

# THE EVENING NEWS.

PUBLISHED DAILY, SUNDAYS EXCEPTED,  
AT FOUR O'CLOCK.

Wednesday, Oct. 14, 1897.

DAVID O. CALDER,  
EDITOR AND PUBLISHER.

## NEWS OF THE DAY.

The ex-king of Hanover is trying to get back his property, confiscated by Prussia.

The Independent Citizens' Association, a German political organization in New York City, has nominated Alderman Ottendorfer for mayor.

Democratic gains are reported from a number of places in yesterday's elections.

Carlism seems to be on the decline in Spain; one city is in a state of insurrection against the Don, and several others have hoisted the white flag and advised the troops to lay down their arms; it is also stated that one of the principal Carlism generals has gone over to the republicans, taking eight hundred troops with him.

Ex-U. S. Senator Cattell is to be assigned duty in London, to negotiate a new loan.

Resigned of Alabama has resigned his position of U. S. Judge for the State.

About two hundred delegates are in attendance at the republican convention at Chattanooga.

A small Turkish town is reported to have been totally destroyed by fire.

The French steamer *Oreogone*, which has been stationed for a number of years at Santa Ynez, is to be used as a refuge for the Pope, in case of need, has been ordered to Toulon.

The Count von Arnim has been moved from prison to a charity hospital.

The radicals of Birmingham had a somewhat disorderly meeting last night, the object being to protest against the waste of the public money in illuminating the town during an expected visit of the Prince of Wales.

The whole republican ticket is said to be elected in Nebraska by a large majority.

Heavy frosts have destroyed most of the tobacco crop in Kentucky and northern Tennessee, and the price of the noxious weed is advancing.

The latest election returns from Ohio say the State has gone democratic by from ten to fifteen thousand majority.

The American Woman Suffrage Association commenced its annual session at Detroit, yesterday.

In answer to an address by McEnery, published to-day, Gov. Kellogg says he would be willing to have the returns of the election of 1872 examined by three or five impartial persons, and if it were found that he was elected he would willingly resign.

Another case of suicide in San Francisco—the son of a wealthy banker at Moscow, Russia, poisoned himself.

An affray on board a steamer, in the harbor of San Francisco, this morning, a man named Stirling caused the instant death of another named Fogarty, by stabbing him to the heart.

Numbers of Cubans have left New York for the rendezvous of the patriots in Venezuela.

Mr. Barnes of the Brooklyn *Argus* has been indicted for libeling H. C. Bowen.

Claims for damages arising from the present war in Cuba are being presented by American citizens, to a commission appointed to adjudicate the same.

According to the Chicago *Tribune* eight opposition and five republican congressmen were elected in Indiana yesterday. In Iowa the vote was tight, but there was a large republican majority.

The Democrats of Ohio claim that they have elected fourteen out of the twenty congressmen from that state.

The Prussian judicial authorities have refused a million dollars bail in von Arnim's case.

A Rio Janeiro dispatch reports several killed and wounded in a conflict between Brazilians and Portuguese.

At the annual meeting of the stockholders of the W. C. Telegraph Company, to-day, the old board of directors was retained, with the exception of E. Cornell, C. W. Field and H. Sibley.

The Governor of Pennsylvania has issued warrants for the execution of three murderers on the 12th of next month.

## NEWS NOTES.

Arabella Goddard was wrecked on the coast of Queensland, and lost her grand piano.

The Missouri *Democrat* asks, "Shall we have an election called in St. Louis to elect a 'funding'?" That question might have been asked in Tooele county, Utah.

Twenty-five cents per dozen is all the poor women and girls receive for making the fancy scarfs and ties worn by the rich and boys, and for which they have to pay from twenty-five cents to dollars apiece.

A woman forty-five years old died in an insane asylum at Edinburgh after having been confined to her bed for five years. After her death it was found that her bones had become soft and light, and had in fact almost disappeared. She suffered no pain.

Rosette W. Raymond, in a letter to the Brooklyn *Argus*, explains that the term "black-birding" simply means keeping home troubles secret, and says shame on the black-guard who can fish from the obscene abyss of his own consciousness a criminal significance for such a word and such a thing.

A correspondent of the *Graphic*, bent on investigating the "Buddy" ghost-story, in Chittenden, Vermont, has met with a very strange and "materialized" spirit. The height of those seen on a single evening varied from four feet to six feet three inches, and "Buddy," the noted Indian spirit, on being weighed four times successively, turned the scale at 38, 35, 33 and 33 pounds respectively.

