

TELEGRAPHIC NEWS.

CHICAGO, Oct. 4.—The *Time's* special from Huntington says: About 35 of the men were injured, but the greater number of those hurt suffered only slight wounds. Eight were hurt seriously and one fatally. Engineer Swatz, of the freight train, who had jumped from the engine, found an Italian advancing upon him with a huge knife, and the engineer sought safety in flight, running to town five miles away.

LONDON, Oct. 4.—Henry Fox, a landed proprietor of Somerset and a noted ball player, was lost while traveling in the Caucasus Mountains. A party of guides are also missing.

CLEVELAND, O., Oct. 5.—Five workmen were seriously burned by an explosion of gases in the waterworks tunnel this morning. The tunnel was lit by electric light, and an electric spark from one of the wires ignited the gases and caused the explosion.

BOSTON, Oct. 5.—Giovanni B. Bendero surrendered himself this morning, stating that he killed a relative named Giovanni Bendero, near Genoa, Italy, for interfering in a quarrel between himself and wife.

OSWEGO, N. Y., Oct. 5.—A frightful collision occurred near Hannibal Station on the Rome, Watertown & Ogdensburg Railroad, this morning. The Lehigh Valley passenger train collided with the "wildcat" train from Oswego on a curve at a deep cut. The "wildcat" was running 50 miles an hour, and the Lehigh Valley train at 40. The locomotives were smashed into a thousand pieces and the cars nearly demolished. Of the "wildcat" train crew Engineer Slattery was killed; Fireman Riley frightfully scalded; the conductor and brakeman Thomas badly injured. Of the Lehigh Valley Engineer Hutchins was badly hurt; Conductor Whitegate and Baggageman Smith, badly hurt. The former may die.

LONDON, Oct. 5.—Sir Charles Warren, chief of the metropolitan police, has decided to employ bloodhounds to discover the perpetrator of the Whitechapel murders. The police place no confidence in the story of George M. Dodd, the seaman, who states that in August last he met a Malay cook named Alaska, in London, and that Alaska told him he had been robbed of all he had by a woman of the town and that he threatened unless he found the woman and recovered his property he would kill and mutilate every Whitechapel woman he ever met. The police are looking everywhere for the Malay.

Acting on information in the investigation of the Whitechapel murders, the police have seized and occupied several houses in that section.

DECATUR, Ala., Oct. 5.—Three new cases of yellow fever.

JACKSONVILLE, Fla., Oct. 5.—The weather continues warm, and the hopes of a phenomenally early frost are dispelled. The situation remains unchanged except, perhaps, that the cases of fever are generally of a milder type. New cases, 62; deaths, 6.

CHICAGO, Oct. 5.—One third of Chicago will be without street car facilities tomorrow morning, and within twenty-four hours all other parts of the city will be in the same predicament. President Yerkes of the North Chicago line finally refused the demands of his employees and afterwards declined to accept the invitation from the men to arbitrate. All the south side men, 550 in number, will strike at 6 o'clock tomorrow. Interviews tonight with representatives of the 880 employees on the west side show that they will strike probably before tomorrow night, in order, if possible, to cripple the entire Yerkes system and bring him to time.

CHICAGO, Oct. 4.—The depositors of the 'Traders' Bank are growing angry over the situation, and one of them, John H. Patterson, the western agent for Frank Leslie's publications, has called a meeting of the victims for tomorrow night. He says Cashier Tallman is not without responsibilities, no matter how autocratic President Butler acted. The cashier, Patterson, has made heavy investments in California land, and the depositors should be informed as to the amount thus disposed of.

WASHINGTON, Oct. 5.—The collector of customs at Port Townsend reports by telegraph to the Treasury Department that Chinese laborers are arriving from British Columbia with proper return certificates, and asks if they shall be allowed to land. Assistant Secretary Maynard answered him by telegraph today, sending him the provisions of the Chinese exclusion bill, and saying that it went into effect on the day of its approval by the President, October 1.

NEW YORK, Oct. 5.—City of Mexico special: Henry Eyring, a representative here of the "Mormon" colonies in the State of Chihuahua, denies the report that the "Mormon" Church has bought four hundred million acres of land in that state formerly the property of the Zuni Indians. He also denies the charge that the "Mormons" contemplate moving en masse to this country. The "Mormons" here now number only 150 families occupying 200,000 acres in Chihuahua. There is much discussion in the press regarding "Mormon" immigration, the general sentiment being adverse to it.

