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. 257. THURSDAY, OCTOBER 5, 1893. SALT LAKE CITY, UTAH. VOL. XXVI

THE AMERICA'S CUP.

The First of a Series of Races Between the Vigilant and Valkyrie.

IMMENSE CROWDS ON THE BAY.

Unfavorable Weather.—The Vigilant Ahead at Noon.—Probably No Race.

NEW YORK, Oct. 5.—The city was depopulated of yachtmen and lovers of yachting who went down the bay to witness the first of a series of five races for the America's cup, between the British yacht Valkyrie, owned by Lord Dunraven, and Morgan Iselin's yacht Vigilant, selected by the New York Yacht club after a series of trials with other crack yachts to defend the cup. In spite of threatening weather and the chances against the race there never was such an outpouring before to witness the international cup contest. Water craft of every conceivable description fit to go outside, were crowded to the utmost capacity at eight prime, and the landlords and owners on either side of the bay were seen with people straining their eyes through the orifice for to catch a glimpse of the race, surrounded by agreeable of steam and eating crabs.

In addition to the discouragement of thick weather the wind was very light and uncertain throughout the morning, shifting in various points of the compass. As the day wore on, however, the fog lifted somewhat and the wind became steadier. According to the sailing directions the start was to be made off Sandy Hook lightship, the preparatory signal being given at 11:15 a. m. and the starting signal 15 minutes later, but being the starting time of both, no allowance being made to either boat for time of crossing so imaginary line. The course was to be fifteen miles to windward or leeward and return.

At the appointed time the preparatory gun was fired and the yachtsmen for the starting point, going seaward to windward. The Vigilant crossed the line first with the Valkyrie close behind. As they stood away the Vigilant held her course well to windward, but the Valkyrie appeared to be sinking up the gap between them. As the dispatch is sent the wind is very light and the prospects are that there will be no race owing to the inability of the yachts to enter the course in the stipulated time of six hours.

At noon the wind became very light. The sea was perfectly smooth. As the yachts held on their course they drew somewhat out of the fog and became more and more clearly visible. At 12:10 Vigilant led by a quarter of a mile and pleasure craft swarmed around the racers. Opposite Highland the yachts steered due south in the teeth of what little wind was left. The Vigilant continued to lead by a quarter of a mile, though the positions varied somewhat, the Valkyrie either got the lee of the breeze, Hian had all their sails set with a view of catching airs from the breeze. At 1 p.m. the Vigilant was still a quarter of a mile ahead and the wind slightly increasing.

At 1:40 both were on the starboard tack with a light wind off the shore. At 2:05 the Valkyrie was nearing the stake boat for the turn, and she appears to have a lead of two miles.

2:10 p.m.—Both yachts are still on a southerly course, the Valkyrie a mile in the lead. The race will not be made in the required time, it appears.

At 3:15 p.m. the fog settled down and for a time it was almost obscuring the yachts. There was scarcely any breeze and they made poor headway. They have not yet turned the stake and the chances are greater than ever that they will not be able to finish in time, as only two hours and a quarter remain.

To the Associated Press it was reported at Sandy Hook that it looked as if the Vigilant would have turned the stake boat and the Vigilant was out to be seen clearly.

A dispatch from Long Branch received here at 5:37 said the stake was then still half a mile from the stake boat.

HARRISON INSTALLED.

He is Commander of the Loyal Legion.

CINCINNATI, Oct. 5.—The commandery of the military order the Loyal Legion, last night installed the new commander, ex-President Benjamin Harrison.

FROM BRAZIL.

The Insurgents Again Bombarding the City.

LONDON, Oct. 5.—A high British official has received a dispatch from Rio Janeiro saying that the insurgents are again bombarding the city.

NEW YORK DEMOCRATS.

The Question of Candidates Settled in Advance.

SARATOGA, N. Y., Oct. 5.—The Democratic state convention met here this morning. The question of candidates seemed to be settled in advance. Comptroller, of Brooklyn, will be candidate for secretary of state; Hugh Duffy, of Cortland, for state treasurer, Attorney General Rosendale and state Engineer Schoech will be renominated and Isaac Maynard named for judge of the court of appeals. All this, however will not be done until late tonight or tomorrow. The Hill people, who control, have determined that court shall determine each case upon entering on the convention, to be named by the chairman of the committee on resolutions, who nominated Cleveland for governor and President. After the preliminary organization and selection of committees, the committee on resolutions, the convention having been recess, began the work of framing the platform, which will probably occupy the entire day. Even if the anti-income tax resolutions are adopted, the Hill men will control the platform of the convention. For this reason it has been decided to deal gently with the anti-sympathetic. There are contests in four Brooklyn districts.

