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. 100. MONDAY, MARCH 22, 1897, SALT LAKE CITY, UTAH. VOL. XXX.

CUBA LOST TO SPAIN

General Weyler's Policy Condemned Even by Spaniards.

AMERICAN BRAVERY IN THE WAR.

General Sickles Explains the Law as to Filibustering Expeditions—Prisoners to be Released.

New York, March 22.—A dispatch to the World from Havana says:

Only a few of the more excitable Spanish officers refuse to admit that Cuba is lost to the crown. Resident Spaniards confess they can see no other outcome. In fact, everyone but Cuba may in the end be freed by Spanish residents themselves are many and strong.

The calmest minds predict the end of Spanish rule within two years. Some say not so soon, others say within one year.

The proposition of Cisneros and Gomez, sent in writing to the New York World, to say the island is rapidly growing in popularity here. Its warmest advocates are Spanish and residents hereto loyal to the crown. They are the active financial and business men of the island, the owners of eight-tenths of its wealth and its centres of wealth.

The Spanish element is condemning with more and more emphasis the fruitless, exhausting policy of General Weyler. They see his loss of pacification is responsible for the increase devastation. Farmers, planters and all wealth possessors to the country are driven to their graves or to the cities, to seek shelter from starvation. Wealth already produced is given to the flames.

They see that Captain General Weyler is making no military progress. The Cubans are being hit more and more in possession of the country. They frequently sack small towns close to Havana. They are in force in cities of fourth and third class, once or twice a month. Such raids grow more common.

AMERICAN BRAVERY, CUBAN JEALOUSY.

New York, March 22.—The Herald this morning published the following correspondence from Key Vallee, Cuba:

Among the Americans in the Cuban army there is only one who has had previous experience in military affairs. This is Captain William Smith, formerly in the United States cavalry. He is at present second in command of Gomez' personal escort. He is considered as the bravest soldier in the body of picked men. Captain Smith is probably the only officer in Gomez' command who thoroughly understands the handling of cavalry and other military matters. Yet he is kept down to his present rank, while others, who are his inferiors in every respect, have been promoted to the rank of brigadiers and colonels. As in the case of other Americans, jealousy is the obstacle in his promotion.

Colonel Charles Gordon also remained here in Cuba last June and was granted the rank of colonel for remarkable shooting at the fight of Vera Hermosa, in the province of Havana, established the Spaniards were driven back. He crossed the river and joined Maceo, as he did not care to stay in a province where the Cubans did little else but dodge the Spanish columns.

Maceo promoted him for bravery in the field and thought so much of him that he was selected as one of the few to accompany the body of Gomez to Cuba.

Gordon was with Maceo at the same time that Maceo was killed. He arrived last week at the headquarters of Gomez, and was placed on waiting orders until he should be thoroughly cured, when he is to be sent to Matanzas or Habana to organize an infantry force.

Major Funston, of Kansas, is a young man who made a trip to Alaska to collect specimens for the Smithsonian institute. He has been with the expedition of Braulio Tena in company with several other Americans, who came to form a battery.

On the death of Major Cajeot during the siege of Guimaro he received the command of a twelve pounder and out of one hundred and ten shots he only missed the mark twice.

General Gomez, in recognition of his execution made him chief of artillery and at present he is with Calixto Garcia in the east.

IN IMITATION OF ATAOS, PORTIUS AND ARGUS.

Some of the most striking examples of American pluck and courage was shown at the siege of Guayamo. On the second day of the siege, shortly after the first fort had been evacuated by the Spaniards, owing to the skill of Osgood in handling his people, the Cubans took up positions in the deserted fort. Between this fort and the next one, a horse was tied to a stake in the middle of a perfectly clear plain and in a spot exposed to the fire of the whole enemy's line. Lieut. Devine, a young druggist from St. Louis and one of Osgood's command, thought that he needed that particular horse, and without saying a word to his friend, jumped outside the fort and made for the animal.

