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. 166. THURSDAY, JUNE 15, 1893. SALT LAKE CITY, UTAH. VOL. XXVI.

GREAT GERMAN DAY

A Joyous Crowd of Teutons Assemble on the Fair Grounds.

MUSIC AND PATRIOTIC SPEECHES

Dedication of the Indiana Building.—Perfect Weather.—Immense Parade.

CHICAGO, June 15.—Today is a big day at Jackson park. First and foremost it is the "German Day," then it is Indiana's Day and last but not least it is Arkansas' Day.

The melodious chimes of the bells rang out a glad welcome to the incoming hosts of music loving, patriotic German-Americans. Never did the white pinnes look more beautiful and never did they entertain a more joyous, pleasure loving crowd. Throngs from far and near are present in thousands. By 10 o'clock it was estimated that a hundred thousand people had passed the turnstiles.

The day is bright and clear and a fresh breeze is blowing from the lake, tempering the sun's rays. Banks of musketaire are scattered in every direction, filling the air with tuneful melodies, and the place is like a very paradise.

The day's celebration was started by an immense parade down town and then a march to the Fair grounds. It was 3 o'clock in the afternoon before the head of the parade reached the grounds and the crowds proceeded at once to the German government buildings, where speeches were made by representatives of the German government, and replies by German-Americans, and an elaborate program of music was carried out. Baron Von Holleuben, the German ambassador at Washington, responded to the greetings of the German-Americans. The address of the day was delivered by Hon. Carl Schurz of New York.

Over at the Indiana building the Hoosiers were present by the thousands. The dedatory exercises began early. The building was beautifully decorated with palms, foliage and cut flowers. Ex-President Harrison arrived just before the exercises began and was greeted with generous applause. After prayer Executive Commissioner Hatch delivered the keys of Presidents Cleveland, of the Indiana board of managers, who in turn presented them to Governor Claude Matthews who received them and consigned the building to the use of the people of Indiana.

At the Arkansas planters' home, Governor Fishback of that state, who arrived this morning with staff, received the building from President Mitchell of the state commission, and dedicated it to the use of the people of Arkansas and friends.

New York Stock Market.

NEW YORK, June 15.—Money stringent, 7 to 20 per cent. Stock market rallied ½ to 1 per cent after 11 o'clock, but subsequently lost part of the improvement. Atchison was particularly weak and the bears were selling it freely. Stocks sold down to 2½. At noon the market was dull, steady.

National Republican League.

CHICAGO, June 15.—The executive committee of the National Republican League is in session here to elect a secretary. There are four concilimen in the field: Ex-Congressman Allen, Michigan; Henry Tepke, Rhode Island; W. E. Bixley, Kentucky, and James E. Barrie, Pennsylvania. The committee is select permanent headquarters. Matters of party interest will also be discussed.

SENTENCES QUASHED.

De Lesseps and Other Panama Men Set at Liberty.

PARIS, June 15.—Considerable excitement has been caused by the decision of the court of cassation on the appeal of Charles De Lesseps and the other defendants convicted of fraud in connection with the Panama canal. The court handed down a decision today quashing the sentences on the ground that the statutes of limitation covered the offenses charged and that the indictments on which the prisoners were tried were irregular. In consequence of the decision, M. Eiffel was at once liberated from prison. Charles De Lesseps, who is now in St. Louis hospital suffering from acute dyspepsia, was informed that he was free, but he is still too ill to leave the hospital.

The following were those convicted: Ferdinand de Lesseps, his son Charles, Marius Fontane, Henry Cottu and Gustave Eiffel. Ferdinand de Lesseps was sentenced to five years' imprisonment and to pay a fine.

Badly Crushed.

Special Dispatch to the NEWS.

GLENROCK, Wyo., June 15.—Jim Slaughter, a ranchman, was fatally injured yesterday. While riding on the round-up his horse stepped in a hole and fell, rolling clear over his rider. Slaughter was so badly crushed that he cannot live.

