THE DESERET EVENING NEWS.

TRUTH AND LIBERTY.

FIFTIETH YEAR. FRIDAY, AUGUST 11, 1899. SALT LAKE CITY, UTAH. NUMBER 222

THE BENBROOK BENCH WARRANT

Went from the District Court to Sheriff Howells Today.

FORM OF INSTRUMENT.

Will be Read to the Prisoner by Sheriff Howells This Evening.

CANNOT GET OUT ON BONDS.

He Must be Safely Kept in Custody Until the Further Order of the Courts.

The bench warrant for the arrest of John H. Benbrook, as ordered by Judge Cherry early in the week, issued out of the district clerk's office today, and a few minutes later was passed to the hands of Sheriff Howells. The sheriff was on his way as Imagination carries, when the warrant was handed him, and the consideration for that came to was to read it to the prisoner upon his return yesterday afternoon. At first County Attorney Pickens did not think it necessary to serve the process on Benbrook for the reason that he was already in custody, but it now appears that the sheriff has been advised to read the warrant to the prisoner the same as though he had been admitted to bail. Benbrook, it is said, is in absolute ignorance of the filing of the information, charging him with murder, consequently when he is served with the bench warrant it will come to the surface of a surprise to him.

THE WARRANT.

The warrant which Sheriff Howells will serve on Benbrook reads as follows:

State of Utah, County of Salt Lake, In the Third Judicial District.

The State of Utah, To the Sheriff of Salt Lake County, State of Utah, or any of his deputies, Greeting:

An information having been filed on the 7th day of August, A. D. eighteen hundred and ninety-nine, in the third judicial district court of the State of Utah, held in and for Salt Lake county, charging John H. Benbrook with the crime of murder.

You are therefore commanded to forthwith arrest the above named John H. Benbrook and bring him before that court, to answer said information, and to want has adjourned for the term, that you keep, or cause him to be safely kept in custody until the further order of this court.

A. O. NORRIELD, Judge.

Witness my hand and the seal of said court, affixed at Salt Lake City, the 7th day of Aug., A. D. 1899.

DAVID C. DUNCAN, [Seal.] Clerk.

By F. W. LITTLE, Deputy Clerk.

A THEATRICAL WRECK.

Another One Piled Up on the Shores of Dramatic Enterprise.

Another theatrical wreck has gone to swell the pile of debris scattered upon the treacherous shores of dramatic enterprise. "Hepburn's Tourists," a company of local singers and elocutionists who banded together some time ago in a theatrical organization to take a tour of the "show towns" of the State, has gone to pieces intimately on the shoals of popular favor, and came to career during the past week. The preparation of the company has not been plain sailing throughout. Its promoters contracted in the midst of the excitation in last January Prof. and Mrs. Hepburn, John Williams, Tony and Mr. Ransom of Salt Lake, Jim Sweatnam, Miss Eldridge of Ogden and two others, but as the tour progressed funds dwindled, and so disgusted with the conduct of Prof. Hepburn which is now hanging out his shingle in Ogden, that the company left him at last when Park City was reached the aggregation consisted of Messrs. Hepburn and John Williams.

It vaudeville, or "tonic" during the dance is duly advertised performance, while the professor played the part of entire orchestra for the entertainment. The fatigue of her part proved too for Miss Eldridge, and she left the company at Ogden, and Jim Sweatnam followed suit. Mr. Ransom and Tony had to leave the company at Park City, without playing the manager, for husband, or he intended withdrawal from the stage at that time, and John Williams "to retreat at Calder's Park on her brother's night in their respective spectacular. Prof. Hepburn who is to be called that he knew nothing of his wife's departure at the time, and has no fears than for her safety. Mrs. Hepburn the idea of her "running away."

