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. 7. FRIDAY, NOVEMBER 29, 1895. SALT LAKE CITY, UTAH. VOL. XXIX.

MINNESOTA'S CHOICE

Cushman K. Davis a Candidate for the Presidency.

BAILEY AND REED SECOND.

Senator Knute Nelson of St. Paul is Responsible for the Above Declaration.

CHICAGO, Nov. 29.—"Minnesota has a candidate for President, Cushman K. Davis, and will push his claims to the uttermost just as long as he has any possible show of getting the nomination."

United States Senator Knute Nelson of St. Paul, en route to Washington, made this declaration last evening. He continued:

"But there is no telling what the convention will do. All the candidates, McKinley, Reed, Morton and others are strong men. If we have to abandon Davis we will go for one of the three. I think Minnesota's delegation will be almost evenly divided between McKinley and Reed.

"I do not see wherein Congress can do anything, particularly in the way of legislation, to influence the action of the party next year in its selection of a candidate for President. The laws have already been made. I really imagine we will be able to do a good deal of special legislation this session. While the lower house is Republican, the Democrats and Populists have the balance of power in the Senate, and of course the executive branch is with them. However, something will be done with the financial question and whatever is done I am inclined to think will be in the nature of compromise. An effort will also be made to so rearrange the tariff laws as to give the tremendous importations of our own industries a chance and to do some time create a revenue sufficient to run the government."

TAMAGNO'S NARROW ESCAPE.

He Has Been Killed in Armenia, But He Not Mentioned at Home.

DENVER, Nov. 29.—A dispatch from Washington, D. C., says: Avit DeWitt Talmage narrowly escaped the fate of W. W. Howard, a missionary of the Christian Herald in Armenia, who, it is feared, has met his die in an attempt to take aid to the suffering Armenians.

The Christian Herald desired to send Dr. Talmage abroad to ultimate relief among the starving Armenians. At his suggestion the journal sent the Turkish government asking it would give adequate protection to a representative it desired to send to Armenia to aid the suffering poor. A reply was received asking that post the paper desired its representative to visit. In return it was intimated that there were four principals. The Turkish government intimated that if the paper sent a representative it could not guarantee its protection. In view of this statement Dr. Talmage declined to go. Howard was sent instead and according to the latest news he died a martyr in Asia Minor, and it is believed he fell a victim to Moslem fanatics.

"I was in late even Howard on the day of his departure," said Dr. Talmage, "but my work prevented. I have no hope that news the unfortunately false that the dispatch indicates."

For the Conversion of Ingersoll.

BRANTFORD, Ont., Nov. 29.—The Christian Endeavorers of the Dominion of Canada have been requested to unite in prayer to God for the conversion of Colonel Robert G. Ingersoll on Sunday, December 1st, at 2 o'clock in the afternoon. The is to follow the united prayer of the Cleveland Endeavorers who were held on Thanksgiving day.

A LETTER TO REED.

It Is Filed Away as a Curiosity for Future Investigation.

NEW YORK, Nov. 29.—A dispatch to a local paper from Washington says Congressman Thomas B. Reed, of Maine, has just experienced a new sensation. It came in the form of a letter from Mr. Henderson, of Kansas. Mr. Henderson wrote that as the only Republican member of the committee on rules, he might properly claim the chairmanship in the next house, but he would not do so; that he preferred, on the contrary, not to embarrass the prospective Speaker with an invitation of any character, and that he hoped Mr. Reed would feel at liberty to place him wherever he chose. Mr. Reed at once dictated a reply expressing his gratification at Mr. Henderson's consideration, and adding jocularly that his request was as reasonable as it should certainly be complied with. Mr. Broderick's letter was taken away with other papers bearing Mr. Reed's handwriting this evening. "A rare curiosity to be preserved for future generations."

MILL ADVANCE PRICES.

Transatlantic Steamship Companies Form a Pool.

