Sloan, Tom Brown and George Smith were found guilty of the crime and sentenced to the penitentiary certainly years on the testimony of Wyatt who said he held their team outside. Smith has since died and Brown is now confined at Uinta.

FOR THE NATIONAL MUSEUM.

The Matter Affecting Such Situation to Scientific Circles in the Country.

WASHINGTON, Oct. 14.—President Jordan of the Leland Stanford university, California, is most prominently mentioned to succeed the late Professor Goode as assistant secretary of the Smithsonian institute and director of the National Museum. The appointment is not likely to be made before the January meeting of the board of regents, but the question is already attracting much attention in scientific circles. The directors of the national museums in England, France and other European countries are from the ranks of the learned scientists and the hope is expressed that the successor to President Jordan will be one of the first scientists of this country, inasmuch as the museum is now undergoing a truly national. New buildings are to be built which will afford the new director an opportunity for adventurous work.

The appointment is made by the board of regents usually on recommendation of the secretary of the Smithsonian institute, Professor Langley, who has not yet taken up the question of Professor Jordan's appointment. It is said, however, the appointment is much importance that members of the board will take personal interest in it, deferred largely to Professor Langley's judgment. The executive committee consisting of Senators Henderson, Hon. Gardiner Hubbard and Postmaster General Wilson, are in Washington, and if need be, a special meeting can be held to make the appointment, but this is not expected.

President Jordan, of the Leland Stanford university, is being urged for his eminent scientific attainments. He is one of the best known naturalists in America, and it appears to be conceded that a naturalist will be chosen, although an ichthyologist is among those mentioned for the place. President Jordan was appointed last spring president of the commission of experts to go to Bering Sea and investigate the condition of seal life. Before going to Leland Stanford, Jordan was president of the Indiana University, to such position he showed marked executive ability, which, it is said, would be of value in the development of the National museum.

Dr. Charles Merriam, ornithologist of the agricultural department, F. W. True, curator of mammals at the museum and since the death of Professor Goode is temporarily charge of the museum, and W. J. Meagr, of the bureau of ethnology, are now mentioned, but the will of the sentiment in scientific circles is strongly toward Professor Jordan. It is not known whether he would accept. His present salary is $10,000, while that of the director of the museum is less than half as much. It is said, however, the directorship would afford the scientific opportunities for commanding his research, which would compensate for any money loss.

"National Democratic Party" All Right.

NEW YORK, Oct. 14.—The appellate division of the supreme court sitting in Brooklyn today decided that the use of the name "National Democratic Party" on the official ballot is permissible. This reverses the decision of Justice Clements.

Demand for Wheat.

SAN FRANCISCO, Oct. 13.—This was a very lively day on the floor of the local produce exchange. Wheat is advancing on heavy orders from abroad. Three ships have been taken with wheat for Cadiz in the last month, and engagements large purchases for shipment in November and December to Antwerp were also made today. December wheat closed at 81 cents, and May wheat at 1 cent and May at $1.02½. It is incredible continue to advance, the California farmers will enjoy a season of unexampled prosperity.

Battle Between Greeks and Turks.

ATHENS, Oct. 14.—Insurgent Greeks and Turks fought all day, October 8th, near Grevena, in Thessaly. Both sides claim the victory.

Tyson at Liberty Today.

PARIS, Oct. 14.—The British embassy now received a formal communication of the release of the French government to grant the extradition of E. J. F. Tyson, the Texas Anarchist charged dynamite. The release, it is expected, will be released today.

Death's Harvest.

GRAND HAVEN, Mich., Oct. 14.—Ex-Senator Thomas W. Ferry and have very seriously ill today, the latter in paralysis.

OUR TURKISH POLICY.

The U. S. S. Bancroft Will Not Bombard Constantinople.

The Mission of the Dispatch Boat Is Not to Force the Dardanelles.