SAN FRANCISCO, Oct. 8.—Chinese advices per the *Belgie* state that the whole of the new embankment of the Yellow River at Chang Chou, begun last autumn and carried on at a cost equal to over nine million dollars, has been completely swept away by a flood. Of the whole

thousand lineal feet of river wall recently completed, not one inch remains, and the waters are pouring through the immense gap into Honan unchecked. From eight hundred to one thousand laborers who were on the bank, were swept away and drowned.

WASHINGTON, Oct. 8.—Chief Justice Fuller took the oath of office, and assumed the active duties of his position today.

FROM MONDAY'S DAILY, OCT. 8.

FATAL ACCIDENT.

John Homer Mistaken for Game and Shot by a Companion While Hunting Deer.

From parties in the city from Cassia Stake we learn of a fatal accident which occurred in that region on the 28th ult., the news of which has not reached us before. On the date mentioned a party of four young men of Marion Ward were hunting deer and while thus engaged separated to go through a patch of brush in which they expected to find game. One of the young men caught sight of a deer, but not having a fair chance to shoot at it, and noticing that it was going in the direction taken by Orson F. Bates Jr., one of his companions, he called out to him to look out for it. Of course Brother Bates was on the alert immediately, and seeing the brush waving in a particular place and what he fancied were the antlers of the animal protruding above it, he aimed low so as to strike the deer's body and fired. To his horror he immediately discovered by the cry of pain which followed that he had not shot a deer, but his bosom friend and companion, John Homer. The ball entered his left side, and, ranging upward, came out just below his right shoulder blade. The grief-stricken party did everything they could to save their unfortunate companion, but all in vain. He died six hours after being shot and before he reached home. Brother Bates is one of the most careful of young men, and was terribly shocked when he found what he had done, and indeed is not reconciled yet, though he was exonerated from all blame by the coroner's jury and also by the young man's father, who spoke briefly at the funeral. The victim of the accident was the son of E. Homer, of Marion, Cassia County, Idaho, who formerly resided at Smithfield, Cache County, Utah, and was an excellent young man.

CHURCH PROPERTY.

All but the Temple Block Declared Forfeited.

THE DEFENDANTS APPEAL THE CASE.

Three-quarters of a Million Dollars the Value of the Seizure.

At today's session of the Territorial Supreme Court, Chief Justice Sandford and Associate Justices Boreman, Henderson and Judd were present. The suit of the United States vs. the Church of Jesus Christ of Latter-day Saints was taken up. In regard to the report of Referee E. T. Sprague on the accounts and compensation of the Receiver, U. S. Marshal Dyer, and his attorney, P. L. Williams, the Court ordered that the report be made at the next session, November 17.

Mr. F. S. Richards said he desired to file replications to the answers filed on Saturday to the petitions of Wm. B. Preston, Robert T. Burton and John R. Winder, asking to have the Temple Block set apart for the use of the Church as a place of worship, the Gardo House and Historian's Office properties as a parsonage, and the Tithing Office property as having been used by the Church prior to July 1st, 1882, and therefore not subject to escheat because of the vested right which the Church then had in said property. [The replications were filed and Mr. Richards then read the following Petition for Intervention, and asked leave to file the same, which was granted.]

In the Supreme Court of the Territory of Utah.

The United States of America, Plaintiff,

vs.

The late Corporation of the Church of Jesus Christ of Latter-day Saints et al. Defendants.

Now come George Romney, Henry Dinwoodey, James Watson and John Clark, and by leave of court first had and obtained, file this petition in intervention in the above entitled cause on behalf of themselves and all others who are members of the Church hereinafter mentioned, and for their grounds of intervention allege:

That the said members are more than 100,000 in number, and so numerous that they cannot, without manifest inconvenience and oppressive delays in the said suit, be brought before the court; that all said members have an interest in common with said petitioners in the subject of this petition, and the questions involved in this suit. Wherefore, said petitioners file this petition for the benefit of all said members.

That heretofore on the day of 1887, this Court made an order in the above entitled action, appointing Frank H. Dyer, Receiver of the Church of Jesus Christ of Latter-day Saints, who thereupon duly qualified, and ever

since has been, and still is, acting as such Receiver.

That since his said appointment said Receiver has seized, taken possession of, and now holds, subject to the order of this Court, the following described real and personal property, to-wit:

(The petition then describes the Temple Block, Tithing office property, Gardo House, Historian's Office, Church farm and coal lands. Also the personal property in the hands of the receiver, of the total value of about \$750,000, exclusive of the Temple Block.)