All the engines on this and the Humboldt Division are rapped in mourning, out of respect for the memory of Smith and Greator, the two engineers who were killed last week. The deepest gloom is cast over the entire railroad fraternity. Both engineers stood high in the esteem of the officers and employees with whom they mingled. Each leaves a wife and a child.

A young Briton lately lost a large sum by betting on spiders. He was gazed that a spider which he would produce would out-guess a spider that a spider to be produced by spiders. Each spider to have its own plate. His spider, however, out-guessed the other, and while his rival sat with its mouth open, the bet was consequently lost, and the loser found out the reason why his friend had lost. The excitement over this bet

animal, supposed now to be a lion, escaped from some menagerie, still continues in Benton county, Ind. At last accounts it had taken refuge in Pariah Grove, which covers an area of six hundred acres, and is thick with underbrush and tree tops, since the saw-mill was established there. The weeds on the edge of the grove are higher than a man's head, and make a good hiding place. One man recently on the hunt of the animal, had a fair chance to shoot him, but his nerve failed him, and he turned and ran. The excitement is high in the neighborhood of Pariah, and all sorts of extravagant stories are afloat. One, however, which is credited by those living near it, is that a herder saw the beast lately creeping toward his little son, who had been helping to herd and had got off his horse and laid down on the grass. He hastened forward in time to save the boy from destruction, and was close enough to have shot the animal had he been provided with a gun.

## MORE EXCESSIVE BAIL.

Now it is a U. S. commissioner who is asking excessive bail. Yesterday two citizens, Shaw and Cushing, were examined before Commissioner Tooley on a charge of resisting U. S. officers, and were held in \$5,000 bail each to answer to the District Court.

The full penalty prescribed by law for this offense is imprisonment not exceeding twelve months, and fine of not more than three hundred dollars. Full penalty can only be consistently inflicted when the offense is one of peculiar aggravation, such as when the provocation comes wholly from the resister, or when the act of resistance is of an uncommonly brutal or otherwise flagrant character.

Neither of these qualifications entered into the case in question, so far as we are informed. The unpleasantness commenced with the unnecessary rudeness and insolence of the deputy marshal, Pratt, whose sole business was to serve a summons or subpoena upon President D. Young to appear before the grand jury as a witness. A witness is not a criminal, nor a person charged with crime. He is a citizen, presumably, at least, an honorable citizen, whose presence is simply required in court, as a friend of law and justice, to testify what he may know concerning certain matters charged as offenses committed by some other person or persons.

The serving of a summons upon a citizen as a witness therefore is especially an official service that should be performed civilly, courteously, and respectfully. But this was not the case in the present instance. The deputy is represented as acting in an impudent and insolent manner, and in this he exceeded his duty. He demanded to see President Young, and upon being told that he was sick in bed and could not be seen, yet if the deputy could call again shortly President Young's private secretary would be in and would attend to the business, and after a little more insolence the deputy went away without serving the summons. Now the duty of the deputy, according to U. S. laws, did not require him to see President Young, and his demand to see him and the accompanying rudeness were entirely gratuitous, and the rudeness was exceeding his duty.

The deputy retired, but returned with the marshal and the gatekeeper, probably supposing they designed to force an entrance to the presence of the President, refused them admittance and a scuffle ensued, and the gatekeeper was carried away prisoner.

If the deputy had properly presented his business, as he was in duty bound, he need not have insisted upon seeing the person summoned, but could have left the summons at his house, and properly explained his errand, which would have been all-sufficient for him as a United States officer.

The marshal with several deputies returned, and the subpoena was served upon the President, not directly and personally by the marshal or a deputy, but by the intervention of a third person, thus showing that the marshals admitted that personal service by an officer was not essential. Therefore, why was it offensively insisted on at first? Indeed the marshal himself disclaimed any desire to push himself into the presence of the person subpoenaed. If the deputy had shown as much sense at the beginning, there would have been no unpleasantness.

The marshal is pretty well known to be a profane gentleman, and while on the premises is said to have indulged in profanity, which his duty did not require him to do, and therefore in doing which he exceeded his duty. Now the law does not render it imperative upon any man to have profane language hurled at him, even by an officer of the law, and especially upon the premises of another citizen. It appears Mr. Cushing was indignant at this official profanity and gave the marshal a push to remind him that he was in a place where profanity was not acceptable. This was not resisting the marshal in the execution of his duty, for it had nothing to do with his duty. No possible stretch of duty in a U. S. official requires him to use profane language anywhere, especially upon another man's premises. Besides it was an infraction of a city ordinance, as will appear by the following, which we publish for the benefit of the marshal and his deputies, to do with his duty. No possible stretch of duty in a U. S. official requires him to use profane language anywhere, especially upon another man's premises. Besides it was an infraction of a city ordinance, as will appear by the following, which we publish for the benefit of the marshal and his deputies, to do with his duty.