His appearance in the open surprised the Spaniards for a minute, but as he walked quietly over toward the horse, he was made the target for more than one hundred Spanish rifles. But undaunted, he unhitched on his way through this leaden hail and when escaping over to unfasten the rope by which the animal was tied, he received a very serious wound and he fell.

About three hundred yards away were more than three hundred and fifty Cuban infantry, safely entrenched, but not one of them made a movement to rescue the American from his perilous position.

His friends in the fort, with Osgood, had watched him and when he fell, he cry arose, "Lieut. Penny, hunted quickly outside the breastworks and under the fire of the fort secured the prize, and made his way back safely to where Devine lay helpless, and unaided he lifted him across his shoulders and started for the trenches where the Cuban infantry were stationed.

The Spaniards forgot everything to their desire to bring him down, and he reached the trench without a scratch.

Standing on the top of the trench, with his wounded companion resting across his arms, he called on the Cubans to join Devine from his arms and to a place of safety, but not a man had the courage to expose himself to the enemy's fire.

After calling on them several times to help him without success, Penny drew his revolver and pointing it at the nearest of the Cubans, said: "Now, you coward, if you don't take this man immediately, I'll fill you full of lead."

This action of Penny had the desired effect and the young hero had the satisfaction of seeing himself and companion in safety, after one of the most daring exploits of the whole war.

WITH LAW AS TO FILIBUSTERS.

New York, March 22.—Gen. Daniel Sickles, when seen in regard to a report that he was interesting in a Cuban expedition to sail some time next month, said:

"I am fitting out no expedition for Cuba. I am not in that business. It is true that I have given legal advice to several of the Cuban leaders who have called on me, and on three occasions I have cautioned them as to the necessity of keeping within the limits of the law in their struggle for independence. My sentiments are well known and have been expressed in public speeches."

General Sickles says if he were in Minister De Lome's place he would later assimilate for his government. At the same time the law was explained and there was nothing to prevent daily shipments of arms and munitions of war to this country to fight the Spanish; but it is perfectly lawful to send a cargo of guns and ammunition by any steamer that sails from United States ports. All the power of Spain cannot prevent such shipments under the law.

The commander of the Turkish squadron had made ready for sea has received sealed orders, but it is not believed the warships will leave Golitpoli.

The Turks at Tahat yesterday attacked the Armenians in sources. Fifteen were killed. It is feared this outbreak marks a renewal of the massacres.

HIGHLANDERS FOR CRETE.

VALIETA, Island of Malta, March 22.—The Seventh Highlanders have left the Citadel, this city, on the transport Clyde. They will arrive on Wednesday.

A RUSSIAN BARGAIN.

COPENHAGEN, March 22.—The semi-official Berlingske Tidende publishes a dispatch from Athens, saying that an agreement has been concluded whereby Russia guarantees the integrity of the Turkish empire in return for an island in the Mediterranean and the peninsula of Mount Athos.

A BAD BLAZE.

Several Persons Seriously Injured—Much Property Destroyed.

LAWRENCE, Mass., March 22.—The worst fire in the city since the burning of the Washington mills, six years ago, completely demolished the Olsen building, one of the best business blocks in the city, early today, resulting in injury to eight persons and the loss of property valued at $100,000.

Injured—John Bowering, left leg injured, several burns; Mrs. John Bowering, left side injured, ribs broken; Miss McKeeable, head injured, serious; Mrs. Thomas Gallagher, badly burned; Bernard Gallagher, overcome by smoke, seriously burned; Ash Hunter, slight burns; Mr. H. Rousson, left side injured, serious. It is not expected any deaths will result.

The first of Central Rows caught fire in the Perrick and Clemen blocks were in great danger, but were saved by the efforts of the firemen.

The Olsen building was fully insured by Gleason Hoke and fully insured.

Nominations by the President.

WASHINGTON, March 22. — The President sent to the senate the following nominations to the Senate:

State—Joseph L. Bristow, Kansas, assistant fourth postmaster general.

