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. 45. FRIDAY, JANUARY 15, 1897, SALT LAKE CITY, UTAH. VOL XXX.

THE PLAGUE IN INDIA

Thousands Leaving Bombay to Escape Certain Death.

HOMES ABANDONED IN THE PANIC.

Business Streets Deserted—Factories Short of Hands—Thousands Dying Daily.

NEW YORK, Jan. 15.—A special to the Herald from Bombay says: The plague continues as bad as ever. There is little prospect of its abating for some time to come. The official records are getting nearer the truth now, but the real state of affairs is certainly alarming. The panic has been renewed and the exodus from the city has commenced with a vengeance. Indeed it may fairly be stated that thousands of people are running away from the place as if a pestilence was pursuing them. Going toward the Bunders the other day your correspondent saw large crowds of people running along the road carrying bundles of their belongings with them and struggling their children behind them. A few of them were asked the reason of their haste and the answer that they were going off to their villages down the coast to get away from the plague and the authorities who were anxious to secure the lives of 10,000 people, for the current outrage of the 'rupee' status. They seriously believed that 10,000 innocents were to be slaughtered and were determined not to be among the victims. Even the boys were hurrying to catch the steamer.

"But," it was pointed out, "there is plenty of time. Why hurry, the steamer will not start for four hours or more."

The answer was returned that these lads may be were hurrying to the spot directly and they were terrified of being left behind. The scene at the Bunders was a remarkable one. The people were huddled together like so many sheep all clamoring for tickets. The poor officials were at their wits' ends, and when the steamer started it left behind crowds of disappointed ones, some of whom in the confusion got separated from their families and loved ones and were weeping piteously. Behind and before the steamer these crowds stayed at the Bunders waiting for the next steamer. Similar scenes are witnessed at the railway stations and wharves are crowded with passengers night and day, all eager to get away from Bombay.

Many officials have suffered in consequence of the clerks taking leave. Many of them were refused leave and were told that they would lose their appointments if they went away, but this does not stop them back. They would rather risk their appointments than stay in Bombay. The larger employers of labor are suffering severely. Establishments in which hundreds of workmen are employed have now only got a few people left. Several places of business have had to be closed in consequence. The mills are beginning to be affected and if only the panic takes hold of the mill hands the consequences will be very serious for the industry. One mill manager said the other day that he had only about 353 men at his mill that day. Streets but a few days ago were crowded and busy are now deserted.

During the night one large street near your correspondent came across several large buildings totally deserted, while others had only one flat out of five or six occupied. A regiment of native infantry whose lines are in the vicinity of one of the most affected wards has been moved out into camp. Your correspondent paid another visit to the Hindoo burning ground and saw thirty bodies being burned on the various spots set apart for cremation, while ten others were waiting their turn, three of them outside the gate on the public road. The bodies of two Hindoos who had died from the plague were wrapped and dressed in the public mortuary in one of the most crowded thoroughfares. This was witnessed from the tramcar. The princes are being attacked in large numbers, your correspondent seeing no fewer than seven purdee funerals two days ago while driving through the town. They are wearing out into the suburbs very quickly.

Up till recently the cases occurred one night but now in some instances in a family, two or three others take it quickly and all die, so that while the funeral preparations for one member are being arranged, another member dies.

The health authorities do not thoroughly appreciate the real gravity of the situation. All their time is wasted upon temporary arrangements. There is no thoroughness about them.

The announcement that the authorities were seriously contemplating compulsory segregation has added to the panic. The people will not submit to it and it will be enforced it is certain that serious trouble will ensue. The leaders of the various communities have taken the matter in hand. Each caste is now struggling to provide separate hospitals for the accommodation and treatment of patients of their own.

Some of these hospitals have already been opened and are now in full working order.

SASH AND DOOR TRUST.

Suit Brought for the Dissolution of the Concern.

