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. 246 THURSDAY, SEPTEMBER 12, 1895. SALT LAKE CITY, UTAH. VOL. XXVIII.

SURRENDERED!

Valkyrie Crosses the Line and Gives Up the Race.

DEFENDER SAILS ALONE,

Lord Dunraven Positively Refuses to Answer Questions.

GREAT EXCITEMENT PREVAILS.

Enormous Boats Crowded the Beach, and That is Given as the Reason for the Withdrawal.

THE BULLETINS.

Mackay-Bennett, 10:07 a. m.—It is announced from the judges' boat that Lord Dunraven is willing to sail the triangular race over again today. No signals are yet display d.

Mackay-Bennett, off Sandy Hook, 10:1 a. m.—It is reported that there has been no change in the time allowance on account of Valkyrie shifting her ballast.

Mackay-Bennett, 10:27 a. m.—The committee boat has signalled that the yachts are to sail a straight away course which will be run 15 miles to windward, towards Long Beach, and back. The wind is now about west, blowing about 8 miles an hour. A boat has been dispatched to fix the turning point.

Mackay-Bennett 10:34—The course for just been signaled as "D. C. G. L," meaning east by south.

Mackay-Bennett 10:40 a. m.—The two yachts are now jockeying for position. Defender has her ziasail up and is carrying her mainsail, jib and stay sail, but Valkyrie has only her main sail and jib set.

Mackay-Bennett 10:55 a. m.—The preparatory gun was fired at 10:45.

Mackay-Bennett 11:02 a. m.—Valkyrie is coming towards the line on the starboard tack with only two sails set. Defender is on the port tack on the other side of the line, evidently trying to work over and then turn quickly.

Mackay-Bennett, 11:24.—Defender is going away like a swallow. Valkyrie is not racing.

Mackay-Bennett.—Valkyrie has taken out her stay sail and is running down for the line. It looks as if she meant very until the room around the starting line was large enough to sail out.

Mackay-Bennett, 11:28 a. m.—Valkyrie after choosing returned to the lagoonly and is coming back, evidently not going to race.

Mackay-Bennett, 11:35—Defender just took in her spinnaker about nine miles down the first leg. The wind is east and between seven and eight knots, the sea considerably. When Valkyrie came down to the line a large summer pilot boat No. 19 came directly across and to windward of her. In an instant she was blanketed and as soon as she got a bit of wind was not to put sail regarded the Lightship. At the old as she sent up to her mainsail the sulgn at the New York Yacht club, signifying that the race considered the race.

Mackay-Bennett, 11:39 p. m.—When the crowd of excursion boats bearing jammed 15,000 people saw the race was a fine, there were howls of derision. All sorts of jibes were hurled at Dunraven's sympathizers and the being made to feel very small.

Mackay-Bennett, 11:52 p. m.—The Associated Press tug has just arrived alongside the cable ship and reports that it is impossible to tell the reason for giving up the race, Lord Dunraven and party made no attempt to answer and left Valkyrie's deck, taking refuge below. Designer Watson and Skipper Carter set near the British yacht's boom smoking their pipes complacently, but refused to answer questions, and turned their backs on the interviewers. Meanwhile the Yankee boat was sailing over the course with a light wind and amid exciting things of all the others crowded in sight.

The cable connecting Mackay-Bennett to the shore is upon the point of being cut loose. The members of the New York Yacht club on board the committee boat Uncumbaugh say they know no more about the real cause of Valkyrie's withdrawal than do the press representatives. It is believed here, however, Defender will not try to finish in the time limit, so as to make it a race.

Mackay-Bennett still lays alongside the lightship; Defender has disappeared in the fog.

FROM HIGHLANDS.

Highlands 10:47 a. m.—Valkyrie has made no attempt to set her club top sail although it is only thirteen miles from the start. She is staying away from the lightship and something seems to have transpired her which will delay the start.

Highlands, 11:22 — Valkyrie has come around the light ship on the port tack and seems to be out of the race. She has not hoisted her club top sail or set her spinnaker. She is going back to the starting line but Defender is keeping on. There is evidently some trouble on board the English yacht.

Highlands, 11:32. — Valkyrie has been taken in tow and started for New York.

Highlands, 11:35 a. m.—Valkyrie has lowered all sails and gone towards the Hook. The English yachts and steamers cheered her as she passed in her way towards the mainland.