TRAINS ARE CAPTURED.

EDMONTON, Mont., Oct. 5.—Word has just reached here that the mail train bound at Zurich, the second station west of the summit of the Rocky mountains, on the line of the Great Northern has captured the gang of robbers who held up the train in Montana, yesterday afternoon. The officers called on them to surrender and on refusal opened fire on the robbers and wounding two. Ten North surrendered. One of the wounded took to the hills and a posse is in chase.

AT SEA IN A SHIVER.

QUEENSTOWN, Oct. 5.—The British steamer City Oasis from St. John's to all Gulfport of Cove, Washington, having encountered a terrible storm on September the sixth. The cabins were filled with water and all on board have been living on the poop deck ever since. Tugs have gone to her assistance.

BIMETALLIC CONVENTION.

Propositions Considered in This Morning's Session.

To Move the National Capital Further West.—More Money Needed.—The South and the West.

ST. LOUIS, Oct. 5.—The last day of the pan-American bimetallic convention opened an hour late, but with the purpose of completing the work without further delay the committee on resolutions presented a supplemental report, unfavorably passing upon the proposition of Thomas Warren to take action looking to the enforcement of the removal of the national capital further west; also favoring the printing and circulation of the address of yesterday by Walter S. Allen of Kansas upon the "exception clause" of the silver law.

The report was adopted without discussion. The question then came up on the adoption of the report and recommitment of the committee.

Delegate Waterbury, Kansas, moved an amendment to the report by the addition of the following resolution: Resolved, by H. M. Taylor, New Mexico, favoring increased the volume of currency by the issue of legal tender notes secured by land values.

Delegate Cockrane, Missouri, opposed all efforts to cry or do anything in the convention upon the money question other than fully and entirely to endorse free coinage of silver.

M. H. Taylor, New Mexico, replied in defense of his proposition, urging that money based upon such security is as safe as money based upon the credit of the government, as are the $321,000,000 in greenbacks.

Delegate Waterbury, upon the text of 1891 per capita, public and private debt, pleaded for an increase of the volume of currency with which to meet it, by means proposed in the minority report.

Gov. Tillman, South Carolina, spoke briefly declaring that it was the desire of the committee to consolidate the efforts of the convention upon the central purpose of bimetallism and for that reason it seems to them unwise to work more now, no matter how alluring the prospect.

Gov. Waite, Colorado, begged the convention not to be diverted from the one great issue. Until the success of bimetallism showed Wall street to have lost its grip upon legislation it was impossible to secure any other form of legislation in opposition. As to the West and South, they could control the politics of the country if it became necessary. He deplored the fact that there were millions of money now in Washington with which to buy Congress, and with such a condition, the South and West must unite.

Delegate Manning, Ala., declared the readiness of the South for a union with the West in the battle for free coinage of silver, but pleaded for the prevention or the addition of extraneous matter in the platform as a diversion of the purpose of the convention.

Delegate Skaggs, Ala., spoke in a similar strain, also mentioning President Cleveland as an enemy and betrayer of the people.

Delegate Taylor, Waterbury and Waite withdrew the minority report, when, with the motion to adopt the majority report pending, the convention adjourned till 2 p.m.

STILL THE HORROR GROWS.

Further List of the Drowned Paints and Other Horrors Dead.

NEW ORLEANS, Oct. 5.—The storm further continues to give in the frightful loss of life and property hour by hour as the reports come in, though it is believed approximately full details are now at hand. To the Picayune in Bache country the death list is swollen to eighty, with a prospect of reaching a hundred before all are heard from. At Shell Beach and St. Malo bound the loss is about thirty. In Mississippi sound and vicinity, reports of losses are reported. Chand four islands are swept away with a great loss of life and property. The Isle of Ile to the Cock Bayou country will approximate 400. The country is swept clean of houses, and scarce of living creatures are entirely destroyed. News from Grand Isle this morning places the loss at the island at not above 250, all negroes, and the property damage at $100,000. Cheniere had a population of about 1,000 and best of it's of 800 men. Twenty-two were drowned in the Chenieres camps on Bayou Rosset and Bayou Jacko.