On Account of a Strike.

BROOKLYN, June 15.—The immense sugar refineries of Havemeyers, in Williamsburg, have stopped work in consequence of the striking of seventy-two firemen and thirty helpers for shorter hours. The strike will spread to all other refineries in this neighborhood.

FOR VIOLATING THE GAME LAWS.

A Taxidermist Fined and Lodged in Jail.

Special Dispatch to the NEWS.

CAÑON, Wyo., June 15.—Frank Hand, a taxidermist at Dixon, Routt county, Colorado, was arrested a few days ago and fined $75 by the Colorado justice for killing game and exhibiting young elk in violation of the game laws. He was turned over to Constable William Killgore, who permitted him to come to Dixon, Wyoming, to get money to pay his fine. Instead of returning Hand got drunk and the marshal had to come after him. They were returning to Baier, Constable Killgore riding ahead and Hand following. They had not gone far when the constable discovered that the prisoner had given him the slip and was riding rapidly in the opposite direction. After a hot chase Hand was overtaken, but succeeded in getting away from the officer before they received Baier. Constable Killgore then gave up in disgust and returned to Dixon. He did not have long to wait, however, until Hand came following, and he was taken into custody the third time. With the aid of a deputy Hand was finally lodged in the Uintah jail.

Broken Ribs.

Special Dispatch to the NEWS.

LARAMIE, Wyo., June 15.—A runaway team driven by Ben Lehman ran away last night. Lehman was thrown out on a rock pile. Three of his ribs were broken and he sustained other injuries.

A Bank Statement.

BUCKANA, Wash., June 15.—The receiver for the Washington Savings bank, recently suspended, has published a statement of the bank's affairs, showing total assets of $205,000; liabilities, $136,000.

ELECTIONS IN GERMANY.

Tropical Weather Prevails and a Large Vote is Expected.

The Social Democrats Active.—No Disturbances Likely.—Police and Soldiers Ready.

BERLIN, June 15.—The elections are progressing in Germany today.

Almost tropical weather prevails everywhere in the country, which will bring out a heavy vote in the rural districts. In Berlin there is utter absence of excitement the streets wearing an every-day appearance. The wealthy class appears to be apathetic as to the outcome. The expectations of the authorities of disorder among the lower classes are so far unwarranted, and the troops which were ordered to be in readiness are lounging lazily about the barracks. Very few votes went to the polls before noon. At that hour the workmen left the factories and waited in groups in the voting places and deposited their ballots, the socialists displaying more activity than any other of the political groups. The women seem as deeply interested in the success of the social democratic candidates as the men of the party. A number of women were distributing electoral tickets while others scattered leaflets in behalf of the socialist party broadcast.

Among the earliest voters at Kaiserhof station were Chancellor Caprivi and Dr. Von Boetticher, secretary of the imperial home office. All the postoffice employes had been given leave of absence in order that they might vote in their districts. The police have taken measures against rioting. Thus far, however, everything has passed off quietly and no disturbances are expected.

FOR A WINTER FAIR.

San Francisco Working for an Exposition.

SAN FRANCISCO, June 15.—President Gregory of the state board of trade has sent a message to Mayor Harrison of Chicago soliciting the aid, sympathy and encouragement of the city in inaugurating a winter commercial exposition here, following the World's Fair. He recites the fact that California was the first to declare for Chicago in securing the World's Fair, and was the first state to make an appropriation for the exposition, and that its appropriation is larger than any other country or state, except Illinois. For these reasons he thinks Chicago owes to return the favor to the city.

TEMPORARILY INSANE.

A Gold Cure Patient Kills His Two Brothers.

NIAGARA FALLS, N. Y., June 15.—Simon Mahoney, a gold cure patient, killed his two brothers, Cornelius and James, last evening while temporarily insane.

MORE FAILURES.