Defender is nearly six miles away.

Highlands 11:37.—The trouble was a foul was right in her way.

11:38 a. m.—The official time of the start of Defender was 11:25:24; Valkyrie, 11:1:59.

It was 11:30:38 when Valkyrie came about and returned. She ran up a signal indicating the surrender of the race.

Highlands, 11:42 a. m.—Valkyrie's mainsail is now on deck, Navahoe is also headed back for New York.

Disappointment reigns everywhere here. There seems to be but little doubt now that Valkyrie, from the time she left the moorings this morning, had no real intention of racing, but went across the line at the same time as Defender, in order to establish a race.

11:55—Defender is flying along like a white swan before the wind and the fleet following her is having a hard time to keep up with the American yacht.

Highlands of Navesink, 8 a.m.—If the wind holds as it does now from a little south of west, the yachts will have a run of 15 miles to leeward for the first leg, and turning the mark will be above Long Beach. The wind is about twelve miles an hour southwest. It is slightly hazy, the sea light.

Highlands, 11:19 a.m.—Both yachts are standing down towards the line, Defender to the northward of it and Valkyrie southward. Defender has lowered her spinnaker.

11:21.—Valkyrie crossed at 11:20:59. Defender, when the gun was fired at 11:20, was the lee position and crossed the line at 11:20:39, her spinnaker boom out. Defender, as she crossed the line, broke out her spinnaker to starboard.

Highlands, 12:05 p. m.—Defender is now well down to the outer mark and can still be seen from this point. She is sailing along without effort under mainsail, club topsail and two head sails.

Valkyrie is in a line between this point and Manhattan Beach. The press boats are surrounding her, and the reporters are plying Lord Dunraven and friends with questions.

Highlands, 12:17 p. m.—Defender appears still to be standing away, although without her spinnaker. She should turn the mark about 1 p. m. Valkyrie is half-way between Scotland Lightship and Sandy Hook. The air is very clear and Long Island shore can be seen for some distance.

Highlands, 12:45 p. m.—Valkyrie is now headed up through the main ship channel, three miles this side of the Narrows.

Highlands, 1:15 p. m.—It is reported here that Defender turned the mark boat about 1 o'clock, but nothing can be seen through the haze.

Highlands, 1:25.—Valkyrie has disappeared through the narrows in the direction of Bay Ridge. The wind continues light from the westward out near the lightship. In fact it seems perfectly calm.

Highlands, 1:31 p. m.—Defender comes around a distant leg and is now standing toward Long Island on the port tack.

Highlands, 2:29 p. m.—Defender can dimly be seen on the port tack. She probably will finish about 3 o'clock.

Highlands, 2:37.—Defender has come about on the starboard tack heading in this direction. She has one more tack to make before she crosses the finish line.

Highlands, 3:30 p. m.—Defender has gone about on the port tack headed for the finish.

Highlands 4:12 p. m.—Although the Defender passed the neighborhood of the finish boat about 4:04:30, the finish gun was apparently not fired and owing to the crowding of excursion steamers it could not be ascertained if she really finished the race. Indeed she may have passed to leeward of the mark in order not to make a finish. This matter, however, could not be definitely decided from here.

Highlands.—Defender finished at 4:01:15.

Quarantine, 1:15 p. m.—Valkyrie, in tow of the tug E. M. Villard, is passing Quarantine, bound in.

Fort Hamilton, 1:25 p. m.—Defender can be seen beaten for the finish line and about five miles from it. She was on the starboard tack, but has gone about and is now on the port tack. The steam yacht accordes her and a portion of the excursion fleet is following behind.

Sandy Hook—Following was the official time taken at Sandy Hook: 11:25:59.

TODAY'S RACE.

