

almost unanimously endorse that verdict. Of course the motion for a new trial was to have been expected. Not on account of unfairness, haste or advantage on the part of court or prosecution because there has been no complaint of such conditions. But because life is precious and men love to win. And no man is prouder of victory splendidly achieved than an ambitious and honorable attorney. Judge Cherry belongs to that class of lawyers. While there is life he knows there is hope and no one who has the pleasure of that gentleman's acquaintanceship will entertain the belief for a single moment that he will stop short of the highest tribunal in the land in the interest of his client. If that procedure must be observed let it be done with dispatch that the curtain may be rung down as speedily as possible upon one of the most gruesome and bloody tragedies in the history of Utah. And in the event that all efforts to save the murderer from the gallows shall fail let there be no sickening sentimentality on the part of womankind in behalf of that hapless creature during his last days of earthly existence. Fragrant flowers, bon bons and perfumed *bullet deaux ad infinitum ad nauseum* are not the legitimate perquisites of such a man. I would not deprive any human being of the slightest pleasure especially when he stands on the brink of eternity. But it is time for such abnormal conceptions of sympathy and benevolence to be banished from Christian civilization.

COLONEL ARGUS.

INDIAN TERRITORY.

WASHINGTON, Oct. 23.—The Indian office yesterday received advices by telegraph from the Indian territory giving briefly an account of the lawless condition of affairs in that section and asking that some action be taken by the United States authorities which will protect the citizens and restore order. It is stated armed bands of outlaws are in possession of the territory. It is stated the Indian police are unable to protect the people and prevent robbery. Lawless bands infest all sections. Men are held up by highwaymen in broad daylight and robbed. Life and property are not secure either by day or night. The express companies have refused to transport money, and no other means of carrying funds has been devised. There are three well-known organized bands of desperadoes, composed of thieves, thugs and tough characters from all sections of the country, who make it a business of pillaging towns.

As a result, a reign of terror exists, and the people of the Territory are at the mercy of these gangs. It is supposed the marauders journey from one section to another in pursuit of booty, and that the train robberies in the Southwest are the work of these desperadoes, who make their headquarters in the Indian Territory.

There has been considerable discussion in Congress growing out of the lawless bands in the Territory, and suggestions have been made for an entire reorganization of affairs there, in order that robbery may be suppressed and the control of the peace of the territory come under authority competent to enforce law and order.

It has been suggested that in the present emergency the territory could be placed under martial law and troops directed to clear the territory of the gangs which now infest it. This would be an extreme measure and would not likely be resorted to unless all other methods fail.

St. Louis, Mo., Oct. 23.—Bankers and business men living in the towns in the Indian territory, as well as those living outside the territory but doing business with territory firms, are greatly worked up over the condition of affairs which has made it necessary for the Pacific Express company to refuse money shipments either into or out of the territory. So far as the express company is concerned, however, they take a philosophical view of the situation and not a complaint has been registered.

"The situation in the Indian territory today," said Superintendent O. W. Case, of the company, "is worse than it ever was. There is absolutely no protection for life or property, except as we furnish it ourselves. This continual carrying of such an armed force makes the business too expensive to be profitable. We have lost more by the expense than we ever did by the actual robberies. Now this Saturday robbery, by it we lost just \$417. This consisted of return C. O. D., which we are still handling, and our own and the railroad's remittances. But you can see that to protect even a small amount what it would cost when such a gang as that attacked the train. The other companies are still carrying money, but I am informed by Mr. Simpson of the Wells-Fargo that he has asked the general superintendent to issue an order similar to ours.

"To give you a little idea of what we have paid out, I will speak of the Oliphant robbery. Our loss there was about \$300 but it cost us \$8,500 to capture the robbers. At the present rates for carrying money we would have to take into the territory \$8,500,000 to get that back. For some time before the Dalton gang was wiped out, the Missouri, Kansas & Texas and the Pacific had a standing reward of \$5,000 each on the eight men comprising the gang. This had only shortly before been withdrawn, where, unless there is a reward or we pay the expenses of the deputies, U. S. marshals do not seem to think it is their duty to capture the robbers.

"There is but one way to stop this lawlessness, that is to make a state out of Indian Territory. Of course if the federal government would send a few regiments of soldiers down there instead of keeping them in the barracks and in these eastern military stations, it might do some good. A war of extermination such as Governor Crittenden waged against the James gang in Missouri is what is needed. This can only be properly done by admitting the territory to statehood.

"This order of ours does not greatly affect St. Louis as most of the money is shipped to those banks in the territory from Little Rock or nearer points.

Quite a good deal of money in payment for goods comes out of the territory by express, but this system can be temporarily changed."

General Superintendent L. A. Fuller of the Pacific company and General Superintendent Peck of the Iron

Mountain have gone to Waggoner and will spend several days in the territory in an attempt to have the Cook gang, which perpetrated the last robbery, captured.

The information received here is that "Bill" Cook is a young man not yet 22 years old, and Cherokee Bill, his chief lieutenant, is but 18. Superintendent Case says they are desperadoes simply for the notoriety and not for the money they can get. Still they always take all they can get. The gang which effected the robbery at Claremore a short time ago was the Means gang headed by Columbus Means. This is a bad gang, as is also Bill Doolan's gang, which is said to have spread from the ashes of the Dalton gang. Superintendent Simpson of the Wells Fargo company is now in the territory also looking into the condition of the country in which the company operates. It is stated by some who are familiar with the situation there that the trouble is largely due to the character of the deputy United States marshals. It is a well known fact that they are largely recruited from the desperado class and it is often charged that they stand in with the train robbers.

WASHINGTON, Oct. 23.—Secretary Hoke Smith has requested the secretary of war to send troops to Indian Territory to suppress the lawless bands. Accompanying the request was a communication Secretary Smith yesterday received from Indian Territory detailing the deplorable condition of affairs.

JAPANESE HISTORY.

SAN FRANCISCO, Oct. 22.—The Japanese are making history not only through their troops in the field and their fleets upon the sea, but through their authors and publishers. From T. Sone of the Takata Shokai, which supplies arms and munitions of war to the mikado, and who is now in San Francisco, have been obtained three volumes of war history published in Japanese by the Hakubun Kan Publishing company of Tokio. Mr. Sone is on his way to London and Berlin. He is on private business, but arms and munitions of war are to be obtained in those capitals.

Following the story of the Korean rebellion and the sending of Chinese troops into the hermit kingdom, is the following account of the first land battle.

"Asan was not the first bloody meeting of the nations. Spears and swords had dripped with coolie gore before that sanguinary struggle. The first real fight of the war was at Anjo Ferry on July 28th. Captain Matsake and Captain Tokiyama were killed there.

"The Japanese decided to attack the Chinese by night, but only one officer knew the orders. The soldiers were ordered to prepare for action, and rested on their arms. The night of the 28th had begun and the clouds covered the skies, and the darkness was like a wall.

"At midnight the Japanese force was ordered to advance to the attack. Absolute silence was enforced. At 12:30 the army moved, the left wing leading. When near the Chinese a line of battle was formed and the right wing began the engagement.