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. 11 THURSDAY, JANUARY 10, 1895, SALT LAKE CITY, UTAH. VOL. XXVIII.

THE WAR IN ASIA.

The King of Corea Said to Have Been Assassinated.

JAPANESE SOLDIERS SUFFERING.

Chinese Retreating Before the Advancing Enemy—Corea's Credit Not Good in Japan.

TOKIO, Jan. 10.—A news agency reports that the king of Corea has been assassinated.

ANOTHER RUMOR.

YOKOHAMA, Jan. 10.—A rumor is in circulation here that the king of Corea has been prostrated by an epileptic fit.

MOVEMENTS OF THE TROOPS.

Native capitalists decline to float the proposed Corea loan.

It is rumored here that 1,000 men belonging to the first army of Japan, operating in China, have been invalided by the cold weather.

General Motoki telegraphs from Hiogen under date of January 8, that the enemy facing the third division of the Japanese army in the west has retreated on Kinkasan. The advance guard of the enemy near Lalo Yang was advanced to Kurosaki with the shows of artillery. The remainder of the Chinese force is stationed a few miles northeast of Kaching.

SEVERE FIGHTING EXPECTED.

LONDON, Jan. 10.—A dispatch from Shanghai says severe fighting has taken place near Jehol, Mongolia, 120 miles northeast of Peking. Numbers of wounded Chinese are reported arriving at Tien Tsin daily.

Secured Food from a Safe.

MARTIN'S FERRY, Ohio, Jan. 10.—Seven masked men blew open the safe of the Belmont brewery early this morning and secured $200. They left the night watchman bound and gagged and he was not discovered until this morning.

IN AID OF HOME.

Two Oriental Dignitaries to Be Made Cardinals.

NEW YORK, Jan. 10.—A special to the Herald from Rome says: At the next consistory the pope is likely to raise two oriental patriarchs to the dignity of cardinals. The dignitaries believed to have been selected for the honor are Mgr. Azarian, the Armenian patriarch, and Mgr. Yeff, the patriarch of Antioch. His holiness attaches the utmost importance to these nominations. He looks forward to their making a deep impression throughout the east and helping on the longed-for understanding between the schismatics and papacy.

English Cabinet Council.

LONDON, Jan. 10.—The rumored dissolution in the British cabinet attracted great interest in today's council, which met at noon with all the ministers present. Sir William Harcourt, chancellor of the exchequer, and John Morley, chief secretary for Ireland, are understood to have been of the opinion that the Irish must be satisfied at all costs during the coming session of Parliament. With this view, it is added, Premier Rosebery and Home Secretary Asquith and other members of the cabinet do not agree.

It is said misunderstanding as to the disposition of the surplus for 1895 is much more serious than was at first believed, the main point at issue being the claim raised by the cabinet minister and others that the surplus should be devoted to the use of the navy.

Treasurer of the New York Change Dead.

NEW YORK, Jan. 10.—D. W. Hayes, treasurer of the Stock Exchange, is dead. He entered the Exchange in 1836.

FAILED IN GREEK.

A Theological Student Says He Will Have Vengeance.

CHICAGO, Jan. 10.—W. W. Selway, a theological student at Evanston, has failed to pass in Greek. As a result he has renounced the Christian ministry, has left college and has publicly announced that he will do vengeance to the foe of Prof. J. S. Huddleston, his instructor. Mr. Selway is a comer by profession. He came last fall from Kansas City, Mo., where he is said to have left a good practice. He entered Garrett Biblical Institute. He said the Methodist had not been on the level in letting Dr. Huddleston come so long, and when he passed as he thought, a creditable examination in Greek and was informed yesterday he had failed, an exciting scene followed. Mr. Selway in the presence of half a hundred competitor ministers, openly avowed the purpose of marking infidelity through evile and shook his finger threateningly as he spoke. Prof. Huddleston became pale and agitated and hastily dismissed the class.

