

WAITING GAME FOR MORTENSEN.

Defense Not Anxious to Hasten Hearing—Will be Another Week—Wife and Children Will Not be Present.

The waiting game policy that has been pursued in the work of bringing about the preliminary hearing of Peter Mortensen on the charge of murder is to cease after the next few days. County Attorney Christensen, in speaking of the matter this afternoon, said that he would agree to no more delays after the middle of next week.

"This far we have had nothing to show," explained Mr. Christensen, "by postponing the preliminary hearing to a time after the next few days. Our case is stronger and stronger and more important facts were constantly coming to light. But there have been no developments of consequence recently, and we shall now insist on going ahead."

It is usual in murder cases, the defense to urge an early hearing. But that has not been true with Mortensen. He has been anxious for delay. Of course, there have been reasons that were somewhat out of the ordinary. He has been at work on his books to try and prove that he had the missing \$3,000 on the night of the Hay murder. The officers, and to the family and friends, this has been an impossible task. But Mortensen has set about it with all of the industry of a man who was figuring to save his life. He assures his attorney that he will be equal to the occasion. When he gets through with his work and the result is given to the public, those figures will be interesting reading. Another reason for delay is found in the fact that Attorney Bernard Stewart who is counsel for Mortensen, has been ill at his home in Forest Dale for some days past.

These something altogether unseen and unexpected at the present time, comes up Mortensen will have his hearing between Thursday and Saturday next. It is stated positively that neither his wife nor his children will be present. In fact, it is by no means certain that his wife will ever see him again. It is known that her family have strong objections in this direction. There is one ground on which their opposition can be removed, however, and that is for Mortensen to make a showing at the preliminary hearing that will tend to prove his innocence. If he does that, his wife, it is authoritatively stated, will be often at his side to cheer and encourage him. If he does not, he will be left to the terrible doom that family and friends fear is his.

WHY WIFE DID NOT COME.

Mortensen's Brother-in-Law Prevented the Meeting—Little Faith in Him.

It was learned last night why Mrs. Peter Mortensen did not visit her husband at the county jail during the early part of the week. She did not come for two reasons. One is that she was not feeling well, and the other is, her brother, Charles Watkins, advised her to keep away from the accused murderer, at least for the present. It is said she will not visit him at all unless something altogether unseen and unexpected at the present time, comes up Mortensen will have his hearing between Thursday and Saturday next. It is stated positively that neither his wife nor his children will be present. In fact, it is by no means certain that his wife will ever see him again. It is known that her family have strong objections in this direction. There is one ground on which their opposition can be removed, however, and that is for Mortensen to make a showing at the preliminary hearing that will tend to prove his innocence. If he does that, his wife, it is authoritatively stated, will be often at his side to cheer and encourage him. If he does not, he will be left to the terrible doom that family and friends fear is his.

NOT ENOUGH WATER IN UTAH LAKE

County Water Commissioner J. Fewson Smith, Jr., Says, Under Average Season Ahead, it Does Not Seem Possible That Compromise Point Will be Reached.

County Water Commissioner J. Fewson Smith, Jr., has been taking careful measurements of the water running into Utah lake, with a view to getting some idea of what might be expected in the way of water supply for the coming season, and to a "News" reporter he said this morning: "From measurements just made, it is found that at present 420 second feet of surface water is flowing into Utah lake from the various sources in Utah county. In addition to this, there is probably as much more running into the lake from springs along the eastern shore which it is not possible to measure at present. From the measurements and observations made it does not appear possible, even with an average wet season ahead, that the lake will rise to within one foot of the compromise level in time for the next irrigating season."

Mr. Smith continued: "Although there has been but 40 to 50 second feet of water allowed to leave the lake, it has risen but six inches since the impounding began, and the level stands at present 2.5 feet below the compromise point. By means of the new gates at the impounding dam, and the 50 feet weir now in the river below the power plant, daily regulations may be made so that the lake is made, and inasmuch as all of the mills and the power plant show a disposition to economize to the fullest extent, there will be but very little water lost."

MOVE FOR A COUNTY HIGH SCHOOL

Sentiment Expressed for One at a Meeting of Trustees Held in The City and County Building Today.

For a long time past the necessity of the establishment of a high school district in the county has been appreciated and urged by the educators in charge of the county schools. As is well known the county schools are maintained separate and apart from the city schools without any facility for learning beyond that afforded by the eighth grade. The matter received formal attention

DUTY ON SUGAR IN WEST INDIES.

England Likely to Resort to One to Protect the Industry.

DELEGATES AT CONFERENCE

Sugar Representatives From All Over Europe Hold a Big Meeting At Brussels.

