacific.

Abandoned in the Arctic Regions.

ABERDEEN, Aug. 23.—The yacht Hansa has arrived at Peterhead, returning from a scientific expedition to the Arctic regions. She landed Prof. Aubrey Herbyn, the ornithologist, and one companion on Kongsen Island, a desolate isle from the Siberian coast, on June 2nd, and was obliged to abandon them on account of heavy seas and ice.

The New York "Times" Sold.

CHICAGO, Aug. 23.—A special to the Chicago Times from New York says: H. H. Kohlsaat, of Chicago, before sailing for Europe yesterday, purchased the New York Times. The price is said to be between $250,000 and $300,000. The same property was sold two years ago for a million.

New York Stock Market.

NEW YORK, Aug. 23.—Stock market opened strong. Union Pacific advanced 1 per cent; Pullman dropped 1½.

With speculation strong there was a good advance in most of the railroad shares. Lake Shore sold up to 130, a gain 4½ from yesterday's close. Lead, preferred, sold up 3½, rarcted half. Sugar advanced ¾, which was subsequently lost.

The advance in Lake Shore today was due to the fact that short interest amounting to 10,000 shares was seeking cover. In most cases the tone of speculation continued strong up to the close. Great Northern, preferred, gained 1½; Northern Pacific, preferred, 1.

Weavers Go on a Strike.

SUNCOOK, N. Y., Aug. 23.—Four hundred weavers of the Chinn mills did not go to work today because of a reduction in their wages equal to the cut of the Fall River mills. Notices of reduction have been posted by the Webster and Pembroke mills.

THE INCOME TAX.

Senator Hill Expects to be the Attorney in the First Case.

WASHINGTON, Aug. 23.—Senator Hill expects to be attorney in the first case brought to test the constitutionality of the income tax.

Shipping Carpets to England.

WASHINGTON, Aug. 23.—From reports received at the state department it appears that the United States is shipping to England carpets to the value of nearly half a million dollars annually.

Sickbird Resigns.

(Special Dispatch to the News.

CHEYENNE, Wyo., Aug. 23.—Surveyor-general Bickford has placed his resignation in the hands of Congressman Coffeen. Positions are being circulated throughout the state recommending the appointment of John Charles Thompson, of Cheyenne, and others for T. J. Wynne, of Rock Springs. Other aspirants for the place are John D. Carroll, either of the Cheyenne Leader, and Col. W. H. Rook, of Laramie.

IN CONGRESS.

Only Fifty Members Present When the House Met.

WASHINGTON, Aug. 23.—About fifty members were on the floor when the House met today. There was as usual a great rush for recognition to pass local bills.

With the report on the armor plate issue, Mr. Cummings presented a joint resolution to authorize and direct the secretary of the treasury to remove from the Terre, Oregon, Indiana, Massachusetts and Monterey the specified armor plates and subject them to ballistic at the Indian Head proving grounds.

The resolution directed a speedy report on these tests.

Hons. Pennsylvania, (Rep.), asked if the report did not prejudge the Carnegie company, and called attention to the fact that no member of the minority was present.

Cummings said the report was unanimously adopted. The Republican minority did not sign the report but authorized him to make it.

"What does the gentleman want?" asked Cummings. Does he want the Carnegie company to buy the report?"

"The gentleman wants the Carnegie company to have fair play, something it has not had," replied Hons.

The resolution was adopted without division.

The House adjourned until tomorrow.

THE SENATE.

WASHINGTON, D. C., Aug. 23.—In the Senate Harris moved that the sergeant-at-arms be directed to request the presence of absentees. Pasco pointed out that the order of yesterday was still in force. Cockrell asked for the report of the sergeant-at-arms. He reported that of forty-two senators who failed to answer to their names yesterday, only two were in the city and one (Voorhees) was too ill to attend. The other absence were telegraphed to attend immediately. Up to 12:35 p.m. only thirty-five senators had arrived.

Finding it impossible to get a quorum, the Senate adjourned at 1:20 until tomorrow.

Adieux to the Republic.

PARIS, Aug. 23.—The pope has written a letter to M. Turquet, formerly under secretary of state, confirming the papal adhesion to the French republic.

REFEREE NUMBER 1.

Pittman Tells How the Judging was to Be Accomplished.

IT WAS EITHER "HIT OR MISS."

He and Attorney J. A. Riley were the Only Two Witnesses Examined Today.