NEW YORK, Nov. 29.—Before December 5th there will be an agreement which transatlantic steamship lines have decided goes into effect, an increase in rates will be announced. This is probably one of the most important steps ever taken by the steamship companies toward the organization of a great trust pool. It is the foremost of a scheme, according to a well informed gentleman, to advance the second class rates of Transatlantic steamships to which companies a pool has been made. It is a pooling of rates similar to the recently formed cattle combination in which competition is put out of the question and the profits of the companies interested increased. Thus far only American, Inman, Cunard, Allan, State and White Star lines are interested in the pool. It is understood, however, that overtures will be made to the remaining transatlantic lines, and already the question of a universal formation has been placed before those lines. In England was the work connected with the formation of the present pool, in the presence of J. Bruce Ismay, of the White Star line and Clement A. Griscom, of the Inman line were requested. Mr. Ismay came personally from Europe to attend the conferences which are held every day for two weeks in this city. As a result of the prolonged labors of the British steamship representatives, it is learned that it was decided to increase steerage rates from $7 to $10 on some tickets. None the more important action was the adoption of a unique scheme, the devising and suggestion of which is credited to Clement A. Griscom, whereby the strongest kind of a pool possible was formed. The new arrangement contemplates putting all the steamships of the pool companies into various classes, some to be entered in a class as low as the fifth. Such vessels as the St. Paul, St. Louis, Campania, Lucania, New York, Paris, Umbria, Teutonic and Majestic will comprise the first class. Steerage rates of travel on vessels from this port will be placed at an almost prohibitive figure. That is where it formerly cost from $10 to $25 to travel on these steamers, the rate will be raised from $30 to $35. This is within a few dollars of the second class rates on these steamships.

YELLOWSTONE PARK GAME.

Hoke Smith Takes the Deepest Interest in its Protection.

But Idaho and Wyoming Must Pass Stringent Laws to the Same Direction.

Interesting to Meat Exporters.

WASHINGTON, Nov. 28.—Ever since Secretary Hoke Smith visited Yellowstone Park he has taken the deepest interest in the protection of game within its boundaries, and his instructions to those in charge of the park has been to proceed with the utmost vigor against all poachers.

When the attention of officials of the interior department was invited to the fact that game was being exterminated in the park their reply was that until Idaho and Wyoming passed more stringent laws for the preservation of game it was well nigh useless for the department to take any measures for relief. From reports received from the park it appears that buffalo in particular are prone to wander into dangerous territory and will not confine themselves to a place in which they would be safe.

Captain George S. Anderson, who has been acting superintendent at the park, in his last report to the secretary of the interior says there is a section of country beginning at Henrys lake and extending south for about twenty-five miles inhabited by a lawless and persistent lot of head and skin hunters. The laws of Idaho are extremely deficient in game protective measures. The bison now is nearly extinct and is not protected at all so long as the only wild herd in the United States is on the border of this state and likely at any time to cross the line.

From Clergyman to Real Estate Man.

SANTA BARBARA, Cal., Nov. 29.—Mrs. Eliza Surrey, who was divorced from the Rev. Snively of Chicago a short time ago was married last night to William Alexander, a real estate man of this city.

Lynched the Wrong Persons.

SAN FRANCISCO, Nov. 29.—A local paper prints a letter from Arizona signed by John Doe in which the writer says he committed the murder for which Garland Blemlet and Louis Marion were lynched by a mob at Yuma, City, last August. Two other men were lynched at the same time.

Yellow Fever in Guatemala.

SAN FRANCISCO, Nov. 29.—The whaleback steamer City of Everett, from Panama, reports that yellow fever is prevalent in Guatemala, but that Panama is practically free from disease.

Promise to Tag Poor Children.

CHICAGO, Nov. 29.—A dispatch from New York says: The board of police commissioners here will probably adopt the suggestion of the women's committee of police matrons that the small children of the poor, particularly the great foreign element on the east side, shall be tagged when turned out in the street to play, to prevent their getting lost.

"The committee, composed of Mrs. Anna M. Jackson of the Friends society, and Mrs. Ellen Collins, the school inspectress and well known philanthropist, has canvassed the matter thoroughly and secured the promise that children so tagged, instead of being taken to the police station, shall be taken immediately home when found.