London, Jan. 11.—There will be a cabinet meeting here Monday which bids fair to be the most fateful in the history of the West Indies and may eventually affect the United States. Lord Salisbury and his colleagues will then decide whether Great Britain will put a countervailing duty on sugar. Colonial Secretary Chamberlain will submit a statement, made up on the unimpeachable evidence of the West Indian authorities that if this step is not taken the sugar industry in the West Indian islands will be dead within a year and the West Indies hopelessly bankrupt.

The British delegates to the Brussels sugar conference will also report that there is no likelihood of the continental nations abolishing bounties unless Great Britain declares her intention of imposing countervailing duties, should the bounties be continued.

The preliminary sessions of the Brussels sugar conference have convinced the British delegates that the continental powers only desire to develop the nature of the countervailing duties, and that this is chiefly done to the hope of placating their own consumers.

The best informed opinion, gathered by a representative of the Associated Press, inclines to the belief that the cabinet will not consent to the imposition of countervailing duties for fear of raising a storm of international criticism from the old school of free traders, who constitute a formidable wing of the Unionist party. The memorandum which Mr. Chamberlain will present on Monday is worded more in the nature of an ultimatum than a proposal, and while it does not openly threaten secession, that phase of the situation has been verbally communicated by the colonial secretary.

It is almost needless to add that the decision of the cabinet will be kept a profound secret, at least until January 20, when the British delegates return to the Brussels sugar conference.

It is said Mr. Chamberlain realizes the gravity of the crisis and favors imposing countervailing duties, but the persons of the large cabinet included in many utterly different economic views that it is doubtful whether Mr. Chamberlain will win the day.

AFFECTS THE CABLE.

Wireless Telegraphy Encroaching Upon That Business.

Washington, Jan. 11.—The effect of wireless telegraphy on the future of the submarine cable was developed today by the House committee on commerce in connection with the hearing on the proposed Pacific cable. The hearing was largely attended. Vice President Ward, of the Pacific Commercial Cable company, continuing his statement of yesterday. He said he would have excellent trade arrangements with the far East. He stated that there would be questions as to the right of the United States to land a cable on foreign shores. Representative Stewart, of New Jersey, interposed the statement that Germany's present course against Venezuela showed that the German government made little distinction between public and private rights, so that a government cable station would have about the same status as a private station.

Chairman Hepburn asked a series of questions as to the effect of wireless telegraphy on the submarine cable. Mr. Ward replied that the new system presented a serious question. He was not sure that the Pacific cable project would have been undertaken if the long distance experiments had begun earlier. As to the claims that wireless signals had been conveyed 2,000 miles across the Atlantic, Mr. Ward said that if the claims were made good they would deprive people from laying any more cables.

When asked as to the effect thus far on the cable business Mr. Ward said it had depressed cable interest here. Mr. Stewart wanted to know if the "cable companies had not chased Marconi out of Canada," to which Mr. Ward answered that he believed the cable companies had insisted upon certain exclusive rights they held.

Mr. Lamoreaux stated that the Asiatic association doing business in the Orient, favored private control. It was opposed to the government entering the field of private enterprise. President Scrymgeour, of the South and Central American cable system, made an extended statement in favor of government control of the Pacific cable, citing incidents of the Spanish-American war showing the importance of governmental control of the cable. In one case cited the Spanish minister of marine cabled Admiral Cervera to leave Santiago. If this dispatch had not been intercepted, Mr. Scrymgeour said, the battle of Santiago bay would not have been fought and the conduct of the war might have been changed.

PANAMA OFFER.

Senate Committee Talks With M. Edouard Lamore.

Washington, Jan. 1.—M. Edouard Lamore, representing the Panama Canal company, appeared before the Senate committee on inter-oceanic canals today in obedience to the summons of that committee to testify concerning the offer of his company to sell its property and franchise to the United States. M. Jules Bouffeville, of the French embassy, also was present at the hearing. The meeting was held behind closed doors, representatives of the press being excluded.

Mr. Lamore was questioned at great length by the members of the committee. He said his mission to the United States had been to ascertain to whom the proposition for the sale of the Panama property should be made. Having informed himself upon this point he had conferred with Admiral Walker, chairman of the Isthmian canal commission, as to the form of the offer. He then had cabled to his principals, the result being that the offer to sell for \$40,000,000 had been made directly from Paris and not by him. He said, however, that it was his understanding that the proposal included both the franchise and the property of the Panama company, but not the money in its treasury, of which there is about 100,000,000 francs.

