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 249 TUESDAY, SEPTEMBER 17, 1895. SALT LAKE CITY, UTAH. VOL. XXVIII.

SCORED BRIGHAM

Merritt Says U. S. Marshal Acted With Bad Grace.

MARSHAL SAYS HE DIDN'T.

Is the Contempt Proceedings Are Dismissed

WITH A WARNING FOR THE FUTURE

He Whitemore Working With Considerable Zeal Which Sometimes Goes Too Fast, Says the Judge.

There was a big crowd in attendance at court this morning, when Judge Merritt called up the contempt proceedings against U. S. Marshal Brigham and County Attorney Whitemore.

Attorney Day stated that he wished to take testimony on the subject, and Mr. Williams, for the U. S. marshal, objected till the answer of Mr. Brigham could be heard. This answer was to the effect that when Judge Merritt spoke to him, advising that Mr. Day be allowed to consult with his client, Mr. Hayden, Mr. Day was granted such privilege within half an hour. Mr. Brigham said he did not understand Judge Merritt's statement as an order of court, but as advice, which he accepted, although he had not consulted with Assistant U. S. Attorney Howat. He had no intention of contempt of court in his action.

Mr. Day—We now call Mr. Whitemore.

Mr. Howat—He is now drawing his power.

Judge Merritt—Mr. Whitemore does not run this court.

Mr. Howat—He will be here shortly.

Mr. Williams insisted that there had been no order of court which could be imposed by the U. S. marshal and Mr. Whitemore, therefore there could be no contempt of court. Even if there had been a regular order in the matter, the action of the marshal was not contempt. The marshal had listened to the court's advice, had consulted with the assistant U. S. attorney, and within 20 minutes had sent the message to Mr. Day that he was at his office ready to see his client.

During these remarks County Attorney Whitemore came in with his power, which states that he understand such will understands that his advice to the marshal not to allow anyone, even an attorney, to see Mr. Hayden until he was first brought into court is in conformity with the law; such is the order of the court, he took the same view as did Marshal Brigham.

Mr. Day then said that he regarded the action of the marshal as the greatest mistake—in an official of which the speaker was aware; he also was that of Mr. Whitemore. A mistake—hinder in office or violation or neglect of duty is contempt of court. Here was an example of the greatest mistake of which Marshal Brigham could be guilty. He had kept a man for hours without counsel, although pleaded with to grant the right. Mr. Hayden had been searched, his private property taken, and all without a warrant being read or presented to him. He tendered money to send for his counsel, but they would not send. The attorney himself pleaded for an interview, but it was refused. Then the chief justice himself interested the officer, but the marshal held himself above all courts. If granted the privilege, Mr. Day said he would produce evidence that would shock the court and all else.

F. L. Williams quietly remarked that an explosion of eloquence and anger on the part of the attorney had made no statement of facts showing contempt. This whole proceeding was absurd, ridiculous. Because Marshal Brigham would not turn the attorney out of bed at 4 o'clock in the morning, he is accused of contempt of court. This merely emphasizes the ridiculous features of this proposition. The marshal has some discretion in this matter. If there was any blame to be laid on which the charge of contempt, Mr. Williams was ready to have it brought out; but on the face of the statements it was evident that there had been no contempt.

Mr. Day again made the statement that Marshal Brigham's case was an aggravated contempt.

Judge Merritt said he made no formal order because he understood the marshal was willing to accept the advice of the court.

Marshal Brigham said he had not understood that, but was willing to obey all orders of the court.

Judge Merritt said that if he had not been given to understand that the marshal would follow his advice, he would have made an order. The action of the marshal was in very bad taste, though it might not be contempt. If there was a repetition of any such proceeding the court would deal with it in a way that the marshal would obey its orders. The action of Mr. Whitemore in the matter was not commendable. He had let his zeal run away with his judgment and would have to exercise greater care in future to avoid trouble. Mr. Whitemore's zeal in investigating the county affairs, however, the judge said was highly commendable, though sometimes it might run too fast.

