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.

WEDNESDAY, MARCH 1?, 1893, SALT LAKE CITY, UTAH.

NO. 93. VOL. XXVIII.

FROM WASHINGTON.

Decision With Reference to the Filing of Appeals in Land Cases.

ALLOTTING INDIAN RESERVATIONS.

In One of the Last Chance Mining Company in the Tyler Case—Ruling in Favor of the Latter.

WASHINGTON, D. C., March 15.—In the case of William Johnson vs Ellis Martin, Salt Lake City, district of Utah, Secretary Smith has held that time for the last day allowed for the filing of an appeal in a land case falls on a legal holiday, appellant has proper until next business day to make such filing.

LAND FOR SETTLEMENT.

When President Cleveland returns, it is expected he immediately will issue a proclamation opening to settlement the lands ceded by the Kanakas and Chippewas in North Dakota.

Another reservation soon to be opened is that of the Nez Perces in Idaho. Agents of the government are acting there Indians $100,000, the purchase price of their lands. A proclamation also has been prepared opening a portion of the Siletz Indian reservation, Oregon.

MINING CASE DECIDED.

Secretary Smith has rendered a decision in the case of the Last Chance mining company, being a claim made by the Last Chance on the Tyler lode at Lake D'Alene, Idaho. A portion of the Tyler claim overlapped the Last Chance. The Tyler company, in the application for patent waived the right to the overlapping portion, but the Last Chance asked that no patent be issued while there was pending in the company's court a case affecting the title to the property. Secretary Smith holds that as the overlapping has been given up to the Tyler company patent can issue for its claim.

Winter Wheat and Rye.

CHICAGO, Ill., March 15.—The following reports on the condition of winter wheat and rye in the middle and western states will appear in this week's Farmers' Review:

Illinois—Wind has come through, but much heavy blanket of snow having proved a perfect protection against the most atmospheric changes. Very little freezing out is reported.

Indiana—Conditions generally the same as in Illinois.

In Ohio the crop is everywhere fair to good, though injured somewhat in some sections.

Michigan—The conditions good so far as reported, but show still covers much of the crop.

Rye is good.

In Kansas the conditions are very uniform. Rye is generally doing very well.

Missouri—A good many counties are only a little poor. Average fair. Rye good.

Kansas—The reports greatly varying. Some localities report the outlook seriously good, while others report the crop as being almost worn out and much damaged, but late sown wheat. Rye is generally good.

Nebraska—The reports are quite not, although in some sections it looks as if they had been hurt by high winds, owing it said. The dry is reported in some sections, but a great many counties have excellent prospects for a crop. Rye is on an average better than wheat.

In Minnesota, Iowa and Dakotas little has been grown any year and the business will not greatly affect the rest of the country.

In Oregon and Washington the largest crop of winter wheat report the condition good and adverse conditions are not generally reported from one that give a considerably small acreage. From this it will be seen that the general average is good and the large winter wheat crop may be looked for.

Gold For Two Days.

BOSTON, Mass., March 15.—The Kansas, according to United States Signal Officer Wright, will report several gold for the coming two days, beginning tomorrow, when he will be at Marblehead. Will have signal twenty minutes. Pilot tells it now have prevailed in the past twenty-four years with the thermometer ranging at 55 degrees above.

State Free Delivery League.

BIRMINGHAM, Ala., March 15.—Anti-free delivery Democrats initiated and organized anti free delivery leagues in opposition a state free silver league.

Talkin Joseph Johnson, who last Tuesday made a speech in Congress against the free silver with cause and a sensation, with Captain Johnson as chairman, was elected to call a convention to effect a permanent organization and to issue an address to Democrats in favor of the proposed league. Over 200 prominent people were present. Speeches were made by Captain Johnson and others.

Gold Shipped Abroad.

NEW YORK, March 15.—The gold shipped today by Lazard Freres, Kleinwort, Sons & Co., and Lazard Freres, Paris, and Parsons mines and the employes arrived at a settlement and the mills returned to work this morning. The operators granted a rate of 25 cents a ton asked by the men for machine mining. Other differences were compromised.

Pigeon Race.