It is estimated the aggregate loss of life in the state is between 1500 and 1600, the property loss several millions. Crops are three or four hundred feet long stuff, of which half are wrecked. This cripples the cotton industry, and the cotton market yesterday was weak in sympathy with the storm. Telegraphic advices from points in the interior of the state report the cotton crop in Tensas parish, Bayou Macon, Bayou Boeuf and Bayou Jacko.

ELEGANT'S RECONSIDERATIONS.

The Retrograde Element Should be Considered about Annexation.

WASHINGTON, Oct. 5.—The nature of Mr. Hoar's resolution relating to annexation questions, says a morning paper, is to the effect that it is about useless for the people of the United States to annex the island or establish a protectorate over it without the full consent of all the natives. The resolution recommends that all questions involved in the annexation or establishment of a protectorate be referred to a vote of all the natives, as well as to congress, and that the United States not use force policy of the United States respecting the Hawaiian islands. If Cleveland adopts the recommendation he will be reported to publicly assure that the queen will be restored to power, or she is said to be popular among the natives, and by whom she is said to be regarded as that of the foreigners, and it is said, further, the complete supremacy of Claus Spreckles, the sugar king.

SPAIN'S POLICY.

She Will Punish the Moors and Build the Fort in Africa.

MADRID, Oct. 5.—The minister of foreign affairs has assured the foreign representatives that Spain would maintain the status quo in Africa, but that the building of forts in Morocco would be energetically pushed to a completion, and any expedition on the part of the Moors would be severely punished. Spain would also demand full reparation from the sultan for the outrage at Melilla. The government has expressed the idea of carrying on a war on Moorish territory.

AT THE FAIR.

Rhode Islanders Celebrate the Day with Speeches.

CHICAGO, Oct. 5.—The weather is bright and beautiful. This is Rhode Island day at the World's Fair and the occasion was celebrated by a parade by the regiment of Rhode Island artillery, followed by Gov. D. R. Brown and other state officers, state commissioners, and prominent Rhode Islanders, who were the guests of honor to which addresses were delivered by Governor Brown, Prof. Alonzo Williams, of Brown University, and others, and a dress parade by the artillery.

THE SENATE.

Cleveland's Appointments Criticised in Executive Session.

WASHINGTON, Oct. 5.—On the motion of Vorhees the senate was presented in executive session to the consideration of the presidential appointments for positions in the territories which violated the long rule prevailing in the Democratic platform. It will probably remain in executive session all day, Gorman and others speaking in opposition to the appointments by Hill, New York, Davis and Washburn Minn., and others. Hill's speech was a criticism of such appointments in general, as a violation of the Democratic platform. Davis and Washburn spoke specifically of cases appointed from their states particularly that of R. M. Allen (Ala.) as agent for the Walla Walla Indians. Some of the Pennsylvania people declared the appointments nominating they were of a strictly national character.

Secretary Morton this morning received and at once laid before the President a telegram from the Democratic convention at Lincoln, Neb., sending greeting to the President and pledging the expression of confidence in his courage and wisdom, endorsing his administration and reaffirming the truths set forth in his inaugural address. Congress is now considering the silver purchase clause of the Sherman act and calling on the Senate to pass the pending bill for that purpose promptly.

AMUSEMENTS.

THE SPAN OF LIFE, by Dalton Vane, will be produced for the first time in this city tonight at the Theater. The play is a melodrama of the most heroic type. The author has a succession of scenes the hero, heroine and Villain are said to be startling and numerous enough to please the most capricious god of the gallery. The play received its name from a novelty in stage realism of an acoustic kind which is introduced at the close of the third act.

A natural bridge which spanned a narrow but deep stream has been shipped by the owners of the land and Beatrice to prevent their escape from slavery. Their faithful friend, Nutty Brown, a former circus man, solves the difficulty of the opposition by employing his old time "celestial act" as. The with two boys form a human ladder and then fall on one man, across the chasm, the topmost boy, with commendable accuracy, entering the side door of the farther cliff. Upon this company bridge the pursued people cross in safety. The play is very handsomely staged.