The contempt proceedings were dismissed.

Marriage Licenses.

Marriage licenses were today issued to David P. Rees, aged 41, of Rexburg, Idaho, and Carrie Johnson, aged 24, of Bear River City, Box Elder county, Utah; to Michael P. Cadmus of Park City and Mary A. Raney, of this city, aged 45 and 44 respectively.

Twentieth Ward Choir.

All members of the Twentieth Ward choir are are intending to sing with the choir in the interest at the coming Eisteddfod are specially requested to attend the practice tomorrow evening at 7:30 sharp.

THE FATAL OIL CAN.

Mother and Child Perish in the Flames.

CLEVELAND, Sept. 17.—Mrs. Henry Nolan tried to start fire with kerosene today, pouring the oil from a can into the stove. A terrific explosion followed, and almost instantaneously she was enveloped in flames. She succeeded in getting out at the house with one child, Willie, who was severely burned. The child Henry was dead when found. Mrs. Nolan will die.

Illinois Smallpox Investigation.

SPRINGFIELD, Ill., Sept. 17.—Editor Kohlsaat and Reporter Tom Cannon, of the Chicago Times-Herald, appeared before the Hangmannon county grand jury today and related what they knew about meddling in the legislature. The evidence was all in shape of affidavits of prominent Chicago business men, who state that money was paid for the passage of several bills.

Yellow Fever.

CORDOVA, Mex., Sept. 17.—Yellow fever and black vomito have appeared here.

"HAIL TO THE CHIEF."

Depew and Platt Conspicuous in a State Convention.

SARATOGA, N. Y., Sept. 17.—Chauncey M. Depew and Thomas Platt are both conspicuous in the Republican state convention which was called to order at 12:30 today by Chas. W. Hackett, of the state committee.

When Mr. Platt entered the hall there was a tremendous uproar, men standing on the seats and cheering vociferously while the band played "Hail to the Chief."

Mr. Hackett named Hon. Charles G. Sherman, of Onondaga, as chairman. While Sherman was addressing the convention on the subject of calling the enlargement of state committee, he stopped and gave to A. H. Steele, of New York, to introduce this resolution:

Resolved, That the Republican state committee be, and is hereby, directed to formulate and report to the next state convention a plan for its enlargement, so that in as large a sense as may be practicable, it shall be representative in character, and the prosecution of campaign work be brought thereby into close touch with the local leaders and constituents throughout the state.

Hamilton Fish was made chairman of the committee on resolutions. Resolutions were received from the municipal Labor congress of New York, asking for a labor plank.

Charles W. Bowen, of New York, introduced this resolution:

"All Republicans of New York in state convention assembled cordially endorse the administration of Governor Levi P. Morton, and express the hope that his name may be presented to the national Republican convention in 1896 as the choice of the Republican representatives of the Empire state for the first place on the presidential ticket."

The resolution was adopted by acclamation amid great applause. House until 4 p. m.

ARMY OF TENNESSEE

Officers Elected—Members Off for the Dedication of Chickamauga Park.

CINCINNATI, O., Sept. 17.—The Society of the Army of Tennessee adjourned before noon to attend a reception by the citizens of Cincinnati at Longworth hall. Gen. Joe Johnston, St. Louis was elected as the place of the next meeting. Gen. O. O. Howard was chosen as orator.

A resolution was adopted to erect a statue of U. S. Grant at Washing, D. C., and ask the co-operation of Congress.

The following officers were elected: President, O. M. Dodge, Iowa; corresponding secretary, General Andrew Hickenlooper, Cincinnati; recording secretary, Col. Charles Cadle, Cincinnati; treasurer, Gen. M. F. Force, Ohio, Soldiers' Home, Sandusky. After the banquet tonight a members of the Army of Tennessee will take a special train for Chattanooga to participate in the dedication of the national park at Chickamauga.

The Boiler Set Free.

BERLIN, Sept. 17.—A rumor in circulation here last night that a north German steamship had been wrecked with 150 persons on board, has been proven unfounded.