WASHINGTON, Oct. 14.—The closest inquiry fails to disclose any change in the policy of the state department towards the Turkish question and particularly respecting the movements of the Bitlis dispatch boat Bancroft. From the first the officers both of the state and navy departments have refused to state where the boat was going further than to make public the official orders to her commander. These orders direct him to report on the arrival at Gibraltar to Admiral Selfridge, commanding the European station, and take all further orders from that ship. It can be stated positively, however, that no orders have gone forward since the original instructions to Admiral Selfridge, and we say on the way touching the future movements of the Bancroft.

The vessel upon arrival at Gibraltar was ordered by Admiral Selfridge to proceed to Smyrna and lie the there for a day or two. The Cincinnati is also on her way to the same port. At Smyrna are now assembled the flag ship San Francisco, Minneapolis and Marblehead. The purpose of the gathering is to meet the Cincinnati and Bancroft, which bring out drafts of new men to take the place of sailors on the station whose terms of enlistment are about expired, but if they are kept longer the government must pay them extra compensation. The men relieved are to be placed on the Marblehead, whose place on the station will be taken by the Cincinnati. The Marblehead will come home.

News from Constantinople the idea that the Bancroft will undertake to force a passage of the Dardanelles, for this would be absolutely impossible unless heavily armed, and even then considerable would be helpless when she arrived at Constantinople. The possibility of the idea has been sent to Turkey to serve whatever special purpose she can, either as a dispatch boat to communicate between the larger vessels of the U. S. squadron, or to accommodate Minister Terrell. Undoubtedly the minister would like to have near the U. S. legation some vessel to serve as refuge for the legation people and the Americans in Constantinople, in case of rioting, but it will be left to the discretion to get the flight of way for the boat if he wants her. The state department has received intent to report to the Dardanelles be taken and in view of the semi-official announcement of the Porte that such permission would not be granted, it is thought the department will subject itself to a snub that might be expected if the demand were made. It is regarded probable the arrival of real distribution at Constantinople, the only case in which the Bancroft could be of the slightest service, Terrell would be able to bring the ship through without serious difficulty but in the present aspect of Turkish affairs there is no reason to look for trouble.

MINOR MENTION.

Tomorrow morning the body of Mrs. Schneider will be shipped by Undertaker Lynch to the deceased's old home, Madison, Wisconsin. The remains will be accompanied by Mr. Schneider.

"Billy Bryan's in the Race" is the name of a campaign song issued by the Stewart Silver Mining company, Montana. The printing was done by the Geo. Q. Cannon & Sons Publishing company in this city. Accompanying the music, the song is a support of the Democratic Presidential candidate. It is a free silver song, with a music of the "Down Goes McGinty" tune.

Sleep

Induced by the use of opiate, opiate or narcotic compounds is bad, decidedly bad. They undermine health and impair the constitution and the patient is usually growing into a worse condition—often resulting in the terrible slavery and misery of the morphine or opium habit. Sleep induced by the use of Hood's Sarsaparilla does not perhaps come as quickly, but it comes more surely and more permanently through nature's great restorative and refreshing channel—purified, vitalized and enriched blood. This feeds the nerves with life-giving energy and builds up the nerves and constitution from the very foundation of all health and life—the blood—pure, rich, red blood.

Hood's Sarsaparilla

Is the One True Blood Purifier. 1 to 6 for $5.

Hood's Pills Cure Sick Headache and Liver Ills, 25c. per box.

CRIMINAL INTIMACY

Is a Question Rising in the Chapman Forgery Trial Today.

MISS CHAPMAN ON THE STAND.

The Boy That She Is the Father of a Child on a Road of Criminal Intimacy With Henry Atwood.

There was a sensational turn in the testimony brought out in the trial of Miss Chapman on a charge of forgery today. The testimony of Miss Chapman was listened to with great attention and the straight story she told was not in the least shaken by a close examination by the prosecution.

The witnesses examined late yesterday afternoon were Henry Atwood, C. H. Hawley of the Utah National, Mr. Lynch of McCornick, C. S. Hawley of the Utah National, and Sidney Dodge of the Deseret National bank.

The first witness testified as to the last of Miss Chapman living at his house, stating that she had left the place satisfied having about the defendant, with whom he was somewhat intimate.