A SCORING MATCH concluded its engagement last night before an audience that not only be disturbed by one act—begging.

THE TABERNACLE CHOIR concert Saturday night is the big event of the week. Its full 200 voices that will be heard in Fort John will be heard in the great choral music, and the soloists who accompanied the choir will appear.

THE PROGRESS MADE.

Annual Meeting of the Stockholders of S. G. M. I.

ELECTION OF THE OFFICERS.

Affairs in San Juan County.—Bingham G.M.—Some Industry in Sevier.—Notes.

The annual meeting of the stockholders of Zion's Co-operative Mercantile Institution was held in this city this afternoon. The business of the meeting was the election of officers to serve for the ensuing year, and receive the report of President Woodruff.

The call for the meeting named the hour of assembly at 12 o'clock noon, but there not being sufficient work represented, an adjournment was taken till 1 p.m., when the stockholders assembled. The board of officers were followed:

President, Wilford Woodruff.
Vice President, Moses Thatcher.
Secretary, T. G. Webber.
Treasurer, A. W. Carlson.
Directors—George Q. Cannon, Joseph F. Smith, Heber J. Grant, George Romney, J. R. Winder, H. Dinwoodey, F. T. Farnsworth, J. H. Burton, W. H. Rowe, John Henry Smith, F. M. Lyman.

The president's report, which is the forty-ninth in the history of the institution, stated that during the first half year reported the greatest panic of the time had been consequence for a general disturbance in financial affairs and loss of confidence in business circles. Various reasons had been ascribed for this, but to the opinion of the president there were two chief causes, viz: over-speculation and extravagance. Corporations, trusts, combinations and syndicates, he said, had sprung up like mushrooms, and had taken on gigantic proportions by artificial means, and disaster has naturally followed.

In reviewing the history of the present financial embarrassment the president stated that, starting with control of the United States currency, possessed large portion of it was changed by certain financiers to be loaned out at a stipulated price, upon stocks, on assets, on treasury notes, etc., and when the time came they would not be able to meet the demand, and the stocks, on assets, on treasury notes, etc., they would be left with the metal to be, so that good and bad alike had fallen under suspicion. Over-speculation has gone too far, extending over a greater field than the confines of the state intended. For a change and the establishment of a healthy tone, it would be necessary to wait until there was a change in sentiment, which was an important factor in values.

In the area which had been instituted in the number indicated, all departments of industry, trade and financial had suffered, and, as a result, there was a decrease of revenue, and the Institution was compelled to be more cautious than were in sound condition but suspicion because they could not withstand the sudden pressure of obligations created by loss of confidence on the part of depositors.

It was not a question of intrinsic values, the report went on to say, that all were suddenly called upon for payment, stringency in money. People had sold out their country, and, before they were aware, found themselves, in the position, the report says that none can tell but which it exists there would be a falling off in wholesale and retail business, and in the institution had, therefore, endeavored to meet the situation thus created by curtailing purchases, restricting credits and curtailing other expenses. The institution had been reduced, some employes discharged, and others laid off a portion of the time to equally distribute unavoidable privations consequent on hard times.

Reference is made in the report to the progress of the Territory, such as railroads, mines, etc., which had, when had found little outside market, and consequently brought in little money. The mines were growing somewhat brighter, and the money market more healthy, while very little money was available for commercial loans or discounts. Yet there was some relief in the situation.

The president said that the Territory was to be congratulated at having escaped the severe ordeal of the late depression. Financial and business institutions generally had stood the shock in a manner that enhanced the already fair name of Utah in this regard, and reflected great credit upon her business men and institutions.

The sales of the institution for the half-year reported were a million dollars, while its cash receipts for the same period were over a million and a quarter dollars. The notes and accounts receivable had, in the six months increased less than $[illegible]. Closing his report, the president says that the Institution had having passed through the financial and business crises, is moved on a season of fair trade for its customers.

FOUR OUT OF FIVE.