It is said that he had come down from Park City to make arrangements for the company to appear at Calder's and which time he received a telegram from his wife informing him of her departure, and immediately by the way to the Denver City Notions of operatic fame. She was then just starting with the Salvation Army, asking her to be in Ogden on July 29, as Alice expected to arrive there from San Francisco on that day, and wanted to hear Prof. Hepburn's address in Salt Lake. The Professor left a letter at Park City, requesting her absence and meet Ogden. There another telegram from her saying that the Denver City Notions would prevent Miss Nelson from leaving her there and asking her to come on to San Francisco. Upon this the professor admits he has had no word from his wife and is mourning accordingly. Should she return, Prof. Hepburn states that he will fulfill her engagements at Calder's Park as previously arranged.

A HINT TO STORM STARTERS

More Interested in Utah's Business than in the Roberts Agitation.

Dr. H. D. Miles and family have recovered from after an extended tour to the East, which embraced the places of interest, and a brief rest at Red Glassmere, Mass., on Cape Ann. Dr. Miles also attended the sessions of the American Medical association at Columbus, Ohio, and visited the hospitals of the larger cities. He trip was one of pleasure and study. The Dr. states that Utah is attracting considerable attention in the East, and Eastern capital is inclined to look with favor towards the section. Wherever and whenever opportunity topped that he was from Salt Lake, they were eager to learn all they could about this city and State. Believe people are beginning to realize that there is something now in Utah than merely the place of abode of a peculiar religion, and ask fewer questions about our religion and more about our resources and material interests. They are anxious to learn what the rate of corporation, capital and population are here. Favorable comparisons are made about the business men and the possibility of the being allowed to take his seat, but the business men of the country seemed to care very little about the matter, and manifested special interest in Utah mines, and some particularly Utah capital issues. Dr. Miles was told by some in Boston, who should be well informed on financial matters, that there was plenty of money ready for mining investment, and that investors look with confidence on Utah propositions. This confidence will be vastly strengthened if any of the half a dozen big propositions that have recently been floated in Boston should prove satisfactory to their new owners. The stops all through the middle west are extremely large. Dr. Miles states that he never saw a business man in the East who was in favor of expansion. The big capitalists and the men who study conditions for business are solid against it, declaring that the United States is big enough.

THE CASE OF MR. TIMMS.

Goes Over Until His Attorney Returns from Vacation.

The case of J. J. Timms, charged with obtaining money under false pretenses, was scheduled to come up before Judge McMartin this morning, but as the defendant's attorney, J. M. Hamilton, is expected on the boat which of the Provo river, and will not return until next week, a continuance was granted until Thursday next at 10 o'clock. Timms is the man who it is alleged, lured about $1000 of money representing himself to be the agent for the firm of Slavens & Walker then obtaining from divers case-contains indefinable miscellaneous stuff of a worthless said firm. It seems that Timms kept the case little direction as well Mr. Walker stated that he was going to, and Timms arrested in Wyoming's metropolis. The sheriff concluded that the charge of "obtaining money and goods for Timms, and Deputy Sheriff Tim Hurley extended a personal invitation to escort to Salt Lake City and take quarters in the mansion on the West side.

The proposition was met with some show of alacrity, for such special favors from rapid the end of the sensitive Timms.

TO RECOVER ON A BOND.

United States District Attorney Whitmore Commences Such Action.

United States Attorney Whitmore today filed a complaint in the United States court against James N. Wiles, John Wiles and Charles A. McCarron to recover $500 on a bond which they had signed and which the District court had declared forfeited on January 13.

The bond was given by the appearance of Dennis A. Wiles and John Wiles, who were charged with having stolen goods from the Unity Indian agency in June of last year. It was alleged that Charles A. McCarron, U. S. Commissioner, and Charles A. McCarron of Vernal. The federal grand jury found an indictment against these last November, and the court ordered their appearance upon January 9 and January 13. The Wiles were tried before Judge Marshall, and were acquitted. They claimed at that time that it was impossible for them to have come on January 9, because they had been on the reservation the evening. But the fact and the establishment of that proposition failed to satisfy the judge of Jurisdiction made by the court in January.

CRICKET MATCH.

Oregon Shortlines to Play R. F. Bayward's Eleven Tomorrow.