One of the Strongest Banks of the Southwest Fails.

ARKANSAS CITY, Kas., June 15.—The First National bank in this city, one of the oldest and generally believed to be one of the strongest financial institutions of the southwest, failed to open its doors this morning.

DIAMOND DEALERS FAIL.

NEW YORK, June 15.—C. Cutter & Son, diamond dealers, assigned today. The liabilities exceed $100,000. The cause was poor business and heavy losses by recent failures. The assets equal the liabilities.

INDIGNANT DEPOSITORS.

ANDERSON, Ind., June 15.—The Farmers and Merchants' state bank at Fairmount, Grant county, has closed. Quite a number of farmers threaten to use dynamite and blow up the bank. It had a paid up capital of $50,000.

CLOSED THE DOORS.

WESTON, Ohio, June 15.—The Exchange Banking Company of this place has closed its doors owing to a run. No statement.

The deposits are reported to be $600,000.

A BANK FAILS.

ST. LOUIS, Mo., June 15.—S. Bonham, a banker of Fairfield, Illinois, has failed.

TO RELIEVE THE DISTRESS.

A Proposition by New York Clearing House Committee.

NEW YORK, June 15.—In view of the serious strain upon the banks occasioned by the demands from the interior, the clearing house committee proposes that every clearing house member in the country issue clearing house certificates, which would make available for use between the banks a vast amount of previously good assets which now are encumbered. In the opinion of the committee and conservatives back home in this city this would be a very wise move to make, for the reason that it would facilitate the movement of currency without attacking a number of existing statutes.

The Clearing House committee has called in some 5 per cent of its members to the home office, which now rule over the present financial troubles.

A general meeting of the clearing house association, President Wilson of the Mechanics' National in the chair, of the committee to act as taken has been largely attended, was in favor of issuing a loan to the country. It is likely to be followed by other owners. Insurance is all right but we want to strengthen the surplus."

THE BORDEN TRIAL.

The Prisoner Covered with Floral Tributes.

NEW BEDFORD, Mass., June 15.—The tenth day of the Borden trial opened with a big crowd present. The prisoner was overtaken and with floral offerings and appeared in excellent spirits despite the searching disheartening proceedings yesterday.

The witnesses today were disagreeable who testified as to the use of prussic acid. The defense vigorously endeavored every point of the prosecution's testimony, which went to show that the acid was not used for other than medicinal purposes and unsuitable for cleaning furs, the purpose for which Miss Borden said she wanted it. Finally the court excluded all testimony in regard to the purchase of the prussic acid. The commonwealth rested its case here.

A BORDER SURROUNDED.

Henry Starr Will be Taken Either Dead or Alive.

FORT GIBSON, I. T., June 15.—Henry Starr, the notorious train robber and bank wrecker, is surrounded by deputy marshals and a sheriff's posse at a point twenty miles from Nowata, the bandits home. Unless the posse weakens, Starr will be taken either dead or alive. Some of the officers are Cherokee Indians and, if necessary, they will meet Starr in the open field with Winchesters. A reward of $1,000 is the incentive to the great activity of the officers. Starr has six men while the posse contains twenty.

Strikers Resume Work.

BELLEVUE, Mont., June 15.—Half of the striking miners at Pardbilchers have resumed work. Others will follow soon. The intervention of the authorities in favor of the companies is causing the fight a hopeless one.

Railroad Men in Session.

DULUTH, Minn., June 15.—The railway yard masters association held their twenty-third annual session here.

From the North.

PORT TOWNSEND, Wis., June 15.—The whaling bark Ben Ranger of san Francisco was wrecked May 24th off Kyak Island on the coast of Alaska. The vessel and cargo were a total loss. The crew barely escaped from the sinking vessel. The United States steamers Ranger, Bennett and Corwin and the British man-of-war Pariel are at Sitka, awaiting orders before proceeding to Behring sea.

