

ular report from Salonica says gents at Zelenitz, district of

let the accused party go the length of the rope, for there is a limit to every

regard to certain interations and im-provements made by said Henry Mor-tensen on the premises of the said do-fendant shortly after he was taken in-to custody on the charge against him. which affidavits were practically ig nored by the court, in that the request to put certain officers on the stand for the purpose of testifying as to these things, was not allowed. The petition submits, with all due deference to the court, that the defendant and the bar of the state are entitled to know under what circumstances, if any, oral evi-dence may be introduced in support of a motion for a new trial on the grounds a motion for a new that on the grounds of misconduct on the part of the jury. "We would like to know," it continues, "whether or not there was any mis-conduct, why it did not vitiate the verdet" verdict. The petition further recites: "Article , section 12 of the Constitution of the State of Utah is as follows: 'In crim-inal prosecutions the accused shall have inal prosecutions the accused shall have the right to appear and defend in per-son and by counsel, to demand the na-ture and cause of the accusation against him, to have a copy thereof, to testify in his own behalf, to be con-fronted by the witnesses against him, to have compulsory process to compel the attendance of witnesses in his own behalf, to have a speedy public trial by an impartial jury of the county or district in which the offense is allaged to have been committed, and the right to appeal in all cases. In no instance shall any accused person, before final judgment, be compelled to advance money or fees to secure the rights herein guaranteed. The necused shall not be compelled to testify sgainst her hushand, nor a husband against his

Kastorin, who surrandered after they had been surrounded, were massacred by soldiers. The Hamidleh (Kurdish) cavalry reg-

iment was called back as it was en-training for Adria.ople. It is believen that was due to a protest against the employment of Asiatic troops, made by one of the embassies.

#### Paris Report Disquieting.

Paris, Sept. 11.--Reports received by the foreign office here from Constanti-nople say there is renewed agitation ng the Mussulmans within the city and fears are expressed of a possible Mussulman attack on the Christian population. This agitation followed the appearance in the Turkish papers of of ounts of the Bulgarians dynamiting rains and blowing up the steamboat The government considered that official sanction of the publication of the news was the best means to avoid exaggerated stories of the ex-plosions, as the government had rigor-ously suppressed any mentions of explosions during the past 20 years the recent publication caused widespread agliation. The official report says the Mussulmans are cager to avenge the outrages and states that the feeling is so intense that if the Bulgarians e destruction the Musmit any further sulmans are likely to take redress by attacking the Christian population Earnest representations on the subject have been made to the porte which has given assurances that all precautions will be taken, and has reiterated its dence that it will be able to con trol the situation.

### Made a Recapture.

Constantionple, Sept. 11 .- An official dispatch received here announces that the imperial forces recaptured Vasiliko on Sunday last.

#### Guard the Frontier.

Salonica, Sept. 8 .- The palace author acting upon information received yesterday from the Turkish minister at rade, have telegraphed to the vall Kossovo, instructing him to guard the Servian frontier more carefully, because the Servian revolutionary com. mittee was holding meetings at many places, organizing bands, distributing mbs and explaining the method of using them.

## Gunboat to Panama.

New York, Sept. 11 .- The Colombian funboat Bogota, which has been sta-loned at Buena Ventura for some has left there for this port, says a Panama dispatch to the Herald. The real object of the government in ordering the Bogota here is not known. It is thought she may be bringing a large number of Colombian troops as a precautionary measure, with the idea precautionary measure, with the idea, that their presence may be desirable because of the feelings of the isthmians on the canal question. She also may be ing for coal.

The political situation on the isthmus appears to be normal.

President Marroquin has left Bogo-ta for a few days. He is expected to return about Sept. 15.

## Much Improvement.

Washington, Sept. 11.-The following alletin was posted at the navy depart-

grants the petition on the ground that United States marshal Petiti cannot make an arrest here on a warrant isued in New York. He said the prisoner had a right to

be tried where captured. This decision would free Lynchehaun, but Charles Fox, the British legal representative at New York, made application in court ship this morning to have Lynchehaun rearrested on a warrant sworn out in Indianapolis in order that the proceed-

ings may go as originally planned. Judge Baker placed the warrant in the hands of Marshal Pettit, who was instructed to re-arrest Lynchehaun and hold him for heating before United States Commissioner Moores. By mutual agreement the hearing was fixed for next Wednesday.