SECRETARY SMITH'S REPORT.

Recommendations With Regard to Indians—Other Subjects.

WASHINGTON, Nov. 29.—Secretary Hoke Smith of the interior department has made his annual report to the President. It reviews the varied work of the department, beginning with the Indian service, and calls attention to the strict enforcement which has been given to civil service reform, both as to those places covered by the classified service and those to whom the rules do not apply.

The secretary dwells upon the necessity of eliminating politics from the management of Indian affairs, and of conducting such reservation upon strictly business principles, the object being to make every Indian who remains upon the reservation self-supporting and ready, as soon as possible to assume the duties of citizenship and be freed from the paternal care of the government.

The secretary recommends the reorganization of the bureau.

Referring to the subject of allotments the secretary says each Indian should be settled upon his homestead and be self supporting before citizenship is conferred upon him.

Referring to the Uncompahgre reservation, the secretary calls attention to the fact that that through the geological survey an examination has been made of the gilsonite beds which seem to be of very great value, and he recommends legislation which will allow these deposits to be sold or leased to the highest bidder.

The report reviews the Jackson's Hole disturbances and gives an account of the active means taken by the department to secure justice for the killing of the Bannock Indians on July 15th last, and also to preserve peace between the Indians and the whites.

Referring to the law work of the assistant attorney general's office and of the general land office, the secretary again urges the importance of creating a board of principal examiners, both in the secretary's office and the land office, to which may be referred such classes of cases as the secretary and the commissioner may deem advisable.

The report estimates the amount of public lands surveyed at to be about 10,000,000 acres at the close of the fiscal year, and shows that the total receipts during the year from public lands amounted to over $2,000,000.

After reviewing in detail the work of the land office during the past twelve months, the secretary goes into the question of the disposition of the arid lands and the preservation of the forests. The increase of the water supply must depend upon the growth and preservation of the forests. Attention is called to the failure of the Carey bill to accomplish the results expected.

Under the subject of forests, the secretary calls attention to the fact that 15,000,000 acres are now included within the forest reserves, the object being to thus preserve the forests for mining use, and through their preservation to control the supply of water, so that it may be stored and utilized for irrigation.

Interesting to Meat Exporters.

NEW YORK, Nov. 29.—A dispatch to The Herald from Buenos Ayres says:

Minister Zeballos, who represented this government in Washington has had some very important correspondence with F. D. Armour of Chicago concerning the meat trade of the country. Mr. Armour submits the correspondence and was given facts and figures that may result in great benefit to the trade.

Ex-Confederate Thanksgiving.

NASHVILLE, Tenn., Nov. 28.—A novel and picturesque feature of the Thanksgiving celebration here was a parade of ex-Confederate soldiers. There was a long line of the veterans and over their gray uniforms floated the Stars and Stripes. They had a great dinner which was succeeded in the evening with an entertainment at which there was music and recitations.

Football Games.

PHILADELPHIA, Pa., Nov. 28.—The University of Pennsylvania football team this afternoon defeated Cornell by the score of 46 to 2, thus winding up the football season with a clean record of victories to their credit.

SAN FRANCISCO, Nov. 28.—Ten thousand people sat in the rain today and watched Stanford and University of California play another to game—score, 6 to 6.

PITTSBURG, Nov. 28.—Ten thousand people saw the contest for local football supremacy today, in which the Duquesne defeated Pittsburg Athletic club by a score of 10 to 6.

KANSAS CITY, Nov. 28.—The Missouri State University eleven, of Columbia, Mo., today defeated the Kansas University eleven by a score of 10 to 6.

BUTTE, Mont., Nov. 28.—Butte defeated the Olympics of San Francisco at football today by 24 to 6. Butte played a strong game.

CHICAGO, Nov. 28.—By 11 o'clock about 6,000 enthusiasts had gathered at Marshall Field to witness the football game between the University of Chicago and the University of Michigan. Score, at the end of the first half Michigan 6, Chicago 6. The second half was a repetition of the first.