On board Mackay-Bennett, 8 a. m.—The Mackay-Bennett dropped anchor at 8 a. m., fifteen right off Sandy Hook Lightship, directly off the imaginary lines of yachts crossing in starting and finishing. At that the time weather conditions were the best that have yet favored the sixth of the series. The haze which during the early morning hung to the column of mother ocean with an embrace that was more than affectionate, shifted the breeze for a brief time, but soon spread the haze in a short time and their is now a clear outlook. The flow of purple along the horizon has melted the first into a delicate pink and afterwards to a pale yellow until it merged itself into absolute clear sky, with just a suggestion of coloring along the sea rim and a few fleecy clouds flying along the fresh wind made glad the hearts of all enthusiasts, and little supplicated that the wind would blow that it might continue to increase as the race for the cup, which is to be sailed today, will be determined. And it certainly looked as if it might be so, for the schooners and sloops were flying gaily in a lively breeze, and the usual fleet of small boats at the fishing banks danced over the water throwing the spray from their bows. The water conditions were equally favorable to those of the wind, there being but a very slight sea for such a good, stiff breeze and only here and there was there a white cap. It was just such a day, just such a breeze and just such a sea as we ever wished for a great race, a race where there would be no fluke.

The wind at 8 o'clock was blowing at the rate of six and a half to seven knots from the west, with every indication of increasing. The indications at the hour were that the race would start from Sandy Hook lightship, and the run be to the east. Turning to a point about seven miles out to sea from Sandy beach on Long Island shore. In this event the yacht would use their spinnakers and run before the free wind and after turning it would be a dead beat to windward coming home.

Twenty 8 o'clock the wind had off a few points and got steady to southwest. If it continues to hold there the starting point will have to be shifted either out to sea, or to a point on the New Jersey shore, similar to last Saturday. There is, however, a prospect that the wind will shift to the south and still keep the start at this point. The tide at 8:10 had died to a half and a quarter, and the sea was almost like glass.

Shortly after 8 o'clock Defender was well outside the Hook and sailing along nicely under main sail and stay sail. Valkyrie was also under sail and coming through Swash channel. Defender, in the run to the lightship, set her small balloon jib. The wind by this time had got increased in strength to any extent and was still holding a little southwest.

When Defender, about 9:15 a.m., was about a third of the way down to Scotland lightship, she was seen taken in tow. Valkyrie was then just off the point of the Hook, about three miles behind and rushing after Defender.

Valkyrie at 9:30 was outside the Hook, sailing under main sail, jib and stay sail, and Defender was half-way out to Scotland lightship, still in tow.

There did not appear to be much of a breeze about Sandy Hook lightship, although the wind was whistling about the light house towers here at the rate of fully 20 miles an hour, and the schooners which were running up and down passed this point all well to more, had a good breeze and were footing along at a lively rate. The schooner yachts which had laid all night at Atlantic Highlands were then passing out by the Hook.

Defender at 9:30 was well out to Scotland lightship, and not far from her was the Black Navahoe. The latter presented the very inflation of setting in trim for a race today, as she had two large head sails set. Possibly she intended to try conclusions with the two racers.

Valkyrie was standing out towards the lightship, about three miles out astern of her.

Mackay-Bennett — After Valkyrie hoisted the ensign of the New York Yacht club, the Dunraven leader ran alongside her and threw her a line. As the English yacht started for home her sails were lowered and as she passed Mackay-Bennett she was heartily cheered by the latter's crew. The men of the Valkyrie returned the cheers, but all on board refuse to answer questions. The only explanation for the affair obtainable here at this hour is contained in Lord Dunraven's letter and in the blanketing she received from a pilot boat just before the start. On the other hand it is claimed Valkyrie never intended to start today for she had not bended her club topsail and not got her spinnaker ready for crossing the line. Just as she rounded for the start the second time, she tacked to Lord Dunraven ran alongside and spoke to her. From that time on she never prepared any further, so that possibly the blanketing of the pilot boat was not the cause of her withdrawal.

FROM ANOTHER POINT OF VIEW.

HIGHLANDS OF NAVESINK, N. J., Sept 12.—Although the third and possibly the last race of 1895 for the America cup, is to be sailed today, when the sun struggled through the gray clouds and half smiled a greeting to the small fleet of schooners and yachts anchored in and about Hoey cove this morning, the sparkle of healthy anticipation usual to such occasions was not to the air. The unfortunate feud between Defender and Valkyrie, at the start of the race on Tuesday, and the awarding of the race to Defender, and above all the fact that Valkyrie was looked upon by many as hopelessly outclassed, tended to blue matters up considerably. But under the gray mantle of cloud hovering over Sandy Hook and its vicinity, there was a glimpse of bright sunshine caused by the report that Colonel Jebb had advised the America cup committee if they had any objection to his proposing to Lord Dunraven to recall the triangular race of Tuesday. Then rumor had it he was received a few minutes later that another race was in prospect, in place of the one awarded Defender on account of Valkyrie's foul, the outlook of which could not fail to make a favorable impression among all lovers of sport.