## Championship Shoot.

Sea Girt, N. J., Sept. 11.-At the con-clusion of the firing at the 200-yard stage for the Dryden tropby match which be-gan here today New Jersey was in the lead with a total of 350 out of a possible The competitors then began at the 500-

The Dryden trophy match was the prin-cipal event of the day and it is considered next only to the national trophy match in importance.

#### Amateur Athletics.

Amateur Athletics. Milwaukee, Sept. 11.-The senior na-tional championships of the American Amateur Athletic union this afternoon bring together the greatest athletes in the country, and a hard tustle for first hon-ors is anticipated. Among the clubs rep-resented in the various contests are the Greater New York Irish Athletic club, New York Athletic club, Chicago Univer-sity team, First Regiment Athletic asso-ciation, Central Y. M. C. A. Chicago; and the Milwaukee Athletic club. The sloppy track of yesterday has been well worked and it is expected will be in excellent con-dition by 2 o'clock, when the events are due to begin.

## Boy Wreckers.

Trinidad, Colo., Sept. 11.-Paul Murphy and Ernest Smith, boys of Raton, N. M., have been arrested by Special Agent Rudd of the Santa Fe, charged charged with wrecking a train. Last Sunday passenger train No. 2 ran across a rail which had been placed across the track near Hillside just below the Raton tunnel, derailing both engines. The boys have confessed that they placed the rail on the track.

#### Agreement in Effect.

Cincinnati, O., Sept. 11.-What is known as the Buffalo national agreement, as amended and adopted at a conference here last night, of represen. tatives of both the major and the minor baseball leagues, went into effect today at noon when the following signatures were affixed:

For the National league, Harry C Pulliam, president; for the American league, Ban B. Johnson, president; for the National Association of Minor leagues, Pat L. Powers, president.

# DIED OF CONSUMPTION.

### Stranger Taken In by Good Samaritan Expires Suddenly.

comparative stranger named Niels Christian, aged about 38, and a consump- Washington, Sept. 11.—The following builting was posted at the navy department today:
Thear Admiral Cotton telegraphs from Beirut, Sept. 16, that the governor general at Beirut and has expressed a desire to settle the man before, and recognizing the condition he was in had him brought up stars, but has each the the being governor general at Beirut and has expressed a desire to settle the man before, and recognizing the condition he was in had him brought up stars, but how there he could be cared for. But the man lived only a few moments. Christian was poorily dressed, but looked as though he might have seen better days. His napers showed that he belongraph of himself as a Knight, taken by C. E. Post of Denver, and a photo of a woman, evidently his wife, taken by Stevens of Chinagi as a knight, taken by C. E. Post of Denver, and a photo of a woman, evidently his wife, taken by C. E. Post of Denver, and a photo of a woman, evidently his wife, taken by Stevens of Chinagi as a Knight, taken by Stevens of Chinagi as a barksepter Unfertaker Evans took as a barksepter Unfertaker Evans took charge of the teat. tive, was noticed early this morning in a

Washburn, Robert Croft. Brown, Mark Reedall, Roilin W. Dole. secretary. The proposed building will contain a spacious general assembly hall, lodge rooms for the different camps, committee rooms, and all conveniences, including a gymnasium, li-brary, reception rooms, kitchen and cul-inary equipment, etc. With a memberof 2,000 a building costing \$150,000 would be called for.

# PENSIONS.

George F. Hodge of Utah Gets \$6 Per Month.

Washington, Sept. 11 .- The following pensions have been granted: Idaho-Chas. U. Ramer, \$8; Rollah W. Forles, \$6. Utah-Geo. F. Hodge, \$6.

# BOTH MUST ANSWER. One Man Held for Stealing Horses and

Another for Killing a Child. Assistant County Attorney Whittaker was in Bingham yesterday where ha conducted the preliminary hearings of

Peter Kline, charged with grand larceny, and Victor Peterson, charged with involuntary manslaughter. The hearings were held before Justice of the Peace Lee, and both defendants were bound over to the district court. Kline was charged with stealing a team of mules from a Bingham man last Saturday night. His bail was fix-ed at \$400, in default of which he is now in the county jail awaiting trial. Peterson recently ran over a little gir, at Bingham with his horse and inflict-ed injuries from which the girl died. His ball was fixed at \$500, which he

furnished and thereby secured his release from custody. SIEX OF OGDEN.