SAN FRANCISCO, Cal., March 12.—A pigeon race is being arranged for next June, the course to be from Portland, Oregon, to Portland, a distance of over 700 miles on air line track. Between this have gone into training for the race with a view to make and see times with eight in the side lots. The owners are great pigeon fanciers of Portland.

TO ENGLAND VIA PANAMA.

A New Route for the Shipment of Pacific Coast Wheat.

MINNEAPOLIS, MINN., March 15.—The experimental shipment of Pacific coast wheat from Portland, Oregon, to Liverpool by way of Panama, mentioned by F. H. Clary & Co., of this city, this fall to be a success. The first lot received mill advices from Cuba that consignment has been effected at the Columbia without injury. The new route saves a long voyage around the Horn. It was a question whether the wheat would not be injured by the weather. It would then counter-mining the business, as this has to now protect premiums, and it is probable the same wheat will go by this route in the future.

DOCKERTY TO RESIGN.

The Question of the Prosecution of the Parliament Dissenters.

NEW YORK, March 15.—A special dispatch from London to a morning paper says Lord Dockerty, who is nominally to the present chief of the health, has determined to place his resignation in the queen's hands. The real object of Dockerty's action seems was not to consult a matter relatively so unimportant as the succession of the spectacle, as has been given out, but to stamp the state of affairs. It is likely that this long expected event will take place immediately after the Easter recess.

Complaint Entry a Bluff.

FORT WAYNE, Ind., March 15.—Burglars entered the bank of Walkerton a few miles Rochester, robbery made a clean sweep of the city, early this morning and blew the safe door open with dynamite. The noise brought the night watchman and some citizens to the scene and a fierce fight with revolvers ensued. Shots were exchanged, but so far as learned no one was injured. The burglars escaped without any booty.

The Income Tax Case.

WASHINGTON, D. C., Feb. 15.—All Chief Justice Fuller finished his argument and the income tax case closed. The opinion is not expected for some time.

Petition Denied.

PORTLAND, Ore., March 15.—The United States District Judge Bellinger today denied the petition for a mandamus of the state supplanting J. McNeil receiver of the Oregon Railway and Navigation company, so as to allow him from payment of the interest coupons expected by the receiver of the Union Pacific in their operation of the Oregon Railway and Navigation company before the appointment of separate receivers.

Sunk in the River.

NEW YORK, March 15.—The tug Sun N. B. Sterlock was sunk off pier 17, East river, at 10:45 a. m., by the steamship Senne of the West Shore. The crew was thrown into the river and had to swim for land. Two. All were picked up by the surrounding tugs, the Captain Brandow dead at the barge office. The Sterlock was passing a line to the Senne at the time of the accident.

Spanish Cruiser Lost.

GIBRALTAR, March 15.—The Spanish cruiser Reina Regente is believed to have foundered off the coast of Morocco during a recent gale. She had a crew of 450 officers and men. Pieces of one of her masts and semaphore flags have been picked up near Ceuta and Tarifa. The Reina Regente was returning from a month to Tangiers, she left that port on March 10 for Cadiz and has not since been heard of. The absence of news from her is causing the greatest anxiety and it is believed she has been lost with all hands. The cruiser Isla Du Luzon of the Spanish fleet sailed today from Algiers in search of the missing vessel.

IT SERVED HIM RIGHT.

Frank Richards, the Slugger, Committed to Jail for Sixty Days.

Frank A. Richards, the colored pugilist, had a hearing before Commissioner Jennings this afternoon on a charge of assaulting and beating Hannah Thomas, a white woman. The prosecution was conducted by Assistant County Attorney Dan Harrington; Attorney J. W. Corey defended.

The outside were indicted by a recent grand jury on a charge of robbery. Richards has been several times in custody for various offenses. They had some words last Sunday and the defendant beat Mrs. Thomas a severe blow across the face, causing blood to flow.

He was now sent to the county jail for sixty days.

ITALIANS MURDERED.

Prisoners Taken From the Officers and Killed Like Dogs

BY A FURIOUS COLORADO MOB.

Likely to Lead to International Complications—Particulars of the Affair.