CHICAGO, Nov. 29.—It was pork against beans, Chicago against Boston, the East against the West, and it resulted in a tie. Chicago 4, Boston 4, is the way the score stood at the end of the football game played between the athletic clubs of the two towns today. And it was a great game.

Veteran Convicted of Forgery.

FORT SMITH, Ark., Nov. 28.—John J. Overton, claiming to be 98 years of age, was convicted in the United States court today for forgery. His offense was the forgery of two affidavits to support his application for an increase of pension, filed 1892. The affidavits purported to have been made by John Bowen and Peter Rieck, and acknowledged before I. J. Sims, a justice of the peace of Scott county, Ark. Bowen live in Rockal, Ia., and has never been in this state, Overton admitted that they were forgeries, but claims he had nothing to do with them. He tried to place the responsibility upon a pension agent at Washington, who he said promised to get his proofs and prepared all the papers in the case.

Knew He Was Going to Die.

KANSAS CITY, Mo., Nov. 29.—Between 7 and 10 o'clock today Rufus Hulls, formerly a well known merchant, was found dead in bed in the Midland hotel. An envelope, on which was written "Please open this," contained the following undated communication: "This is to certify that I am subject to fainting fits. While I expect the next one to cause my death, I state that the doctors cannot revive me in any purpose."

New Comet.

GENEVA, N. Y., Nov. 28.—The new comet discovered by President Brooks last week was observed by him this morning. Position right ascension one hour, twenty-three minutes, thirty seconds, declination south forty-seven minutes. The comet is moving rapidly northward, and in three days will be on the line joining Arcturus and Vega. The comet was also observed. It is moving towards the sun and growing brighter.

Verdict of Murder Against a Wrecker.

OMAHA, Nov. 28.—A special to the Bee from Lincoln, Neb., says: The jury in the case of Washington Davis, charged with murder, rendered a verdict of guilty of murder in the second degree.

The crime for which Davis has been convicted on his third trial was wrecking the Rock Island passenger train near Lincoln on the night of August 30, 1894. Eleven people were killed.

CLOUDING UP ANEW.

The Political Situation in Turkey Again Considered Critical.

BROKEN PROMISES THE CAUSE.

Abdul Hamid Refuses to Issue Firmans Admitting Fixed Guardships to the Straits.

CONSTANTINOPLE, Nov. 29, via Sofia, Bulgaria, Nov. 29.—[Copyrighted, 1895, by Associated Press.]—The political situation is critical and a crisis may be expected within 24 hours.

The sultan who is once more thoroughly under the influence of the palace party, led by Izzet Bey, still declines to grant the firmans applied for by the representatives of Great Britain, Russia, Italy and Austria for the passage of extra guardships through the straights of the Dardanelles. This is extraordinary, as on Tuesday Tewfik Pasha, the Turkish minister of foreign affairs, personally assured Sir Philip Currie that the Porte had determined to grant the permission requested. It would thus be seen that while the Turkish ministers are apparently in favor of granting the firmans, the palace party, private commanders, and others who are the real advisers of Abdul Hamid, are opposed to it on calculated to lower the dignity of the sultan. Meantime the Mussulmans are getting uneasy, looking upon the threatening advent of extra guardships as nothing less than a warlike demonstration before Constantinople.

Sir Philip Currie, who was assured by Tewfik Pasha that firmans would be forthcoming, promptly telegraphed to the admiral in command of the British Mediterranean squadron, instructing him to dispatch a gunboat to the Dardanelles to be used in the Bosphorus as a mere guardship. The twin screw torpedo gunboat Dryad, carrying four 7-inch and four 6-pounder quick firing guns, is expected to arrive at Chanakkal today and pass to the right of Bosphorus. The sultan is known to be in a state of greatest agitation at the news that six extra British gunboat is heading for the Dardanelles.

The minister of foreign affairs was sent for a midnight and an exciting interview took place between him and the sultan, during which the latter bitterly and heartily reproached Tewfik Pasha for his action.