ON TRIAL FOR MURDER.

An Indian Suspected of Having Killed a Squaw.

MADISON, S. D., Jan. 10.—The trial of Lorenzo Wilde, an Indian, charged with the murder of Mary Jane Le France, in August last, has begun here and ten jurors have been secured. It appears that Mary Jane Le France, an Indian woman, disappeared from her home in Hogansburg. She was the mother of four children by a white husband, but for the last year was been living with Isaac White, although they were not married.

Following her disappearance, evidence of a crime were noted which led to an investigation and the discovery of White. A large spot of blood was found in a nearby field with evidence that a body had been dragged to the place where the blood was down. Blood was found on an axe and on the buggy which White was the property of Isaac White, and the control between White and Wilde stand were found in the store of his home. Search was begun for the body. White claimed that he had driven the woman to Massena, where she was to take the train west and was to return on the Saturday following. No trace was found of Hogansburg by an Indian with a team. The body was found lightly covered with a horse blanket. This was drawn over the road so as to completely conceal the crushed skull and face and so only fairness at the work by a rope. To the body was attached the other half of a sewing machine which weighed eighteen pounds. Whoever perpetrated the deed planned well that it should never be discovered. Isaac White was arrested at once after the discovery of the body.

CELEBRATION IN JAPAN.

Students Parade the Streets and Sing National Hymns.

Great Enthusiasm on Account of the Victory Won at Port Arthur—Christian Patriotism.

BOSTON, Mass., Jan. 10.—The following letter from Mr. Lafayette Gordon, D. D., LL. D., of Kyoto, Japan, has been received by the officials of the American board of commissioners for foreign missions of Congregational churches, giving an account of the way in which the students of Doshisha celebrated the capture of Port Arthur from the Chinese. The Doshisha is a college in which instruction is made, is a Christian Japanese university founded by Joseph Hardy Neesima in 1875, and now having 800 students. Nearly all of its leading graduates are Christians. Missionaries of the American board are members of its faculty. Dr. Gordon writes as follows:

Anticipating the early fall of Port Arthur, the school began a week ago to make preparations to celebrate the victory. Arrangements were made with a newspaper publisher for illuminations, the chief headquarters, to send us an early telegram, so when it came Saturday evening we had almost the first news of the victory that reached Kyoto. Soon after dark, after a vigorous ringing of school bells, the students formed out in the form with flags, red lanterns and a band of music that had been improvised during the week. The girl school was first. Twice and the girls sang the national hymn, "Kimigayo Yo." Then we marched through the park to the south gate of the old place, where the same was played by the band. Thence we went through the principal streets of the city, stopping before the residence of several of our missionaries.

It was a very interesting and exciting time. Just as we got fairly into the city the newsboys, or rather the newsmen, watcheling the newspapers announcing the victory. They had these in their hats or on each shoulder and as they went darting along they were greeted with loud cheers by our boys.

The people by this time had began to realize what had happened and greeted us with clapping of the hands and shouts of "Banzai." The chorus sang nearly all the time as original song composed by one of their members. It was full of such words of the war. The tune did not amount to much, but the spirit was strongly marked. Their voices were pretty and gave force to the sense of the city had been conquered.

As you know lack of patriotism is one of the demonstrable charges made against Christians and Christian schools. The patriotic way parties at satisfaction is taken to the fact that one was the first demonstration in honor of the victory and probably the most striking one ever made by the school in the city. There is no doubt that the hearts of the people are deeply engaged in this war and it brings vividly before one's mind the scenes of our own war thirty years ago.

In the Reichstag.

BERLIN, Jan. 10.—In the Reichstag today the debate on the anti-revolution bill was resumed. Count Von Limbar-Stirum, conservative, declared his party called the bill with satisfaction. The socialists, he added, were not justified in claiming to be the sole labor party.

GEORGE TROTTER MISSING.

Supposed to Have Been Murdered in Turkey Somewhere.