Lord Dunraven's strong denunciation of the interference of steamers with the racers was looked upon in quite a serious light, as there seems no doubt that he meant what he said, when he threatened to withdraw from a race if interfered with today.

The work of completing her measurements was to be finished at Bay Ridge if possible. At this point (Highland Heights) at 7 o'clock the wind was about southwest, there was quite a little haze about and the waves had reached a strength of about twelve inch, having gradually decreased since 5 a. m, however, a good sailing breeze was anticipated for the afternoon. The sea was very light. The condition was looked upon as favoring the courses of the British yacht.

About 9:40 Valkyrie dropped her low and went along under her own sails. The committee boat passed out by her and upon the members of the committee shifting their cups to Lord Dunraven, the latter waved his hand.

At 9:50 Defender appeared to have arrived very near the starting line, but Valkyrie did not seem likely to reach Sandy Hook lightship till a very short time before the preparatory signal. The wind this time, at 10 o'clock, was west of north and came blowing past the light house in smart puffs. The haze out to sea seemed to be thickening and Sandy Hook lightship could be dimly seen.

Contrary to expectations the excursion fleet today was fully twice as large as on Tuesday. From Scotland Lightship up through the Narrows, there was one continuous line of boats. The patrol fleet at 10:30 was already on the ground and both of them were the big steamers of the Old Dominion line. Some minutes before 10:30 the committee boat signaled that the course would be sailed and the wind being about west at that time, it seemed as if the yachts would have to run toward Long Beach and beat back. The mark boat was then dispatched in the direction of Long Beach. The wind was blowing about six knots an hour, so far as could be judged at Sandy Hook lightship, although it was a good deal fresher here. About 10:40 the committee boat signaled the course would be "D C L," meaning easy by south, or run before the wind on a line with Long Island shore with the turning mark, Opposite Short Beach, and about eight miles from that shore. Both boats then commenced their berths, jockeying for positions. Although the start was twenty minutes of Valkyrie had not yet sailed her club top sail. It was stated here during the morning that although the official figures were not obtainable, there is no change in the time allowance of 29:10 seconds which Valkyrie shows Defender.

At 10:55 the preliminary signal was fired and at 11:10 the preparatory signal. After a little maneuvering, Valkyrie was heading her club top sailed only setting her stay sail at the last moment, the starting gun was fired at 11:25 and the yachts crossed the line as follows:

Defender 11:25:24; Valkyrie 11:21:59.

Valkyrie was then well ahead with her club top sail and almost immediately after crossing she came round the lightship on the port tack, as seemed to be out of the race. Defender, however, kept on with her spinnaker and all sails, pointing gradually while Valkyrie began to signal the committee boat. It then became apparent that Lord Dunraven had carried out the expressed intention, refusing to race any more in these waters if received by an excessive fleet. But the excursion fleet had given plenty of room and there was not a single excursion boat seen within half a mile of her today. But things may have looked different from the yacht, the schooner yachts which had laid all night at Atlantic Highlands were then passing out by the Hook.

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THE GOLD EXPORT.

Not Due to Lack of Confidence in Our National Finances.

NO NECESSITY FOR A BOND ISSUE.

Merchants Importing Vast Amount of Goods, Expecting Increased Business this Fall.

NEW YORK, Sept. 12.—A special to a local paper from Washington says:

Secretary Carlisle said in an interview: "Unless there should be another scare in regard to the gold reserve, such as we had before, or a Democratic panic, neither of which things, in my judgment, is likely to occur, there will be no necessity for another bond issue in October to preserve the reserve.

"The present removal of gold from this country is not due to any lack of confidence abroad in our national finances. It is simply the result of trade conditions. Our exchanges are importing immense amounts of goods from Europe, which indicates that they expect a big business this fall and winter, and our gold goes abroad to pay for these importations.

"By October 1, our cotton and wheat crops will come to the market and the gold reserve in our treasury will go up. There is, in my judgment, no cause for alarm in the present shortage."

BAD FOR GERMANY.

The Prosecution Advances Another Argument Against Him.