Now in regard to existing to an assault, and the probability of the marshal's going to have done the two persons charged with resisting them, said another city ordinance, which we publish for the benefit of the marshal and his deputies, to do with his duty. No possible stretch of duty in a U. S. official requires him to use profane language anywhere, especially upon another man's premises. Besides it was an infraction of a city ordinance, as will appear by the following, which we publish for the benefit of the marshal and his deputies, to do with his duty.

lars, or imprisonment not exceeding two months, or both, at the discretion of the court.

Now it appears that Marshal and deputy made themselves liable under one or not both these ordinances, and in all this they exceeded their duty under the United States laws. The gentlemen of the law will tell us that a man may forcibly oppose even a person in authority "if in certain cases he abuse such authority, and do more than he was authorized to do," which it appears these officials did.

Under these strong provocations, then, Commissioner Tooley must be considered as asking excessive bail, for if the Court should subsequently find the two persons guilty, it would be under the extenuating circumstances of strong and wilful provocation on the part of the officers, and therefore anything more than a very light sentence, if any at all, would be entirely unreasonable and a cover of vindictiveness.

THE TWO HORNS.—They must be a sadly indifferent lot in the South, to have only two horns, and those excessively sharp ones, and their dilemma. At the now sitting Southern Republican Convention at Chattanooga, Gov. Brooks, of Arkansas, is represented as saying he preferred a government of thieves to one of murderers, intimating that if the republicans and carpet-baggers were thieves, the opposing party were murderers.

If the Governor's views of the situation and the political choice in that part of the Union is correct, the people are to be heartily pitied.

THE YELLOW FEVER.—The yellow fever must be very bad in the South, judging from the following from a private letter from Warrington, near the Peninsula (Fla.) navy yard, and published in a Washington paper—

"The fever has not abated yet. Three Sisters of Charity died last night. There are six officers down with the fever. I have been here and we were spared. This suspense is perfectly terrible. No one seems to escape, as the people who have had it before and everything it is frightfully loathsome; almost everybody is dead."

INDICTING THE U. P. R. R.—In the United States District Court of Iowa on Tuesday, Oct. 6, the grand jury found four bills of indictment against the president, superintendent and directors of the Union Pacific Railroad for failing and refusing to operate the Union Pacific Railroad from last eastern terminus at Council Bluffs for all purposes of communication, travel and transportation, so far as the government and public are concerned, as one continuous line.

LET LOOSE THE DOGS.—The municipal authorities of New York City have repealed the dog ordinance of the early part of the summer. The dog pound is closed, and the mission of the dog catcher comes to an end. Seven thousand of the canine tribe have been municipally sent to their long homes this pleasant season. What a heap of sewage meat!

Howe delivered the annual address, after which the report of the executive committee was read by Mrs. Lucy Stone Blackwell. These papers briefly review the progress made during the past year towards obtaining the object of the association, and the conclusion is that public sentiment is advancing in favor of civil rights for women. Various reports were read from a number of letters were read from distinguished men and women, among whom were Judge Kingman, of Wyoming, Bishop Haver, of West, of Ohio, Elizabeth Stuart Phelps, of N. Y., Julian, of Indiana, and others. In the evening a public meeting was held, which was addressed by Mrs. Howe, Mrs. Livermore, Miss Eastman and others.

THE DEMOCRACY TRIUMPH IN OHIO.—CINCINNATI, Ohio, 14.—From very full returns from all parts of Ohio, received during the night, it is evident that the State has gone democratic by from ten to fifteen thousand majority.

Further returns, received up to nine o'clock this morning, do not change the status of last night's dispatches, the indications being that the democrats elect twelve of the twenty congressmen. The additional democratic congressmen are expected to be Service in the 3rd district, McMahon in the 4th, Hurd in the 5th, Poppleton in the 9th, Zevay in the 10th, and Payne in the 20th. The *Enquirer*, editorially says—"For this triumph we are indebted not alone to the democratic party, but to the aid of men who heretofore have been its opponents. This election means opposition to the national bank monopoly, that the volume of the currency should be enlarged, and tariff for revenue only. The State of Ohio, on the platform of republicanism, inflation, anti-temperance and general soundness the democratic party have carried Ohio by a decided majority, and elected eleven of the twenty congressmen."