BOSTON, Jan. 10.—The American board of foreign missions has decided to grant the request of one of their missionaries who knows the language and country about Deir Bahr Pass, to be permitted to assist in the search for the missing young world traveller, Frank Lent, supposed to have been lost or killed in Turkey.

A Princess Goes.

CINCINNATI, Jan. 10.—A special cablegram to the Enquirer from Paris, France, says that Princess Engelmelt also there suddenly of pneumonia.

HURRIED OUT OF BED.

Fire in a Chicago Industrial School for Girls.

CHICAGO, Jan. 10.—Over one hundred girls were driven from their beds at an early hour this morning by a fire which slightly damaged the upper story of the Chicago Industrial School for Girls. Members had been spectators to the extent and about twenty-five cents were in. They with others were compelled to rush to the street in their attire and the consequent exposure is deemed extremely dangerous.

Poisoned Cheese.

BRADFORD, Pa., Jan. 10.—As a result of eating poisoned cheese twenty-seven people of East Bradford are sick this morning. Some of them are in a serious condition.

Disastrous Fire.

ERIE, Pa., Jan. 10.—Union City, near here, suffered from a disastrous fire last night. The fire started in a billiard room over Hayes & Moss' store and spread rapidly south and south. Several business blocks were destroyed. Chief Marshal Wagner was thrown from the third floor and seriously injured. Firemen Norman Anderson, Daniel Cooney and William Reppolds were buried under a falling wall and had a miraculous escape. The total loss is $75,000.

BLACK LISTS.

Governor Nelson of Minnesota Speaks on the Subject.

MADISON, Wis., Jan. 10.—Governor Upham's message deals with the use of the black list by large corporations at great length. The governor says: "I cannot but regard the stratagem of causing a large number of employees not to employ or permit to be employed, if they can prevent it, competent and faithful men simply because they quit the service of some other company, as a conspiracy which should not be tolerated by law. The employer has no more right to be protected by law against the conspiracy of employees than the employees have to be protected by law against conspiracy on the part of the employers."

Opened for Settlement.

MARQUETTE, Mich., Jan. 10.—When Register Dore Pierson opens the government land office at 9 a. m. today a long line of prospective homesteaders formed the outside and extended on the line. The first men presenting an application has remained in front of the building since Monday noon, enjoying very severe weather. A office of the defeated railroad land agent in Gogebic county, embracing 8,000 acres, was opened for settlement today.

Escaped from Custody.

CATTOOGA, Jan. 10.—Frank Tarbs, alias Tegan, at one time leader of the notorious Johnny Irving gang of New York, and William Carroll Woodward, alias Gen. James Musgrave, arrested some time ago in Arizona, charged with participating in a fight with officers, and who subsequently forfeited their bail and were arrested in this colony, have escaped from the custody of the Cajo police and are supposed to have gone to Kimberley.

Stranded Steamer Floated.

SAVANNAH, Jan. 10.—The Pacific Mail steamer City of Rio Janeiro, Captain Smith, which went ashore Sunday last off Kaysebana while on a voyage from San Francisco to Hong Kong via Yokohama, has been floated.

Murdered by Her Brother.

CALCUTTA, Jan. 10.—News reaches the mission of Chirai has been murdered by his young brother Amir Ullmah, who has declared himself mahdi of Chirai. Chirai or Little Chirai is a country of the Indus Valley on the south slope of Hindoo-Kush.

Tayloe Board Frees.

PIERRE, S. D., Jan. 10.—Deputy Treasurer Burrington today received from New York a letter written by the cashier of the Tayloe board, dated January 8, enclosing certificates of deposit in different state banks to the amount of $6,000. There was no explanation.

Old Missouri Settler Dead.

FAYETTE, Mo., Jan. 10.—Isaac Pearson, one of the oldest residents and one of the best known men in Missouri, died here last evening. He was born in England in 1810, came to America in 1833 and settled in Howard county in 1837.