SAN FRANCISCO, Sept. 12.—The prosecution in the Durrant case have turned another flaw in the story told by the young medical student on the day of Blanche Lamont's murder. When Durrant was suddenly confronted in the chamber by George R. King the organist, he explained the condition of his person and services collapse by the statement that he had been overcome by gas while engaged in repairing electric wires in the attic. Durrant asked King to get him some brandy salvar. The prosecution will contend that if Durrant had been so asphyxiated he knowledge of medicine would have taught him that fresh air instead of a cave-in was what he needed. Durrant's classmate at Cooper medical college will be placed on the stand to show that the prisoner as well as all of the other students had been taught that the only remedy for partial asphyxiation is oxygen. Durrant's diploma has been granted from college and the prosecution will contend that he was too well informed to have ordered a nerve tonic which amounted him when he drank it if he need really been suffering from the effects of gas.

The prosecution will also show that Durrant's hat and coat were not in the library when King entered. Le cannot but were there when he returned from the drug store. The inference will be drawn that Durrant wanted to get King out of the church, not to bring aid to a man gassing, but to give himself time to recover from the consternation and an opportunity to carry the coat and hat from the rear of the church to the library, where it has been for half an hour since then while working in the church.

FIRE NOT CORRECTLY QUOTED.

DALLAS, Texas, Sept. 12.—Geo Stuart, president of the Dallas Athletic club, was shown by the Associated Press dispatch quoting Pinkertonians as being dissatisfied with some of the athletic club's arrangements as to privileges. He said "I do not believe Pinkertonians are entirely satisfied. As far as the privileges are concerned, W. A. Brady was given the picture privileges when the papers were signed in the East. The other privileges are not controlled by Corbett, Brady or Vendig. They have contracted exclusively by myself and I shall retain exclusive control of the same. That is all there is to it. The other privileges are my individual property and I shall not surrender them to any one."

Farmer for Sale.

SAN FRANCISCO, Sept. 12.—P. W. Murphy has announced that his great Santa Margarita ranch can be sold, consisting of 9,000 acres, which is to be cut up into small farms and sold. A local real estate firm has taken charge of the ranch and will shortly be in receipt of a number of cable from England to buy the land in small lots. Adjoining property owned by J. D. and James Murphy and Mrs. Tiede amounting to 4,000 acres more will probably go into the same of the same firm for sale in small lots. The Tiede ranch at one time used for cattle grazing, and of late years fruit and grain raising has replanted cattle.

Lizard With Flames.

GREEN BAY, Wis., Sept. 12.—The week saw of Green Bay, for three miles, is lined with flames which are sweeping over the immense marshes that stretch from this city to Oconto.

Reports from Green Junction on the Kewaunee, Green Bay and Western road, are to the effect that forest fires are burning on both sides of the track between that point and Clyde. The fire covers the territory two miles wide and is between two bridges which are threatened.

Regatta Committee Had to Decide.

NEW YORK, Sept. 12.—The following was handed on the bulletin board of the New York yacht club house:

September 11, 1895.

To the Members of the New York Yacht Club:—Your committee beg to state that before the decision in Defender's protest they endeavored to bring about a mutual agreement for the respective yachts to sail yesterday's race. But each preferred that the committee should pass judgment. (Signed)

THE REGATTA COMMITTEE.

A SCENE OF RUIN.

Twelve Napoleon Cars Ignited and People Barred to Death.

GALESBURG, Ills., Sept. 12.—On the Chicago, Burlington & Quincy railroad, just east of Alton this morning, the westbound train broke in two, and as the front part slowed up at the water tank, the rear part ran into the front part causing a car of caps to ignite. There were twelve cars of hogs and petroleum in the train, all of which soon ignited. The flames shot up hundreds of feet. Three conductors with the respective force, The Rouse of Tangier Curry near by was set afire and undergone. Mr. and Mrs. Carver barely escaped. Edward Welsh, twenty-two years old, a village farmer, was covered with burning oil and burned to death. Oliver Brenner, were badly burned. Adjacent to the place the railroad company is $12,000. Houses adjacent of a mile away were scorched by the burning oil. C. C. Carlson, committee Roman, was thrown from the car and injured about the head. Oil ran down the tracks along half a mile. The track is twisted, telegraph poles are down, the tracks, the ground and the whole scene one of ruin.