When the hearing of the now celebrated bow and arrow case was resumed before Commissioner McNally at 10 o'clock this morning, in the Third district courtroom, the attendance of the general public was not so large as yesterday, but half an hour later nearly all the seats were occupied. The same counsel appeared as on the previous occasion, with the exception of Mr. P. L. Williams (for the defense), who was detained elsewhere.

In the outset there was some little talk as to whether or not the—for a time—confiscated checks, money, etc., seized by the police, and now in the hands of Chief Pratt, should be here produced. Attorney Sutherland contending in the affirmative, but the county attorney insisted that the chief should retain the property, a number of suits being brought for its recovery by the parties claiming it. Besides, Mr. Pratt had been enjoined by the Third district court from parting with the same, before he was the proper custodian.

The court made no order.

When the News report closed yesterday W. H. Gibbs, the first witness called at the inquiry, was still smarting under the lash of cross-examination administered by Attorney Sutherland. Counsel asked: "You used a good deal of influence to get people to bet on the game?"

"I did after the $2,000 stakes were agreed upon and the contract signed," replied Mr. Gibbs.

"What arrangement did you have with Lafayette?"

"He was to get 25 per cent of the winnings from all bets which were put up through me, but there was no percentage to be laid out of the money I put up myself."

(A receipt given by the witness to M. M. Freed for $250 to be bet on Lafayette was put in evidence. The receipt stipulated that if Lafayette won Freed was to get back $500.)

Witness to further questions said he agreed with Wells when he gave him the checks as stakeholder that he would not present them till after the match.

"Had you any arrangement with the bank not to pay the checks if they were presented before the match came off?"

"No, I had not."

"What did you do with Freed's $50 check?"

"Cashed it at the bank of Salt Lake on August 14, and bet the money on Lafayette."

"How do you account for the notation on it that payment was made on August 17?"

"I think Freed afterwards ordered it paid."

County Attorney Murphy then took the witness in hand to redirect examination for the prosecution but elicited nothing new, after which Attorney Sutherland again went on.

"Did you bet on what Lafayette told you?"

"No, I bet on him because I knew he could do what he claimed, as I saw many exhibitions of his skill."

"Why did you write down those notes you attempted to use on the stand this morning?"

"So I could protect myself from the rogues and scoundrels who are trying to ruin my character." (Loud laughter).

"Did you tell Wells that you would give him $100 if Lafayette won?"

"I did."

"Did you threaten to kill Lafayette if he threw the match?"

"No, not at that time."

"Did you at any time?"

"Yes, in a jocular way."

"You did tell him you would kill him, then?"

"I don't think I told him so in that language."

"Did you tell him anything about your Kentucky blood and that you would go away with him if he threw the match?"

"I think I told him frequently that if he betrayed confidence I would resent it."

"You talked a good deal about your Kentucky blood?"

"Yes I did."

"You told him it was dangerous to try to get around you?"

"Yes. You are very smart!"

"Did you ask him which of the two cemeteries, the city or Mount Olivet, he preferred to be buried in?" (Laughter.)

"Yes." (More laughter.)

"And so for you showed him to have his choice?"

"Yes." (Laughter.)

"Did you give him any choice as to the manner of death?"

"I think not." (Renewed laughter.)

Mr. Murphy—All this was in a jocular vein, was it not?

"Yes, if I had meant it otherwise it would have been slightly severe."

Mr. Sutherland—You don't pretend to say you were joking about your Kentucky blood?"

Mr. Gibbs refused to answer the last question. The court excused him and took an adjournment till the clock this morning.

J. A. Riley, a Salt Lake attorney, was the first witness called this morning. He first met Lafayette, he said, some three or four weeks ago, at Mr. Gibbs's store and had conversations with him then and subsequently about a match in marksmanship in which Lafayette was to play a chief part. County Attorney Murphy showed witness the contract relating to the match, which he said he saw all the defendants whose names appear thereon sign. The signature "Al. Woods" was written by the defendant Forey on August 11th at M. P. Wells's store. The paper was drawn up by Attorney Wall, his partner.

Lafayette and Eddy spoke of Woods as "a colonel from Denver," and as the "party" who would shoot against Lafayette in the match. Up to August 14th witness believed the defendant Forey to be none other than Al Woods, the Colo marksman of Denver. There was to be a purse made up $2,000 on the match, and witness bet several times that Lafayette would win it. On August 7th he put up a cheque on the Bank of the Republic for $200, which he handed over to M. P. Wells.

At that time it was represented that Eddy had put up $600 with Wells and Lafayette a check or draft for $200.