Ad relieve the distress

THE SUNDAY CLOSING CASE.

Arguments for the Fair and the Government.

CHICAGO, June 15.—The United States court of appeals was large to its full capacity by the crowd who was present to hear the arguments in the World's Fair closing case. Chief Justice Fuller of the United States supreme court was president. Many ladies and clergymen were present. Senator Camden of West Virginia, opened the argument for the World's Fair. He was followed by Judge Hand on behalf of the government. This afternoon the arguments were still in progress.

The Printers in Session.

CHICAGO, June 15.—The convention of the International Typographical Union today was largely occupied by considering the means to be employed in waging a successful warfare against the "Printers' Protective Fraternity," represented as having for its object the destruction of unions. The Cincinnati Typo. trouble were also taken up. President W. B. Prescott was re-elected for the third time.

Money in New York Coming West.

NEW YORK, June 15.—The stringency in the money market was more marked this morning but it was expected the tension would abate after the clearing house meeting today. Call loans ranged from 7 to 25 per cent till near 1 o'clock when the rate dropped to 6; time money was difficult to obtain and nominally 6 per cent was bid. Thus far today $500,000 in small bills were taken for subsidiary shipment to the West. The express companies report the movement large.

A BRIGHT IDEA.

Pig Silver to be Coined as Worthless Truck.

NEW YORK, June 15.—Secretary Morton, according to the Post's Washington correspondent, since his return from the West has urged on Secretary Carlisle the expediency of selling a lot of our store of pig silver for what we can get for it and turning the proceeds into the treasury. Secretary Carlisle responds that there is no law under which he could make such sales. It has been suggested, therefore, that the bullion, stuff so other worthless and cumbersome truck is treated in the department. Appoint a board to inspect and condemn as no longer of use to the government and then call in an auctioneer.

THE FORT KILLING.

Coroner Taylor's Inquiry Over the Body of Civilian Leonard.

WHO FIRED THE FATAL SHOT?

Testimony That Sergeant Lime and Private Sheffill Did "Fire Front, Reload and in the Air."

Ten o'clock this morning was the hour set for holding an inquest over the remains of Joseph W. Leonard, the unfortunate civilian shot down at the Fort on Monday evening for driving beyond a case of speed allowed by Post rules and regulations. At that hour Coroner Taylor and jury were promptly on hand. A wait, however, of some time occurred, pending the arrival of Assistant District Attorney Howell and his stenographer, Miss Trask. During the delay Lieutenant Rock, whose name has been associated with the shooting, was heard to telephone to this city for Lieutenant Richard W. Young, whom he was very anxious to have represent him as legal adviser.

Shortly after the coroner, jury, reporters and a few others repaired to the "dead house," a small stone structure at the rear of the hospital, to view the remains of the dead man. The body was badly swollen and discolored and presented a ghastly and sickening sight as the blood flowed from the terrible wounds in the shoulder and neck which marked the entrance and exit of the leaden messenger which caused the deceased's death.

At a quarter to eleven which the inquest commenced, Charles Stimson, Charles W. Reynolds and D. J. Randolph acting as jurors.

The witnesses were sworn and Coroner Taylor announced that but one of them would be allowed in the room at a time. All of them retired except Lieutenant Rock, who arose and humbly said: "Mr. President of the court, I would like you to adjourn this inquiry until the arrival of my attorney from the city. I have only just now engaged him or he would have been here before. As it is, he will arrive within ten minutes. I deem it necessary to be represented in this case, as it has been seriously charged in the public prints that I am connected with the unfortunate affair to be investigated. My attorney, I believe, will be here in ten minutes. Again I ask you to adjourn until he reaches here."

Coroner Taylor held a whispered consultation with Judge Howell and County Prosecuting Attorney Murphy and then granted Lieutenant Rock's request. The "ten minutes" grew into an hour and yet the jury waited patiently for Mr. Young. It was nearly 12 o'clock when he arrived.