Interior—Charles Herman, Oregon, commissioner of the land office.

Justice—J. D. Elliott, attorney of the district of South Dakota.

Territories—Edward S. Finney, Wisconsin, solicitor of state and other departments, (fifth auditor).

Navy—Commodore Joseph N. Miller to be rear admiral.

CRASHED INTO A FREIGHT.

Passengers From Carson City Shaken Up.

GREEN RIVER, Wyo., March 22.—The east bound Union Pacific passenger train at 2:35 this morning crashed into the rear end of a freight here, injuring three men.

George Siler, Louis Houseman, Jim Wesely and others returning from the fight at Carson were on the passenger train. All were shaken up, but none were injured.

A Missing Official.

CHICAGO, March 22. — President Julius Rietzke, of the Christopher Columbus Building and Loan association of Cook county, has been missing since last Monday, has not College and his accounts are being investigated by a committee of his stockholders.

A resident Bridgeport thinks it likely that the missing official will be called upon to explain way $40,000 to $60,000 of the association's funds are not to stick.

THE CRETAN SITUATION.

The Blockade Not Effective as the Greeks Have Ample Provisions.

Armenians Attacked by the Turks—More Massacres Believed to Be on the Program.

CONSTANTINOPLE, March 22.—The opinion prevails here that the blockade of Crete by the fleets of the foreign powers, which commenced yesterday, will be useless as Col. Vassos, commander of the Greek army of occupation, is well supplied with provisions. It is believed he will attempt to accomplish the withdrawal of the Greek troops from Crete would be to withdraw the Turkish troops.

Reuter's Pera, Turkish correspondent in Macedonia, has telegraphed the minister to war not to send any further reinforcements on account of the scarcity of provisions.

Diplomacy is estimated that if the Turkish squadron had made ready for sea has received sealed orders, but it is not believed the warships will leave Golitpoli.

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THE TARIFF BILL.

The Debate Opened in the House of Representatives by Dingley.

HE URGES THE NEED OF ACTION

And Says the Measure Would Give $100,000 Increased Revenue the Present Year.

WASHINGTON, March 22. — The tariff debate began in the House at 10 o'clock this morning. Despite the early hour of assembling, there was a large attendance on the floor, and the galleries showed evidence of great interest in the proceedings. Dingley and Bailey, the opposing leaders, were early in their places. By the rule under which the House was to open the debate the House immediately resolved itself into a committee of the whole and the Speaker conferred upon Huseman (Rep. N. Y.) the distinguished honor of presiding over the committee. Those who were expected the debate to begin immediately were disappointed. The leaders decided to have the bill read in full at the outset in order to disarm the criticisms passed on the previous bills that they were put through without even having been read in the House.

The speakers in the galleries and the members on the floor waited while the clerk droned through the 185 pages of the bill.

Dingley opened the debate. He said the committee had endeavored to discard mere theories and address themselves to framing a practical revenue bill for the country. He explained by placing woolens on the free list, the treasury lost $2,000,000 in revenue and figures $30,000,000 per year.

The new schedule would increase the manufacturers and the wool growers and ultimately increase the revenue. The bill embodies means to increase the revenue and encourage production in this country. Dingley estimated that the bill would yield $100,000,000 increased revenue. In conclusion he urged the need of prompt action.

Dingley was followed by General Wheeler, Alabama, who opened for the minority.

IN FAVOR OF THE TRUST.

Decision by Judge Morris in the Arbuckle Case.

TOLEDO, Ohio, March 22.—The long expected decision of Judge Morris, common pleas court, in the suit of Arbuckle Bros. against the sugar trust was delivered this morning. It is in favor of the latter.

The suit was brought by Thomas J. Keim and other stockholders of the Woolson Spice company and leading stockholders of Arbuckle Bros., the sugar refining company for the appointment of a receiver for the Woolson company, the majority of whose stock had been purchased by the sugar trust.