IS IT HANKEN'S FRAM?

Ship Sighted in the Ice Off Greenland's East Coast.

LONDON, Sept. 17.—Advices have been received from the Danish trading station Angmassalik, on the east coast of Greenland, that a ship supposed to be Dr. Fridjof Nansen's Fram, was sighted at the end of July, stuck fast in the ice drift.

Baron Hammerstein Wanted.

LONDON, Sept. 17.—The Pall Mall Gazette this afternoon says a warrant has been issued for the arrest of Baron Von Hammerstein, upon a charge of having forged forgeries to the amount of $50,000.

Baron Von Hammerstein, who was removed from the position of editor-in-chief of the Kreuz Zeitung, the principal organ of the conservative party in Germany, last July, is supposed to be hiding in London.

CHOLERA FIGURES.

San Francisco Health Officers Take Precautions

THREE VESSELS IN QUARANTINE.

Passengers, Baggage, Freight, Ballast and Ships are Being Fumigated at Angel Island.

SAN FRANCISCO, Sept. 17.—Three vessels are at the quarantine station at Angel Island. They are the Pacific Mail steamer City of Rio de Janeiro, the Honolulu packet S. C. Allen, and the British ship Merinoth from the port of Rio de Janeiro. The government authorities on the island are hard at work fumigating passengers, baggage, freight, ballast and vessels. The utmost pains are being taken to prevent the introduction of cholera from Honolulu or the Orient.

When the Rio de Janeiro left Nagasaki, the cholera was prevailing, and in two weeks there had been seventy-one cases and fifty-five deaths. The steamer did not go in the docks at Nagasaki, but everything that she took in board was transferred to her by boat. In a similar manner she took goods that came by steamer from Shanghai. At Nagasaki it was stated that no white had taken the cholera.

At Yokohama there was cholera, but according to the captain, it was not in the city but inland. In two weeks there had been 47 cases and 36 deaths. The steamer took cargo at Yokohama, consisting of silks and carpets. No whites had suffered with the cholera at Yokohama.

On arriving at Honolulu every precaution was taken. The steamer anchored in the outer harbor and did not have any communication with the shore except by boat. At the time the cholera was increasing. The telegram signed by Ellis Walker, the consul general, gives the number of cases as 38 and the number of deaths as 16. The steamer did not use water from Honolulu even for washing decks. Water in the outer harbor the steerage was fumigated with sulphur. According to the statement of the city of Rio de Janeiro's surgeon there was no case of quarantinable disease on the vessel from the time she left Hong Kong.

After hearing the foregoing statement and examining the papers offered in substantiation, Dr. Chalmers gave it as his opinion that no more than seven days had elapsed since the steamer left Honolulu, there was no possibility of cholera being carried after all the fumigation and in spite of all the precautions taken. He went to see the board of health and was overruled by that body which recommended the fumigation of the steamer and her fumigation at the island. The steamer went to the Angel island quarantine station without even delivering her mails.

A QUESTION ABOUT PENSIONS.

Are They Subject to Revision by a Government Official?

WASHINGTON, Sept. 17.—A meeting of the national council of the administration of the G. A. R. has been called to discuss the question of revising a pension once granted a disabled soldier because a vested right or is subject to revision or cancellation at the option of an officer of the government. It is the purpose of the order to bring suit in the federal court to test the question and to carry it to the Supreme Court for final decision.

In regard to this matter Commissioner of Pensions Lochren says: "A pension is clearly based on a vested right of Congress. If it was a vested right Congress could not interfere with it in any way. As a matter of fact the legislative power can modify or repeal the pension laws whenever it sees fit. To consider a pension as a vested right is absurd. The Supreme Court of the United States has decided to the contrary three different times. All pension laws grant a bounty during disability, but when the disability stops, or ceases, the pension stops also. If a pension is shown to be obtained by fraud it would be a strange thing if it could not be cancelled. It would be a curious thing if the commissioner of pensions could only increase pensions and could not reduce them where fraud or a manifest infraction of the law is shown. The law of December 21, 1893, makes a pension a vested right until it is changed, after notice to the pensioner and a hearing before the commissioner. That law is, of course in effect now, but its meaning is doubtful. No right can be a vested one which can be taken away by a hearing before the commissioner of pensions or any one else. Congress can undoubtedly pass a law making a pension a vested right, but the next Congress could undoubtedly repeal it.