Judge F. A. Desmond arrived today from San Juan county. He reports affairs as fairly prosperous in the southeastern part of the Territory. The people have felt rather severely the effects of the financial stringency. Their chief source of reliance has been on their stock interests, and the failure to get a good market for beef, mutton and wool has worked a hardship. There has been no suffering for the necessaries of life, nor is there likely to be. The Indians have shown the way of making some of the people ashamed to meet their obligations promptly. A band many personals and well-to-do Indians selling in their stock herdings, contributing a good market to enable them to pay for their purchases. This specialtiness has not been general, although prospects are growing brighter. There is plenty to make them meet the obligations of the people if they will exercise the A. shipment of some head of beef cattle was made to Omaha a short time since, on a sale that was effected, but the purchaser failed to raise the cash. They were allowed for the latter part of this month, when, if the money is not forthcoming, the cattle will be other buyers offered. With the recent improvement in the market the prospect is had a good price will be obtained.

Regarding the mining interests, the judge says that last year's little excitement about the San Juan gold fields has subsided. In the locality of the permanent camps on the San Juan river. The latest of these is about ten miles below Blind City. There are some good prospects, but no actual mines, yet more capital than is in there at present will be required to develop them.

SODA.

Telegraphic news was received from the Marion mine to up. Tuesday was $2,[illegible].

E. D. Ryan came in from Bingham last evening, bringing with him a bar of gold, the result of the cleanup of the mine at the date of the 1st inst. for the month of September. The bar weighs 14 pounds and 10 ounces, and is valued at $4,[illegible].

The Western Loan and Savings company is now fairly launched in business. Among its officers are some of Salt Lake's well known capitalists and business men, whose connections and influence will stand it in good stead in the matter of the support of the people in their conduct of the business.

Ogden Standard. Mrs. J. M. Harris has completed the enumeration of all the industry in the Territory, and, with the model for report to Mrs. C. W. Bennett of Salt Lake. The idea is to furnish statistics showing the number of women who are engaged in work that can be carried out in the Territory, with a view of giving an impetus to the silk industry, which she and should have a healthy growth in Utah.

Richfield Advocate: It is reported that the young women of Greenwood have organized a home industry club, and they have filled out their mothers' and grandmas' spinning wheels and put them in running order. The wool is sent to Manti to be carded. They will spin all the spinning yarn needed in the home and knit stockings for the winter. Mr. Andrew Pulsen reports that his sales mill in the south had only run one day in the last working business, are taking in most of the custom from all around the country—Greenwood, Vermillion, Annabella, Antimony, etc. He is shipping quite a deal of flour west and east, and every customer feels satisfied with the grade of flour turned out. Mr. Pulsen will have six more days before he leaves so that customers can find a suitable place for their animals, when they come to mill to call waiting, and a comfortable place for themselves also.

County Court.

At yesterday afternoon's session of the County court, Judge Blair, Commissioners Calder and Ensminger were present.

Edward Martin represented that he was the purchaser of certain property in plat D, which was sold for taxes in 1892, and in February last paid $11.40 for taxes. He asked that $25.95 of the amount be refunded to him, he being willing to waive interest and give the necessary quit claim deed to Salt Lake City. Treasurer, on filing a deed.

A number of residents of Mill Creek stated in writing that Fourteenth South street, from the Jordan river to Mill Creek, is almost impassable. They asked that it be graveled; also that the bridge across Mill creek be repaired, and that their special school tax be expended in the work. Filed.

The petition of Joseph Baumgarten and O. M. Cannon, calling attention to the fact that the ditches on Eleventh South street were overflowing and asking that they be cleaned out, filed.

The claims of Dr. Plummer for $[illegible] and Dr. Hicks for $[illegible] were referred to Selectman Ensminger.

The claim of D. H. Allen, county superintendent of schools, for $[illegible], was approved.

Appropriations were made amounting in the aggregate to $17,[illegible].

The board then adjourned till Monday next.

Jewelry Company.

Articles of incorporation of the Holzmer Jewelry company were filed last evening with the clerk of the Third district court. The capital stock is $[illegible], divided into shares of the par value of $100 each. The incorporators are Frank D. Kimball, Joseph Baumgarten, Leopold L. Zimmerman and Simon Baumgarten. The officers are as follows: President, Leopold Baumgarten, vice president, and Frank D. Kimball, treasurer. The company is organized to conduct the business of a wholesale jewelry, with headquarters in Salt Lake City.

THE FIGHT IS ON.

Bellett's Rising Suit Against the Lexington in Course of Hearing.