## He Has Been Appointed as a Substitute Letter Carrier.

# (Special to the "News.")

Washington, D. C., Sept. 11 .- S. Siex has been appointed substitute let-

ter carrier, Ogden. Herman H. Tansing and Frank L. Palford are appointed clerks, and Ivan G. Holliday is appointed substitute clerk at the Boise, Idaho postoffice. The postoffice at Larde, Idaho, becomes a domestic money order office on Oct. 1.

# BOUNTIFUL KERMESS.

### Grand Affair Being Held in Davis County This Week.

The people of Davis county and a

number from Salt Lake are enjoying a rare treat this week by way of a kermess. The queen, Miss Laura Boulton, who has been chosen from the beautiful little valley, reigns supreme

during the week, and under the excellent judgment everything is being car-ried on in a first-class manner. The beautiful pieces of embroidery, drawn work, and all kinds of useful wearing apparel, which have been donated, speak well for the ladies of that flourishing little farming district. The merchants, too, of Salt Lake and Bountiful, have donated many handsome pieces of fur-niture and many other articles. On Wednesday the children enjoyed themweaksand yesterday was watermelon day, which seemed to attract many from Sait Lake. The proceeds, which it is estimated will not be less than one thousand dollars, are to help in the erection of a new chapel, which is be-ing built in the West Bountiful ward.

and purse, number banks advised against exhave been tending financial firm that is engaged in this cutting Said a member of the Millers' association today, "The association was organized to protect the trade against dead beats, as well as to standard prices, and prevent business demoralization. For instance, a man man runs in debt to a dealer until the dealer declines to take further risk. Then the man goes to another dealer and opens an account with him, and so on. One object of the association is to compare notes in matters of indebtedness and notes in matters of indebtedness and warn members against trusting un-worthy persons. Then an object is to prevent ruinous undercutting of prices, for which there is no real occasion whatever, and prevent anything sug-gestive of dishonety in the trade." Sev-etal dealers, in referring to the out-look in a general war, direct look in a general way, do not see much prospect of good times ahead for the millers in this state, until they are ble to crect elevators and save up the wheat crops as soon as harvested for later consumption, instead of later consumption, instead state, as is it to be shipped out of the state, as is to frequently done. "Why," declared

to frequently done, "Why," declared one man today, "I know of wheat that was shipped to Colorado last spring, and which I am now shipping back from that that that the shipping spring, and which I am now snipping back from that state to Utah. We must have elevators; and until then, the condition of the milling trade in this part of the country will be very uncertain." When asked how long he thought the milling interests might run in Utah as at present and not lose money, he said it depended entirely on the railroads. As long as rates on the railroads. As long as rates on outside wheat were such that the miller could grind and sell on a margin of profit, the mills could run; but let the railroads put up the rates and the industry here would collapse. merchant who handles a good deal of flour states that the turning over of a flour states that the turning over of a large acreage from wheat to beets is cutting a large sized figure in the local wheat problem; and then in the counties to the north of Salt Lake the wheat harvest is only about four bushels where the growers expected seven.

# Ferdinand Barricaded. Berlin, Sept. 11.-The Lokal Anzieger today published a dispatch from Sofia, Bulgaria, saying that Prince Ferdinand has not yet returned to the capital, and that he is in seclusion at the castle at Euxinograd with several favorites, all the approaches to the castle being strongly guarded by soldiers. All the purveyors for the royal establishment, it is added, are searched before entering the castle.

FAVORS GRABBING.

# Washington Sensationally Tells What Water Congress Wants.

(Special to the "News,") Washington, D. C., Sept. 11 .-The Times says: From a high official of the department of agriculture, information was had today that opposing recommendations' regarding irrigation legislation will be presented to the Fifty-eighth United States congress, Prominent officials are firmly convinced that the attitude of the irrigation congress is in favor of the large land grabber, and if accepted by the United States Congress will result in the use of the nation's money to enrich a comparatively few greedy individuals and not to the benefit of millions of men, women and children.