Witness drew another check on the same bank for $100, on August 11th and gave it to Mr. Gibbs, who turned it over to M. P. Wells. Gibbs was to interest in this to the extent of one-half. Representations were again made as to Lafayette and Eddy having staked further sums on the match. Mr. Riley testified as to other amounts deposited by him in the same way, one of these being for $425, and also "pretended" payments by Eddy.

Mr. Murphy—At the time you put up the $425 in cash on August 11th did you believe that there was in the hands of the stakeholder (Wells) the several sums of money as set by Al. Woods or his backers that Woods would win the match?

Witness answered that he did.

Mr. Riley was observed, at this time, to have in his hand (as we think yesterday) a small memorandum book. Attorney Sutherland wanted to know what it was, and Witness answered that it contained the bets made on both sides, with the date of each. Attorney M. L. Ritchie went across to the stand and cautioned the witness in regard to these entries. Having satisfied himself counsel retired and Mr. Riley still kept the book open upon his knee.

County Attorney Murphy then elicited from the witness that at the time he drew the last check (on Aug. 11th) he had sufficient money in the bank to cover it.

Mr. Murphy—Were any representations made to you by any of the defendants as to the amount of money in the stakes of the stakeholders?

Witness—Yes.

Mr. Murphy—By whom?

Witness—Mr. Woods; he was supposed to put up $6,000.

"How do you know that?"

"I saw him hand a roll of notes to Wells and he said: 'Here is $3,000.'"

"Would you have paid that check if you had believed or known that Woods had not deposited $3,000 with the stakeholder?"

"I would not."

"That was your last bet?"

"Yes."

Witness next testified to his going with Gibbs and Eddy to meet Woods at the Knutsford hotel after "his arrival from Denver."

Mr. Murphy—How was Woods dressed?

Witness—He wore a pair of check pants, navy blue coat and vest. He also had on a pair of goggles. (Laughter.) Woods remarked that he arrived from Denver late the night before, and inquired was Mr. Wells was."

"Did he make any remarks upon the beauty of Salt Lake?" asked Mr. Murphy, "and the salubrity of our climate?"

Witness—Well, I didn't hear if he did.

"Did he mention any of the incidents of his travel from Denver?"

Witness—Not in my hearing.

"Did he say what he was wearing the goggles for?"

"No sir." Witness further said he now recognized the defendant Forey as the man to whom he was first introduced as Al Woods. He on one occasion saw Wells make a loan of $5 to Lafayette.

The cross examination of the witness was then begun by Attorney M. L. Ritchie. He was questioned as to his history previous to coming resently to Salt Lake, as to the drawing up and signing of the contract, and other preliminaries, including the bets made by witness and his meeting with Lafayette at Saxton.

Mr. Ritchie—Did you see an exhibition of Mr. Lafayette's skill in archery there, that day?

This question was objected to by the prosecution and a prolonged argument on the point followed. The commissioner eventually overruled the objection.

The question was then again put and answered in the negative. Witness said he, however, saw several exhibitions of Lafayette's skill subsequently.

Mr. Ritchie—Did you ever go to any of the newspaper offices in the city, or confer with any person representing either of them, with reference to Lafayette's skill in archery, or his feats?

Witness—I do not remember having said a word to a newspaper man about it. He admitted that he noted his checks down.

"Didn't you suggest to Gibbs to date his checks ahead?"

"I think not; he was doing his own betting."

"Were you present at an interview between Eddy, Gibbs, Lafayette and some others, when Eddy was informed of the object that Lafayette had selected to shoot at?"

"Yes."

"Didn't you at that time, after Eddy had been so informed, try to induce him not to tell Woods, his principal, for some little time—some two or three hours?"

Witness answered—On the contrary.

"Was you not to induce Eddy not to inform Woods for a time?"

"I think the remark was made by Lafayette."

Mr. Murphy asked a few unimportant questions to redirect examination.

E. L. Pittman was then called to the stand, but Attorney Sutherland questioned the competency, on the ground that, whenever witnesses were yesterday excluded from the court room during the examination, Pittman had been sitting in the rear of the room this morning. His witness stated that other witnesses were in the room, therefore he thought he might remain also.

Mr. Sutherland objected to the witness testifying, whereupon County Attorney Murphy elicited from the witness that he thought the rule excluding witnesses applied to yesterday only and then instead that Pittman was innocent of any intentional wrong.

Attorney Sutherland—We do not know how much the witness may be influenced by what he has heard.