MADISON, Wis., Jan. 15.—Attorney Gen. Mitten has completed a brief in the suit brought in the circuit court at Oshkosh for the dissolution of the sash and door trust. It sets forth that the attorney general injuncted, at an ex parte proceeding, the Chicago Sash and Door company, a corporation organized under the state laws which may join with a trust either directly or indirectly. The writ of quo warranto is liable to have its charter revoked and its existence annulled by an action brought in the name. Such proceedings are contemplated.

After reciting that the trust was organized and operated on the plans laid down, the attorney general alleges that the articles created by agreement and the prices at which are fixed by the board of directors are articles in common use in the building trade and are necessities in the building trade; that the National Manufacturing company is now engaged in or business whatever as authorized by its said articles.

In the agreement for the sale the attorney general says: "It is apparent that this corporation was organized for the purpose of forming and maintaining a trust between the manufacturers and dealers residing in the states named, and to prevent the fixing and so controlling of prices of the articles dealt in by the members thereof by the natural laws of competition and supply. It was organized for the purpose of arbitrarily fixing and maintaining high and fictitious prices of such articles; that said National Manufacturing company is not engaged in the business authorized by its articles of organization, but has been engaged solely in carrying out the object of said trust combination."

MR. BRYAN TO HIS CRITICS.

Some Reasons Why He Entered the Lecture Field.

He Hopes to Stand or Fall With His Case, Not According to His Oratory.

AGUSTUS, Ga., Jan. 15.—The following letter in which Mr. Bryan replies to those who criticized his recent venture into the lecture field, is published with Mr. Bryan's consent:

LINCOLN, Neb., Jan. 9, 1897.—Mr. Hugh Middleton: Dear Sir—I read a few days ago an article which my old friend, Sam Cobb, wrote in my defense, and today I have seen your reply to some hostile criticisms.

Great occasions do not come every day and they cannot be manufactured. A speech should be judged by the circumstances which surround it and by the purpose for which it is made. My Atlanta lecture, delivered before the Chicago convention, would have been a failure, but no more so, in my judgment, than my convention speech would have been had I delivered it as a lecture before my Atlanta audience.

At Chicago my object was to answer the arguments which had been brought against our platform and to impress upon the delegates the righteousness of our cause.

As a lecture I desired to put as clearly and precisely as possible a few suggestions in regard to the government, its uses and abuses.

The political friendships which I have formed have, as a rule, been with those who agree with me in purpose, rather than with those who praise the manner of my speeches, so may be at fault in not giving more attention to ornamentation, but each one has its niche.

The highest compliments paid to me, according to my estimate of compliments, have been paid by those who have been attacked by me by argument, or who have been enabled to secure new arguments for their own use. If my visit to Atlanta results in making those present realize the duties of citizenship and awakened in them a keener interest in the affairs of government, my mission was a success; it would have been a failure, no matter how much of applause I might have won, had I failed to impress them with the great importance of the issue which I discussed. I do not know how much honoring I shall do, and I am quite indifferent as to my relative position among those who speak, but if the platform, out I hope that no friends will be worried about any criticisms which may be laid against me. I expect to stand or fall in public estimation according to my ideas, not according to my oratory.

Very truly yours,

W. J. BRYAN.

Arbitration Celebration.

CHICAGO, Jan. 15.—A great demonstration is being arranged to take place February 22 in celebration of the successful termination of the treaty of arbitration, which it is expected will be signed by that time. The committee in charge of affairs will consist of D. R. Goudie, chairman, Don M. Dailey, first vice chairman, and Dr. L. Mathews, second vice chairman. A. Allardice, secretary, George E. Gooch, General G. P. Elliott, R. M. Jaffrey, William Bannerman, Gerrard Ab Rudd, W. B. Graham, Dr. B. G. Gray Jeffries and B. Matheson.

They will be assisted by a general committee consisting of prominent Canadian and British Americans and Dr. William C. Gray's original committee of 50 of the influential citizens of Chicago.