WALSENBURG, Colo., March 15.—Uncle Sam may have international complications on his hands as a result of the mob violence here last night, in which five Italians, believed to have been unnaturalized, were killed. After the attack on the wagon party early last evening, as described by the Associated Press dispatches last night, all was comparatively quiet until after midnight, when seven or eight men wearing masks knocked at the door of the jail where Lorenzo Daulino, charged by other Italians with having stolen the bank job, had been lodged on Sunday, and as Daulino wounded in the wagon attack, were confined. In answer to a question, one of the masked men said they had come for Daulino. As soon as the door was opened the guards found guns in their face. A party of masked men then went to the cell where the five Italians were confined and fired eight or ten shots. Lorenzo promised four of Bernardello. One died instantly, the other three lived a short time in great agony.

No trace has yet been found of the three Italians who were taken from the wagon, though they were killed beyond doubt.

ARMY AND GOVERNMENTS INTERFERE.

WASHINGTON, D. C., March 15.—Marquis Imperial, first secretary of the Italian legation, called at the state department today and directed the attention of Secretary Gresham to the news from Walsenburg, Colo., of the massacre of four Italians. He asked that the good offices of the department be used immediately to prevent further killing of his countrymen.

SOME PRISONERS KILLED.

CHICAGO JUNCTION, Colo., March 15.—A mob entered Walsenburg jail since midnight and killed two more Italians. The total fatalities are now six.

DENVER, Colo., March 15.—Of the nine Italians arrested on the morning of A. J. Hinds, four were unknowns of the economic implement and machinery. Five were sold of Italy. These have all been killed. Joseph Worley, the driver of the wagon in which the prisoners were being taken to jail, was also accidentally killed.

FURTHER PARTICULARS.

DENVER, March 15.—A special to the Times from Walsenburg, Colorado, says:

"Last Sunday night Abner Hinds, keeper of a temperance saloon at Chicago Junction, was shot in the leg. While one named Antonio Gobello held him, Lorenzo Dodino struck him twice on the side and back of the head with a club. They then emptied his pockets thirty rods north leaving him near the door of John Lutter, who found him in the morning, just breathing. He died at noon today. As a result of the prisoner's escape, five prisoners were held for trial. Daulino was brought over to the jail at Walsenburg about noon today, by the four others with Deputy Sheriff Dunford and Chief Hartranch and driver John Worley stopped after six miles in the evening. When on the bridge less than a mile from Walsenburg six men on horseback, masked and disguised, took the prisoners and ordered Worley to stop, the deputies to hold up their hands and the prisoners to get out. The horsemen began shooting, frightening the horses, which threw the wagon over. The driver was killed by an accidental shot.

One Italian was wounded in the breast and brought to town. The other three have not been found. About three o'clock this morning the jail door was broken open and Daulino and Bernardello were taken out and shot and killed. The coroner's inquest over Worley is now in session."

EXPLANATION WANTED.

WASHINGTON, D. C., March 15.—Acting secretary of State Uhl, at the instance of the Italian legation, has telegraphed to the governor of Colorado for an explanation of the state of affairs in connection with the killing of the Italians at Walsenburg.

DR. TALMAGE ON GEOLOGY.

An Interesting Topic in the University Series of Lectures.

The weekly public lecture in the University series will be delivered tomorrow (Thursday) evening beginning at 8 o'clock. The subject is one of great interest, and the speaker needs no introduction. Dr. J. E. Talmage will deliver a lecture, illustrated with numerous stereopticon views, models, etc., on "Geology." On the program card the following outline of the course is given: Origin and history of the universe; in the beginning; nature of the universe; in the development of the earth.

Persons interested in the subject, whether ticket holders or not, will be admitted if they are punctual, but, as the stereopticon is to be used, it will be necessary to close the doors by 8:15 o'clock. All who intend being present should govern themselves accordingly.

Compliments to General Young.

The local companies of the Utah National Guard, led by Colonel Henry Page, last evening paid their respects to Brigadier-General Richard W. Young. They formed in line on the street east of the Herald building, and when General Young appeared Colonel Page advanced to him the purpose of the visit. General Young acknowledged the compliment in a brief address and complimented the troops on their appearance. The troops also visited the Deseret building and compliments were said up to the company commander.