Mr. Lamore was questioned especially concerning the title of the present Panama company, several members of the committee expressing doubt as to whether those now claiming ownership had secured unquestionable title. He replied that they had made their purchase through the liquidator of the old company and that the transfer was regular. In response to other questions he said that in case the transaction should be consummated the money would be distributed among the members of the original company and those of the present organization by arbitration. He said the proffer had been made in good faith and that the company was able to deliver the goods.

STEAMSHIP MOVEMENTS.

Bremen, Jan. 11.—Arrived: Kronz Prinz Wilhelm, New York.

Liverpool, Jan. 11.—Arrived: Dominica, Boston.

Glasgow, Jan. 11.—Arrived: Furness, New York; Sarmatian, Portland.

London, Jan. 11.—Arrived: Iberian, Boston.

Will Meet in Helena.

Helena, Mont., Jan. 10.—The announcement is officially made that the Pacific Northwest Wool Growers' association will meet here February 4, 5, and 6. The association embraces Oregon, Washington, Idaho, Montana, Utah and Wyoming, and the attendance promises to be large.

Indignant Denial.

Seattle, Wash., Jan. 10.—Jacob Miller, the well known real estate man of this city, with his wife, was among the survivors of the wrecked Walla Walla, denied in most emphatic terms today that he had said anything to the reporters which could warrant the charges of drunkenness, attributed to him by telegraphic dispatches against the officers of the ill-fated ship.

"On the contrary," explained Mr. Miller, "the officers were gentlemen in every sense of the word and acted as such at all times under my observation."

Mr. Miller was most indignant at the unwarranted stories printed to the effect that he had charged the officers and crew of the vessel with having been drunk. Furthermore, he says, without exception the officers acted in a noble and chivalrous spirit throughout the entire time of the wreck and subsequently.

Railway Men's Big Meeting.

San Francisco, Jan. 11.—The first biennial convention of the chief division of the United Brotherhood of Railway employees, a new organization that is finding considerable support from all branches of railroad service in the West, will be held here on Monday and probably last throughout the week. Although organized here a few months ago the brotherhood already embraces fifty-seven divisions, in California, Oregon, Nevada, Utah, Colorado, Montana, Arizona, New Mexico, Texas, Louisiana, Idaho, Kansas, Illinois, Ohio and Pennsylvania. As the name implies, the object of the organization is the consolidation of all railway employees into one order for the mutual benefit. Its officers include engineers, firemen, conductors, baggage masters, telegraph operators and switchmen. Preparations are being made for the largest gathering of delegates by the local division, which intends to make the visit an enjoyable one.

Agitator Arrested.

Managua, Nicaragua, Jan. 11, via Galveston.—The government of Nicaragua has arrested General Vasquez, the former president of Honduras, on board the South American Steamship company's steamer Tucapel. The general is charged with attempting to cite a revolution in Central America against President Zelaya of Nicaragua, who drove General Vasquez from the presidency of Honduras in 1894, for the same offense.

Extradition Treaty Approved.

Santiago de Chile, Jan. 11, via Galveston.—The extradition treaty between Chile and the United States has been approved by the Chilean congress.

Payne Leaves Home.

Milwaukee, Jan. 11.—Postmaster General Henry B. Payne, Mrs. Payne, and their niece, Miss Louise Jones, left Milwaukee today for Washington, where Mr. Payne goes to assume his official duties. Prior to his departure for the train Mr. Payne was given a rousing send-off by the old associates of the Milwaukee street railway company. A large number of his Milwaukee friends were at the depot to wish him God-speed.

Mrs. Anthony Overjoyed.

Chicago, Jan. 11.—Mrs. Crissie Wessels Anthony, wife of Dr. Anthony, who has been acquitted of the murder of her husband in South Africa, received the news of her husband's release today with every evidence of joy. Mrs. Anthony is stopping at a local hotel, while her children are with relatives in San Francisco. Dr. Anthony being a citizen of that city. She gave the following explanation of the manner in which her husband got into trouble with the British:

"I have two brothers in the Boer army and am an Afrikaner myself. This fact was used to put Dr. Anthony into difficulties. A man came to my husband and told him that my younger brother, Matthew, was hiding in the bushes nearby in great need of clothing. He fell readily into the trap and gave the boy clothing. Meanwhile the man who had brought the appeal to him hastened to the authorities and accused him of high treason. Hearing that I secured the aid of Secy. of State Hay, who cabled the United States consulate at Cape Town to see that my husband had a fair trial. I am overjoyed at the outcome of the trial."

Not in Contempt.

St. Louis, Jan. 11.—In the contempt proceedings against Mayor Wells, President Hoxes and other members of the board of police commissioners growing out of the arrest of officials and employees of the Southern Telegraph and Money Order company, Judge Ryan said today that he could not see that the commissioners were guilty of violating the injunction. The court said the charge of violating the injunction should rest against Lieut. Johnson and the officers who took part in the raid of January 4.