When the friction between England and the United States has become a matter of serious concern a year ago, Dr. W. C. Gray, backed by a committee of 50 fellow citizens, issued a call to every community in the land to meet on Washington's birthday and to celebrate for a treaty of arbitration between England and the United States. Subsequently the President and the queen were presented with memorials calling conclusively that the sentiment of the American people was strongly for friendly relations and in favor of arbitration. Secretary Olney joined in furthering the work, and the present treaty ends their task. The celebration will therefore be held at Central Music Auditorium of Central music hall. Medals to commemorate a great victory of peace will be bestowed upon those who have worked in behalf of this treaty. During the presentation of the medals there will be speeches by eminent men. Natives and citizens of England, Scotland and America will be rendered by orchestras and chorus and great efforts will be made to make the celebration a memorable one.

REHEARSALS FOR THE STAGE

End to the Wrecking of Two Families in Honolulu.

SAN FRANCISCO, Jan. 15.—The steamship Mariposa brought the news of a sensational elopement from Honolulu as the result of which two homes have been made unhappy by the principal parties of the scandal. On board the steamer Coptic which sailed from Honolulu for San Francisco on New Year's day were Charles Dillard Wilson and Mrs. W. W. Dimond. Both have left Hawaii probably never to return. Mrs. Dimond leaves behind her husband, who is broken down by her unfaithfulness, and a little girl baby, four years of age. On New Year's day, 1895, just two years to the day of his departure, Charles D. Wilson arrived in Honolulu from Seattle. He was accompanied by his bride, Miss Jessie Frost, whom he married in Seattle the night before his sun to Hawaii. While there he was a drummer in the government band. He afterward obtained employment as bookkeeper in Hedemann's dry goods store. Both he and his wife were familiar with theatricals, though they may never have been on the stage. When the play Jane was suggested as a suitable piece for amateurs to produce at the opening of the new opera house, Mrs. Dimond sought an introduction to Wilson and asked him to take part. The two readily consented, and he was cast for the character of William, who in the play makes love to Jane, the role assigned to Mrs. Dimond. After the third rehearsal their love making on the stage was not acting. It was real. And to keep the love out of the heart of Mrs. Dimond, the more he neglected his wife. The more he was taxed with regarding his abuse of his wife, the more attentive to her. On the occasion Wilson cheated his wife nearly to death and she was in the hands of a doctor for some days afterwards. After this treatment she lost her mind temporarily.

When the Frawley company left for San Francisco Mrs. Wilson was a passenger on the same steamer, and it is the opinion of her friends here that she will not return.

When his wife had gone a load was lifted from Wilson's mind and he devoted himself so assiduously to Mrs. Dimond that her husband's suspicions were aroused and then being confirmed, subsequently a separation was effected and the guilty pair left the island. Mrs. W. W. Dimond is the wife of the eldest son of the late General W. H. Dimond and grandson of the late John Thomas Waterhouse of Honolulu, and Cedar Rapids, Iowa.

THE STORY PARTLY DENIED

CEDAR RAPIDS, Iowa, Jan. 15.—Major M. A. Ringler of the city, father of Mrs. W. W. Dimond, who figures in the dispatch telling of the alleged elopement from Honolulu, smiled the story. He says his daughter left on the advice of physicians, came to San Francisco to recover from the effects of sickness brought on her by her husband. Divorce was brought suit for divorce at Honolulu to which she made answer making counter charges. She leaves today on the steamer Mariposa for Honolulu and will fight the case to the bitter end. She learned only on her arrival at San Francisco of the scandalous charges which she claims were instigated by her husband without cause. She came alone.

Spain's Premier Denies It.

MADRID, Jan. 15.—Senor Castillo the Spanish premier, in an interview absolutely denied that negotiations were proceeding between Spain and the United States on the subject of Cuba.

SAMOAN AFFICES.

Governor Thurston Dangerously Ill—Chief Justice Ide's Record.

SAN FRANCISCO, Jan. 15.—The Mowenula has arrived from Sydney brought the following Samoan advices: Sir John B. Thurston, governor of Fiji and high commissioner for the western Pacific, is at present dangerously ill and his recovery is doubtful. If the worst should happen his loss to the Pacific, and especially to British interests in the Pacific, will be almost irreparable as long experience amongst the islands has enabled him to acquire a good knowledge of the best methods of dealing with island matters.