That all the said described property is, and at the time it was taken by said Receiver was, and long prior thereto had been, the property of the Church of Jesus Christ of Latter-day Saints, and the possession thereof by said Receiver is wrongful and without authority or right.

That the said Church of Jesus Christ of Latter-day Saints, and for many years last past has been, a voluntary religious society or association organized and existing in the Territory of Utah, for religious and charitable purposes.

That said petitioners and the others for whose benefit they file this petition, are members of said Church residing in said Territory. That said Church became possessed of all the above described property in accordance with its established rules and customs, by the voluntary contributions, donations and dedications of its said members, to be held, managed and applied to the use and benefit of said Church, and for the maintenance of its religion and charities by trustees appointed by said members semi-annually at the general conference or meeting of said members.

That John Taylor, the last trustee so appointed, died on the 25th day of July 1887, and since his said death no trustee has been appointed.

That said property in the hands of said receiver is claimed adversely to said Church, said petitioners and the members thereof but wholly without right, by said plaintiff, and is being wrongfully withheld and diverted by said Receiver from the purposes for which it was donated, dedicated and granted. That said petitioners and the said members on whose behalf this petition is filed, are equitably the owners of said property and beneficially interested therein, and to prevent the diversion of the same from the said religious and charitable purposes of said Church to which they donated and granted said property.

Wherefore your petitioners pray that in case said corporation of the Church of Jesus Christ of Latter-day Saints should, upon the final hearing of this cause, be held and decreed to be dissolved, an order and decree of this court be made and entered, adjudging and decreeing:

1. That the said property belongs to the individual members of said Church and that they are authorized to appoint a trustee or trustees to hold, manage and apply such property and money to the purposes for which it was originally given.

2. That the said Receiver deliver the possession of said property together with its proceeds, and income in his hands, to such trustee or trustees as may be named and appointed at a general conference of the members of said Church in accordance with its rules and customs.

3. For such and further relief as may be suitable and just.

JAMES O. BROADHEAD, F. S. RICHARDS, LEGRAND YOUNG, SHERKES & RAWLINS, Solicitors for Interveners.

The plaintiffs filed an answer to the petition, in which they admitted that the petitioners were members of the Church, but denied that they had donated the property in question, or any part of it, and asserted that it had been acquired by purchase. It recites the history of the suit, and alleges that the Church used the property to promulgate its doctrines, among which was plural marriage or polygamy; that the Church still maintained all of its doctrines, none of them having been repudiated. The issue was principally as to the forfeiture of personal property.

Mr. Hobson then reviewed the case, and submitted a statement of the facts agreed upon. The plaintiff's counsel also suggested the findings of the court, in the final decree. This omits from the forfeiture the Temple Block, valued at \$500,000, but escheats all other Church property, valued at \$750,000. This includes the Gardo House Tithing Office, Historian's Office, Church farm, coal lands, gas stock, telegraph stock, promissory notes, 30,168 sheep, office furniture, cash, etc.

The decree as suggested by the government counsel was adopted by the court. Its length precludes its publication today.

Col. Broadhead called the attention of the Court to the following points insisted upon by the defendants, upon the facts stipulated, and in opposition to the terms of the decree:

1st. On behalf of the Corporation of the Church of Jesus Christ of Latter-day Saints, we claim that the Act of Congress of February 19th, 1887, is unconstitutional and void, so far as it undertakes to dissolve said corporation and that the said corporation is not dissolved, nor is there any power in this court to decree a dissolution of the said corporation.

2nd. That the act of July 1st, 1882, so far as it undertakes to limit the

powers of said Corporation as to the amount of property it may hold or otherwise, or to amend its charter is unconstitutional and void.

3rd. That at the time of the passage of the act of July 1st, 1882, the right to the property referred to in the agreed statement of facts as the Tithing Office property, was vested in the said Corporation of the Church of Jesus Christ of Latter-day Saints, and is therefore not subject to escheat and forfeiture.

4th. That the Temple Block, which is used exclusively for the worship of God, and religious purposes, ought to be set aside for the use of the Church.

5th. That the property known as the Gardo House, ought to be set aside to the Church as a parsonage.

6th. That the property known as the Historian's Office ought to be set aside to the Church as a part of the parsonage, and because the said corporation had a vested right in the same before the 1st of July, 1882.

7th. That if the Court should find that the corporation is dissolved, then the personal property described in the agreed statement of facts ought to be turned over to the present members of the Church or to trustees for their use and benefit.

Mr. Richards gave notice of an appeal to the Supreme Court of the United States, and the bond was fixed at \$500.