HAMLINS HEARD FROM.

Give Bill for the Restoration of Reservoir Sites to the Public Domain.

WASHINGTON, Jan. 10.—Delegate Hawkins, of Utah, today introduced a bill to restore to the public domain the reservoir sites selected by the United States under the act of 1888.

Torn into Fragments.

TOLEDO, O., Jan. 10.—On Prisner Hill latest night, Frank Logan, John Pettigrew and W. J. McNally endeavored to throw out the quarters of frozen nitro glycerine with hot water. It exploded, tearing them into fragments.

The Hy-Lows Valid.

CHICAGO, Jan. 10.—The Chicago live stock exchange won a decided victory today. In the suit of the attorney-general to oust the charter it was decided by Judge Clifford, who declared that the by-laws of the exchange, for the regulation of its business and defining the manner in which members shall solicit business, are valid.

Distinguished Soldier Dead.

EL DORADO, Kans., Jan. 10.—Gen. Alfred E. Ebert, the distinguished soldier of the civil war died last night.

ASSAULTED BY BURGLARS.

A Minister and His Wife Roughly Handled.

INDIANAPOLIS, Ind., Jan. 10.—Rev. W. E. Hickman, aged 60, Methodist minister, living at Batavia, Ind., and his young wife, were fiercely assaulted by burglars early this morning. The wife was awakened by the burglars, jumped out of bed and grappled with one of the men. She was dragged to the porch where the intruder shot her through the head. The noise awakened Mr. Hickman, who grappled the other thief as he was going out the back door. The two men fought clear into the middle of the road, where the burglar overpowered the preacher and after shooting him through the hip, stabbed him in his back twenty times with a silk knife. There is great excitement and efforts are meeting the country in search of the robbers. Hickman's wife is tenderest in the south.

Gubernatorial Contest.

NASHVILLE, Tenn., Jan. 10.—Governor Turney today sent the senate and house an address and petition in which he says he has received the highest number of legal votes for governor. He says he is informed on the face of the returns that Evans have forgery and that gross frauds were perpetrated. He therefore asks the legislature to permit him to appear in joint session to contest the returns.

WHAT ALTGELD SAYS

Capital Punishment is Barbarous and Should be Abolished.

NO JUSTICE IN CHICAGO CITY.

Labor Troubles—The Republic Threatened by Despotism—Silver Insanity Not as Dangerous as Wealth.

CHICAGO, Jan. 10.—The special message of Governor Altgeld to the thirty-ninth assembly of the Illinois legislature is a lengthy document of nearly 20,000 words. In beginning the governor decides again to a review of the condition of the various state institutions and makes numerous recommendations.

Among other things he informs the question of capital punishment and asks whether the death penalty does any substantial good; "whether we are any better off our state than we are in those states where it was long ago abolished; whether or not it is not barbarous and degrading in its effects, and whether it would not be better to have a more rational system of managing our prisons and establishing capital punishment entirely."

On the question of civil service, the governor says there is urgent need of legislation that will relieve executive officers, both state and municipal, of the constant and overwhelming political pressure.

The governor, speaking of the administration of justice in large cities, says the business in the courts of Cook county almost amounts to a denial of justice. The governor also calls attention to the conditions surrounding police and police courts in Chicago, which he declares are disgraceful. The service system in the state is defaced, in its practical workings, to be a grand of injustice. The governor speaks at length of the manner in which the trust works proper taxation and urges legislation especially looking to the proper taxation of corporations.

Coming to the settlement of labor troubles, the governor says the question of dealing with them is a difficult one.

The practical method of enforcing a decree of compulsory arbitration has been found, but there is no difficulty in the way of making a compulsory investigation in every case, and the states would be a great preventive as well as corrective. Promptly administering and making public the actual conditions in each case would remove the moral sentiment that often leads to settlement. The governor strongly urges legislation on this subject and also for present incorporation, thought that not only the state should always have a chance at an equal number, who being suddenly thrown out, become spokesmen.