VOLUNTEER FIREMEN.

No action has yet been taken by Chief Dwyer, in the fire department, relative to the resignation of the volunteer members, as he is waiting to see what will be done with the bill introduced in the City Council providing for a reduction of the wages of the regular.

Action looks the resignations of the call on the chief has received a letter from Young, from which it would appear that the special meeting of the volunteer fire companies of Salt Lake City, held Monday evening, March 13th, it was decided that the volunteers would not a free of charge to be extended to you for the many services and courtesies which you have extended during the time that you have been at our back," and expressing regret at not being able to further cooperate with himself and the department.

JOHN SCHRAMM'S DEATH.

Full Particulars of His Drowning in Grand River.

A letter has been received by his parents in the circumstances attending the death of John Schramm, announced last week by telegram through the News.

On the first day of March, between 12 and 1 o'clock, he was with three companions among the Grand river near Richardson, driving some horses. When about half across the river they got into deep water and losing their footing in the swift current each was compelled to fight for his own life. The horse which John rode was swimming in the water, but very well and in the excitement he left it, placing himself at a still greater disadvantage. The other men reaching the shoals, succeeded in getting ashore. Schramm's cry was heard by his companions, who made every effort to reach him, but failed. The river was dragged with hooks and rope the night and similar efforts were repeated the next and on the third and fourth days, but without success. Twenty sticks of giant powder were fired to raise the body if possible—Kleon men assisting in the work, but all some fruitless.

John Schramm, of Payson, was about 19 years of age, of a frank and kind disposition, and had many friends wherever he engaged himself. Much sympathy is felt for all the bereaved parents and relatives in their great sorrow.

Cadets' Ball.

The Battalion of Cadets, Agricultural College of Utah, will give a grand ball in honor on Friday evening, March 24. The affair is in the hands of competent committees.

JACKSON COUNTY VETERAN.

Reminiscences of Secret Prevention Days—An Octogenarian's Testimony.

Inline Deseret News.

Having seen a request in the News for names of those who were driven from Jackson county in 1833, I have a few words to say for the benefit of those that wish to know how many remain at the present time. My acquaintance with Brother Dibble was limited. While I was employed in the Woolmer factory, my own hands shared the field for Caldwell. Whitmer, on which the battle of Crooked Creek took place, where Dibble was wounded and young Baker was killed, and where Lawyer Reynolds lay his body down in disgrace to accordingly also to remove it. Having business with James H. Flournoy, a merchant, and Judge Ryan, I was mentioned of the mob proceedings, he said to me on leaving his store: "Now, young man, I advise you not to be should you ever come to Independence, in Hessian's lady, and there will be great excitement." I thanked him and said that I had no further business with any man in this county, and would be about home to leave. On my way home, in a place in timber land I met sixteen of the men intended, all armed with rifles. They did not speak until quite near. I said: "Good morning, gentlemen," as though nothing unusual had occurred. They barely said, "Are you a Mormon?" "Yes, sir!" "Are you going to leave this county?" "Yes, sir." Then followed a terrible warning and some words for me to be admiring Hessian lady, and rode off as suddenly as they came.

If the roll was called for the heads of families that were driven from Jackson county in 1833, there would be few to answer; yet a little blessing of experience has come to those between that year and 1838, and a far larger blessing awaits those who remain faithful until God shall call them.

I am a living witness that the Lord has many times caused the wrath of men to praise His holy name, and has caused the hearts of the saints to be more powerfully strengthened in the place where he would have them to be.

I now wish to bear a humble testimony to the Divine mission of the Prophet Joseph Smith, who laid the foundation for blessing to all the world, which cannot be comprehended now, but grows and increases as the years pass by; and those now who have succeeded him in the Presidency of his Church have been men of the highest character among the Prophets of God.

My age is 81 years old. I was baptized by Elder William Wordman Pierce, early in May, 1833, in Jackson county, Missouri. My residence is Albion, ward, Cassia stake of Zion, Idaho. Respectfully,

JOHN REYNOLDS LOWER.