The Pasha tried to justify himself by recalling that the granting of firmans had been agreed to in substance by the sultan. The sultan insisted that it was impossible to issue the firmans, as it would cause trouble in Constantinople, and the powers should be content with the measures taken by the government to maintain order. The sultan then instructed Tewfik Pasha, to do everything possible to induce the British ambassador to countermand his order for the gunboat. Sir Philip refused, saying he was not to be trifled with and reminding him that Great Britain was acting fair and within her treaty. Tewfik Pasha returned to the palace in a very unenviable frame of mind and announced the failure of his mission. The sultan, frantic with rage, drove Tewfik from his presence with fierce revilings.

The president of the state council, Said Pasha, who is supposed to have some influence with Sir Philip Currie, was sent for. The sultan eagerly besought him to go immediately to the British ambassador and spare no effort to induce him to order the recall of the Dryad. Sir Philip finally consented to place the whole matter once more before his government and await further instructions.

MISSIONARY SCHOOL DESTROYED.

WASHINGTON, Nov. 29.—The state department has services from Minister Terrell stating that the missionary school of ex-consul at Mersch was burned on the 19th, but the missionaries are safe. He also telegraphs that the Aintab college is protected.

Reward for the Capture of Murderers.

PARIS, TEX., Nov. 29.—United States Marshal Williams returned from Arthur City tonight, where he went to bury the three men and the boy found murdered there in a boat. A big grave was dug on the bluff near the scene and the bodies inclosed with ropes from the boat and all buried side by side. No clue has been discovered, though there are a thousand theories advanced. Marshal Williams tonight offered a reward of $500 for the arrest and conviction of the murderers, and will besides give any assistance in his power.

Nine New Cardinals.

ROME, Nov. 29.—The pope today created a secret consistory and created nine cardinals, namely: The archbishops of Lemberg, Salzburg, Val Tadolid and Paris, Mons. Rotelli, papal delegate to the Roman Catholic church of the United States; Mgr. Goth, internuncio to Brazil, and the bishops of Aulun, Urgel and Ancona. His holiness then proclaimed twenty-four Italian bishops.

New Spanish Minister.

LISBON, Nov. 29.—Senor Cyrelo Manuzo has been appointed Portuguese minister to the United States.

Suit Against the Central Trust Co.

NEW YORK, Nov. 29.—A notice has been served upon the Central Trust company by the counsel of the Connecticut bondholders of the Chicago Gas company to show cause on December 11, before the attorney general of New York, why suit should not be brought against that institution to prevent the attempted consolidation of the Chicago gas properties.

ORGANIZATION OF THE HOUSE.

The Slate for Executive Offices as it Now Stands.

WASHINGTON, Nov. 29.—Ohio and Indiana have declared for McDowell and Dixon for clerk and both keep respectively of the House. There is now practically no doubt of the election of ex-Representative McDowell as clerk, although General Henderson of Illinois says he is still in the race.

An effort is being made to obtain General Henderson's consent to transfer his candidacy to the contest for sergeant-at-arms, but he has not yet consented, and it is bitterly opposed by the friends of Mr. Russell.

The slate for the elective offices of the House stands:

Clerk, McDowell, (Penna.); clerk, Benjamin F. Russell, (Missouri); sergeant-at-arms, W. J. Glenn, New York; doorkeeper, and Rev. Mr. Fisher, Kansas, chaplain.

The Home caucus will be held on Saturday night.

Asphyxiated by Gas.

OMAHA, Nov. 29.—A special to the Bee from Platt County, Neb., says: Rev. A. Heurich and wife were asphyxiated by gas from a stove. Heurich was found dead and his wife dying, when rescuers forced the door this morning.

The Obituary List.

BILLINGAN, Bohemia, Nov. 29.—Count Von Taafe, the Austrian statesman, died this morning.

Gold Shipments.

NEW YORK, Nov. 29.—Baring Magoun & Co. have engaged $600,000 in gold for export tomorrow.

L. Von Hoffman & Co. engaged $1,000,000 in gold bars for shipment tomorrow. Baring, Magoun & Co. have increased their holdings to $750,000.

For Less Majesty.

BERLIN, Nov. 29.—Dr. Forster has been confined to three months' imprisonment, having been convicted for lese majesty in the publication of an article in his paper, the Ethische Kultur.