Governor Altgeld speaks in terms of highest commendation of the work of the Illinois national guard during the strikes of the past year.

Taking up the question of the great strikes, he reviews the many reports which have been made, and says the closing of the United States troops duty in Chicago, under the conditions then existed provoke a question of the most far-reaching importance. The contention of state rights, says the governor, is in no way involved. Nobody ever proposed to take the troops out of the Union. The great civil war settled that we should not have anarchy. It remains to be seen whether we shall be destroyed by despotism. If the President can, at his pleasure, order the first subject, send troops into our cities, and then, when under orders of enforcing some law, are judgment being the sole arbiter, there can be no doubt each whatever in this report between the powers of the President and those of Russia. If the acts of the President are to stand unchallenged and thus form a precedent, then we have undergone a complete change in our form of government, and while at no distance we may keep up the outward forms, our career as a republic is over. We will have a rapidly increasing central power controlled and dominated by class and corporate interests.

Governor Altgeld speaks of the numerous arrests for "violation of court" made under injunctions, and of the fact that the Federal government, in spite of having at hand in Chicago the complete machinery of justice, found it necessary to retain another attorney and he so employed one of the railroads involved in the strike, and stated "Never before were Illinois Governor and the organization of the country so completely combined, and never before was the goddess of justice made a mere handmaid for one of the contending parties. It is evident that if the laws of the general and United States civil and criminal courts are to be used as a means of oppression, it would be equally proper for the state courts to do the same and we shall soon have a government by injunction from head to toe. All affairs will be regulated, not by law, but by the personal pleasure, prejudice or caprice of the multitude or junta."

The market factors of the age, says he, has been monopolizing. As they grew more powerful these trusts set beyond the reach of the government. In recent years the combination seems to have become an instrumentality better to every measure intended for the protection of the public, while its most plainly expressed purpose for the protection of the liberty and the personal rights of the citizens are blown away with a breath.

If these conditions are continued the time is not far distant when the people will be forced to choose between despotism and anarchy. Anarchy is a very bad thing, but despotism is worse. It is the lesser evil of the two, and the only one which is now possible. It is the only one which will bring the people to their senses. Despotism is made to be tolerated by the lowest conditions of civilization and the most degrading and very cruelty which is now possible. It is made, by with the destruction of the controlling power of the American idea, will be accepted and great American nation. Further this powers will produce discontent, unfortunate and hard and will greatly increase the expense of government and enormously taxes. Bankrupting a government is an expensive business and has never yet succeeded—not even in Russia.

"Our government is not in the slightest danger from the anarchy of a mob. Our danger comes from that corruption, that selfishness and greed which tend to result in the concentration of wealth, which, if continued, will, and it is now rapidly doing, result in a condition of affairs in which the people will be forced to choose between despotism and anarchy."

SECRETARY GRESHAM.

WASHINGTON, Jan. 10.—The Senate proceeded on Saturday last at two o'clock today for the purpose of considering the currency question. It adjourned after a few minutes until Monday. It is understood that no bill was submitted to the committee.

RAYNOR RESIGNS.

And Hoyt is Elected Chief Pro Tem. of the Senate.

WASHINGTON, Jan. 10.—Senator Raynor, elected president pro tem. to the Senate during the absence of Mr. Harris, resigned today. Senator Raynor spoke briefly at the time conferred upon him. On the nomination of Mr. Gorman, a majority was adopted electing Senator Hoyt president pro tem.

Refineries Locked Out.

SALEM, O., Jan. 10.—The refining in sugar a twenty per cent reduction in wages, the wine drawers of the Salem Wine Sell company were ordered up the refrigerated Barrels to take their tools from the mill and were locked out. The men were upon the company paying the scale which, they say, was agreed upon. It is stated that the company will cease to have men to fill the places of the locked out men.

THE SENATE.