"In the now celebrated case of Judge Long against our late commissioner, this question of rights to a pension was repeatedly adjudicated by the court and always adversely. In Judge Long's case the pension had been raised by Commissioner Tanner, so that if the pension was a right and not a bounty, it could not be legally raised by the commissioner. As a matter of fact the law of June 21, 1879, which abolished the biennial examinations, expressly provided that the commissioner should have the same power as before the order special examinations on notice to the pensioner and then to increase or reduce the rating according to the law. A pension is a bounty granted by the government and it can be abolished or modified at any time by any Congress."

INDIAN BANDIT CONVICTED

It Took the Jury Only One Hour to Settle the Matter.

FORT SMITH, Ark., Sept. 17.—It took a jury in the United States court only one hour to convict Henry Starr, the young Indian bandit outlaw, of the murder of Floyd Wilson. The killing took place eight miles west of Nowata, December 13, 1892. Starr was then just beginning his career as an outlaw, and his only venture outside of holding up other individuals and looting stores had been the robbery of the depot and express office at Nowata. For this the Pacific Express company sent deputies Agnew, H. C. Dickey and Floyd Wilson after him. Wilson met Starr in the open prairie and in the duel which followed, Wilson was killed. He was wounded at the first fire and his Winchester refused to work, but he plucky kept on the battle from the ground with his revolver until Starr ended his life by firing a bullet into his breast while standing almost over the prostrated form of his victim. Starr formed a band out of followers of Bill Dalton and was very successful. The Missouri, Kansas & Texas train robbery at Pryor Creek and the Roundville bank robbery bring their last jobs. He is still a beardless youth, tall, slender and athletic with a very intelligent, pleasant face. He expresses his contempt for the jury when sentenced him by speaking of them as a pack of idiots.

MILLIONS LOST TO THIS COUNTRY

Because Cramp Could Not Compete With the English.

NEW YORK, Sept. 17.—A special to the World from Washington says: It is learned from an authoritative source that Charles H. Cramp, the Philadelphia ship builder, has admitted within a few days his firm has lost $25,000,000 worth of contracts to build ships for the Japanese navy. It is reported that the reason was that the Cramps could not equip the ships with armor and that English firms were in better condition to furnish the completely equipped war vessels.

Left the Free Silver Ranks.

NEW YORK, Sept. 17.—A special to the Herald from Washington says:

Another U. S. senator can be added to those who have left the free silver ranks, the advocates of the free and unlimited coinage of silver at the ratio of 16 to 1.

Senator Vest, of Missouri, who is now in Cuba, has in private conversations with persons who have met him in Europe, declared that in his opinion free coinage of silver at the old ratio was no longer possible.

Antonio Leslie's Plans.

SAN FRANCISCO, Sept. 17.—General Antonio Leslie, ex-president of San Salvador, with a large and well equipped army is now in Guatemala. In discussing his plans for overthrowing the government of President Gutierrez he said: "I will first go to Acajutlo and there meet my allies, the Liberals of Honduras and Guatemala. There a council of war will be held and we will then proceed to take separate routes, so that every point of importance, and more on the three ports, Acajutla, La Libertad and La Union, where we will be supplied with sufficient reinforcements to operate.

"It is our purpose to land at these three ports simultaneously and we will be assisted by General Carlin, Colombia and Cienfuegos and Santa Ana, Acajutla. I will land at La Libertad, so as to be at the terminus of the cables, and General Carlin will land at La Union. My side plan is to meet the northern and southern extremities of the republic, as well as the central section.