The court then adjourned to Nov. 17, 1888.

HON. JOHN T. CAINE

Renominated by Acclamation, by the People's Party.

Pursuant to call of the People's Territorial Central Committee, the Territorial Convention of the People's Party was called to order at 12 m. today, October 8th, by Hon. John R. Winder, chairman of said committee, who nominated Hon. W. W. Cluff as temporary chairman of the convention. Carried.

On motion, George D. Pyper was elected temporary secretary.

The secretary read the call, and on motion it was decided that credentials and protests, if any, be handed to the secretary, and that the delegates named in such credentials be seated in the convention. Carried.

The secretary reported the following named gentlemen entitled to seats:

Beaver County—Charles Stoner, E. Willden.

Box Elder—M. W. Dalton, J. D. Peters, Ephraim Raiphs.

Cache—G. O. Pitkin, J. T. Hammond, Edward Hansen, W. K. Burnham, James Kirkbride, J. E. Carhele.

Davis—Thos. F. Rouche, David O. Willey, Wm. Page.

Emery—M. W. Molen.

Garfield—None.

Iron—John Parry, Thos. Adams.

Juab—David Cazler, Elias N. Williams.

Kane—None.

Millard—None.

Morgan—W. G. Smith.

Plute—None.

Rich—Wesley K. Walton.

Salt Lake—Richard Howe, L. Dahlquist, R. A. Ballantyne, John L. Nebeker, James Paulson, Geo. D. Pyper, J. D. H. McAllister, Wm. Layton, E. A. Smith, T. V. Williams, W. W. Riter, Jas. Sharp, Jos. N. Morris, W. B. Hardy, Philip Spry.

San Juan—None.

Sanpete—John B. Maiben, O. A. Madsen, J. P. Christensen, James A. Alfred, John Carter, John Williams.

Sevier—Isaac K. Wright.

Summit—W. W. Cluff, John Boyden.

Tooele—W. O. Rydahl, T. C. Lee.

Utah—R. S. Collett.

Utah—Abram Noe, Samuel Worsen-croft, Rufus R. Snel, W. H. Brown.

Jorgen Hansen, James O. Bullock, Ammon Shelley, Geo. Webb, W. H. Dusenberry.

Wasatch—Abram Hatch.

Washington—A. W. Ivins, Thomas Judd.

Weber—Edwin Stratford, Thomas Wallace, Geo. W. Bramwell, Jr., James Wotherspoon, Geo. Smuin, Heber Wright.

The total number of delegates present was 66.

On motion it was decided that permanent organization consist of chairman, two vice-chairmen, secretary and assistant secretary.

On motion of Mr. Sharp the temporary organization, as far as constituted, was made permanent.

On motion of W. G. Smith, James Sharp was elected first vice-chairman.

On motion of Mr. Kirkbride James T. Hammond was elected second vice-chairman.

On motion, John Boyden was elected assistant secretary.

The organization being perfected, prayer was offered by W. R. Smith, of Davis County.

The chairman then announced the business in order to be the nomination of a delegate to Congress, and on motion it was decided that nominations be made from body of the house.

Mr. Riter placed in nomination the name of the

HON. JOHN T. CAINE

and no other nominations being made it was unanimously sustained.

On motion of Mr. Smith, of Salt Lake, the election of a Territorial Central Committee was proceeded with, the representation being as follows:

Beaver 1, Box Elder 1, Cache 2, Davis 1, Emery 1, Garfield 1, Iron 1, Juab 1, Kane 1, Millard 1, Morgan 1, Plute 1, Rich 1, Salt Lake 7, Sanpete 1, San Juan 1, Sevier 1, Summit 1, Tooele 1,

Utah 3, Uintah 1, Wasatch 1, Washington 1, Weber 2. Total 35.

The election for Territorial Central Committee for the People's Party resulted as follows:

Beaver County—Philo T. Parnsworth.

Box Elder—Rudger Clawson.

Cache—George W. Thatcher, J. T. Hammond.

Davis—Thomas F. Rouche.

Emery—Jasper Robinson.

Garfield—John Rider.

Iron—W. C. McGreggor.

Juab—Frederick W. Chappell.

Kane—W. T. Stewart.

Millard—Joseph D. Smith, (Fillmore).

Morgan—James R. Stewart.

Plute—John R. Young.

Rich—Wesley K. Walton.

Salt Lake—John R. Winder, John Sharp, Junius F. Wells, Angus M. Cannon, Elias A. Smith, John T. Caine, John C. Cutler.

Sanpete—Wm. T. Reid.