WASHINGTON, Jan. 10.—The Senate by a vote of 41 to 19 proceeded to the consideration of the urgent deficiency bill in spite of the objections of Hill and Quay.

THE HOUSE.

WASHINGTON, Jan. 10.—In the House today on motion of Turner, Democrat, Ga., Saturday, Feb. 2, was set aside for paying tribute to the memory of the late Senator Colquitt of California.

On motion of Curtis, Republican, Kan., Tuesday bill was passed to define the crime of murder in the first and second degrees, manslaughter, rape, sodomy and bestiality, and providing punishment therefor, and abolishing the death penalties in other crimes.

On motion of Flynn, Republican, O. P., the resolution was adopted calling on the secretary of the interior for the cause of delay of opening to settlement the lands received from the Kickapoo Indians under the agreement of June 18, 1891, ratified by Congress March 3, 1893.

An $8,000,000 Suit.

COLORADO, O., Jan. 10.—Judge Fuller overruled the demurrer in the Stevens-Burke $8,000,000 suit. The case is the case in point. Burke wanted it thrown out. The suit is to recover the money alleged to have been the property taken from the Comstock, Holding, Yancy and Tobias called.

Referred But Will Not Resign.

MONTREAL, Victoria, Jan. 10.—Hon. George E. Tobin, president of Victoria, after consulting with his colleagues, has decided not to resign as a result of the action of the government in the disposition to induce the solicitor of the minister of the legislature, and police Hinds.

Sir Hercules Dead.

LONDON, Jan. 10.—General Sir John Hammerfield Hercules, royal engineer, C. M. G., commissioned for marking out the boundary between the British and United States territories west of the Rocky mountains from 1858 to 1862, is dead. He was born in 1815.

Cold Weather in Scotland.

EDINBURGH, Jan. 10.—The cold weather now prevailing in Scotland is the most severe experienced in many years, 32 degrees was the best registered. Lochs Lomond is frozen over. In several parts of the country, railroad traffic has been stopped by the snow. Some drifts are twenty feet high.

Serious Accident While Sightseeing.

BROOKLYN, N. Y., Jan. 10.—An engine and twelve empty cars on the Kings county elevated road, while entering at the terminus today, crashed through the bulkhead, the switch having been left open. The engine and one car fell to the street while the second car hung half way over, but did not fall. The engineer and fireman fell with the engine. The fireman, Frank Hannan, lay under the engine and was not released for half an hour. He is supposed to be fatally injured. Engineer Frank Fisher is not seriously hurt.

Conference on Currency Measures.

WASHINGTON, Jan. 10.—Senators Martin, Coffman, Allison and Aldrich, Republican members of the finance committee, had a conference today for the purpose of deciding upon the line of policy to pursue. There should be an effort to take up the currency question in the Senate. The conference was called upon after Chairman Voorhees had been asked by a minority of the committee of 7 of which body. They agreed that no Senate and first appropriation bill be pushed until some measure has been brought in that will be in the Democratic majority of the committee.

They will not support a bill themselves, nor suggest anything looking to the production of the bill. Further they will support in the Democratic members of the committee, if rather upon suggestion, that in view of the report that Secretary Carlisle has been in consultation with the leaders with a view of the revival of the currency bill in the House in a modified form, it will be the better plan to postpone any effort to do anything in the Senate until there may be an opportunity to ascertain what will be done in the House.

Conversation developed that the Republicans do not consider the present situation as satisfactory to some Democrats and they think it is a question of revenue rather than currency. It is said a new currency bill having executive approval will be introduced in about two weeks.

Petitioned to the Throne.

OMAHA, Jan. 10.—The members of the Constitutional Circle in Toledo was burned this morning and Mrs. Tillman perished. Tillman jumped from the window and saved his life, but sustained a broken leg and was otherwise injured.

Sold for Export.

NEW YORK, Jan. 10.—One million dollars in coin has been withdrawn from the assay office for export to-morrow.