"I have had everything arranged so that we will make a simultaneous attack on these three ports, and sufficient rifles are already there to meet all demands. I have been informed that 8,000 mauser rifles will be landed at La Union, no doubt they are there by this time. The next move will be to gather all the adherents we can near and move together on the city of San Salvador.

Bad Financial Condition.

CINCINNATI, O., Sept. 17.—The rumors as to the alleged the desperate financial condition of the O. V. Heat company, the assigned dealers in grain, were verified by the inventory of assets and liabilities which Assignee Kennedy filed with the auditor of Hamilton filed. The Indiana assets filed previous were $79,182. Those of Oaks, filed Monday, are $46,824, making total assets of $125,906. The liabilities amount to $531,824, leaving a net deficit of $405,917.

The Langtry Divorce.

SAN FRANCISCO, Sept. 17.—Mrs. Emilie Charlotte Langtry will today through her attorneys, Dunn and McFiles, sign a petition for a divorce from her husband, Edward Langtry, in the superior court of Lake county, where the famous Jersey Lily has considerable property.

News in Brief.

BUTTE, Mont., Sept. 17.—The new Robinson deal in copper, which includes the alleged purchase of the Anaconda mines, is news in Butte, and as a similar story has been sent from New York it has set men to talking. It has for five years, no weight is attached to the last report.

Government Suit for Damage.

DEADWOOD, S. D., Sept. 17.—The United States government has commenced suit in the United States court to recover $100,000 damages for the cutting of timber on Custer county, alleging that during the seventeen years the Homestake company has cut six million and twelve million feet. The suit is one of the most important that has ever come before a federal tribunal in South Dakota and over 800 witnesses for the defense are in Deadwood.

Another Industrial Army.

POCATELLO, Idaho, Sept. 17.—"General" Coxey, the leader of Coxey's army of 1894, spoke here in the street last evening for two hours. He reviewed the travels and hardships of Coxey's army from Massillon to Washington and the movement was just in its infancy, and as soon as the blue birds began to sing in the early spring, they would be "marching on to Washington."

Murder Mystery Cleared Up.

CHICAGO, Sept. 17.—The mystery of the killing of Frank Field, an Englishman 24 years old, who was found dying in a vacant lot about midnight of Sept. 3, 1895, has been cleared up. The police are in possession of affidavits which declare that Field was attacked by three men named Thomas Griffin, John McAuliffe and John McCafferty, who attempted to rob him, and when he resisted beat him in such a manner as to cause his death within an hour. The witnesses to the affair, who have made the affidavits, declare that they have hitherto kept silent because of threats of violence.

POLITICS AND CRIME.

A Paper Read Before the Prison Congress at Denver.

BY PROF. AMOS G. WARNER

Of the Stanford University — A Sensation Created Among the Delegates—Lively Protests.

DENVER, Sept. 17.—A sensation was created in the prison congress by a paper on "Politics and Crime," written by Amos G. Warner, professor of economics and social science, of Leland Stanford university, and read by John N. Dryden, of Kearney, Neb. "If the state itself is under the influence of criminals," says the doctor, "how can it hope to reform criminals? Setting a thief to catch a thief was the old time doctrine, but the plan of setting a thief to reform a thief never yet has been demanded. The representatives of the state with which criminals are most frequently brought into contact are the politicians, boss, justices, sheriffs, district attorneys and jail keepers, only a couple of all, better than the criminals themselves. The logic of the state of criminals largely lies in the quickness treatment in the early stages."

The professor illustrated his meaning by giving details of the treatment given liquor, gambling, prostitution and the criminal classes generally. The paper brought on a number of protests.

Warden W. E. Howard from Quentin, California, who for six years had been sheriff of Alameda county, said he wanted to speak some of the language heard in the state of California. He thought it was shameful for a man who was serving at a pleasant employment to make such sweeping and general charges. The paper was ordered filed and thanks read the professor.

RAILROAD PLANS.

Only One Train Daily from Ogden to the Pacific Coast.

CHICAGO, Sept. 16.—Some excitement has been caused in western railroad circles by the announcement that the Central Pacific would soon abandon its principal passenger train from Ogden to the Pacific coast and would cease to make connections with the trains at Ogden and Salt Lake.