Allison's Advance Guard.

Des Moines, Iowa, Jan. 11.—A. F. Dawson, private secretary of Senator Allison, arrived today and established headquarters for the senator, preparatory to the campaign for election to the United States Senate by the state legislature next week. Senators Allison and Dolliver will arrive tonight and maintain headquarters until the election takes place.

SWIFT VENGEANCE FOR COLORED MAN

Kentucky Citizens Take Him Out of Jail And Hang Him in the Yard of The High School.

Springfield, Ky., Jan. 11.—Jim Mays, a negro, charged with assaulting a white girl in the Simms neighborhood in this county Wednesday, was taken from jail by a mob early today and hanged to a tree in the high school yard. The mob came into town quietly and after arousing Jailer Cattlett, demanded the keys to the jail. Their request was refused, however, and they immediately began to hammer the locks on the jail doors. It took but a few moments to obtain an entrance to the prison where they found Mays cowering in his cell and begging the other prisoners to protect him.

The leaders of the mob took charge of the negro and telling the jailer to watch the rest of the prisoners, dragged Mays to the high school yard where it was speedily strung up to a tree.

The mob's work was quietly done and but few words were spoken by the leaders while they were at the jail. They seemed determined to get their man. Only the jailer and two or three others knew anything about the coming of the mob until this morning. It is not known what direction the men departed or where the mob dispersed. Neither is any member of the mob known to the officials. The negro's body was cut off and an inquest held by the coroner.

The negro was arrested and brought here Wednesday. He was charged with attempting to commit a criminal assault upon a young white girl in the Simms neighborhood, this county. She was returning home from a neighbor's and was attacked by the negro. She fought him stubbornly and her screams brought two of her brothers to her rescue. They pursued Mays and succeeded in capturing him after a long chase. The brothers beat the negro severely and were only prevented from killing him by the arrival of some farmers who turned the negro over to a constable.

TUMBLE OF THE ASPHALT TRUST.

National Contracting Company Carried Down in the Crash—Hopeless Condition of the Trust's Finances.

A private dispatch from New York conveys the information that the failure of the great Asphalt Trust involves the National Contracting company, which Col. Willard Young has for some time been the general manager. The Contracting company was a corporation owned by the Asphalt Trust and though it was doing a prosperous business itself, it is not thought that it will survive the general wreck. What change this will make in Col. Young's plans, whether he will return home, or whether his services will be retained by the receivers of the asphalt concerns is as yet uncertain. He has been enjoying an excellent salary and has had supervision over some immense construction works, one of them being a duplication of the power plant which already exists at Niagara Falls, and which has harnessed the energies of that great cataract for the benefit of commerce. Col. Young's many friends are confident that his prospects will in no way be injured by the changes which have befallen the company.

The Barbour Asphalt company, one of the prominent factors in the trust, is well known in Utah, having tried to compete for contracts for city paving in the past; they were defeated, however, by the Culmiers and the Pacific Paving company.

It is reliably reported that the Trust, some time ago, secured control of the stock of the Gilson Asphalt company, of St. Louis, whose plant is near Fort DuChesne, and whose stockholders include some well known Utah men. But it is not thought that this concern will be seriously affected by the Trust's failure, as the utmost the receivers can do would be to sell the stock in their possession, and this, it is said, the majority stockholders would buy.

The company represented by G. F. Culmer, formerly of this city, now of Chicago, is the Central Asphalt and Refining company, a Texas concern, of which Hon. C. A. Towne is president, it has always been independent of the Trust. The Vasatch Asphaltum company, of this city, of which Mr. Culmer is president is not affected one way or the other, as it has been lying on its ears for some time past, doing little or no business in this state.

According to the New York Herald the causes which led to the fall of the Trust were its failure to obtain a monopoly of the street paving business in several large cities, the enormous expense of maintaining almost an army to guard its interests in Venezuela, and the high price it had to pay to buy in competing concerns. The Herald says its affairs are almost hopeless and gives the following summary of its finances:

ASPHALT FINANCES WHICH FAILED TO MAKE BOTH ENDS MEET.	
Capitalization of the insolvent Asphalt Company of America.....	\$30,000,000
Capitalization of the insolvent National Asphalt company.....	22,000,000
Bonded debt of the American company, issued in 5 per cent bonds.....	10,000,000
Bonded debt of the National company, in 5 per cent registered collateral gold certificates, issued by the Equitable Trust company and requiring semi-annual payments of interest on July 1 and January 1 yearly.....	6,000,000
Interest on bonds now in arrears.....	900,000
Interest due next Wednesday and in default.....	150,000
Due sinking fund account January 1 and not available.....	300,000
Fixed charges due annually, about.....	2,500,000
Actual available income of company annually, about.....	1,000,000
Prospective annual deficit.....	1,500,000
Losses sustained by Philadelphia investors exclusively.....	200,000