Chief Justice Ide has carried out his intention of completing the hearing in connection with claims of lands in Samoa before the end of 1896. He has certainly made wonderful progress. He is particularly anxious to settle for the states and will leave Samoa with the proud record of being the only off ic who has given general satisfaction while in Samoa.

It is rumored here that Mr. Chamberlain, formerly United States land commissioner, is to be the next chief justice. The appointment of a new justice now that the land business is concluded is generally voted an absurdity.

President Schmidt leaves for Europe via the colonies on January 25th.

His administration in Samoa has not been a success but it is only fair to state that an official holding the position of president could hope for success here while the Berlin treaty remains in force.

Divorced.

CLEVELAND, O., Jan. 15.—The Monteux trios of Indiana, by their chief and king, Wyandank Pharoah, have been granted a decree of divorce by Judge Benjamin M. Reeves to bring suit against the Long Island Railway company for the recovery of Montauk Point. The king and five queens, the peninsula of Montauk, which consists of about 9,000 acres of land and now worth perhaps $500,000. The queens are not complaint but when up in New York lawyers are ready for service, but they have not been presented to Judge Reeves. The judge, however, has signified that he would probably give permission for the suit to be brought. The plaintiffs are direct descendants of the once famous and powerful tribe of Montauk Indians. The claim is that they have the right to inhabit the peninsula and to enjoy all the benefits to be derived therefrom. There are not more than ten full-blooded Indians left of the tribe, Wyandank Pharoah, now king, is a son of King David Pharoah, deceased, whose forefathers led the powerful Montauks against the tribes of Rhode Island, Connecticut and Massachusetts. The queens of Montauk now occupies a little hut in Freetown. She is very aged and is a genuine Indian squaw.

Returns for Cuba.

LONDON, Jan. 15.—A dispatch to the Pall Mall Gazette from Madrid says at a cabinet meeting just held, the queen regent presiding, it was agreed to introduce reforms in Cuba and a royal decree on the subject will be published on the king's fete day. It is said possibly Jose Sanguilly, the American recently sentenced at Havana to imprisonment, will be granted free pardon.

THE PACIFIC ROADS.

Gear's Bill Accepted By the Senate Committee.

IT PROVIDES FOR A COMMISSION

Of Cabinet Officials to Arrange For a Settlement—Senator Morgan's Amendment.

WASHINGTON, Jan. 15.—The Senate committee on Pacific railroads today by unanimous vote authorized a favorable report on Senator Gear's bill providing for a commission of cabinet officials to settle the indebtedness of the Pacific railroads to the government. An amendment suggested by Senator Morgan was adopted. It is as follows:

That said commissioners in making the settlement under this act shall reserve to Congress the right to regulate or prescribe the rates of tolls or charges for transportation of freights or passengers to be charged on any or all of the said railroads, and all other rights and powers in respect of said railroads and railroad companies, as they now exist.

Morgan gave his full assent to the bill as amended by him. He said he considered his own bill providing no basis of settlement preferable, but he had no objection to a commission.

Senator Gear will report the bill on Monday, but will make no effort to secure consideration until the House acts on a similar bill which it has under consideration. The senator is, however, very hopeful that the present bill will receive the approval of both houses.

THE HOUSE.

WASHINGTON, Jan. 15.—For several days Speaker Reed has been receiving members to call up small bills of local importance at the opening of each day's session. Today a number of such were passed.

A resolution of inquiry calling on the secretary of the interior for the reasons of his refusal to issue patents to lands sold by the Union Pacific in Utah was adopted.

Flatt Will Not Decline.

NEW YORK, Jan. 15.—Mr. Platt, who last night received the Republican caucus nomination for United States senator, was approached today by a reporter who questioned him as to the rumor that he would decline election.

"Nonsense," was the answer; "that's such rot that it is really not worth while answering it."

Election Contest.

WASHINGTON, Jan. 15.—The election contest in the third Louisiana district was decided by the house elections committee today in favor of Prime (Democrat) the sitting member. The committee concluded unanimously that Beattie was not entitled to a seat on the showing made.