Plaintiffs declared the sugar trust purchased this stock to injure Arbuckle Bros. and keep them from getting their refining business, claiming that the business was being run at a loss and therefore the protection of the interests of the minority of stockholders required the appointment of a receiver to be made against Woolson selling office at a loss and that a receiver be appointed to conduct the business.

Judge Morris holds that the matter of price at which the company may sell its coffee strictly pertains to the internal agreement of the concern, and as long as the trust is acted in good faith the directors cannot be interfered with by court, which cannot restrain a corporation from selling at a low price, even though a majority of the stockholders can show that sound business discretion would dictate a different policy. The testimony, however, showed that Woolson was selling at a fair margin of profit.

The application for a perpetual injunction is, therefore, denied.

With regard to the other point, the court holds the agreement of a majority of the stockholders to sell a product for a time at such price as will drive a competitor out of business will not make the corporation an unlawful conspiracy against such competitor, nor liable for the actual loss, nor entitle him to relief in the courts. A competitor for public favor must bow to that law of trade that allows every man to dispose of his property in the ordinary course of business on such terms as he sees fit.

The motion for the appointment of a receiver is therefore overruled.

IN THE INTEREST OF MORALITY.

An Appeal from Women Against the Kinetoscope Abuse.

CHICAGO, March 22.—The following appeal was forwarded today:

"To His Excellency the President of the United States:

Honored Ruler—As official representatives of three hundred thousand members of the Women's Christian Temperance union of the United States, we earnestly entreat you to call upon Congress to prohibit in the District of Columbia and throughout the various territories the reproduction by means of the Kinetoscope of kindred instruments, or the Corbett-Fitzsimmons fight or any like exhibition at any future time.

"We believe in making this request for the welfare of the citizens and especially the youths of our land, who would be brutalized by such lifeless representations of these degrading spectacles. We learn that preparations are now being made for the invading not alone at our great cities but every village and hamlet with this spectacular performance, that had we the influence at the fight upon a comparative few who witnessed it in person, it would be infinitely worse if this reproduced. We are making a like request to the governors and legislatures of the various states and have a strong hope that in a majority of them the necessary legislation may result. We are glad to feel assured a like contest that your personal sympathy must be with us and that your official sanction will be given to this request, so closely in the interests of morality.

Humbly and respectfully yours,

FRANCES E. WILLARD,
President.

CATHERINE L. STEVENSON,
Secretary of the W. C. T. U."

Killed by a Cyclone.

ATLANTA, Ga., March 22.—A cyclone struck the village of Arlington this morning. The public school building, a frame structure, was blown to pieces. There were thirty pupils and two teachers in the building. Twelve children were instantly killed. The bodies were fearfully mangled. Twelve children are dying. Two teachers were hurt badly and are thought to be dying.

The wind struck no other building with force. The cyclone struck the town about 8:30 a. m., coming from the northwest.

Confirmed by the Senate.

WASHINGTON, March 22.—The Senate in executive session confirmed Powell Clayton to be minister to Mexico; W. M. Osborne, consul-general at London; J. K. Gowdy, consul-general at Paris.

MORE FLOODS EXPECTED.

Heavy Breaks, Probably, in the Levees Above Memphis.

Relief Boats Continue to Land Refugees from the Flooded Districts.

MEMPHIS, Tenn., March 22.—Today the flood situation may be compared to a "calm before a storm," because the Mississippi registered a fall of .01 in twenty-four hours, which is taken to mean heavy breaks in the levees above, forestalling awful calamity in the country south of here. The government gauge at 10 o'clock shows a depth of 37 feet.

Relief boats continue to ply between this point and the intermediate overflowed districts, bringing each trip several hundred homeless.

THE SENATE.

WASHINGTON, March 22.—The Senate, after transacting some minor business and calling for all correspondence on the Bara case, today went into executive session and took up the arbitration treaty. Senator Frye spoke in its favor.