Private advices received by Western railway managers say it is the Southern Pacific's intention to discontinue, November 1st, trains 1 and 2 between Ogden and Reno, ending connections at Ogden for transcontinental business to one train daily. The trains to be discontinued handle a large share of the first-class passenger traffic and nearly all of the second-class and tourist business. The Union Pacific and Rio Grande Western railroads will be mostly affected by the action of the Southern Pacific, but great damage, it is claimed, will accrue to every road running west from Chicago, not so much on account of their restriction to one through train only for first-class passenger business, but because the trains which carried the second-class and tourist business from Ogden west are to be discontinued.

HUNTINGTON DENIES THE RUMORS.

NEW YORK, Sept. 17.—C. P. Huntington, in an interview, denied the statement that the Central Pacific Railroad company and given notice to the Union Pacific Railroad company that on November 1 it would abandon its principal trains which connected with those of the Missouri Pacific at Ogden.

Mr. Huntington said: "I have been telling our people for the last thirty years that we had nothing to gain by any such or similar action, and we would not be taking the trouble to do it. Rather, our relations with the Union Pacific have been friendly and remain so. There is no truth whatever in the report."

Frederick H. Cadert, one of the Union Pacific receivers, said that the statement was news to him.

Appeal for Aid to Armenians.

NEW YORK, Sept. 17.—H. M. Kirkwallian, general secretary of the Armenian Relief association, with the approval of J. Bleecker Miller, chairman of the executive committee, and C. H. Sloat, treasurer of the association, has issued an appeal to the press authorities. The appeal thanks the New York World for the publication in last Sunday of an exposure of the outrages in Armenia by Dr. C. A. Howard and makes an earnest appeal for funds to aid the suffering Armenians.

CLARA'S JUMP FROM THE BRIDGE.

Only a Scheme to Get Money From a Credulous Public.

NEW YORK, Sept. 17.—It is now announced that Mrs. Clara McArthur, who was farce by an alleged jump from Brooklyn bridge, and who is now winning a fortune in a Bowery museum, is not the Mrs. McArthur who lives at all. Mrs. McArthur's husband became angry because he was not given what he considered his share of the proceeds of the museum management and he decided to expose the plot to deceive the public. It is now claimed that the woman at first refused to even jump out of a boat under the bridge unless a cops was fastened around her, then she refused to jump on account of the cold, dark water of the river.

Finally the men threw her from the boat into the water and finally afterwards fished her out.

Will Come to Atlanta.

NEW YORK, R. I., Sept. 17.—It is reported that the Duke of Marlborough will visit the Atlanta exposition with Mr. W. K. Vanderbilt and Miss Vanderbilt.

The Gold Tide.

NEW YORK, Sept. 17.—Kalnokoki, Wood & Co. will ship $500,000 in gold tomorrow.

The sub-treasury has received $285,000 in gold from the assistant treasurer of Buffalo, N. Y., in exchange for currency, the banks paying the express charges as required by the government. The Pittsburg banks are considering whether they shall deposit $750,000 in gold on the coast to-morrow. Many in Germany will ship $150,000 gold tomorrow.

St. Louis, Sept. 17.—One hundred and twenty thousand dollars in gold was today paid into the sub-treasury here in exchange for currency. It is understood that, what caused the payment was, that a much larger sum, many in Germany will ship $150,000 gold tomorrow.

Serious Railroad Accident.

MINNEAPOLIS, Sept. 17.—The Westbound passenger train on the Great Northern, leaving here yesterday morning, met with a serious accident near Anandale, Minn., about 8 o'clock, resulting in injuries to three persons, one severely, including to C. Washburne Jr., son of the ex-senator, were more or less bruised.

CHARGE OF GOODLING.

Continuing Against Members of the Illinois Legislature.