The $10,000 to mining suit brought against the Societe des Mines de Lexington and J. Lovigaine by Joseph Bellett, the full facts of which were were reported in yesterday's News, came to for further hearing before Judge Bartch and a jury this morning. It looks like being a long-winded undertaking, and Saturday morning may be here on the case be given to the jury. Attorneys Howard, Cherry and Shepard and Judge Newman on Bellett's side and Maginnis & Hoge on the other now received upon "war to the (legal) knife." The trial is attracting the attention of a considerable number of persons interested in mining matters.

THE BICYCLE RACES.

Postponement Necessary on Account of the Heavy Rains.

The bicycle races which were to take place tomorrow and Saturday have been postponed until Tuesday and Wednesday next week. The boys from Butte, Montana, will stay over, and those from Logan, Ogden and Provo have been notified by wire of the change. There are fifty entries for these races, and continuous visitors have made arrangements to actually extend their stay so as to see them. Nothing so intensely interesting in the line has ever before been put before the local public. The new track at State and Tenth South is one of the fastest in the country and is within everybody's reach.

The bicycle parade will march on Monday evening at 7:30. This will be a great show of Chinese lanterns attached to every conceivable design on the bicycles.

BLOOD RED CROSS.

Sensational Resolutions Said to Have Been Received by Americans.

DUE FROM DENVER THIS MORNING.

The Mayor of Colorado's Capital Denounced as a Traitor and Perjurer.

It is stated that a copy of the following sensational resolutions were mostly received here from Denver this morning by the Americans and that they will form an interesting part of several meetings of that order in the near future:

M. D. VAN HORN, JRCOR.

THE TRAITOR'S RESOLUTION.

Whereas, Marion D. Van Horn, an intimate member of the order, sink contrary to his oath and oath having taken the oath of allegiance, and, and instinctively taken, opposed the lawful of the order;

And Whereas, said Van Horn, both before Grand Lodge, and in the order by an overt act, to our and to us well known, and which has been in our hands proven;

Therefore be it Resolved, That said Van Horn be dishonorably dismissed from the order, and be it further resolved and perjurer;

That a blank copy of said traitor, with a copy of these resolutions, duly certified, be sent to each and every Supreme Council, Supreme Lodge, Supreme Union and Grand Commandery within the jurisdiction of the United States, as well as to each local council within the jurisdiction of the state, with request that the same be read, and that the name of "Marion D. Van Horn, traitor and perjurer," be proclaimed three times, in each of four consecutive regular meetings of said councils.

Received further, That a photograph or likeness of said traitor be prepared, framed, across the shield of said likeness, a Roman cross, painted thereon, surmounted by the word "traitor" and the same to be draped in black and hung in our lodge room, and be it

Be it resolved, further, That all communications, actually or otherwise, with said traitor, and judges by any member of this order, be now forever ceased;

That in his joys or in his sorrows, in his hopes or in his disappointments, awake or asleep, in health or in sickness, at his finance or with his fellowmen, we ask Providence to grant our faith ful to endeavor to speak of Pinnemah and, so that he may see himself as others see him.

Be it further resolved, that when his name is proposed for the order of mother earth, in whatever land, in any known communities, duty appointed, shall perform its last rite in the name of this council, by erection of final memorial to that day known: "Here lies a Traitor."

Resolved further, that these resolutions adopted by a rising vote, that a committee of three be appointed by the chair to present a copy of these resolutions to said traitor in person."

A committee of ten million and twelve hundred of the A. O. A. against Mayor Van Horn. The same were received in the form of a letter, of which Miss W. Cheney and P. D. Palmer, the newly elected chairman of our Republican county central committee were the.

Over and above the paper containing the original resolutions is the license of Mayor Van Horn, of Denver. He was arrested and the resolutions are stamped with a mammoth tomahawk red Rosen. The Denver News of yesterday contains quite a long article issued by the P. A's to that effect and sold to be circulated among the order throughout the United States. It says also that it "dooms Mayor Van Horn to be a dishonored name and a dishonored grave for having violated his obligations by appointing a Catholic to office in the person of ex-Chief of Police John F. Farley, who was given the position of commissioner of inspection."

In the Guide Business.

Harry Hoenig, a resident of No. 24 F street in the Twentieth ward, well and favorably known in the stations of Salt Lake, announces that he is now in the guide business and that he is prepared to show travelers and strangers, who would like to called his services, all points of local interest. His information can be relied upon as accurate and impartial.

TRIAL FOR MURDER.