Death's Harvest.

NEW YORK, Jan. 15.—John M. Cunningham of San Francisco died at this city today aged 55. His wife, whom he married in 1866, is a daughter of the late Nicholas Luning, one of the wealthiest citizens of San Francisco. Cunningham was president of the Cosmos club, San Francisco.

LONDON, Jan. 15.—Sir Travis Twiss, Q. C., D. C. L., F. R. S., is dead at the age of 85 years. He was an authority on international law.

Two of the Party Return.

LONDON, Jan. 15.—A dispatch from Brass, the Guinea coast, dated January 4th, announces that Captain Roberts and Calendar Officer Locke, two sta party headed by Consul Phillips, which was almost annihilated by natives of Benin City while on a peaceful mission to that district unarmed, have been rescued after wandering in the bush a week. Both were wounded. There is no hope of any other prisoners. Twenty native carriers have returned.

Minister Willis.

LOUISVILLE, Ky., Jan. 15.—Albert Sidney Willis, whose death at Honolulu has been announced, was born near Shelbyville, Ky., fifty-five years ago, and was the son of a well known physician.

In 1866 he graduated from the Louisville law school. In 1870 he was elected to the house, succeeding Henry Watterson. He became the favorite lieutenant of Carlisle and when Carlisle was elected Speaker he made Willis a member of the ways and harbors committee, which responsible position he capably filled. Willis served three terms in Congress. In 1893 he received an appointment as minister to Hawaii. He arrived in the island during the most critical moment of its history. In 1894 Willis married Miss Florence Baldney. They have one son, Albert S. Willis Jr., who is at Honolulu.

Business Failures.

NEW YORK, Jan. 15.—Doulan & Co. corporation dealers, have assigned to Edward Wantz. The company was incorporated in 1891 with a capital stock of $300,000.

YARMOUTH, N. S., Jan. 15.—The Dominion Savings bank of Yarmouth has been closed by order of the government. The accounts will be transferred to the Peoples Savings bank, a government institution, and the depositors will suffer no loss or inconvenience.

LOGAN, Ohio, Jan. 15. — Judge Wright today declared Columbus, Sandusky and Hocking Railway company insolvent. The liabilities are about $18,000,000.

LOGAN, Ohio, Jan. 15.—The action of Judge Wright today makes public what was evidently done two days ago when the judge made a conditional order appointing a receiver. He now confirms the order, the conditions not having been met which were to vacate the original order. The recent demoralization of the Hocking coal traffic has much to do with immediate embarrassment of the road. Receiver Paxton's bond was fixed at $50,000.

Sherman Calls on McKinley.

CANTON, Ohio, Jan. 15.—Senator Sherman at 1:ed this morning and was driven directly to McKinley's house.

CANTON, Ohio, Jan. 15.—Ex-governor John D. Long of Massachusetts whose name has been used in the recent cabinet gossip, came down from Cleveland this afternoon and joined Senator Sherman and Senator Burrows in conference with Major McKinley. That important matters are under consideration is very evident, but authoritative information probably will not be given for some little time.

CANTON, Ohio, Jan. 15.—John Milholland of New York reached this city this afternoon and will confer with McKinley.

IDAHO'S VOTE FOR SENATOR

The Populists Break Away from Judge Claggett.

Crook Gets Twenty-nine Votes and Claggett Twenty-six—Two Ballots Today.

BOISE, Ida., Jan. 15.—The Populists today broke away from Judge Claggett. Twenty-four of their votes were thrown to A. J. Crook. Five Democrats also voted for Crook, making his total 29. Ballots got 28. Two ballots were taken, Crook getting 28 on the second. On the other the votes were scattered.

Hanged for Murder.

NAPA, Cal., Jan. 15.—Ross was hanged today for the murder of Mrs. John L. Greenwood on February 9, 1891.

A Big Blaze.

KANSAS CITY, Jan. 15.—A special to the Star from Milan, Mo., says: Nearly the whole block of brick buildings on the city square, including the opera house, was burned early this morning entailing an aggregate loss of $71,400, distributed among fifteen firms.