The Herald further goes on to say that:

Cumulative evidences indicate that the so-called Asphalt Trust is seriously wrecked. Despite the National Asphalt company's capitalization of \$22,000,000, and the authorized capitalization of \$30,000,000 of the Asphalt Company of America, which is now merged in the common trust, both concerns are in the hands of receivers, forced into that position by inability to meet interest charges, due or about to fall due, amounting to something like \$1,000,000. From the papers submitted in the application for a receivership it appears that the company is confronted at present with no better prospect than that of an annual deficit of about \$1,500,000. It stands pledged to pay annually \$2,500,000 in interest and sinking fund charges, whereas it professes to be able to count upon receiving from the earnings, interest and other payments of its subsidiary operating companies not more than \$1,000,000 yearly.

The loss will undoubtedly fall heavily on the Philadelphia stockholders, where, it is estimated, the stockholders will be out of pocket at least \$200,000.

A thorough investigation is now under way by the Audit company, of New York, which is acting in harmony with the joint protective committees representing the principal interests involved. Until that investigation is concluded nothing definite can be stated as to the concern's real condition or its prospects of successful reorganization and resumption. The president of the National company, Gen. Francis Vinton Greene, issued a statement yesterday, in which he spoke guardedly of the company's future.

SMALLPOX IN WYOMING PRISON.

Two Convicts Are the Victims—Immediately Removed to Pest House—Well Developed Case of Disease Discovered at Ogden.

Word from Rawlins this morning stated that smallpox had broken out in the state prison there, two convicts being the victims. The men were transferred immediately to the pest house, and rigorous steps taken to thoroughly disinfect the prison. But owing to the unsettled condition of things there, the difficulties of strict quarantine among the prisoners are embarrassing.

The appropriation for the state has proved insufficient to entirely complete the prison plant, and for that reason the heating facilities are unfinished and inferior. There are a number of small buildings for the prison yards and others to be connected with the institution which are much needed for the safety and comfort of the prisoners, and which have not been built, and can not be built until the next meeting of the legislature, unless Governor

Richards can devise some way of raising the necessary financial aid in advance of legislative appropriation. It is believed in Rawlins that at least four months will elapse before the prison can be finished, even with the necessary cash immediately in hand. In the meantime, the warden and the guards are hard put to it.

SMALLPOX IN OGDEN.

A special to the "News" from Ogden says: Thomas Morrison, a stranger who came here ten days ago from Bingham, was found on the streets today covered with smallpox pustules. He was examined by the city physician and his complaint was pronounced to be a fully developed case of smallpox. The patient was dispatched to the pest house as quickly as possible. Morrison had been stopping at two boarding houses on Twenty-fifth street, but the latter have been put through a thorough disinfecting process.

Cutts is a Professional.

Cambridge, Mass., Jan. 11.—Oliver F. Cutts, right tackle of the Harvard football team of 1901, whose athletic ability was the subject of exhaustive November, is declared to be a professional by Prof. Ira Hallow, of the Harvard athletic committee. Evidences

was produced that while teaching at Haverford, Cutts gave private boxing lessons for pay.

The matter was thoroughly discussed by the committee. Cutts admitted the facts and the committee decided they must change their decision made the evening before. The Yale game that Cutts was a pure amateur, and it was also decided to explain the case to the college and to send copies of the ex-

Anthony Acquitted.

Washington, Jan. 11.—A cablegram received at the state department from United States Consul General Bingham at Cape Town announced the acquittal and release of Dr. Richard S. Anthony, who has been on trial there on a charge of high treason and aiding the enemy. Anthony is an American citizen, but has lived some time in South Africa, where he married a Boer woman. Her children are at present in Chicago. Her children are in San Francisco.

Decrease Capital.

Trenton, N. J., Jan. 11.—The Distilling company of America today announced a decrease in its authorized capital stock from \$125,000,000 to \$55,000,000. The new amount is still a little in excess of the company's issued capital stock.

The United States Light and Heat company, capital \$1,000,000, today filed a certificate of incorporation. The filed a certificate of incorporation. The company is to furnish electricity, light and heat, especially for railway and other cars. The incorporators are: Wm. B. Irwin, Wallace Young, John J. Albert, all of Jersey City.