SAY REGATTA THE SALE.

The Regatta Committee Will Not Go Into Court.

NEW YORK, Sept. 12.—The Herald says: The cup committee had a busy day, and when they went into session early in the day, Dunraven's letter was the first and most important matter to come up for consideration. There was a long and warm discussion. Mr. Iselin visited the club and got some appeared before them. He had learned of the decision of the regatta committee awarding the race to Defender, and he noted was quickly made up to go out course he would take. He earnestly asked the cup committee whether they would object, should he propose to Lord Dunraven, to recall the race. They replied that so long as they would consider from Iselin and Mr. Iselin departed.

The work of the committee, however, did not end there. The matter before them was of a most serious character and demanded careful consideration. They were still in session when evening came and members began to throng the club in search of information. There was much speculation as to whether there would be another race, but no official information regarding the matter was made. Rumors were spread that Lord Dunraven would refuse to sail his boat again, but it was no more than a rumor. Members of the committee were invited to remain and spoke to the reporters for good report on the morrow. Many of them thought it would be thoroughly unfortunate if Mr. Iselin should be called on to race, but in spite of the fact that he was party with one Amory Nick, he did all the work and cut stone work and footings for columns on the building, the work to be acceptable to the architect, and to met Smith $4,500. The three defendants, Harlan, Harlan and Wagner, guaranteed the faithful performance of Nick's part of the contract, binding themselves in the sum of $2,500. Now Smith claims that Nick failed to keep his agreement, to Smith's serious injury, and demands the payment of the guaranty by the defendants. He says Nick abandoned the job after doing about two thirds of the work, and incurring debts for material and labor which he failed to pay, which amounts Smith had to make good. These amounts are named as $147.32 for the Anderson Pressed Brick company, $900 for the Salt Lake Pressed Brick company, and $450 for John Johnson. There is also the additional amount of $500 which Mr. Smith says he would have received for the early completion of the building, if Nick had kept his agreement. These amounts, figured with the expense of [illegible], etc., which Smith has had to pay in consequence of Nick's failure, make a cause of action for the $2,500 damages. The plaintiff says he would have begun the suits at an earlier date but that he had been fighting the claims referred to in court, and only settled them recently. The plaintiffs' attorneys are W. H. Pittman and J. A. Williams.

Ellen Coombs has instituted proceedings for divorce against George M. Coombs, upon the ground of desertion. Mrs. Coombs alleges that she was married to the defendant on January 7, 1891, and that they lived together until September 9, 1892, when she was compelled to leave him by reason of his failure to support her. In addition to a decree of divorce, Mrs. Coombs also prays for permanent alimony and the custody of a minor child.

Another suit filed with Clerk Dunbar is that of the Pacific Investment company against Seth H. Tolles, asking $150 damages, $75 rent, and the possession of lots 13 and 14, block 2, Ziegler's subdivision of the north half of block 18, plat F, Salt Lake City. It is alleged that Mr. Tolles is in wrongful possession of the property and refuses to permit the owner to occupy it. J. R. Rawlins is attorney for the plaintiff.

THIRD DISTRICT COURT ORDERS.

Proceedings before Judge Merritt today:

George Dryburgh et al vs Richards Irrigation company; et al; hearing upon order to show cause for injunction; bond increased to $1,000 and approved by clerk; referred to Judge Bartch for hearing.

John G. Lahrem vs August Stangeyer et al; order to show cause for injunction; bond increased to $2,000, and to approved by clerk; referred to Judge Bartch for hearing.

These two cases involve certain water rights in the central part of Salt Lake county, on the Cottonwood creeks.

Mathew L. Gleason vs Geyser Mining company et al; hearing upon order to show cause for injunction; order setting the case for Sept. 17 vacated, and case referred to Judge Bartch for a hearing. This is the case in which Mr. Gleason asserts that a scheme is being worked by the company, by which he is a heavy stockholder, for his injury.

Tax-Collectors Indicted.

OAKLAND, Cal., Sept. 12.—The grand jury has presented nine indictments against County Auditor Myers and Deputy Tax Collector Barber. The indictments grew out of the shortage in the tax collector's office, which was discovered over a month ago.

The nine counts against County Auditor Whitlock contains four of forgery, four for embezzlement of public money and one of embezzlement.