CORPORAL VIRIN

was the first witness. He testified that he was on guard at the time Leonard was shot. The common orders to guards were to the effect that they should not allow fast driving, drunkenness, or any lewdness on their beats. Driving was not allowed beyond an ordinary trot. Guards were not, however, required to shoot a man violating these rules unless peremptorily ordered to do so. Witness had arrested the deceased earlier in the day before the shooting. He was released later without punishment. Sergeant Carr (company F and Sharpe Unusually of company C were with the deceased when he was shot. Sergeant Lime fired the first shot. He fired into the air and was about one hundred yards from Leonard. Two more shots were fired but that was after the man had disappeared behind one of the buildings. He did not know who fired the fatal shot. When he next saw Leonard he was coming from behind the building seated in a buggy. At his side was Private Sheffield who held the reins and drove the horse. Sergeant Lime and Private Sheffill were both armed with springfield carbines which were returned to the respective companies to which the men belonged, after their arrest.

Witness heard Sergeant Lime and Private Sheffield distinctly say they could not understand how the deceased had been wounded. Both positively denied having shot at the man.

PRIVATE WILLIS

testified that he was on duty at the time of the shooting. He, among others, was given orders to arrest Leonard in case he should drive faster than a walk. He was accordingly taken into custody while driving on a slow trot. He heard but two shots fired but saw nothing. Heard Sergeant Lime and Private Sheffield both deny the shooting, and add, that "the was shot all the same." No orders were given to fire in the air or over his head. The shooting, so far as he knew, was done without orders. Sergeant Lime and Private Sheffield talked considerably about the shooting before they were arrested themselves. They said they had shot in front of him, behind him and in the air, but positively declares that neither of them had fired the fatal shot. There were three shots in all, two, he believed, by Sergeant Lime and one by Sheffield.

PRIVATE BENSLEY

said that he assisted in the arrest of Leonard. He was driving on a trot not to exceed five or six miles an hour. Sergeant Lime fired the first shot holding his gun to the air. When the guard house when the buggy containing Leonard was driven up by Sheffield. Heard Sergeant Lime say he fired two shots, one in the air and one in ahead of Leonard. Sheffield said he fired but one shot and that was in head of Leonard also.

It was now considerably after one o'clock and an adjournment was taken until two o'clock. During the interim the jury went informally to the scene of the shooting to look over the ground before listening to further testimony.

A LEGAL QUESTION.

It was stated on semi-official authority during the recess that Counsel Rosser and Assistant Tyler would spring the point that it would be the duty of District Attorney Judd to defend the men accused of the shooting, he being a United States officer.

AFTERNOON SESSION.

It was 2:30 when the afternoon session was called to order, Sergeant Carr being the first witness. He was arrested with the deceased and Corporal Virin early in the afternoon of the shooting. The charge was fast driving, although a speed beyond an ordinary trot was not reached at any time. Leonard had been drinking but was not drunk. He said to the attending officers that he was conscious of having violated any rule, and if he had really committed any wrong he was sorry for it.

SURGEON DONOVAN

testified to being been arrested with the deceased and Sergeant Carr. They had not been driving fast at any time. Now Leonard two minutes before the shooting. He had been drinking, but was neither lascivious nor drunk.

PRIVATE DUNN

testified that he was in the buggy with Leonard before the shooting—probably five minutes before—but not at the time it occurred and knew nothing of the particulars.

Irwin was on the stand at 3:45 o'clock when the NEWS reporter left.

The investigation, it is expected, will continue until late into the night.

FEELING AMONG THE SOLDIERS.

There is much disconcert and considerable murmuring in a quiet sort of way among the private men were acquainted with the deceased during his term of service, and who are more or less familiar with the particulars of the shooting. As a rule, those who claim to have waited on the deceased from the time of the shooting until he died says the killing was unjustifiable and cool blooded murder; that efforts were being made to turn the investigation into a whitewashed affair. He says the persons who know most about the shooting—eye-witnesses to the tragedy—had not been summoned. The reason was plainly apparent to him, he said, the wife of Commissary Sergeant Diehl and Mrs. Shepard, who saw the whole affair and were anxious to testify in behalf of Leonard, whom he contended had been fatally murdered.