The Senate refused on a yea and nay vote to adopt the motion made by Senator Hoar providing for the appointment of the foreign relations committee to the arbitration treaty. Morgan's amendment providing for the striking out of the words "private property" from the enumeration carried in the 4th of the provision constituting the judges of the supreme court members of the arbitration tribunal.

Honoring His Grandfather's Name.

BERLIN, March 22.—The ceremonies attending the commencement of the centenary of the birth of Emperor William I, the grandfather of the present emperor, which began yesterday and which will last for four months today, commencing with an early visit of the emperor and empress to the mausoleum of William I. Their majesties also received the students along the route, spent a quarter of an hour in silent prayer at the tomb and returned to Berlin soon after 9 o'clock. Long dense lines of troops, new and old uniforms, and detachments of sailors took up the positions assigned to them on Unter den Linden. About 10:30 the emperor, in the uniform of the Grande du Corps, arrived and was welcomed with enthusiastic hurrahs, "Hochs" and waving of handkerchiefs.

His majesty halted before his late grandfather's palace, and ordered that the flags and standards stated therein be brought out. The emperor then rode ahead of the colors to the festival square.

The monument was unveiled at 11:30 a.m. The royal personages were beneath a magnificent tent facing the monument. They included the empress, ex-Empress Frederick, the kings of Saxony and Wurtemburg. The privileged spectators numbered about 5,000.

His majesty occupied a position on horseback in front of the platform facing the monument. Drums and trumpets called to prayer. A special trumpet corps sounded the hymn "Lobe den Herren." Cannons thundered prayer, trumpets and drums following with a grand burst of music. The emperor then ordered the monument unveiled, and lines saluted arms and there was loud cheers. The massed bands played the Prussian national anthem. A salute of 101 guns was fired from the Tempelhof field. Ringing and all church bells rang. The ceremonies ended with a march past by a special mounted corps and a march past of the troops. During the ceremony the colors and flags captured from the French during the war of 1870-1 were displayed on the sides of the monument, surrounded by a circle of cannon ornamented with oak leaves, also captured from the French. All troops taking part in the ceremony were under the personal command of the emperor.

Grand Marshal Count Von Eulenburg has been appointed by the emperor with the order of the Black Eagle.

DEATH OF SISTER NOALL.

She Passed Away Leaving a Good Record Behind Her—Funeral Thursday.

It is with regret that we announce the death from pneumonia, after an illness of one week, of Sister Lucy Noall, which occurred yesterday morning, March 21st, at 4:30 o'clock, at her residence in the Twenty-second ward. She was widely known on account of her missionary experience on the Sandwich Islands, she having filled two missions—in all seven years and five months—with her husband, Elder Matthew Noall. All who knew her loved and respected her. She was the mother of five children, four of whom survive her, the youngest being only four months old. May God comfort the afflicted ones mourning husband and family.

The funeral services will be held on Thursday, at 2 p. m., in the Twenty-second ward meeting house. Those wishing to view the remains can do so at the residence, 312 west Fourth North, from 12 to 1:30 p. m. of that day.

Elizabeth Lucy Lake Noall was born Nov. 11, 1864, in St. Charles, Bear Lake, Idaho. Her parents are Lambreth Baker and Annie Bryson. From her earliest childhood she took an interest in religious matters, being always a faithful attendant at Sunday school and the Young Ladies' Improvement association.

She was a fluent speaker and writer and when but a girl showed quite a gift for poetry, some of her productions having been published.

On the 21st of June, 1893, she married Elder Matthew Noall and in June, 1894, started on her full mission to fill a mission to the Sandwich Islands. Here her native family made itself manifest in the rapid manner in which she acquired the Hawaiian language. Two children, both girls, were born to her while on the islands, both of whom survive her. During the latter half of her mission she was appointed to preside over the Relief societies, which position she filled to the satisfaction of those who resided over her and of the native sisters. At the end of 5 years and 5 months she and her husband were released and returned home in April, 1900.