Premier Tolbot Very Ill.

MONTREAL, Jan. 10.—Premier Tolbot, of Quebec, is very ill with influenza of the lungs.

STORMY SAVANNAH.

GLASGOW, Jan. 10.—A cable for Savannah to Liverpool today. The Atlantic has heavy. Advice is received in Glasgow that the passengers will be landed at Wimpole and forwarded by train to Glasgow.

ARTHUR BROWN'S CLAIM.

He Asks for $1,000 for Services Rendered the Late Receiver of the Church.

Clerk J. P. Barlow of the Territorial supreme court sat in his office this morning in the capacity of a special master, to take testimony upon the bearing of the petition of Attorney Arthur Brown, who asks that he be allowed the sum of $1,000, as counsel fees, for services rendered the late receiver of the Church of Jesus Christ of Latter-day Saints during his term of office. The petitioner filed his claim in the supreme court some six months ago, and the court referred the matter to Mr. Barlow to take evidence and report. The inquiry taken about an hour. Mr. Brown conducted his own case, the United States was represented by District Attorney Lane, and Attorney F. S. Richards appeared in behalf of ex-Receiver Lawrence. The witnesses who testified were Attorney F. L. Williams, whom Mr. Brown specially assisted while the former was acting as counsel for the receiver, the petitioner stated, District Attorney Judd, and Mr. Backe as clerk of the Territorial Supreme court. Both Mr. Williams and the district attorney testified that the special services rendered by Mr. Brown were beyond question worth the $1,000, and the petitioner himself proved that he was overjoyed, on and off, for a period of about fifteen months.

Clerk Barlow will present his report to the supreme court at the opening of the session next Monday.

FELL THREE STORIES,

"Hector," F. Dewey Richards's Beautiful St. Bernard, Falls from a Third Story Window.

"Hector," the beautiful St. Bernard dog, belonging to Mr. F. Dewey Richards, which was so much admired at the Territorial Fair where it was the first prize, met with a serious accident shortly before 5 o'clock last evening.

The animal had followed Mrs. Richards as to the third floor of the Constitution building and was being called from one room where he is another by Attorney Harrington. Between the windows is a stone sill extending outward only a few inches, and along this "Hector" courageously attempted to walk. The effort his body, however, was such as to throw his weight away from the wall to a point where it overbalanced. And just as he leapt over to hopes appealing towards Mr. Harrington for the assistance which he evidently expected, but which unfortunately was not given.

When he reached a footing it was on the cement sidewalk in front of the building three stories below. The fall was so exceedingly bad, and "Hector's" chances for recovery seemed very slight. But now he recovered sight of consciousness and in a little while he rolled from his head and wagged his tail in answer to the call of his name. He was taken home and given the attendance of a skilled veterinary surgeon. An examination disclosed the fact that no bones were broken and that the injuries were all internal. Today he was feeling somewhat better and his attendants have a little encouragement.

The animal is almost as intelligent as a human being and the entire Richards family are deeply attached to him, and all sincerely hope for his permanent recovery.

The Supreme Court.

The January session of the Territorial supreme court will be formally opened on Monday morning next, and an announcement then taken until the following Wednesday. In the interval the meetings of the Bar association will be held.

A Family Tussle.

The legal arguments in the Oscar Amy case, the facts of which were reported in these columns yesterday, occupied the entire afternoon in Chief Justice Merritt's division of the Third district court today. It is an appeal from the probate court of Summit county in relation to a valuable piece of real estate on Main street, and there are three contesting parties, the widow, assignee and heir-at-law of the deceased, Oscar A. Amy, whose death occurred in the year 1891, there being no will.

The will has been the case under advisement.

ANOTHER GUN FIRED.

Commissioners Tallock and Sherman Answer Judge Powers.

THAT "CONFESSION" OF TESTIMONY.

The Minority Commissioners Allege Indictments Against Various County Judges.