San Juan—Francis A. Hammond.

Sevier Co.—Isaac K. Wright.

Summit—Alma Eldredge.

Tooele—Hugh S. Gowan.

Utah—W. H. Dusenbury, A. D. Holdaway, Wm. H. Brown.

Uintah—James Hacking.

Wasatch—Abram Hatch.

Washington—A. W. Ivins.

Weber—L. W. Shurtliff, Edwin Stratford, T. J. Stevens.

The Convention then adjourned sine die, benediction being pronounced by Mr. Mads Madsen.

DEATHS.

PALMER.—In this city, Oct. 4, 1888, of old age, Mary Ann, wife of James Palmer, born in Gloucestershire, England, Aug. 6, 1815; was among the earliest converts to the Gospel in that country, having been baptized by President Willford Woodruff; migrated to Nauvoo and passed through the persecutions and hardships to which the Saints were then and have since been subjected. She died firm in the faith after an illness of three days.

YOUNG.—At Kanab, Kane County, Sept. 28, 1888, of membranous croup, Robert D., son of Brigham L. and Ida F. Lewis Young, aged 1 year, 8 months and 14 days.

WARDROP.—On Monday, Sept. 24th, 1888, at his residence in Wellsville, at the age of 60 years, 7 months and 8 days, Robert Wardrop, born at Stewart, Ayrshire, Scotland, and joined the Church of Jesus Christ of Latter-day Saints in 1848; came to Salt Lake City in the fall of 1840, where he was employed as a stone cutter on the Temple and other public works for some years, when he moved to Cache Valley and engaged in the occupation of farming.—Logan Journal.

BACON.—At American Fork, Utah County, August 31st, 1888, Channoy Bacon, aged 81 years. Deceased was born in the town of Hamilton, Madison County, New York; joined the Church of Jesus Christ of Latter-day Saints in his native state in the year 1838; emigrated to Nauvoo, Illinois, in 1840; came to Utah in 1852 and settled in Pleasant Grove, Utah County; eight years ago he took up his residence in American Fork. (Brother Bacon was the father of 17 children (the youngest now being 27 years of age); he had 61 grand children and 11 great grand children. The deceased was an industrious and honest man. His remains were laid away in the Pleasant Grove cemetery. His numerous family reside in Utah and Idaho Territories.—[COM.]

STOUT.—In Rockville, Washington County, of paralysis, Sept. 21, 1888, Amanda McVina, wife of Allen Joseph Stout. Deceased was the daughter of Alfred and Maria Fiske, and was born June 12, 1832, in Sheridan, Chatauque County, New York. She passed through the trials of Kirtland, Missouri and Illinois, and came to Utah in 1851. She was married to Allen J. Stout at Winter Quarters, April 30, 1848. She lived and died a faithful Latter-day Saint, and had 14 children and 45 grandchildren, of whom 10 of the former and 37 of the latter are still living.—[COM.]

CANNON.—In this city, Oct. 6th, 1888, Allen G., son of Boman and Clara Cannon, aged 6 months lacking 8 days.

TAFT.—In the Ninth Ward of this city, October 7th, 1888, of paralysis, Harriet Taft, born in Bay County, Upper Canada, April 12, 1807; was baptized in the year 1843, in Michigan; went to Nauvoo in 1846; came west in 1847, arriving in Utah the same year; her husband, afterwards Bishop of the Ninth Ward, came on with the Pioneers; she followed, driving the team across the plains. Sister Taft, and her husband were among the first settlers of Sanpete County; they afterwards returned to Salt Lake City. Sister Taft died in full fellowship, her faith in the Gospel was strong, and she goes to her rest full of hope in a glorious resurrection; for the last ten years of her life she was an invalid.

The funeral service will be held on Tuesday, at 2 p.m., at the Ninth Ward meeting-house. Friends of the family are invited to attend.

ANDREW.—In the Seventh Ward, this city, Oct. 2, 1888, of bowel complaint, Francis Guenn, daughter of Edward and Frances C. Andrew, aged 1 year, 1 month and 17 days.

FULLMER.—At Logan, Cache County, Utah, Sept. 30, 1888, Junius Sextus Fullmer. The deceased was born January 14, 1834, in Plymouth township, Luzerne Co., Pennsylvania. He was the son of the late David and Rhoda Ann Fullmer, of Salt Lake City. He leaves a wife, and six children. At the time of his death he was one of the presidents of a quorum of Seventies. He died in full faith of the Gospel. The funeral services were conducted in the Sixth Ward, Logan, October 1st.

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