The commissioner thought it was an oversight on the part of the witness, and allowed him to testify. His honor then emphatically directed that all witnesses remain outside during the progress of the trial. This order included Messrs. Gibbs and Riley.

Mr. Pittman said he is a jeweler and resides in this city. He knew Forey as "Al Woods of Denver," and was introduced to him by Eddy. Mr. Gibbs introduced Lafayette to him some time last July. He also knew the other defendants. Witness was questioned as to the signatures on the contract, which he first saw, he said, after the $500 forfeit had been put up. He was told he had been made referee, but it seemed he did not enter that honor, "not knowing anything of the game."

Mr. Murphy—Were any representations ever made to you of Lafayette as to using Al Woods of Denver?

Witness—Yes, sir, he told me of such a man and of the arrangement made to shoot with him.

"Were any representations made to you as to his being a marksman?"

"Yes, that he was a fine marksman. He represented that Woods was a crack shot, and he thought there was none who could beat him."

"Were any representations ever made to you by Eddy as to Woods?"

"Yes, he brought the gentleman into the store and introduced him to Gibbs, myself and others. That was between the 5th and 15th of August. He said he was Woods's agent in the shooting match and I believed all he said. I was induced by those representations to sign my name to the contract for the match."

"Did you pay any money over on the contract?"

Witness answered yes—first a check for $500, which was otherwise cashed. He paid it to M. P. Wells, who gave him a receipt for it.

On one occasion, the witness further stated, he was at Wells's place of business when Eddy represented that he had $600 in his pocket which he was "tired of packing around," pulled out a roll of notes and handed them to Stakeholder Wells. Witness did not trouble to see whether there was actually $600 in the roll, but he believed Eddy's statement. Pittman testified to subsequent bets made by him on the match and said he heard Lafayette state that his side was ready bet to the extent of $1,000. Had witness known that the defendant Forey was the person represented to be Al Woods of Denver, he would not have bet a cent upon the match. This was his first venture in betting.

Cross-examined by Mr. Sutherland, witness said he did not know just how much money he had in the bank when he drew the checks. He borrowed $500 at interest from Mr. McMurrin to keep him out and gave a mortgage to secure it.

"Did you expect the bank (the Utah National) would honor an overdraft of yours to the extent of $1,000, as appears in this case?"

"I did."

"Did you ask them whether they would do so?"

"No, I did not."

"What is the largest amount the bank people ever told you you could make overdrafts for?"

"I do not remember that, but I have made overdrafts on them as high as $2,000 and they have always honored them."

"Did you expect these two checks (of $500 each, dated August 15th and 16th respectively) to be presented at once?"

"Well, I didn't calculate."

"Were you not trying to borrow $20 or $30 on some watches within a day or two of this?"

"No, sir, you bet I wasn't."

"Were you trying to raise that amount on anything else?"

"No, sir, I was not."

"You thought you had a dead sure thing?"

"Well, no, I didn't think I had a dead sure thing exactly." Witness said he saw exhibitions of Lafayette's skill with the bow and arrow. On one occasion he shot at a hair, missed it once and hit it three or four times.

"Did you ever your duties as referee?" queried Mr. Sutherland.

"I inquired that at the time," answered the witness, "when I objected to act, as I said I might want to put up some money myself; but Lafayette said, 'That don't bet you at all; you have got up all you want' (laughter.) All you have to do is to stand there and say, if he hits it, hit, and if he misses it, missed (more laughter); the judge will of course decide.'" (Renewed laughter.)

"You were in a measure, then, to decide the question?"

"No, the judge was to decide, but he (Lafayette) told me that Eddy, the other referee, and myself were to decide. Whenever there was a hit we were to say 'hit' and whenever there was a miss we were to say 'missed,' and the judge was to do the balance." (Laughter.)

"Was the judge to take your word, then?"

"I supposed the judge would have eyes to decide for himself." (Laughter.)

"Did you understand, then, that your duties would amount to nothing at all?"

"I understood I was to watch that hair," answered Pittman slowly and impressively, "and say hit or miss!" (Laughter.)

"What were the duties of the other referee?"

"Why, I suppose the same as mine. I didn't inquire about him, but just about myself."

"At any rate, you thought it was a square thing to put up money on a match in which you were to act as a referee?"

"Well, I didn't know any different. I never made a bet of a dollar in my life, and I objected to be referee because I didn't understand anything about the duties required." Witness denied that he had a horse which he was training for the race track.

It being now a quarter to one o'clock court adjourned until tomorrow morning at ten. The Commissioner having other pressing business in his own court, this inquiry will be the reason of the postponement till Friday.