The last year testified as expert witness on the handwriting of the various checks as compared with that of the signature of Miss Chapman. Mr. Hawley testified that the writing was not the same, while the other three witnesses thought it was.

Miss Chapman was called in the afternoon but this morning to testify in her own behalf. During the course of her examination by Mr. Stump the witness said she went to live with the Atwoods on January 10, 1895, and with them until March 3, 1895, during that time Henry Atwood paid a great deal of attention to her and made promises of marriage. He advanced her criminal intimacy as a result of which she became pregnant; witness left the house of the Atwoods on March 3, 1895. Henry Atwood, she said, did not keep his promises and he married another girl on the 10th of March, 1895. "I left Henry," continued the witness, because I did not want to make a home for my condition. I went to Ogden and there my child was born. Henry Atwood came to Ogden two weeks before the child was born. The last time I went to Henry he asked him for money with which to pay expenses together." It was for that purpose, she said, he had sent the check, she continued, that Henry gave her the check for the sending of which she was arrested, she did not write the check, but it was written, signed and given to her by Henry Atwood, the witness said, she first learned the check was not good when she was sent for on the Tuesday following the Saturday on which she made the purchase at Judd & Park's, where she cashed it. While at Henry Atwood's home during her last visit to Murray witness said she was trying on the league playing with the lady, who was her friend and kissed her, his wife being in the next room and witnessing the act. The lady, she said, was the other reason his wife slapped his face and immediately ordered the witness out of the house.

Cross-examined by Mr. Whitlemore the witness testified that she had known Henry Atwood to speak to her a few times in the Deseret News office in the house to live, which was in January, 1895, but met him a number of times in front of his office and had written notes to him. She had met Atwood between the middle of January and latter part of March; left home and went to work for Mrs. Weiss on Union street, and had previously worked at the White house; after living in town about five months she went to Ogden, where she worked for a time at the Vendome hotel and afterwards took a room at Mrs. Owens on Twenty-third street, where her child was born; the child was given over to the care of Mr. White, who lived on Twenty-fourth street, between Washington and Grant avenues; had sent money to Ogden to assist in support her child; and had sometimes demanded upon Henry Atwood for money until she came to Murray the last time.

"At the child was Henry's," asked the witness examiner, "Why did you not previously make a demand upon him for money for its support?"

"I did not want my folks to know I had the child," replied the witness, meaning her kin.

Miss Chapman continued: When I asked Henry for money I told him that if he didn't help support the child I would bring it down from Ogden and take it to the father's house; he thought awhile and said he would think about it; he afterwards gave me a check for $50 and said he would think about the rest; I told him that if I had money enough I would leave town on Saturday night; he gave me the check and said, "Don't do anything rashly, and don't let pap find it out." The check we cashed when he gave it to me but I kept it and decided that it was made out to Janie Atwood and I went back to the office and asked Henry why he had made the check out that way and he said, "Well, they have pretty near a receive and you won't have any trouble to cash it." When I came home Dodge it was to play in the Carnival of Mardi, and I came in company of others who were engaged for the same purpose, at the jewelry store; I wanted a diamond ring for Mr. Lee, who was a performer at the Carnival; was engaged to the vocalist at Denver at the Orpheum and at Robbin's Opera; was also engaged in the same business at San Francisco; in the room my friend Miss Lee was with me; I told her what my object was; I told her I wanted to elope with Professor Lee; I eloped off to Ogden for a couple of weeks to see the girl.

SUFFERED IN TRAINS.

During the later part of her examination Miss Chapman was somewhat nervous and seemed to be suffering in pain, and when the examining was adjourned she was carried out and had her attorney the witness stand and the examination was resumed.

MORE FRAUD SUSPICIONS.

Mr. Sidney Dodge of the Deseret National bank was recalled and testified that the check with the forged signature was cashed by the bank and was paid by the bank. Mr. Walker, cashier of the Bank of Commerce, testified similarly; did not think the writing on the film check was signed, although he thought the error in putting off the figures might have been made by the person signing the check.