When Judge Dartch took his seat on the bench of the Third district court this morning a document was commonly struck by Judge C. W. Bennett, of counsel for the petitioners in the Bangeo election case. It was in reference to the statement on the part of the Utah Commission" made in Court by Judge Powers yesterday afternoon, and the object was to show that Commissioners Tallock and Sherman, the Republican members of the Commission, were not parties to all the numerous contested cases. A copy of the document was handed and signed by the two commissioners named having been read and passed on record, there followed a general discussion between the counsel and counsel for the respective parties, although, as will be seen from the report of the proceedings given below, Judge Dartch took no general action upon the matter.

The court room was crowded, in expectation that the Mormon the Third precinct would be taken up for investigation, but Judge Dartch announced, at his own volition, that he would not begin the hearing until 10 a.m. tomorrow, and witness of witnesses subpoenaed to be in attendance at that time.

This forenoon was spent in the Bangeo case, continued yesterday afternoon, and will resume at either tomorrow or Saturday morning. The decision in the matter of the Bangeo case, and expressing personally, for the purpose, Commissioners Tallock and Sherman, I wish to offer and have placed on the record the paper which I now hold in my hand." Counsel then read the following:

May it please your honor:

Concerning the statement made by Judge Powers yesterday, the minority of the Commission desire to state:

First, if the statement is to be taken only as a portion of the argument of Judge Powers, then make no special objection to it, except wherein the judge assumes to speak for the entire Commission. He had not been employed, and no proposition looking to his employment has ever been made before the Commission.

Second, if the statement is to be taken as an admission, or a confession, of a control authorized by the Commission, the minority desires to state that they had no notice of any such action, that although the Commission was in session twice yesterday—once before and once after the conference was made—no reference was made to it in any manner, and the minority had no knowledge of it until after the adjournment of the court.

Messrs. Tallock and Sherman also desire to state that while they are very great the majority of the Commission have at last determined to certify the returns of Bancroft county from the city of Bancroft—a thing that should have been done over a month ago—they cannot follow the majority in arriving at an the conclusions set forth in the statement, many of which are undeniable. They especially denounce and repudiate as intimations of indictments against various county officers, and attempted fraud in the management of the Bangeo county judge. They do, however, concur in the final portion of the statement which is given as the personal opinion of Judge Powers, and express their belief that the conditions therein indicated were the controlling ones that induced the Utah commission.

E. W. TALLOCK,
HENRY SHERMAN JR.

Judge Powers, who had entered the courtroom while Judge Bennett was reading the document, stated, said he had to put to myself and Judge Mr. Wallace to say that we did not speak for Mr. Tallock and Mr. Sherman. We spoke only for our selves.

Judge Bennett—Do you speak for the Commission?

Judge Powers—We spoke for our selves, the members of the Utah Commission, I said, which we represented. We do not propose to come into court and be cross-examined by any. We are here simply to—

Judge Bennett—Well, the statement makes the record entirely straight.

Attorney John M. Zane—We wish to point out that the statement was made by the attorneys for the defendants, and I understand from you that they agree, practically, that judgment may be entered in the Bangeo county cases covering the writ of mandate and quashing the writ of prohibition. Is so, is that what your agreement means?

Attorney F. L. Williams—No, sir, not so at all.

Judge Zane—I understand then to state that the Commission agrees to issue the certificates on the duly elected.

Attorney John M. Zane quoted from that portion of the statement read by Judge Powers yesterday looking upon this point and said his understanding of agreement to judgment being entered as follows referred to. The issuing of the certificates would be the granting of the prayer of the petitioners for a writ of mandate and for a writ of prohibition, "and," continued Mr. Zane, "we now insist that it is the duty of the court, upon this new situation right now in open court, that this judgment should be entered in the agreement of counsel in the case."

Judge Dartch—I have heard the opinion of the attorneys and I shall not make an order now.

Attorney Zane—If a petition comes

(Continued on Page Four.)