The first cricket match that has been played in this city for years, and will be played on the Walker's Park, Ninth South and West Temple, immediately afternoon at 4 o'clock between the Oregon Short Lines and Mr. R. F. Bayward's XI. The following are the teams:

O. S. L.	R. F. B.'s XI.
Jos. Bentley,	Spalding
Sandy Robb,	Hodgson
Hedley,	Joe Scott
Marlborough,	R. F. Bayward
Pinkney,	Rev. Eric Bowen
Wilcox	A. Dayton
Morris	Jackson
Hutchinson,	Walter Thomas
Stewart,	Frank Rutscher
Don Beeton,	G. E. Greene
Ed Burton,	Dean Baxter

The meeting which was to have been held last evening, had to be postponed, and will be held on Saturday after the game. All interested in cricket are requested to attend.

A DAY OF THANKSGIVING AND JOY!

Governor Wells Proclaims Saturday, August 19, as a Legal Holiday, in Honor of the Return of Utah's Soldier Heroes—Requests that all Places of Business be Closed and a Day of Rejoicing be Held.

People of the State Should Unite in Welcoming Home the Men Who have Fought so Valiantly and Endured so Well—Prayer and Thanksgiving to the Father Who Preserved Them.

BY THE GOVERNOR OF THE STATE OF UTAH.

A Proclamation.

THE PEOPLE OF UTAH are grateful to Almighty God for the deliverance of their Volunteers, who went forth at the call of the President to do battle for the Republic. The last of them are on the Pacific Coast, returning from the Philippine Islands, where for more than a year they have endured the hardships and sufferings of active war;

NOW THEREFORE, I, Heber M. Wells, Governor of the State of Utah, by virtue of authority vested in me by law, do hereby proclaim Saturday, the 19th day of August of this year, a legal holiday for the purpose of general thanksgiving and rejoicing, and do advise and request that all places of business be closed on that day, and that all the people of the State unite in welcoming home the brave men who have fought so valiantly and endured so well, and in rendering thanksgiving and praise to the Father who has preserved them from the shafts of their enemies and from the ravages of disease; and in our rejoicing let us not forget to minister to the wants, and comfort the hearts of those who mourn the loss of their dear ones who laid down their lives in the service of our beloved country.

IN TESTIMONY WHEREOF I have hereunto set my hand and caused the great seal of [SEAL.] the State of Utah to be hereunto affixed.

Done at Salt Lake City, this eleventh day of August, A. D. 1899.

HEBER M. WELLS.

By the Governor—J. T. HAMMOND, Secretary of State.

"THESE ARE OUR BOYS."

Banner that General Pratten Wants for Patrons of the Volunteers.

General Pratten is very anxious to carry out the idea suggested in the "News"—that a piece of bunting be served in the procession for the parents of the boys who offered their lives for their country's service. He thinks they should be in the first division leaving the Tabernacle, and that a banner emblazoned with the legend, "These are our boys," The general is of the further opinion that such recognition would meet with general approval, and that it would be held by today—"We are about seven hundred and fifty boys. We will be home on the war." It is also given to their fathers and mothers or brothers or some other representative of their family, and "We are about seven hundred and fifty more, which will make one of the very best showings of the parades ever, too, that will reach a hearing in every patriotism."

THOSE WHO DIED IN BATTLE.

Impressive Remembrances for the Boys Who Gave Up Their Lives.

The honored dead will not be forgotten at the home reception. While there will be some comrades in arms who will not be present to receive a welcome home for their gallant services to their country and State, there will be a modest place for every one who in the field of his country's call.

It will be a sad and impressive feature of the reception when the little floral offerings will be presented to the parents or other near representatives of the volunteers who gave their comrades to Filipino bullets or the more fatal enemy—disease and fever.

CORPORAL DONNELLAN WRITES.

Former Member of Battery B, Expresses Regrets that He Cannot be Here.

Corporal Willie today received the following letter from the F. Donnellan, late corporal of Battery B, now with the Sather Artillery Training camp, Kansas City:

"It has given me great pleasure to read of the safe return of Battery A and B. I think it was Saturday I read it, I think that I belonged to Battery B, even though the fortunes of war placed me in the Sather Artillery. I was there and then served on two occasions, and then served on two occasions, and then served on two occasions,