Sherman Accepts the State Portfolio.

CANTON, Ohio, Jan. 15.—Senator Sherman went east at 1:05. At the station he said in answer to a question as to his representative: "I have accepted the state portfolio."

NOT A POPULAR PRELATE

Protest Against the Confirmation of The Archbishop of Canterbury.

LONDON, Jan. 15.—During the ceremony at St. Marylebone today, confirming the election of Dr. Mendill Creighton as bishop of London in succession of Dr. Temple, now archbishop of Canterbury, John Kensitt, a layman, read a protest against Creighton's election on the ground of the prelate's desire to "Unite the divers reformations by introducing the trinkets of Rome." He asked the latter had been mistaken in the promises made at his ordination to drive all erroneous doctrines and punish "disobedient clergy who are trying to introduce Romish practices." The vicar general refused to listen to the protest and Kensitt protested again, twice asking why the vicar general did not call upon objectors to come forward and why he did not hear them. This called forth applause and the stamping of feet, mingled with cries of "hear, hear," and counter cries of "Remember this is a church," etc. Kensitt and friends distributed copies of the protest among those present.

THE CAREW TRIAL

Popular Sympathy With the Suspected Governess.

YOKOHAMA, Jan. 15.—H. Y. Dickinson, agent of the Pacific Mail Steamship bank, the alleged paramour of Mrs. Walter Raymond Hallowell-Carew, charged with the murder of her husband by the administration of arsenic, was called today by the prosecution. He testified that Mrs. Carew deceived him in alleging brutality upon her husband's part.

The general public is in sympathy with Mary Jacob, the governess of the Carew family, arrested on suspicion of being concerned in the murder. A popular subscription has been opened to defray the expenses of her defense.

The Nicaragua Canal Bill.

WASHINGTON, Jan. 15.—The Republican steering committee has decided to give the Nicaragua canal bill the first place on the Senate order of business.

President of Ecuador.

PERU, via Galveston, Jan. 15.—General Mariscalo Alfaro has been elected constitutional president of Ecuador by 83 votes.

The Silver Question.

WASHINGTON, Jan. 15.—The adjourned Republican senatorial caucus did not result in any changes today in the bill for the international monetary conference as drafted. It was stated there had been some interchange of views with the Democratic senators, some of whom expressed the opinion that the word "unlimited," as well as the word "free," should be used in describing the coinage which should result from the conference as proposed; would be called to secure, but the caucus decided not to make the addition. It was stated that the language employed in the precisely the language used in legislation providing for four previous conferences. Senator Chandler interviews was authorized to introduce the resolution prepared by the caucus committee which he probably will do on Monday as Senator Wolcott's representative.

Pacific Cable Company.

WASHINGTON, Jan. 15.—The cable project was considered again today by the House committee on appropriations which listened to a statement by General Swaine in behalf of the Pacific Cable company, New Jersey, which he is associated with, Col. Spalding, of Honolulu, D. Ogden Mills, James Hill, Abraham S. Hewitt and other capitalists. General Swaine urged the House committee to recommend the Senate bill, which authorizes the postmaster general to contract for a cable from the Pacific coast to Japan by way of the Hawaiian Islands, with an annual subsidy not to exceed $100,000. A bill has been reported to the House for a subsidy of $100,000 a year to the Pacific Cable company of New York in which Col. Spalding and J. Pierpont Morgan are interested. The London conference which decided upon the project of a British cable from Vancouver to Japan by way of Australia and Honolulu, General Swaine said, encouraged the success of the American enterprise, unless immediate steps be taken by Congress. He urged the House to adopt a plan which would secure competition or a subsidy, believing that no bill giving a subsidy to a particular company would succeed, while it was known that other responsible parties desired to bid.

Drilling on an Ice Floe.

MILWAUKEE, Jan. 15.—A special to the Wisconsin from Marinette, Wis., says: There are between thirty and forty fishermen on an ice floe moving out into the lake. At 12:30 p. m. a strong gale sprung up and the ice in the bay suddenly with the wind began to move out. Within ten minutes there was a wide space between the ice and the shore. The fishermen were soon driven out into the fast moving the signalling for help. At 2 o'clock two boats were manned and an attempt will be made to sail with the wind and reach the moving ice.