The indictments against Chief Deputy Tax Collector Maynard charge him with the embezzlement of $125 from the funds in the tax collector's office.

REALM OF THE LAW.

Probable Settlement of the Lefevre Bigamy Case.

SUIT ON A BUILDING CONTRACT.

John W. Smith Tells Why He Wants $2,500 Damages—Water and Mining Disputes.

D. D. Lefevre, alias Henry Johnson, whose examination on the charge of bigamy was fixed for United States Commissioner Greenman's court today, seems likely to get off by a settlement with Mrs. Hanson, that is unless the government prosecuting officers proceed directly against him. He was did not come on today, but was postponed till Monday next. This time was given in view of there being a prospect that Lefevre—who, under the alias of Henry Johnson, went through a marriage ceremony with Mrs. Hanson and afterwards possessed himself of considerable of her property—would make matters right as far as the Hanson estate was concerned. It is said the probability for this kind of a settlement is strong.

SUITS FILED.

A damage suit was filed in the Third district court today, by John W. Smith, against Andrew Gebhardt, H. C. Burnhart and Henry Wagener, to which the plaintiff demands $2,500 for an agreement in connection with the "Bootmaker building" occupied by the Feed Furniture company on Third South street. Mr. Smith states that in October, 1892, he made a contract with the Feed company to erect their building for the sum of $14,349, the job to be finished in sixty days. For each day one man that time he was to pay $20. In going on with the work, he says, he made a contract with one Amory Nick, to do all the brick and cut stone work and footings for columns on the building, the work to be acceptable to the architect, and to met Smith $4,500. The three defendants, Harlan, Harlan and Wagener, guaranteed the faithful performance of Nick's part of the contract, binding themselves in the sum of $2,500. Now Smith claims that Nick failed to keep his agreement, to Smith's serious injury, and demands the payment of the guaranty by the defendants. He says Nick abandoned the job after doing about two thirds of the work, and incurring debts for material and labor which he failed to pay, which amounts Smith had to make good. These amounts are named as $147.32 for the Anderson Pressed Brick company, $900 for the Salt Lake Pressed Brick company, and $450 for John Johnson. There is also the additional amount of $500 which Mr. Smith says he would have received for the early completion of the building, if Nick had kept his agreement. These amounts, figured with the expense of [illegible], etc., which Smith has had to pay in consequence of Nick's failure, make a cause of action for the $2,500 damages. The plaintiff says he would have begun the suits at an earlier date but that he had been fighting the claims referred to in court, and only settled them recently. The plaintiffs' attorneys are W. H. Pittman and J. A. Williams.

Ellen Coombs has instituted proceedings for divorce against George M. Coombs, upon the ground of desertion. Mrs. Coombs alleges that she was married to the defendant on January 7, 1891, and that they lived together until September 9, 1892, when she was compelled to leave him by reason of his failure to support her. In addition to a decree of divorce, Mrs. Coombs also prays for permanent alimony and the custody of a minor child.

Another suit filed with Clerk Dunbar is that of the Pacific Investment company against Seth H. Tolles, asking $150 damages, $75 rent, and the possession of lots 13 and 14, block 2, Ziegler's subdivision of the north half of block 18, plat F, Salt Lake City. It is alleged that Mr. Tolles is in wrongful possession of the property and refuses to permit the owner to occupy it. J. R. Rawlins is attorney for the plaintiff.

THIRD DISTRICT COURT ORDERS.

Proceedings before Judge Merritt today:

George Dryburgh et al vs Richards Irrigation company; et al; hearing upon order to show cause for injunction; bond increased to $1,000 and approved by clerk; referred to Judge Bartch for hearing.

John G. Lahrem vs August Stangeyer et al; order to show cause for injunction; bond increased to $2,000, and to approved by clerk; referred to Judge Bartch for hearing.

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New Masonic Lodge.

About fifty prominent masons, including Grand Master Emerson, Grand Secretary Chris Diehl, and others, will go to Mt. Pleasant, Sanpete county, tomorrow, to attend the services of installing a new Masonic lodge there.

Broke His Leg.

This morning a painful accident occurred on State street near First South by a horse falling on its rider and breaking his leg. It was reported, in three places. The patrol wagon was called, and the sufferer was removed to his home in the eastern part of the city.