CUBAN WARFARE.

Insurgents Are Dynamite With Terrible Effect.

HAVANA, Nov. 29.—A dispatch from Puerto Principe announces that the insurgents have blown up with dynamite the engine of a train near Nuevitas. The engineer and two firemen were terribly mutilated and seven passengers injured, among them the widow of ex-General Agramonte.

The insurgents also have blown up a culvert on the railroad between Cienfuegos and Remedios, Santa Clara, destroying ten cars loaded with cattle. The engineer was seriously wounded.

TO PRAY FOR TURKEY.

A Special Day Proposed by Those Interested in Foreign Missions.

BOSTON, Nov. 29.—The prudential committee of the American board sends out the following call:

"The American board of commissioners for foreign missions unites with the woman's board of missions, asking the Christians of America to observe Friday, December 6 (or such other day in the same week as may be more convenient in the particular churches), as a day of special prayer for Turkey, for its suffering people, and for missionaries and imperiled mission work within the empire. This will doubtless reach you before Wednesday, and it may suit your convenience to make this a subject of earnest prayer on that evening. Let the united cry of Christendom go up to heaven that deliverance may come quickly."

Calls to Succeed Brookfield.

NEW YORK, Nov. 29.—Gen. Charles H. T. Collis, an active anti-Platt Republican, was today appointed commissioner of public works, vice Wm. Brookfield, resigned.

A WESTERN MAN NOW.

Senator Palmer Proposes Morrison or Carlisle for President.

CHICAGO, Nov. 29.—A Washington special to the Journal Press, says: "The Democratic party has done many foolish things, no doubt, but let us not violate our most sacred tradition by nominating Cleveland for a third term," said Senator John M. Palmer today. "I don't think he would accept, but whether he would or not, we should not think of nominating him again. Let us have a western man next time—Morrison, if he wants it, Carlisle, if he will take it. I would not be surprised if the session were to bring out some presidential timber on both sides thus far unknown."

Senator Palmer scoffs at the idea of war with England over Venezuela. He says if the Cuban insurgents represent a great body of natives and are fighting for the liberty of the whole people, he is with them.

He believes Tanner will be the next governor of Illinois, and Cannon the nominee.

FIFTEEN THOUSAND WORDS.

Probable Length of the President's Message to Congress.

WASHINGTON, D. C., Nov. 29.—The President came into town today and the cabinet met. The annual message of the President was the leading topic of discussion, the reports of the cabinet officers having all been prepared with the exception of those of the secretary of the treasury and the attorney-general.

The message is nearing its completion rapidly and will probably go to the printer tomorrow or Sunday.

It is understood that it will be about the same length as last year's communication, making perhaps 15,000 words, although in the event it is deemed necessary to reserve for treatment in a special and later message the discussion of Cuba and Venezuela affairs, the principal message may be shortened correspondingly.

Condition of the Treasury.

WASHINGTON, D. C., Nov. 29.—Today's statement of the condition of the treasury shows:

Available cash balance $175,113,139
Gold reserve 103,000,000

House Democratic Caucus.

WASHINGTON, Nov. 29.—Ex-Speaker Crisp arrived here this morning and after a consultation with Democratic leaders, it was declared to hold a House Democratic caucus tomorrow afternoon. The caucus will select minority candidates for House offices, undoubtedly renominating the officers of the Fifty-third House except clerk, sergeant and officer to represent the minority as "whip" on the floor. Judge Holman, of Indiana, chairman of the Democratic caucus in several Congresses, is not in the present House. It is believed that the caucus will select Asaph U. Cumming, of New York, for the honor.

BRIEF TELEGRAMS.

Charles S. Smith was hanged at Decatur, Ills., at 11:35 a. m. He said: "I am sorry for what I have done."

The Berlin police have summarily closed eleven socialist clubs there, including six reclaiming electoral clubs.

The Chattahoochie National bank, Columbus, Ga., failed to open its doors today. H. H. Epping is the president.