The Yaw Concert.

There was a big rush for seats at the opening of the Yaw sale this morning. It is expected that the Governor and Legislature will attend, and Prof. McClellan has decided to hold no session of the Choral society in honor of the event, as all singers in the town will want to hear the famous song bird.

Arrangements are being made for excursion rates from Ogden via the Union Pacific holders of tickets to return after the concert. The Union Pacific will also make special rates to those desiring to come from Logan and other points.

A Saloon Fight.

On Tuesday last R. S. Casey went into the Utah Liquor House and commenced shaking dice. While doing so William Hearst stepped up and interfered with the gentleman. The precipitated a fight in which the former was thrown over a whisky keg and otherwise illtreated. It is said that in the melee Casey pulled out a revolver. The latter has been arrested and on Monday next at 2 p. m., will be tried before Justice Wenger for assault and battery.

THE GREEN BAG.

A colorful commission has been issued to A. C. Sadler of Salt Lake county.

Nik Knauf, a native of Germany, was today admitted to citizenship in Judge Charry's court.

In the case of W. S. McCarnick vs. Fred Simon et al, Emil Jennitt was yesterday given leave to intervene.

W. J. Callaway has entered suit against Alvah and Katherine L. Lewis for $200 on a promissory note secured by mortgage.

The hearing of the case of Charles Mader, appellant, vs Taylor, Romney and Armstrong company and the Salt Lake Building and Manufacturing company, was set for Jan 20th in the Supreme court.

Suit has been entered in the Third district court by S. Hays, guardian of the estate of Sarah Ellis Cavanaugh, against Jacob Jacobs and Alice Rhoads for the recovery of $1,200 claimed to be due on a promissory note secured by mortgage.

In the Third district court yesterday afternoon the case of Ellen Ann Henry Wagener Brewing company were foreclosed by decree and judgment entered by Judge Norrell. C. Diehl was awarded $12,745.50 and $500 attorneys fee, and the National bank of the Republic $18,302.33.

MINOR MENTION.

D. T. Reddick, a colored Pullman porter, made an assault on Private Rockwell of the Twenty-fourth infantry yesterday afternoon and was arrested at the instigation of the latter. The case will come up in police court tomorrow on next Tuesday. Meanwhile he enjoys his freedom on a $25 bond.

William Shields, a wealthy Idaho miner, who lived on an island in Snake river about four miles southwest of Rupert, was found dead on the ice Sunday afternoon near his cabin. Shields indulged in mining during the summer and in the winter in trapping. It is said that he supposed he was kicked to death by a horse.

HOTEL ARRIVALS.

Cullen—G. C. Bettles, A. J. Bettles, Anaconda, Mont.; Mrs. Ed Frick, Denver, Colo.; E. Billiard, Audubon, Iowa; John Seaman, Ogden; J. W. Carpenter, C. R. Pack, Kansas.

Walker—H. Jacobson, San Francisco; Mr. and Mrs. F. E. Connor, Cripple Creek, Colo.; W. R. Burton, Mercur; W. H. Dunbar, Ogden; Mr. and Mrs. M. Roberts, Pocatello; J. Gilbert, Bonnet, South Omaha; Shook Lunt, Nephi; Miss Jacobs, Butte City.

Templeton—Thomas Ennis and wife, Robert Hayes, Portland, Ore.; George W. Healy Chicago; H. S. Young, city; H. C. Foster, St. Louis; C. Well, Chicago; J. W. Hewin, Omaha.

Knutsford—George E. Amos, San Francisco; M. Salisbury, California; Dr. H. J. McDonald and wife, Anaconda, Mont.; J. M. Murray, Butte, Mont.; J. M. Merrill, Butte, Mont.; F. Hart, L. W. Shurtliff, Ogden; Frank W. Taylor, Denver; Thomas Vanfeudel and companion, New York; J. A. Lewis, W. F. Calloway, Denver.