AMUSEMENTS.

EDWARD HARRIGAN'S repertoire for the next week is as follows:

Tuesday—Old Lavender.
Wednesday—Reilly and the 400.
Thursday—Cordelia's Aspirations.
Friday—Madigan Guard Ball.
Saturday—The Leather Patch.

LATEST WAR NEWS.

A Japanese Minister Killed By His Own Countrymen.

THE CHINESE LOAN A FAILURE.

Japanese Living in Shanghai Advised to Return to Their Native Country.

LONDON, Aug. 23.—A dispatch from Shanghai says the Japanese minister to China has been killed by his own country men.

The Japanese government has declared war to be not contraband of war.

The attempt of the Chinese government to float a loan of 1,000,000 taels, guaranteed by Chinese merchants, has proved a failure.

The American consul at Shanghai has ordered the Japanese living in that city to discard the Chinese costume, and advise the majority to return to their native country.

FURTHER INVESTIGATION.

The General Manager of the Rock Island Before the Commission.

CHICAGO, Aug. 23.—General Manager St. John, of the Rock Island road, was before the strike commissioners today. He read a history of the strike as it affected his road.

He was asked if his company blacklisted men.

"Not to the sense of the word as generally understood," said the witness. "When a man is discharged from one division, we send a statement to our other divisions that he may not be re-employed, but no such statement is sent to other roads, unless requested."

"Can you show us a copy of your contract with the Pullman company?" asked Commissioner Kerman.

"I can show you a contract, if you will regard it as private. I do not wish to see it published."

St. John was asked if the contract compelled the company to haul Pullmans on all passenger trains.

"Yes," was the answer, "we can haul Pullmans on any train we choose and need not haul them unless we wish."

"Then you were not compelled to haul Pullmans during the strike?"

"No."

St. John was asked as to the number of strikers who have been taken back.

"Most of our men," he said, "quit work through fear, but of 822 actual strikers, only 74 have been taken back. When the union has fifty per cent more of our men," he said, "We, as a general thing, treat with its representatives. We had no dealings with the A. R. U., as it had less than 50% of our employes."

"Did your road cut the wages last spring or this summer?" asked Commissioner Wright.

"No, we let the force, but not the wages."

"How much did the strike cost the R. I. road financially?" Kerman asked.

"I cannot give the exact figure, but I should say between $800,000 and $1,000,000."

St. John emphatically denied that the United States marshals were controlled by the railroads.

Witnesses said that many of the rioters who overturned and burned the cars were strikers.

THE PRINCE OF WALES MAD.

He Tells Mr. Gould Not to Talk to Him About Cutter Boards.

LONDON, Aug. 23.—The Jockeyism says it leans upon good authority that the best challenge for America's cup will be sent by the Earl of Lonsdale.

Timely Topics today says it seems the Prince of Wales was greatly annoyed at the failure on Saturday to sail a match between the Britannia and the Vigilant. It adds that when Mr. Gould boarded the royal yacht, October to explain matters, the prince remarked in an irritated tone:

"Don't talk to me about center boards. I know nothing about them."

Freight Trains Stopped.

NELSONVILLE, Ohio, Aug. 23.—The miners and American Railway Union gave President Waite until midnight to decide whether he would meet the old committee of railroad men or no. He did not respond and the trains are stopped on the Columbus, Hocking Valley & Toledo railroad, except passenger trains. The miners will refuse to work, until the trouble is settled.

25,000 Operatives Idle.

FALL RIVER, Mass., Aug. 23.—The great textile strike developed heavy into a lockout. As a result 25,000 mill operatives in the city will be idle. Notices were posted in the mills today that tonight every mill operated by the members of the Manufacturers' association will be shut down indefinitely.

THEY GOT A HEAVY DOSE.

Has Justice Smith Dealt with a Trio of Fighting Tramps from Illinois.

"Walk the straight line of good behavior while in Salt Lake," was the notice in effect that Police Justice Smith served on transient tramps the forenoon when he sentenced E. Williams, T. Williams and John Reynolds to one hundred and twenty-five days each in the county jail for their lawlessness on Second South street, yesterday afternoon, as chronicled in last evening's News.

The testimony was overwhelmingly against the gang. For assaulting officers at the second-hand store they were sentenced to imprisonment sixty days; for assaulting an officer they got forty days and for destroying city property and attempting to get out of jail another twenty-five days were added. The men came here from Springfield, Ill., according to their own statement, and are as tough a lot as has strayed the town for months.