Captain Healy has been detached from the command of the revenue cutter Bear and placed on waiting orders. First Lieutenant Hunter has been placed in temporary command.

A special to the Denver Times from El Paso, Texas, says reports have reached El Paso of a big Yaqui outbreak in northwestern Sonora. Citizens including Americans are reported killed.

GROVES WILL VALID

Judge McNally Decides Against Mrs. Hollingsworth.

VERY STRONG LANGUAGE USED.

Cannot Brand Her Children With Illegitimacy Simply to Secure Property.

In the probate court this morning Judge McNally handed down a decision in the Dr. Groves case, which has become locally famous by reason of the peculiar circumstances connected with it. It will be remembered that Dr. Groves died leaving a will in which he bequeathed most of his property to the establishment of a hospital to bear his name. Its validity was contested by Mrs. Ellen Hollingsworth of Sandy, who set forth that she had married the deceased when but fifteen years of age; that she had received a divorce from him which, after his death, she discovered to her discomfiture and regret was not legal, which had led to the belief that she was entitled to at least a portion of his property. The full text of Judge McNally's decision is as follows:

In the Probate Court of Salt Lake County, Utah Territory.

In the matter of the estate of William H. Groves, deceased. Decision on motion to dismiss petition.

The principal claim to be the widow of William H. Groves, deceased, and asks to have the will set aside and herself appointed administratrix of the estate, she also claims a dower interest in the real estate of the deceased. Before she can attack the will or claim any interest in the estate she will be under the necessity of showing that she is the widow of the deceased. It appears from the evidence that the petitioner left Dr. Groves about one month after their marriage and never lived with him again; that she applied for and obtained a divorce from the probate court of Salt Lake county in November, 1890, that she married Henry Hollingsworth November 7th, 1892, and has had six children by him, three of whom are now living; that she lived with Hollingsworth as his wife for nearly three years; that she left her husband's house and is still living at the same place with him and her children.

Counsel for the executors move to dismiss the petition on the ground that the facts proven constitute an estoppel. That the petitioner, having obtained the divorce and taken the benefit of it, is now estopped from denying its validity or the interest in the property of the husband, and the answer contend that she acted in good faith, believing the divorce to be valid, and that therefore she is not estopped. Numerous authorities have been cited on both sides of the question, but none have presented which supports the position taken by the petitioner.

It is not necessary in deciding this motion to inquire into the question of the divorce is valid or not. The question is whether the petitioner is in a position to deny its validity. For thirty years she failed to perform any marital duties towards the deceased. When she married Hollingsworth she accepted the benefits of the divorce and continued for twenty-three years, till the death of her husband, to rely about Christmas. She was always and retains the fruits of a void judgment cannot shelter herself behind the rules of law, and accepting the pecuniary benefits arising from a void decree of divorce may not be perfect in respects, the importance and justice of recognizing an estoppel in the latter case may be far more weighty than in the former.

The innocent parties are not the only ones interested. The children of the petitioner and their father, as well as the public, are profoundly interested. Public policy requires that, so far as may be consistent with fundamental principles of law, one who has attempted to profit by a supposed divorce, and has exercised the resulting privilege of remarriage, shall not, for the mere purpose of enjoying property, be permitted to repudiate her election and thus demonstrate the invalidity of the second marriage thereby fixing her own status as that of an adulteress, and bringing her children with the stigma of illegitimacy. To permit the accomplishment of such a purpose would be "shocking to good morals, to sound public policy, and to the simplest principles of justice," says the supreme court of Colorado, and it is supported by a long list of authorities from other states as well as by the decisions of the United States courts. In leaving in the wondrous of these decisions, I am constrained, in the interest of justice and morality, to decide that the petitioner, which, if successful, would result in the damage of the petitioner and her innocent children, and would cause public scandal and reproach, should be dismissed. It is against public policy as well as private interest.

The petition is therefore dismissed at the cost of the petitioner.

J. M. Tanner, counsel for petitioner, gave notice of an appeal to the district court.

THE PAGE INQUEST.

Story of a Woman's Folly, Sin, Shame and Death.