Sergeant Graff and Private Dunlap and Stanley of company G are also said to know more about the killing than some persons are willing for them to tell.

The names of all of these persons were quickly struggled to the News reporter on two bits of small paper, with the request that they be handed to the next judge and that the officer be urged to summon them before him for the purpose of giving testimony.

ON CARS FROM ZION'S.

Leonard informed an ex-comrade sometime before his death that his father and two sisters lived at South Bolton; that his mother was dead, and that he had seen none of his relatives for ten years. He intended to return east and see them soon and was very sorry that his time on earth had been suddenly and unexpectedly cut short.

SUPREME COURT.

The Crescent Mining Company, of Park City, Appeal Unsuccessfully

IN AN ACTION BY AN EMPLOYE.

The Church Cases Came Up for Argument This Morning.—There are Four of Them.

The Territorial Supreme court met again this morning.

A PARK CITY CASE.

The court's opinion in the case of John Gus Lindeberg, respondent, vs the Crescent Mining company, appellants, was rendered by Judge Bartch. The plaintiff sought to recover damages for personal injury received while in the employ of the defendant company, as a laborer and car man. He claimed that, as such, it was not part of his duty to go into the winzes, raises or stopes, but that the foreman ordered him to enter a raise and clean out certain material. It was contended that this raise was insufficiently timbered, of which fact plaintiff was unaware. As a consequence of this defect the ground above him caved in. He was knocked down the manway and he sustained a broken leg, which afterwards had to be amputated. In the lower court (Third district) the jury awarded plaintiff $2000 damages, from which verdict the present appeal was taken, as also against the overruling of a motion by defendants' counsel for a non-suit at the close of the plaintiff's case.

This court, after reviewing the case at considerable length, held that while the plaintiff assumed the ordinary risks incident to his calling, yet it was the duty of the defendants to have furnished him a reasonably safe place and with reasonably safe appliances, and not to have exposed him to its get through carelessness. Their honors thought the evidence of the plaintiff was sufficient to raise a presumption of negligence and that a motion for a nonsuit was properly overruled. While the testimony in the case was conflicting, and there were numerous errors assigned in regard to the rulings of the trial court, this court was of opinion that the record did not show sufficient grounds upon which to disturb the verdict. Judgment affirmed.

Judge Miner concurred.

THE CHURCH CASES.

The legal arguments in what are familiarly known as the "Church cases," four in number, were then presented with. The cases as docketed are as follows:

United States of America, respondent, vs certain real estate known as the Gentile House and grounds, and the Historian's Office and grounds and William H. Preston et al, defendants, and James F. Fraser et al, intervenors, appellants.

United States of America, respondent, vs certain real estate known as the Gentile House and grounds, and the Historian's Office and grounds and William H. Preston et al, defendants, and James F. Fraser et al, intervenors, appellants.

United States of America, respondent, vs certain real estate situate in Salt Lake county, Utah Territory, and Francis Armstrong et al, appellants.

United States of America, respondent, vs certain real estate situate in Summit county, Utah Territory and Angus M. Cannon, trustee, appellant.

The appellants were represented by Attorneys Hon. F. S. Richards, Lorenzo Snow and W. H. Dickson. United States District Attorney Judd and Bennett, Marshall and Bradley were counsel for the government.