March 11, 1893.

Again in Custody.

Frank Barry, who was only yesterday released from custody, was arrested today on a charge of petit larceny. He is charged with stealing a pair of shoes, which were in his possession when he was captured by Officer Hampton.

Behind Closed Doors.

The case of George Hurt, who was arrested a few days since charged with vagrancy, was tried yesterday in the police court behind closed doors.

AROUND THE COURTS.

The Trial of the "Herald" Libel Suit Not Yet Finished.

TESTIMONY IN REBUTTAL TODAY.

The Probate Court: A Decree of Distribution is Entered in the George Hasler Estate.

When Chief Justice Merritt's court adjourned yesterday afternoon, testimony for the defense in the *Herald* libel suit was still being introduced. Among the witnesses called was Police Officer Hughes, who said he was well acquainted with the premises formerly occupied by Mrs. Lail on West South Temple street; that he was in the house on numerous occasions in 1891. It had a very queer name and numerous prostitutes and rough characters were arrested there while Mrs. Lail was conducting it. He had arrested a number of prostitutes in the hallway of the premises, but had never been in anything say a word against Mrs. Lail.

Police Captain Dreaven said he was a patrolman in 1890. He knew Mrs. Lail while she was conducting the Johnson house. On one occasion he found some soldiers and some women upstairs, and he had to eject them. The women were allied in nightgowns and the men were only partially dressed.

Frank L. Freeman, a hack driver, testified that he knew the premises occupied by Mrs. Lail in 1890 and 1891. He had seen "lots" women about the place. Was in the habit of going into the entryway and in the wincesoms of the saloon, and saw prostitutes who frequented there.

A. M. Johnson said he had seen prostitutes about the premises, two of women resided there. He had never seen Mrs. Lail about the premises, however.

Officer J. J. Roberts testified that he never saw Mrs. Lail until Monday, but he visited the premises frequently and had seen prostitutes and rough prostitutes in the hallway on numerous occasions and had arrested some of them.

Police Sergeant Witt stated that Mrs. Lail's premises had a bad reputation, but he thought the saloon was a portion of the premises. He had never heard Mrs. Lail's character questioned.

Belle Anderson testified that she resided with Mrs. Lail while she was conducting the Johnson house. She had seen men and women in a compromising position and had arrested some of them.

Police Sergeant Witt stated that Mrs. Lail's premises had a bad reputation, but he thought the saloon was a portion of the premises. He had never heard Mrs. Lail's character questioned.

Belle Anderson testified that she resided with Mrs. Lail while she was conducting the Johnson house. She had seen men and women in a compromising position and had arrested some of them.

The defense now moving called Deputy Sheriff Dunford, who said he being their last witness. He said that in his official capacity he served an attachment on the Cactus saloon in February, 1891, and found there a few four or five women in the back rooms of the place. They were "standing around" and drinking beer with men.

Evidence to rebuttal was then called by the plaintiff's attorneys, Mrs. Lail herself being among the witnesses.

The testimony began about 2:30 this afternoon, Attorney J. M. Hamilton leading off on the part of the plaintiff.

It is doubtful whether the case will reach the jury today.

TODAY'S PROBATE COURT.

The following orders were made by Probate Judge McNulty today:

Estate of Jas. H. Beck, deceased. Hearing on petition to show cause why sale of real estate should not be made. Order of sale entered.

Estate of George Hasler, deceased. Hearing on final account and petition for distribution. Account allowed and decree of distribution entered. The estate of the estate is about $20,000 in personal and about $1,000 in real estate, Bavaria, Germany, having no estate in this county, and there are surviving him his widow, Anna C. Hasler, aged 50 years, and seven children, who are residing with their mother. These are aged respectively 18, 15, 10, 8, 7 and 4 years.

Estate and guardianship of Ann Hunter et al, minors. Wm. H. Wagner appointed guardian on filing a bond of $5,000 as to each minor.

Estate of Caroline M. Dodge, deceased. Hearing on petition for letters of administration. Jos. S. and C. M. Dunbar appointed administrators on filing a bond of $2,000 each.