bridge, Pa.; J. Grason Steffey, Hagers-town, Md.; W. H. Kacy, wife and daughter, Landisville, Pa.; O. H. Hel-big and wife, Prescott, Ark.; Francis R. Thompson, Philadelphia; G. W. Lane and wife, Peoria, Ill.; B. W. Hefferron and wife, Peoria, III.; B. W. Hefferron and three, West Point, Va.; F. E. Dix-on, Falls Creek, Pa.; George L. Dixon, ubois, Pa.; Charles Monroe Doll and wife, Elkins Park, Pa.; V. T. Brown, Carbondale, Colo.; E. S. Carr, Little Ferry, N. J.; J. W. Kinsey, What Cheer, Iowa; W. P. Jendryk, Philadel-phia; James P. Hopkins, wife and daughter, Elgin, Ill.; A. F. Robertson and wife, Protone, Ill.; Alfred Milor Roberts, Macomb, Ill.; F. D. Shipman, Macomb, Ill.; D. Van Meter, Macomb, Ill.; C. F. Goist, Park City; G. A. Hin-kle and three ladies, Mt. Hope, Kan.; F. S. Clinton, Prairle du Chien, Wls.; Jacob F. Gocd, Midvale, Pa.; Stephen H. Scheetz and Charles D. Scheetz, El-H. Scheetz and Charles D. Scheetz, Elkins Park, Pa.; T. J. Huffman, Steri-ing, Kan.; James J. Sullivan, Philadelphia; H. P. Hoopes, Charles Ayault Upson, Lockport, N. Y.; H. P. Holt, Gurdon, Ark.

# THE NEXT PRESIDENT. W. F. Hambright, First Vice President

# Stated for Promotion.

From the general sentiment expressed among the delegates this morn-ing the next preseident of the International Ticket Agents Association will be W. F. Hambright, the first vice pres-

be W. F. Hambright, the first vice pres-ident of the organization. Owing to the absence of President J. A. Robbins of Chicago, who could not leave his counter for the convention, owing to the stress of excursion business, Mr. Hambright was chairman at convention, the The prospective president is a typical

ticket agent with a record of service with the Pennsylvania lines in that capacity for the past 34 years and an additional three years on the road for the same company. He is an old G. A. R. veteran, having served both with the navy and army during the war. Like all simon pure ticket agents he has a good story up his sleeve to be produced on the slightest provocation. He believes that next to Lancaster, Pa. Salt Lake is the best town going. He is accompanied on this trip by his wife and two daughters and will accompan the party through to Portland after the convention adjourns. Mr. Ham bright has taken a great interest in the association since it was organized and has held a number of official and exe-cutive positions in the organization,

# AGENTS AS ADVERTISERS.

#### C. G. Cadwallader Talks Regarding Edu cational Features of Conventions.

C. G. Cadwallader, secretary of the International Association of Ticket Agents, is agent for the Fennsylvania lines at Broad street station, Philadelphia, and possibly handles as much passenger business every 24 hours as any other two men in the convention hall. In course of conversation this morning he said: "We are delighted with our trip as far as we have an dit is a veritable education some of us easterners who have not come west. You know a man can speak more intelligently regarding place has seen and visited and we under take these trips with this end in view Now when anyone comes to us and asks regarding Salt Lake as a resort. its attractions and hotel accommoda tions, there will not be a man among us when we get back but will be in a position to expatiate upon the attrac-tions of your loyely city. In this man-ner we have visited and held conventions in a number of big cities in Amer-ica. Canada and Mexico.

# , CONVENTION NOTES.

S. H. Wallace, the third president elected by the ticket men, was to have delivered an address before the conven-

Mississippi valley the weather is dry and cool; the condition of cotton is ha-low the average for the season. The damage from wevil in Texas is som-what exagerated. There is less talk of a 12.000,000 bale crop, and receipts promise to remain low.

### Change in Russian Cabinet.

Copenhagen, Sept. 11.-The corres-pondent of the Associated Press learns from a reliable source, well informed in regard to Russian affairs that Count amsdorff's resignation as minister of foreign affairs is expected before long, and that he will be succeeded by M. and that A. P. D'Lsvolsky, now Russian min ister M. D'Lsvolsky was recently trans-

ferred here from the Russian mission at Tokio. His intimate knowledge of Asi-Toklo. His intimate knowledge of re-atic affairs, it is believed, is chiefly re-sponsible for his selection to succeed

# SENSATIONAL DIVORCE.

Guilty of Housebreaking-Gored by Bull.