It was agreed that the last cases should be argued together. All the actions are proceedings to escheat, forfeit and enforce certain real estate acquired and held by the late corporation of the Church of Jesus Christ of Latter-day Saints in alleged violation of section 3 of the anti-polygamy act of congress of July 1, 1862, and supplemental by the attorney general of the United States in pursuance of section 19 of the Edmunds-Tucker act of Feb. 19, 1887. It was contended by the appellants in the case of the third and fourth cited, that the property sought to be escheated or forfeited is the operation of section 3 of the act of July 1, 1862, as real estate legally acquired or to which the Church has some rights at the date of the passage of said act. In regard to the second case—the Gentile House case—the ground is taken that the premises were saved from forfeiture by the proviso to section 13 of the Edmunds-Tucker act, as a parcelage to all of the actuals is claimed to be the premises are barred by section 1047 of the Revised Statutes of the United States, and that the plaintiffs having first entered the tiles are entitled to forfeit it. All of the appeals are taken on the judgment of the lower court in the case of the Gentile House, etc., in which case there is a brief statement. With reference to vested interests it is insisted that the words "right of property legally acquired" in section 2 and the words "property held by or for subject to section 3 of the act of July 1st, 1862, have very different meanings—that by the former it was intended to save from forfeiture a vested property which would be forfeited under the latter. It is pointed out that the only, however, that section 2 applies exclusively to the Mormon Church, while section 3 applies to all religious or charitable corporations or associations, including the Mormon Church. It is stated, again, that the act of congress, by its terms of any legislative intent to single out the Mormon Church as an object of special favor, but that it was enacted to condemn and punish the practices and teachings of that Church; and it was simply to repeal the extinction of special legislation that so far as property rights were concerned all churches were put on the same plane.

Appellants ask the court to take judicial notice of the sale of the public survey and return of the township plat, including the premises in question, and while the respondent's counsel do not agree that it is a matter to be noticed judicially, yet they say if such notice is to be taken it would be at most the date, namely, the survey was made in May, 1855, and approved May 21st, 1859. In the case at bar, it is urged, it would make no difference if the survey had been made and plat returned prior to 1862, because the premises being settled on and occupied as a homestead were at that time reserved from sale.

It is also contended that the several actions are barred under the provisions of section 1047, Revised Statutes, U. S., which is as follows: "No suit or prosecution for any penalty or forfeiture, pecuniary or otherwise, accruing under the laws of the United States shall be maintained, * * * unless the same is commenced within five years from the time when the penalty or forfeiture accrued."

The arguments were expected to occupy the entire day.

LOSS OF LAW IN UTAH.

In the Supreme court yesterday afternoon the legal arguments were made in the case of T. R. Jones vs William G. Gallagher, appellant—from the Third district court.

The original complaint was filed January 1, 1890. Plaintiff alleges that he had advanced at the defendant's special request the sum of $2,225.30, and demanded judgment in that amount with interest. The defendant averred that he and the plaintiff were dealing in mining stocks. The stock was purchased by the plaintiff for the use of the defendant, and to his credit, and the defendant had the right to direct such purchases and sales. Defendant further alleges that plaintiff failed to follow his directions in several instances, whereby he was damaged in the sum of $15,000, and hence demanded a judgment against him for that amount less plaintiff's claim. The case has been tried three times. The first trial was before a jury and the jury rendered a judgment in favor of the defendant on his cross-complaint for $6,412.50. The plaintiff appealed to the supreme court and the judgment was reversed on the ground that the plaintiff was not bound to prove a certain telegraphic order relative to the turn of stocks. The next trial was before Attorney W. H. Dickson, referee, and following the precedent laid down by the supreme court he found for the plaintiff in the sum of $7025. The defendant then appealed to the supreme court, where the judgment was affirmed, but upon being appealed to the Supreme Court of the United States the judgment was reversed. A hearing was then had before Judge Zane, and he found for the plaintiff in the sum of $2,225.19, from which the defendant again appealed.

Sutherland & Howat appeared for the appellant; Bennett, Marshall & Bradley for the respondent.

MYSTERIOUS MURDER

Of a Respected Citizen of Pleasant Grove.