ANOTHER BUSY DAY.

Convention Has Its Cost Off and is Hammering Away.

MANY COMMITTEES IN SESSION.

The Suffrage and Elections Committee Adopted Several Solutions This Forenoon.

The student of State Constitution convention, the interested constituents of delegates from districts remotely located of near at hand, and the idle, aimless spectator are beginning to discover the hitch city and county building in minutes more numerous than can be accommodated within the limited space of the long, narrow aisle set apart for their occupancy in the sixth meeting chamber. More than that, strangers within the city gatherings who are children of far away western common walks—are attracted thither from a desire to learn something concerning the men who are at work on an instrument which the people of this Territory hope to be the law of the land ere long, in view the expectation of witnessing proceedings that are altogether "lively, hard and unmeasurably warm in their character."

The committees were very busy yesterday but were busier today, early all of them having sufficient material in hand for a week's deliberations. When the chairmen of some of them declared to know what the morning the propositions that had been referred to them by the convention, they began to realize the prodigious case of the task before them. And the consciousness of what they had to do was made much more apparent when it was declared that there would be no way to skim the cole of proposition intelligently for days to come. However, undaunted, the "hitting down" process of accumulated ideas, the selling of the wheat from the chaff, from the taking of twenty-five clauses the sifting was begun and at noon marked progress had been made.

The committee on suffrage and elections held a protracted session this forenoon. In work in processing satisfactorily and certain 3, 4, 5, 6 and 7 of the Wyoming constitution, on the suffrage question, which read respectively as follows, have been adopted:

Electors shall in all cases, except treason, felony or breach of the peace, be privileged from arrest on the day of election during their attendance at elections, and going to and returning therefrom.

No elector shall be obliged to perform militia duty on the day of election, except in time of war or public danger.

All idiots, insane persons, and persons convicted of infamous crimes, unless restored to civil rights, are excluded from the elective franchise.

No elector shall be deemed to have lost his residence in the state by reason of his absence on business of the United States or of this state, or in military or naval service of the United States.

Yesterday's Final Business.

The Constitution sisters continued to introduce propositions at a rate of almost alarming and certainly very lively after the News went to press yesterday afternoon. In those which happened to the last edition of this paper the following were presented:

By Thomson, of Carbon, a proposition limiting the indebtedness of counties, cities, towns and school districts to 2 per cent of assessed valuation, prohibiting donations to public corporations, to private enterprises and requiring propositions to contract debts in excess of current revenue to be submitted to popular vote.

By Hart, of Cache, a legislative proposition.

By Law, of Cache, an executive article, providing that the terms of office of state officers shall be four years, and that their annual salaries shall be fixed, except the treasurer, who shall receive $1,000, and the superintendent of schools, who shall be paid $1,500. It gives the governor power to veto items of appropriation bills.

By Gibbs, of Box Elder, giving polygamic courts jurisdiction in all matters in polygamic marriages, and in all other civil cases where the amount involved does not exceed $500, and concurrent jurisdiction with justices of the peace.

By Goddard, providing for the submission of amendments to the Constitution in a vote of the people, by a two-thirds vote of the members of the legislature, and a method for the calling of conventions to revise the Constitution.

Several relative to public buildings and State institutions. It provides that the legislature shall not change or locate the seat of government, or the state capital, except by the constitution, except by a vote of the people.

By Evans, of Weber, providing that no appropriation shall be made for charitable, industrial, educational or reformatory purposes, except to persons, corporations or community and where the charitable course of the State, not in any educational or sectarian institution.

By Maloney, of Weber, providing for the support of infirm, sick and disabled paupers by counties and cities.

By Rice, providing for education. It provides that citizens not holding at least six months school will not share in the apportionment of state school money, and that free distribution shall not be given in school above the grammar grade. Cities may provide for free instruction in high schools.

By Rice, of Salt Lake, providing a method of impeachment of State and judicial officers.

By Rooney, of Salt Lake, an article on state. It provides that the state officers shall hold office for four years; that they shall have resided five years in Utah; that the Governor may veto items of appropriation bills; that the Governor shall have power of appointment in the

(Continued on Page Five.)