Mr. Joseph L. Graham of the dry goods firm in Walker Bros. was put in the box for the prosecution. He testified: I know the defendant by sight, having seen her in our store when she came to make some purchases; she worked in our establishment; I was employed at the same time she was employed at the Walker Bros.; I was asked to get some goods on that account; I told her she could not take the goods; I was then called upon to see other from Mr. Scribner, manager of the department; she came next day with the order and received the goods.

Cross-examined by Mr. Stump: Witness said he did not see Miss Chapman and Mr. Whitlemore's questions that she was her child on street avenue to Miss Twenty-fifth street, Twenty-fourth street in Ogden; he on his way to the street in company with Kate Conway, who was a witness at the home of Mr. White, who was related to her.

In answer to questions from Mr. Stump Miss Chapman said Harrison gave her the order on Walker Bros.; Mr. Harrison has never caused her trouble by his name to the check.

Again in answer to Mr. Whitlemore Miss Chapman said she was a witness to Mr. Pinkton that she had known Mr. Peterson has accused her of three gentlemen friends; gentlemen has testified when he testified differently.

TESTIMONY ALL IN.

Both sides have rested and the court announced that six-and-a-half hours would be given each side to argument.

Mr. Elliner, who has been assisting in the prosecution during the trial, made the opening argument for the State.

Mr. Elliner reviewed the testimony and the credibility of the witnesses, making a very strong presentation of the case on behalf of the state.

Mr. Stump this afternoon followed in a strong plea for the defendant, and he will be followed by Mr. Whitlemore, closing for the state.

The case will go to the jury this evening.

AMUSEMENTS.

As You Like It.—The attendance at the Theater last night to witness the presentation of the above named play was smaller than upon the previous nights and for no other reason perhaps than that we have been having a glut of theatrical attractions at a time when political excitement is running high and the people are restless and uneasy. As You Like It has been presented before and on other occasions, and Mr. Tabor as Orlando, Mr. Atwood made a good "Foil" and Eugenia Woodward acceptably rendered the part of Celia. The sound of shots on the previous night, were audible and the music very enjoyable. Tonight Fanny Davenport will be given and the heavies advance sale of the engagement has been made. Much Ado About Nothing closes the engagement tomorrow night.

The Lyceum.—This house will open again tonight, presenting J. P. Howe's company in The American G.I. The cast has been somewhat changed from that first presented this play at the Theater last spring and now includes the veteran Sam Lake actor, Mr. Joe S. Linnegy. The American Girl goes for the balance of the week with Saturday matinee.

The Autumn Tea.

The program for the tea to be given for the benefit of the Utah Kindergartens at the residence of Dr. E. R. Shipp, at 15 Center street, on Thursday, the 15th, is as follows:

Piano solo	Miss Ada Taylor
Violin solo	Miss Ada Middleton
Vocal solo	Miss Lizzie Thomas Edwards
Song	Mr. Lizzie Thomas Edwards
Accompanied by Mr. J. J. Ballantyne	
Piano solo	Prof. Gustavus Schreiner
Violin solo	Mr. Ernest Shipp
Vocal solo	Mrs. Ellen Ferguson Parry
Recitation	Miss Lizzie Sharp
Recitation	Miss Ada Sharp

Fifth District Court.

FILLMORE CITY, Utah, Oct. 13, 1896.—Yesterday in the district court Attorneys Rooks & Wedgewood, in sympathy for the young man, E. M. Workman, who pleaded guilty to the charge of stealing a horse, appeared in behalf of Miss Wright of Provo, as to the intention of committing a rape, and was overruled by Judge Higgins to one year's imprisonment. Yesterday a petition and argument in behalf of Workman, The judge took until the opening of court at 9 a. m. this morning to consider the application, and at that time the subject was called up and the county prosecuting attorney offering no objections, but rather that he agreed with the petition and expressions of counsel that there was sufficient grounds for the application, gave, therefore, Judge Higgins with evident satisfaction set the young man at liberty, which act will meet the approval of Justice Call, who was familiar with the case. The young man has suffered great mental distress, and is now a sadder and wiser young person for his unwarranted indiscretion. A. BIRD.

THE GREEN BAG.

Judge Street and a jury are engaged in hearing the suit of Thos. G. Shelton vs. C. F. Loofbourow.