THE HUSBAND'S NARRATIVE.

His Wife Was Strong Minded and Preferred Pleasure to a Family—Her Dying Statement.

The story of the visitation of suffering, sorrow and death upon a foolish mother—Mrs. Ida Page—was fully and regretfully related before a jury in Coroner Offenhartz's office today. That functionary conducted the inquiry and Herman Hill, A. L. Simondi and A. H. Parsons acted as jurors while County Attorney Whitlemore performed the part of public examiner.

Dr. Beers was the first witness. He testified that he had an acquaintance with the deceased extending over a period of several months. He met her first in July last while attending her sister. She appeared to be in good health at that time. On the 6th of the present month he was called in and found her in a critical condition. He applied the usual remedies in such cases and continued to attend her until her death as chronicled in the News on Wednesday last. He was present at her bedside when she made an unfavorable statement of her condition which had resulted in blood poisoning. Her husband and County Attorney Whitlemore were present when the statement was made. It was reduced to writing, she murmured that every word of it was true and made an effort to sign it but failed on account of paralyzed weakness superinduced by approaching dissolution.

One of the jurors—Was she in her right mind at the time?

Dr. Beers—She certainly was.

Attorney Whitlemore—Have you held an autopsy?

Dr. Beers—We have not; it was not necessary.

DR. BENEDICT TESTIFIES.

Dr. Benedict being sworn testified that he had first been called in to see Mrs. Page on the 5th or 6th inst.

Attorney Whitlemore—What in your opinion brought on her condition?

Dr. Benedict—Miscarriage.

Attorney Whitlemore—And her death?

Dr. Benedict—Blood poisoning. There were plenty of evidences of miscarriage.

Attorney Whitlemore—By what means was it brought about?

Dr. Benedict—I have no information on that point beyond her own confession.

Attorney Whitlemore—What proportion of that class of patients recover?

Dr. Benedict—Very few.

One of the jurors—When you first saw her, did she state the cause of her condition?

Dr. Benedict—She did.

"Was it abortion?"

"She said so."

"Did she give the name of the doctor who performed the operation?"

"She did not—no particulars—I asked none."

THE HUSBAND'S STORY.

Lewis W. Page, husband of the foolish and ill fated woman, next took the stand and told the story of his wayward wife's act. He was married to her New Year's day, 1890, in Eureka, Nevada. Their honeymoon and the first three years of their wedded life were spent in Montana. Then they returned to Nevada. He first came to Salt Lake on August 13th of this year, his wife had been here about six weeks at that time and was on the way east to visit his sister but remained here with Mrs. Dukes, her own sister. Witness returned to Nevada, October 12th.

Attorney Whitlemore—State what you know of her visit to Dr. Cantrill.

Witness—I know nothing.

"You know that she went to Brigham City?

"From her own statement only."

"When did she leave?"

"On Sunday about Conference time and was away all night."

"Did she tell you why she was going?"

"No; she had female trouble—we knew that."

"When she returned what did she tell you?"

"That she was still suffering from pain but that she was easier. I went back to Nevada on the 12th.

"Didn't she go to Brigham City twice?"

"I don't know; I think she did."

"Was there arrangements for her to go to Brigham City?"

"I don't know."

"Now, as a matter of fact, didn't you do so yourself?"

"The first time—yes."

"How?"

"By telephone from central station."

"What did you ask him?"

"I wanted to know if he could receive a patient that night, and he said he could."

"Did you ever see him?"

"I never did."

"Didn't you advise your wife against the danger and evil of such a step?"

"She understood all that."

"She was a strong minded woman."

"She was."

"When did you return from Nevada?"

"Two weeks ago in response to a letter telling me of my wife's serious illness. When I went away she was no worse than usual, Cantrighan had told her she would get relief in four days, but she didn't and I left."

"You were present when she made her dying statement?"

"I was."

"What did she say of it?"

"That it was true. But that she could not sign it. She was too weak."

A Juror—Why did you send her to Brigham City? Didn't you know there were doctors here?

"I said she wanted to go."

"Why?"

(Continued on Page Five.)