SPRINGFIELD, Ill., Sept. 17.—The Sangamon county grand jury has started to make good its promise of investigating charges of bribery in connection with the forty-seventh general assembly. Captain D. M. Brown, a prominent citizen of Springfield, filed affidavits charging the passage of several bills, including the Lorimer bill, through the agency of bribery. The grand jury that a party whose name is given and identified with the Lorimer faction, had been seen and had talked with witnesses in the passage of the Lorimer bill, has undertaken the investigation. Leader Porter, of Chicago, and Senator Lorimer, have been sent for. Chief Justice Cartwright, of the supreme court, was called Friday night. Judge Gest, of Springfield, will take no part in the inquiry.

THE CASE DECIDED

Omaha's Contest About the Board of Fire and Police Commissioners.

LINCOLN, Neb., Sept. 17.—The supreme court this morning filed a decision in the Omaha fire and police commission case. The decision, in substance, declares the act constitutional based on which the board was appointed. Upon the point raised by the attorneys for the old board that Governor Holcomb did not attend the meeting of Governor Boyd at the time the new board was named, the court holds that the interests of the state or municipality are not to be prejudiced by the action of any party. In conclusion, the court finds that Benson, Vandervoort and Foster are the lawfully constituted board of fire and police commissioners of Omaha.

THE CUP RACES AGAIN.

Correspondence Between Captain Iselin and Lord Dunraven.

NEW YORK, Sept. 17.—Ex-Commodore James Gordon Bennett, president of the America cup committee, gave the following correspondence to representatives of the press this afternoon, and in handing it over, he said: "The letter first submitted from Iselin explains itself. I do not know where to apply to Lord Dunraven to get a copy of Iselin's letter offering to result the protested race on September 19th, but the following correspondence shows the facts as Iselin's letter of September 10th also does. The facts of his dealing with Lord Dunraven, of his failing to do this, and all the whole match over, was most magnanimous and liberal on Iselin's part; that fact surely speaks amply. The following is a copy of the letter sent yesterday by Iselin to Smith:

September 16.

Dear Mr. Smith:—I enclose copy of Dunraven's letter received today. Unfortunately, I did not keep a copy of the short note I sent him upon the resulting of Thursday's race, but he has my permission to publish it, I can, of course, obtain a copy from him. I consider it most unfortunate that we could not have carried the race yesterday the last two races would have been resailed, the committee would have accepted and without in any way affecting their position. Now, of course, it is too late to do anything, and all I ask is that my orders be fully set forth in the report of your committee, namely: "After hearing at the time of the start and finish of the last race, my asking for a meeting of the cup committee the next day; my offer to resail both races, and Lord Dunraven's to begin the whole match over under any conditions and at any place and time agreeable to Dunraven.

Very truly yours,

C. OGDEN ISELIN."

Copy of Dunraven's first letter to Iselin:

"419 Fifth Avenue, Sept. 11.

Dear Sir: I acknowledge receipt of your note in which you express a wish that yesterday's race should be resailed. This is a proposition to which, of course, I cannot agree. You would not have protested had you not believed that Valkyrie had caused a foul, by committing a breach of rules. I now did also, and, under the circumstances. The regular committee have decided for reasons, according to their judgment, has which I cannot agree, but you cry comprehensively, that I did break the rules. I take no pleasure, because I thought the foul was probably accidental, but I, of course, accepted the decision. You consider Valkyrie was to blame. The committee decides that you are right and I was wrong, and there the matter ends.

Yours very truly,

DUNRAVEN."

Copy of Lord Dunraven's second letter:

"Bay Ridge, Thursday.

Dear Mr. Iselin—I certainly can not entertain your suggestion. Were the committee entered the race to be resailed, that would have been a different matter, but now could I possibly agree to resail a race decided and given against me by the decision of the committee. I wrote to you last night to this effect and am sorry you did not receive my letter. I had no opportunity of communication with you this morning, but Mr. Dupree, I there say, will have informed you as to my views.

"Thanking you for your suggestion, I remain yours very truly,

DUNRAVEN."

HAYKEN'S STORY

Letters Are A Forgery--That Is, He Thinks So.