(Special to the "News.") Ogden, Sept. 11 .--- A divorce case of unusual prominence was filed in the dis-trict court today by Attorneys White White and Snyder. The case is entitled Anni D. Withee vs Ulysses D. Witnee. Th parties to the suit have been located Ogden about six years ago and defend-ant is president of the Great Western Salt & Soda Co. and is said to be very wealthy. In the complaint it is stated they were married at Newark, N. J., on the 29th day of June, 1890, and that dur ing January of this year defendant wa guilty of adultery with one Grace Gor don of this city, and also at variou times since living in Ogden and when traveling in the east. It is further charged that defendant has been out charged that detendant has been out late at night; at sundry times is abu-sive and cruel, besides being an habit-ual user of intoxicants. That he is re-ceiving a salary of \$125 per month

proper. There are no children as a re-sult of the union. GULTY OF HOUSEBREAKING.

Frank Johnson, a transient, who was ecently arrested on a charge of house breaking, has been found guilty of the charge viz., that he broke into a Southern Pacific freight car and stole there-from a quantity of tobacco and other merchandise. The case was tried before Judge Rolapp. He will be sentenced or Monday at 10 a. m.

GORED BY A MAD BULL.

Wm. Norton, aged 16, an inmate of the win. Norton, aged 16, an inmate of the industrial school, was the victim of a mad buil this morning. He had been sent out to take care of the stock when the brute suddenly made a vicious at-tack on the boy, pinning him to the ground and flercely butting him with his hornless head. He was picked up by the anored animal and takend around the enraged animal and tossed around and then stamped upon, until he became unconscious. After his rescue it was id no bones were broken, but he was very severely bruised, but not necessar This is not the first time this bull has shown his wicked temper as he, some time ago, made an attack on one of the inmates of the institution.

THOMPSON IN TROUBLE AGAIN. Holiday Thompson, age 18, was ar-rested last night by Detective Pender and Capt. Brown on a charge of house-breaking. The young follow has been employed as delivery boy for the Disls butcher shop and a bag containing \$55.75 was left in a drawer to which he had access. The boy confessed theft, but when arrested, had but \$5 follow that was arrested had but so in his possession. This is the same young follow that was arrested last January for shooling a colored man named Me-Gee but got off by a plea of self-defense. Posides this he has been implicated in other cases of stealing and is considered a had boy senerally.

a bad boy generally-

wife, nor shall any person be twice put in jeopardy for the same offense." "Article 1, section 26 of the Constitu-tion of the State of Utah is as follows: "The provisions of this Constitution are mandatory and prohibitory, unless by express words they are declared to be otherwise.

Section 26, article 1 of the Constltution clearly points out that the pro-visions of section 12 of the same article are mandatory unless by express words they are declared to be otherwise. There were no express words in section 12 which indicated or suggested that the right of the defendant to be con-fronted with the witnesses who should Therefore she prays for a divorce and such alimony as the judge shall deem testify against him are permissible or can be waived, but on the contrary it appears that such right is mandatory and cannot be waived. We respectful-ly submit that under these two provisions of the Constitution the testimony of John C. Sharp, which was stipulated into the record and considered by the jury in arriving at a verdict against the defendant was unconstitutional and the right to be confronted by the witness was a constitutional right, mandatory and which could not be waived by the defendant or his counsel. Our Constitution is peculiar in this respect and the decisions of other states which have not this provision in the Constitution cannot apply with force to the existing law in this state. We respectfully in vite the court's attention to this provision in considering this motion for c-hearing." Concluding the petition recites: "We

submit that a re-hearing should be granted in this case on all points, that a new trial should be granted or if the court denies a new trial at this par-ticular time we submit that the de-ferdant should be granted a new hear-ing before the district court, on his mafion for a new trial, and that at said hearing defendant be permitted to in-troduce oral evidence on the miscon-duct on the part of the jury in sup-port of his motion."

# REHEARING DENIED.

Chances Are "Nick" Haworth Will Soon Pay Penalty for Ills Crime.

The supreme court today denied the netition of "Nick" Hawerth for a re-bearing before that court. This being the last move within the power of Haorth's attorneys, excepting a plication for a pardon it is believed that the condemned man will soon have pay the danth penalty for his crime This is practically the end of the hard

"This association is purely an educa-tional and social organization."