NO CLUE YET TO THE ASSASSIN.

Thomas Jensen Found by a Searching Party With a Ghastly Wound in His Head.

Special Dispatch to the NEWS.

PLEASANT GROVE, Utah, June 15.—Thomas Jensen, who has been living near Battle Creek canyon, came to his death yesterday afternoon about 4 o'clock, in a most mysterious manner. On Sunday last he started from home to hunt for his horses in the canyon. As he did not return as soon as expected, a search was instituted and diligently kept up with the result that he was found in the canyon, lying on his back in an unconscious condition, with a deep, wound, about four inches long, upon his scalp. It had seen the forehead with some sharp instrument. He was taken home by his friends and died at the time stated.

It is supposed that he was murdered by some unknown person. No clue has yet been found to the perpetrator of the foul deed. Mr. Jensen was a respected citizen. He has been married about five years, and leaves a wife but no children. An inquest is being held over the genuine body.

THREE OF THEM HERE.

The Remaining Two Members of the Utah Commission will Arrive Later On.

The members of the Utah Commission did not get down to business this morning, as had been expected. Only three of the number have arrived in the city up to this time, namely, Judge A. B. Williams (chairman), Colonel Dallas and H. C. Lott. The Territorial secretary received a letter from General McClernand this morning stating that he would be here on or before the 19th inst., and Mr. Robertson will probably arrive on Saturday.

The newly appointed commissioner, Mr. H. C. Lott, qualified before the secretary of the Territory this morning, and as the three members already here constitute a quorum, the first session took place this afternoon. Nothing of any importance was done, however, and the proceedings will not develop down to any really solid work until next Monday.

Chairman Williams informed a representative of the NEWS today that the commission will very likely be in session nearly two months, and that before it rids some very important legal business will be transacted, but the nature thereof is deemed a proper to hold secret for the present.

Clerk to the Secretary.

A change will occur in the office of Territorial Secretary C. C. Richards tomorrow morning, when Mr. Frank Dewey Richards, who for some time past has been engaged as paying teller in the Utah Loan and Trust company's bank on Dejeret, will take the place of Captain Addleman as clerk to the secretary. Mr. Richards is a son of Hon. F. S. Richards of this city.

The Yorgensen Case.

Some time ago James Yorgensen, a resident of Sanpete county, was arrested on a charge of unlawful cohabitation. After having a hearing he was held to the grand jury, his plural wife being also held as a witness. Subsequently Yorgensen furnished the required bond and was released from the penitentiary, but it is believed that he has skipped his other party. The wife did not obtain her liberty until this morning. The Provo authorities, taking compassion upon her, directed that she enter into her own recognizance, and upon going before Commissioner Groesbeck for that purpose today she was set free.

Salt Lake Stake Board of Education.

The delegations from the various wards in this Stake of Zion are reminded of the meeting appointed to be held in the office of the president of the Salt Lake Stake of Zion, tomorrow, the 17th inst., at 11 a. m. A prompt and full attendance is desired.

JAMES D. STORLAND,
Clerk of Stake.

MONASTERY LIFE.

The Police Find Stolen Goods and Women in the Cells.

ST. PETERSBURG, June 15.—The church monastery which is within the walls of Kremlin was recently robbed of a vast amount of plate, money and gems. The plate had just been used in the ceremonies attendant upon the reception of the czar and had not been returned to the vaults where it was usually kept. The property and money taken amounted in value to between 2,500,000 and 3,000,000 rubles. Today the monks, belonging to the monastery were arrested and a search of the cells revealed that they had committed the robbery. Secreted in the cells were found gems, etc., hastily torn from the settings. The vessels are made of precious metals. This is a crime that is punishable by Russia with the most severe penalties, aside from the scandal arising from the robbery and arrest. A neither cause for gossip has been given through the fact that the police searching the monastery for the stolen property learned beyond dispute that a number of women had been living secretly with monks for a considerable time.