The suit of the Mountain Ice company against Salt Lake City was up in Judge Hunter's court today.

Parties owning water rights who have not paid up for the year 1896 are notified that their water is liable to be turned off without notice, as the tax is now delinquent.

The North American Savings, Loan and Building company today filed suit against Wilhelmina Kaldfich and Christian Adelmann to recover $1,916.33 alleged to be due on a promissory note secured by a mortgage, given in consideration of a loan of $6,000.

GEYSER-MARION SUIT.

(Continued from Page One.)

than they could take under the law the mine claims of the Comet Fraction mining district then existing in the Sparrow Hawk itself. The contention is in no wise affects the rights of the Marion to all veins lacking the condition of the statute, lines within the surface, and is significant only as an explanation of the reason why the claim took its peculiar form.

As to the course of the vein westerly, it is but to presume that it was supposed that the course of the lode would extend the vein in its northwesterly course.

"It is a fair and reasonable interpretation of the law of 1872 (sec. 2322), that the vein were within the lode, it is but to be assumed the principal vein and all other veins would be interpretation is borne out by the provision of the general land office in issuing patents thereunto, and through "supposed lode" finding in the courts, the intention of the department is not in doubt. Such was the construction put upon it by one in The Mattie case. The Mattie case furnishes an example.

"The decisions of the court relative to again quoted here.

Iron Co. v. Elgin Co. 118 U. S. 207. If in ascertaining rights in the apex of a vein the patent, the exclusive surface of the claim, which primarily determine questions as to a co-lines of extra-territorial rights is inadequate to determine them, by reason of some such situation of the vein as that in the Stapleton case (96 U. S. 451) or in the Ajax-Grand Island case (152 U. S. 221) or the Last Chance (151 U. S. 8) then the course of the vein in which the location was made, the principal vein, must be ascertained to solve the controversy. The question then with each other instinct as may properly affect the solution of the question of the direction of the course of the vein. And the determination is conclusive as to all other veins and other extra-territorial rights upon them.

Having then determined from the evidence that the location was made upon the vein or lode in the vein described in the patent as the Mattie vein is the silver vein, all questions as to the direction of other of the silver vein become immaterial in the case now under consideration, the silver vein being the principal vein by which extra-territorial rights are to be determined, so far as the course of any vein may affect them.

"Counsel said in argument (perhaps to avoid the conclusion) that it appears that there were two expeditions for a patent of the Mattie claim; one in 1872 and the other in 1882, Rev. and the other after, and that it was upon the latter that the patent was issued; that if the latter application is relied upon as the source of the rights of the claim within any benefits of the law of 1872 that he would not have to go back of the date of the patent thereunder, it would seem upon him also the burden of the new rights under the law of 1872 in so far as they may adversely affect the rights contended for, and the difficulty that confronts him then is, the minor the law of 1872, his conclusion must be parallel.

"It was first contended that under the law of 1866, claims need not be parallel, in Eureka and other cases (4 Sawyer 302) affirmed by the Supreme court of the United States (123 U. S. 320) which put this question at rest, and enunciates upon it the opinion of the Supreme court. It is that case, the views of Mr. Justice Field, stated in answering the question of the circuit court, as to parallelism of sidelines, were strenuous in his discussion of the opinion that the patents to certain claims were void because the sidelines were not parallel.

The claims in question in that case, as in this, were located under the law of 1866 and patented under the law of 1872, and the contention was that the patents were void because the law of 1866 and patented under the law of 1872, and the contention was that the patents were void because the law of 1866 and patented under the law of 1872 was a mere permission, and that the patents issued under it were void because the sidelines were not parallel. The claims in question in that case, as in this, were located under the law of 1866 and patented under the law of 1872, and the contention was that the patents were void because the law of 1866 was a mere permission, and that the patents issued under it were void because the sidelines were not parallel. The claims in question in that case, as in this, were located under the law of 1866 and patented under the law of 1872, and the contention was that the patents were void because the law of 1866 was a mere permission, and that the patents issued under it were void because the sidelines were not parallel.

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