She was soon afterwards chosen president of the Young Ladies' Mutual Improvement association of the Twenty-second ward, where she gained the love, respect and confidence of all her associates.

In December, 1901, she again accompanied her husband on a trip to the Sandwich islands, he having been chosen to preside over the mission. This time they were gone 2 years and 11 months, returning in March, 1894. During all of this time she presided over the Relief Society organization, and traveled from branch to branch and from island to island in the interest of this work. She also organized the Primary Association at Honolulu and Laie. It is doubtful if any white woman ever did more work on the islands ever since the language more directly than did Sister Noall. She is known and respected in every village and hamlet where she has been, she seemed all the indebtedness, agreeing to pay the same off in accordance with Humphries' contract.

When Lawson bought the property he claims to have no knowledge of the effect of the provisions of the mortgage, and was not aware that the stock had been absolutely paid over to the company. He continued paying the interest and dues until a time when the dues were paid amounted to $867.35. He then notified the company that he intended on pay off the loan, at the same time claiming the mortgage was satisfied and paid to date to the mortgage indebtedness. He tendered $500 as the balance due. The corporation refused to accept this, for the reason that only one half of the dues could be applied, because of Humphries assigning half of the stock. Sawtelle then instituted proceedings, and compelled the mortgage, pleading the tender of the $500, which he deposited with the clerk of the Second district court.

The defendant filed an answer and a cross complaint, asking that it be allowed to foreclose the mortgage. The matter was heard before Judge Rolapp, who dismissed Sawtelle's original action, giving judgment for defendant in the sum of $626.70, from which plaintiff appealed.

There are a number of errors assigned in the appeal, the principal one being on the application of the payments on the stock procured by Humphries. It is claimed that the $867.35 paid as dues must be applied in reduction of the debt.

Referring to the contract made between the corporation and Humphries, the court says:

"This kind of a contract for the loaning of money is not such as to command itself to the special favor of a court of equity, and while it is not necessary, and is not our intention, to pass upon validity in this case, under the laws of Utah, the relation between a member and the corporation, still it is important to notice the result which would flow from a specific performance of the contract, whether its literal enforcement against one who is not a member of the corporation, and at a time when he undertook to pay the loan, had no knowledge of the effect of its provisions, would be justified upon any question of equity. In complete accounting would require, and such appears to the contention of the corporation, the payment of interest on interest, and interest per month, with such fines and penalties as might be exacted, for a period of nine years, or until the seventeen shares of stock became worth $1,700, or, in other words, the borrower is to repay the $500 loaned, with 6 per cent interest, payable monthly, and an additional sum, give the corporation a bonus of $550, or in the aggregate $2,150, and then the corporation will sell the business square and the transaction is closed.

"The mere statement of such a proposition shows the contract to be a harsh one, if not entirely unconscionable and the court will not be necessary in declaring that, under the facts of this case, as they appear from the record, the $867.35 paid as dues on the stock must be applied in reduction of the debt.

"Having reached this conclusion, we do not deem it necessary to consider the cross appeal, and it is unnecessary at this juncture to discuss any other questions raised in the record."

The question whether the contract Humphries entered into, which he and under the laws of Minnesota, could be enforced under the laws of the state, as between a member and the corporation, was not decided.

SEVEN IN ALL.

Arraigned on Various Charges—Near by all ask till Wednesday.

Proceedings in the case of the Consolidated Irrigation & Canal company vs Utah & Salt Lake Canal company were interrupted long enough the

ROLAPP REVERSED.

Supreme Court Decision in a Building Society Case.

CONTRACT WAS UNCONSCIONABLE.

A Batch of Prisoners Brought Before Judge Norrell—Court Notes.

The Supreme court handed down an opinion today in the case of John R. Sawtelle vs the North American Loan and Building company, reversing the judgment of the court below, and remanding it back with instructions to modify the findings and to dispose of it in accordance with the opinion.

The defendant corporation is organized under the laws of Minnesota, and for some time past has been doing business in this state.