The Killing of Dr. C. O. Elliott, of Grantsville, Under Investigation.

JOHN BENSON BEFORE THE JURY.

McBride's Turn Next.—Nearing Effort to Obtain a Jury.—The Case Opened This Afternoon.

Few criminal trials in the Third district court have created more public interest during the last few years than that which is now engaging the time and attention of Chief Justice Zane and a jury.

The accused are Hyrum McBride and John Benson, two young laboring men of Tooele county, who have been indicted for the wilful murder of Dr. Charles O. Elliott, at Grantsville, on April 17th of the present year.

Counsel for the prosecution are District Attorney Dickson and Assistant District Attorney Howat, with whom Attorney J. M. Hamilton is associated. The accused are defended by Judge Lee Emery and Colonel Montgomery.

The whole of yesterday afternoon was consumed in the empaneling of a jury, and when the court adjourned at 5:30, seven jurors only had been accepted. This morning, upon the assembling of the court, the task of selection was again proceeded with. It was 11:15 when the panel was completed by the swearing up of the twelve into whose hands the fate of the two defendants will presently be given. Before has more patience and care been exercised by counsel on both sides on the trial of a murder case in this district than has been bestowed on the present occasion, and out of the fifteen peremptory challenges allowed on each side not more than half have been exercised by the prosecution and only six by the defense.

The jury, as finally interrogated upon, stands as follows: David L. Lewis, N. T. Lindsay, Stanley Cooke, W. A. Chapman, Jesse Miller, W. H. Lawrence, Arthur Cummings, F. G. C. Hooper, R. A. Smith, W. E. D. Bartlett, S. H. Lowry, J. U. Taylor.

As stated in yesterday's News, the trial of Benson will be disposed of first, separate trials having been agreed upon. Benson who is thought to be a Gentile—is a comparatively young man, about 30 years of age. His wife and mother have accompanied him throughout the trial, and have sat behind him from the first moment he was brought into court, and friend of Benson's children, aged 3 and 5 years, which last and a half to six years were also there. The prisoner's friends have also attended and have shown his cause, and rather by turns, all manifestations of their parent's serious position.

There was a very large number of spectators present, many from the neighborhood of Grantsville. The investigation is expected to occupy nearly a week.

The facts held out to the killing of Dr. Elliott, so far as can be learned at this time, are that the deceased was the family physician of Benson. He had been attending upon the defendant's wife, who eventually informed her husband that Elliott had insulted her in a manner which she described. The doctor's actual follower. He, however, denied the accusation made against him, and gave a total for Benson, pending the examination, leaving to secure his release from custody. McBride is Benson's wife's brother, and on April 17th he met the doctor in Dr. Elliott near Grantsville, upon his return from Tooele City in a buggy. It is alleged that they both fired upon him, two of the six taking fatal effect, the one penetrating his neck and the other his chest. Death resulted on the following day, and the defendants were shortly afterwards taken into custody.

When all the jurors had been sworn, Assistant District Attorney Howat informed the court that he preferred to reserve his opening statement for the prosecution until after the noon.

Just as the court was about to adjourn, at 12:25, District Attorney Judd said it had come to his knowledge that the counsel for the defense had allowed stand the full force of the oath which they had taken with reference to the keeping of the jurors separate and apart from all other citizens and holding no communication whatever with them. He wished therefore that his honor would give the bailiffs special instructions in that matter, at the same time, he did not mean to assert that those officers had acted with any willfully wrong intent.

Judge Zane said the bailiffs must, of course, exactly understand their duty in this respect, and then ordered the jury over to Bailiff Nelson for sale keeping till 2 p.m.

When court reassembled the case was opened by the prosecuting counsel, and the facts briefly detailed.

The first witness called was George B. Judd, of Grantsville, an eye-witness of the tragedy, who was under examination when the News reporter left.

Today's Probate Court.

Estate of John Hoagland, deceased. Petition for probate of will heard and determined. Order made in accordance with the prayer of the petition.

Again Postponed.

The Walden injunction suit has gone over once more. The understanding yesterday was that, if nothing else stood in the way, it would be argued this morning, but the way being blocked by the further hearing in the Bellett mining suit, Judge Bartch on the opening of court today announced that he could not take it up until the trial then on had concluded. The chances are that this will not be until tomorrow afternoon, or Saturday.