Reasonable and Honorable Talk.—NEW ORLEANS, 14.—McEnery, in an address published to-day, renews the proposition made by him in a letter to the *Enquirer* in July, 72, to submit the election returns of '72 to be canvassed by five persons, two to be selected by each party, and they to select a fifth, all to abide by the result of such a canvass; Kellogg replies, saying that he made a similar proposition before the returns had been canvassed at all, but this proposition Governor Warmoth declined. Kellogg says further, "I can now, of course, only speak for myself, but I would even now be willing that the returns, though they have been nearly two years in the hands of the spoilers, should be admitted to an examination of three-five disinterested persons, to be appointed, say by the President of the United States and after a thorough investigation, if it does not appear that I was elected I will willingly resign."

DEMOCRATS JOYFUL.—COLUMBUS, O., 14.—Sufficient returns have been received to show beyond doubt, that the State has gone Democratic by from 7,000 to 10,000. The Democratic State executive committee are positive of the election of the following Democratic congressmen: Banning in the 1st district, Raylor 2d, McMahon 4th, Rice 5th, Hurd 9th, Neal 10th, Yarnall 11th, Walling 12th, Southard 13th, Cowan 14th, Payne 20th, and the probable election of Wilson in the 17th, Poppleton in the 9th and Deney in the 10th. The republicans claim the election of Smith in the 3rd district, Lawrence in the 5th, Posner in the 10th, and the election of 18th, Monroe 18th, and Garfield 19th. If the democratic claims are sustained by official returns the democrats will have elected four congressmen, which gives fourteen out of twenty congressmen from Ohio, a result which exceeds the most sanguine democratic expectations.

DEMOCRATIC GAINS.—INDIANAPOLIS, 14.—The returns from seventy-five precincts show that the democrats have gained 678. The Republican Central committee concede the election of the entire Democratic ticket. The democrats will not concede a majority in the legislature. The present indications are that the Congressional delegation will stand as follows: 1st district, Hickman, rep.; 2nd, Williams, dem.; 3rd, Kerr, dem.; 4th, New, dem.; 5th, Holman, dem.; 6th, Rogers, rep.; 7th, doubtful; 8th, Hunter, rep.; 9th, doubtful; 10th, Calkins, rep.; 11th, Evans, rep.; 12th, Hamilton, dem.; 13th, Baker, rep.; Indiana goes dem.

MURDERERS TO BE EXECUTED.—HARTFORD, 14.—Gov. Hart has issued warrants for the execution of Wm. E. Underwood, Danl. Omara, and Patrick Irwin, on November twelfth.

WESTERN.—Another Suicide—Murder.—SAN FRANCISCO, 14.—A. L. Butler, son of a wealthy Russian banker, Moscow, killed himself here; it is believed that he took poison. He left a letter declaring his purpose to commit suicide, business reasons are supposed to be the cause. Butler had married a young girl, and had a child.

Our Country Contemporaries.—Ogden Journal, Oct. 12.—Late last evening the inhabitants of the lower portion of the city were startled by a report similar to that of a cannon, and many greatly wondered what it was. It has since transpired that a car driven by a man filled with gunpowder with a fuse attached had been hurled near the U. P. freight house and the torpedo exploded, killing a man and wounding several others.

Z. C. M. I. Retail Grocery and Hardware Department, has on hand the largest, most complete and varied stock of merchandise in the above line ever brought to Utah, consisting of staple and fancy groceries, hardware, glass, wooden and Queensware, stoves, sheet iron and tinware, sporting, mining and blasting powders, fuse in lots to suit purchasers, mining supplies, camp outfits, counter and other scales, accurate and durable, drop and buck shot, balls and bar lead, rifles, shot guns and derringers, of approved patterns.

WEATHER REPORT.  
DAILY BULLETIN.  
War Department, Signal Service of United States Army, Division of Telegrams and Reports for the Benefit of Commerce and Agriculture, Meteorological record, Wednesday, October 14th, 1897.  
5:15 A.M.