Charles J. Humphries, residing at Ogden, subscribed for seventeen shares stock in December, 1891, receiving a certificate therefor the following April. According to contract, and to be in harmony with the by-laws of the association, Humphries was to pay sixty cents dues monthly on each share—making a total of $10.20—until the payments, together with the profits, arising from interests on loans, premiums, etc., would amount to $100 a share, or in the aggregate $1,700.

Humphries procured a loan of $500 on these shares from the corporation, giving as security therefor his stock and a mortgage upon certain real property. In addition to this he transferred to the company 84 shares of his stock as a premium for the loan and as further security assigned the other 53 shares as collateral security.

By the contract he was to pay an interest at the rate of six per cent per annum on the borrowed money, and to also continue paying his dues and interest until the stock matured and was worth $1700 per share, after which it was to be received by the building society in satisfaction of the loan.

Some time later Humphries sold the mortgaged property to Sawtelle, who assumed all the indebtedness, agreeing to pay the same off in accordance with Humphries' contract.

When Lawson bought the property he claims to have no knowledge of the effect of the provisions of the mortgage, and was not aware that the stock had been absolutely paid over to the company. He continued paying the interest and dues until a time when the dues were paid amounted to $867.35. He then notified the company that he intended on pay off the loan, at the same time claiming the mortgage was satisfied and paid to date to the mortgage indebtedness. He tendered $500 as the balance due. The corporation refused to accept this, for the reason that only one half of the dues could be applied, because of Humphries assigning half of the stock. Sawtelle then instituted proceedings, and compelled the mortgage, pleading the tender of the $500, which he deposited with the clerk of the Second district court.

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Proceedings in the case of the Consolidated Irrigation & Canal company vs Utah & Salt Lake Canal company were interrupted long enough the

What Bill Might Have Done.

If it had not been for the cleverness of the thing—the spectacle of an auto-bodied, well developed man sitting a mere boy, a reporter by the way—a News representative might now have been nursing a badly disappointed jaw.

It happened in this wise: On Friday last, Bill Nixon, who, be it said in well to do, was in the city, was on one of his periodical jamborees. Now Bill is a good-natured fellow when in his sober senses, but quite the reverse when otherwise, consequently he has a plausible excuse for his dire threat to launch into eternity, the other party to his contrary way of thinking. As well, as the latter was leisurely wending his way down East Temple street, who should he meet but his friend Bill, three sheets in the wind, and as soon as any mortal man living, and he clearly showed his distinguishing characteristic by letting the News man, or by subject, know what he thought of him.

Said he, "You rassled me to a finish, didn't you?" The reporter smiled, when Bill chipped in with, "I've a good notion to swipe the whole low eff your, and if you'll come down the street here a little ways I'll do it. Sez! The reporter seen rather quickly and refused to go as a lamb to the slaughter, thus making Bill mad as a March hare. "Well till I catch you I'll get even with you, and I'll do you in a finish, you mean cur," and with this Bill, however slowly, wended his way down the street.

That night an officer got him, but on his telling Justice Murphy that he had a job in Bingham, mercy was extended and Bill gained his freedom.

ANSWER FILED.

Dexter and Ames, Trustees, Answer the Bill of Complaint of the Government.

The answer of F. Gordon Dexter and Oliver Ames, trustees, to the bill of complaint in the case of the United States vs the Union Pacific Railway company et al., was filed in the U. S. Circuit court, district of Utah, today. These defendants admit some of the allegations of the complaint, but aver that all of the liens, rights or mortgages of each and all of the defendants named in said bill of complaint designated as having or claiming liens upon or in, or affecting the property or any part thereof mentioned in the said mortgage of the Union Pacific Railroad company to these defendants as trustees, are subsequent and inferior to the lien of said first mortgage to these defendants and are evident to these defendants' rights, interests and liens as trustees thereunder, and to the rights, interests and liens of the holders of the bonds secured thereby.