DEFINES THE LAW.

County Commissioners Must Pay the County Attorney's Substitute,

ALSO THE TRAVELING EXPENSES

To Various Parts of His County in Prosecuting Cases—An Opinion by the Attorney General.

Answering a query from John M. Hanson, Esq., county attorney of Millard, Attorney General Bishop today handed down the following opinion which says the law provides for the payment by the county commissioners of a substitute for the county attorney when that official is unable to attend cases; also that all traveling expenses must be paid by the county. The opinion in full is as follows:

I have before me your favor of the 25th inst. in which you ask to be advised, first, whether under the law it would be proper for the county commissioners to allow a claim of the county attorney to reimburse him for the amounts expended by him in traveling to the various precincts in his county in the discharge of his official duties.

Second. Should the county attorney fail for good cause to attend and prosecute a case in the justice's court and such case require a prosecutor for the State who performs the duties imposed upon the county attorney, and who presents a reasonable claim against the county therefor, is such claim a legal charge?

Answering your first question, I beg to refer you to subdivision 2 of section 105 of the county government bill found on page 579 of the laws of 1896 as follows: "The necessary expenses of the county attorney incurred in the criminal cases arising in the county and all other expenses necessarily incurred by him in the prosecution of criminal cases." And also subdivision 2 of section 118 of the same act found on page 354 of the laws of 1896 as follows: "The county attorney * * * * shall make itemized statements before the proper magistrate for the arrest of persons charged with or reasonably suspected of any public offense when he has information that any such offense has been committed, and for that purpose must attend in person or by deputy upon the examination in cases of arrest when required by them."

From the last section it will be observed that it is made the duty of the county attorney to attend in person or by deputy upon the magistrates in all criminal prosecutions of persons charged with or reasonably suspected of a public offense, so that there can be no doubt as to its being the duty of the county attorney to prosecute such cases.

Subdivision 2 of section 105 above quoted expressly provides that the necessary expenses of the county attorney in such cases shall be paid by the county. What are necessary expenses, or expenses necessarily incurred in such cases, would be a question to be determined by the county commissioners. If they should find that the items of the bills presented come within the law, it would be proper to allow the bill and to order a warrant drawn upon the county treasurer for its payment.

As to your second proposition, I beg to refer you section 10 of article 8 of the Constitution, which provides "In all cases where the attorney for any county, or for the State, fails or refuses to attend and prosecute according to law, the court shall have power to appoint an attorney to prosecute."

I would also call your attention to section 10 of chapter 124 of the laws of 1896, which provides: "The salaries named in this act in lieu of fees officers shall be full compensation for all services of every kind and description required by the officers named herein (this includes county attorney) provided: That if in the judgment of the board of county commissioners the duties of any office named can be discharged by the principal, then the said board of county commissioners may allow such officer a deputy or such number of deputies as they may deem necessary, and deputies shall be a county charge."

It clearly appears in this section to be the duty of the county commissioners, when it shall be found that the business of the office of county attorney cannot be dispatched by the principal alone, to allow him to employ the needed assistance. If the county attorney should find, that for good cause he would be unable to attend and prosecute a case in person, he would be his duty to notify the county commissioners to that effect, in which case they would be empowered to appoint an attorney to prosecute.

But in order that the course of justice may not be interrupted, I am of opinion that paragraph 10 of article 8 of the Constitution, above quoted would be sufficiently broad to authorize the court to appoint an attorney pro tempore, who would perform the duties of the county attorney, when required by the court, in the pursuit of offenders and prosecute. And under these circumstances I am of opinion that the county would be liable for a reasonable compensation for the services of the attorney so appointed.

Wells Won the Prize.

NEWS has been received from the Cornell University at Ithaca, N. Y., telling of the success achieved by Daniel Hanmer Wells of this city, who won the '84 memorial prize in the annual debating contest and was chosen to represent Ithaca in the fourth annual debate with the Pennsylvania University. The winner is a nephew of Governor Wells, and the success achieved has placed Utah students in the front rank among those of Cornell.