PLACE OF OBSERVATION.	Height of Barometer.	Direction and Force of Wind.	Relative Humidity.	Direction and Force of Surface Wind.	Direction and Force of Upper Wind.	State of Weather.
Salt Lake City	30.1	W. 10	75	W. 10	W. 10	clear
Cheyenne	30.1	W. 10	75	W. 10	W. 10	clear
Denver	30.1	W. 10	75	W. 10	W. 10	clear
North Platte	30.1	W. 10	75	W. 10	W. 10	clear
Omaha	30.1	W. 10	75	W. 10	W. 10	clear
Portland, Ore.	30.1	W. 10	75	W. 10	W. 10	clear
San Diego	30.1	W. 10	75	W. 10	W. 10	clear
San Francisco	30.1	W. 10	75	W. 10	W. 10	clear
Santa Fe, N. M.	30.1	W. 10	75	W. 10	W. 10	clear
Virginia City	30.1	W. 10	75	W. 10	W. 10	clear

RAILROAD FREIGHT TRAFFIC	
During September, 1897.	
UTAH CENTRAL.	
INWARD.	
	Tons. Lbs.
Building Material	120
Crude Petroleum	170 210
Coke	80 120
Coal	100 120
Fire Clay	50 100
Iron Ore	25 50
Lumber	57 122 1/2
Live Stock	10 120
Merchandise	120 180
Iron	51 200
Merchandise	10 120
Railroad Material	20 60
Sundries	30 100
Wagon	45 80
Total	597 658

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Wagon	45 80
Total	597 658

UTAH SOUTHERN.	
INWARD.	
	Tons. Lbs.
Crude Petroleum	1454 708
Coke	80 120
Coal	100 120
Fire Clay	50 100
Iron Ore	25 50
Lumber	57 122 1/2
Live Stock	10 120
Merchandise	120 180
Iron	51 200
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DIED.	
At Almas, near Evanston, Sept. 14, of lung disease, CATHERINE, wife of Thomas Secor, aged 52 years, a native of England. Deceased was formerly of Dunfermline. She died a faithful Latter-day Saint.— <i>Con. Millennium Star</i> , please copy.	

TO THE PUBLIC.	
We desire to inform the public that we have now on hand a full and complete stock of Fall Clothing, Gent's Furnishing Goods, Hats, etc. The Clothing Department is supplied from our own manufactory in New York, which enables us to sell from 10 to 15 per cent. less than any other house in this city. We are constant in receipt of the latest styles and patterns, and purchasers will find it to their advantage to examine our goods and prices before purchasing elsewhere. 424 1/2 L. GOLDBERG & CO.	

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**MERCHANDISE**

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The Assortment consists, in part, of

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Shelf and other Hardware.  
Glass, Wooden and Queensware.  
Stoves, Sheet Iron and Tinware.  
Sporting, Mining and Blasting Powders.  
Fuse in lots to suit purchasers.  
Mining Supplies, Camp Outfits, &c.  
Counter and other Scales, accurate and durable.  
Drop and Buck Shot, Balls and Bar Lead.  
Rifles, Shot Guns and Derringers, of approved patterns.

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W. H. HOOPER, Supt.

**THE ONLY PLACE TO BUY**

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**WALKER BROS.**

**THIS OLD AND RELIABLE FIRM HAVE RECEIVED THIS FALL THE**

**Largest and Best Assorted Stock**

**OF**

**GENERAL MERCHANDISE**

**EVER BROUGHT TO THE TERRITORY,**

**AND ARE SELLING AT**

**EXTREMELY LOW PRICES!**

**DRESS GOODS**

**At Half Price.**

**RIBBONS AND HOSIERY**

**fine M to A SPECIALTY.**

**CARPETS! CARPETS!**

**KENTUCKY BLOOD.**

**WE HAVE AT HON. L. FARRS, OGDEN CITY,**

**Over SEVENTY "Short-horn" (Durham) Bulls and Heifers.**

Thoroughbred, just imported from Kentucky, all young, rods and roans, will do well as brood sows, and are well adapted to the Utah climate. For sale at \$75 each, as are sold in Kentucky.

**PETER SAXE & SONS.**

Salt Lake City, Utah, Sept. 16, 1897.

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**AM CONTINUING TO PURCHASE**

**Wool for the manufacture of**

**Woolen Goods.**

And for the best accommodation of my customers, I have opened a branch at the north side of the Government House, Salt Lake City, where I will receive and store all kinds of wool, and will be pleased to receive orders for the same. I will also receive orders for the manufacture of woolen goods, and will be pleased to receive orders for the same. I will also receive orders for the manufacture of woolen goods, and will be pleased to receive orders for the same.

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