BUT HE ISN'T QUITE SURE.

Says He Will Come Out of the Fray Unscathed.

MANY MORE LETTERS TO COME.

Given to Another Newspaper That Will Publish Them as the Pleasure—What Whitemore Proposes To Do.

The Jensen is a long chapter of sensational charges concerning gigantic stealing and fraud on the part of the county court. Immediately preceding the present one in the matter of purchasing furniture for the portion of the joint building, has come to light in the publication of a batch of letters which passed between Andrews & Co., of Chicago, and Martin Hayken, who represented them as informing at this end of the line.

All besides of these letters are made a part of the article today. By all the rights of newspaper processes they should have been placed at the disposal of the News yesterday but County Attorney Whitemore calmly decided that they be kept private in a safe now, or which would publish them at the time. Today again by a statement on the part of the same official—perhaps made through mistake—that matter, nevertheless, by himself, a number of times, and entirely unsolicited—the News was again deprived of some of these letters and additional batch. He stated in the plainest language to one representative of this paper that another of its reporters had been supplied with them. On that showing further effort to get them was dropped until both reporters met in the News office again during the afternoon, only to find that Mr. Whitemore had not been speaking to the cars.

Concerning his future intentions the county attorney stated, "I now and what we have done up to date, it will be comparatively easy for us to win the fray of the fight. We will now proceed to institute legal proceedings against the present holders of the warrants issued to Andrews & company, amounting in the aggregate to $54,973 and set that they cancelled and made void. This paper we must have republished and in order to bring that result about will, of course, allege fraud. That done the county can be sued for just what the furniture it received is worth, which will probably be $20,000 to $25,000, making a saving to the tax payers of nearly $30,000."

HAYKEN'S STRANGE STORY,

Is Not Certain Whether He Wrote the Damaging Letters.

Mr. Hayken was met on the street by a News representative this afternoon and interviewed as to his complicity in the case, especially as to the writing of the letters to which reference has already been made:

He exclaimed by saying, "Oh, just wait awhile till I can have my say. At present it is all one-sided. But my time will come."

"Did you do the know of these letters?" asked the News man.

"Nothing, absolutely nothing," was the response.

"Were they mistaken from Andrews & Company—or rather copies secured by a some trusted source who yielded to money temptation?"

"I don't care to say that—perhaps so. They have been shown to me and are photographic plates."

"Are you sure of them, Mr. Hayken?"

"No, sir; I did not."

"Do you mean by that that they are forgeries?"

"Yes, sir—that is I think so. I don't believe that I ever wrote any of them. But please excuse me as my attorney has not interviewed me to his satisfaction yet and he is now waiting for me. I will see you later, and depend on it I will come out of this all right. Don't say anything pending judgment on me."

And with that Mr. Hayken hurried away to Commissioner Pratt's office, where Judge Day, his legal adviser, is said to be waiting.

HAYKEN WANTED "WORKING" MONEY

The first of these startling and damaging letters from Mr. Hayken to his firm which has been made public, was dated June 11, 1892, and addressed in the following "promoting" language:

"In conclusion, permit me to request you to forward to me an order for such an amount of money as you may deem in your judgment best, to be used in one of necessity in working county court-house and city hall. Perhaps you may not need it, but would not be "unwanted," at any rate, shall not throw any away. I'm sure it will be obtained. I deem it unnecessary to give a more detailed statement, and shall depend upon your discretion, and act accordingly. My main object is "to rush" the thing through, so to speak, and I know I can do it if I send with before anyone else sees it. I found this way our nearest my successor Omaha. Hoping to hear from you by return mail, etc."

VISIT TO CHICAGO.

Three months later, on September 10, his wife and confidant Mr. Hayken wrote to Andrews & Co., saying that work on the joint building was progressing slowly and that the roof would perhaps not be on before New Year's; that two of the county commissioners would meet Chicago where the firm could see them and fix matters—there they "securely settled." "The particulars," he continued, "I should prefer to explain personally." He then intimated his company to