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.

FRIDAY, NOVEMBER 1, 1895, SALT LAKE CITY, UTAH.

NO. 287 VOL. XXVIII.

CANADA IN ALASKA.

Usurpation of the Frontier by the Dominion Government.

THE ENTIRE REGION RICH IN GOLD

And the Traders Had to Appeal to Canada for Protection Against the Native Element.

OTTAWA, Ont., Nov. 1.—The residents of Canada has built quarters, established police and occupied posts on the Alaska frontier on the disputed gold territory claimed by the United States, become known through the departments of the interior and the customs, and interviews with several of the officials of the government. It is admitted that if any trouble occurs over this territory, the United States must be held mostly responsible, owing to the lax manner in which past governments have dealt with the mail service in the United States side in the region adjacent and to the repeated refusal to take notice of earnest applications for protection against the lawless element and contraband trading. The case as presented here is that when the first reports of the vast wealth of the Yukon gold region was made public, with characteristic push and energy, trading companies were formed in New York, Chicago, Boston, San Francisco and other centers, to carry on trading in the region. These companies appealed to the United States government for protection and necessary customs facilities. Promises were made by successive governments, but not carried out, and as a last resource the traders appealed to the Canadian government for protection.

Their names are on file here. They gave as their reason for asking Canadian intervention, that the United States authorities would not take action, and that the territory was within Canadian jurisdiction. Finally a representative was sent here to interview the Canadian government. This was C. H. Hamlin, resident manager of Fort Cudahy, the fifty mile post of the North American Transportation company of Chicago. As a result of Mr. Hamlin's mission, a squad of northwestern mounted police was immediately picked out and dispatched to the gold region under Inspector Constantine, with orders to maintain law and order. Inspector Constantine was further empowered to act as collector of customs, with Staff Sergeant Bowen as assistant for the district. They were given full control along the Canadian boundary from Mount Elias to the Arctic ocean, which comprises all the best of the gold regions so far prospected, and permission to build what may be called a fort at the junction of Fifty Mile and Yukon rivers.

This is a commanding position in the midst of a gold region where rich new discoveries are being reported every day.

The Latest Russian Government.

NEW YORK, Nov. 1.—The Herald's correspondent in Rio Janeiro telegraphs that the government, through the interception of telegrams sent to Europe, has discovered a plan to restore the monarchy in Brazil. The conspirators of the conspiracy are in the Portuguese transports to Rio Janeiro, Bahia and other cities. Telegrams addressed to Conte d'Eu and other prominent persons in Europe and sent by Henry Lowndes and Cornelio Lagoillos are in the hands of the government. Papers compromising several persons who were officers of state under the imperial regime have been found and orders of arrest of prominent participants have been issued.

To Earl among the Rebels.

NEW YORK, Nov. 1.—The Cuban junta in this city has received information that Robert George Lynch, second son of the earl of Carlisle, and now in his twenty-fifth year has succeeded in joining the insurgent army and is now a captain under General Antonio Maceo. Before sailing from this city last Cuba the young Englishman announced that he intended to join the insurgents so as to obtain material for a book upon Spanish methods of warfare.

IRON MEXICO.

Exhibit of Cuban Products—In Aid of Spain.

MEXICO CITY, Mex., Nov. 1.—An exhibit of Cuban products and manufactures consisting of tobacco, cigars, cigarettes, fruits and perfumery will leave soon in the morning international expedition, also Belgian railway supplies. Spanish residents here have already raised over $5,000 for the campaign in Cuba. Nearly 400 mules, and the Spanish colony in this city of Puebla have subscribed over 100 mules.

Extensive gold placers have been discovered by Indians at Juajacoro, a village between Guaymas and San Blas. Large amounts of gold have been brought in for sale by the Indians and there is much excitement over the news.

NEGOTIATIONS BROKEN OFF

Between the Panama Railroad and Pacific Mail Steamship companies.

NEW YORK, Nov. 1.—Negotiations between the Panama Railroad and Pacific Mail Steamship companies have again broken off. Action to the effect has been taken by the executive committee of the Panama railroad. The following official statement has been given out: The Panama Railway company has definitely decided not to enter into a joint contract for operation of the Panama railway in connection with the Pacific Mail steamship company which has been under consideration for a long time. The Panama officials have always been disposed to encourage fair and reasonable arrangements with the Pacific mail but they have also maintained an independent and active competitor with transcontinental lines. The action of the Panama company insures to American commerce the continued active competition of the Panama road. While the officials of both companies separate with cordial good feeling for each other, the Panama company terminates the negotiation and is proceeding to consummate other plans. The chief point of difference was the claiming of a minimum through rate between New York and Pacific coast points.

It is understood that Mr. Huntington agreed to waive the minimum rate question and that he would allow the Panama company to make as low a rate as it chooses, so long as it paid the Pacific Mail company its full proportion of the through rate. The Panama company demanded this privilege, in order that it might not be driven into a corner and placed at the mercy of the Southern Pacific, if the latter should see fit to go one better on rates.

Mr. Huntington, however, still insists on the preservation of the old charter of 1872 whereby he claimed the Pacific Mail company was given the right to exclusive traffic arrangements for all Central American points between Panama and Acapulco, on the Pacific coast.

John W. Mackay to New York.

NEW YORK, Nov. 1.—Mr. John W. Mackay has arrived in this city from San Francisco and is at the Belgravia apartment house where he generally occupies apartments when in New York. He has received a number of calls from personal friends. The duke of Marmora, John W. Mackay Jr. is expected from Paris today.

Corner in Wool and Velvet.

CHICAGO, Nov. 1.—The discovery has been made that Chicago merchants have a corner on woolen plaid goods and green velvets, the combinations which have become the rage for women's wear recently. It is said that New York and other merchants in the east have already been asked to come here to get these goods and that in several instances they have been compelled to go into the retail market and pay retail prices.

STUDENTS AT THE OPERA.

They Create a Disturbance and are Ejected by the Police.

CHICAGO, Nov. 1.—Fifty students of the Northwestern University were ejected from the Chicago opera house last night after the first act for raising such a disturbance that the curtain had to be rung down. More than 100 of them occupied seats in the balcony, and when a member of the Merry World company walked on the stage carrying a crooked stick about which was the colors of the university, it was more than the students could stand, and they immediately let out their college yell. And they continued to do this despite the efforts of several police officers and the warnings of the manager of the house. Hats, canes, overcoats and various other articles were thrown into the air only to fall on the heads of those below and the whole scene became one of pandemonium. The curtain was rung down and the students were warned if the scene was repeated they would be ejected. Then the curtain went up again and it no sooner did so than the tumult began with renewed vigor. At the end of the act fifty of the students were put out.

"WHAT NUMBER, PLEASE?"

Effect of the Earthquake in Chicago on the Telephone.

CHICAGO, Nov. 1.—"What number, please?" several score of "hello" employed by the Chicago Telephone company tried to say into 12,000 telephones at exactly 5:30 o'clock yesterday. The earthquake shock felt in Chicago at that time had a peculiar and unprecedented effect upon the apparatus of the telephone company. The company has 12,000 subscribers in Chicago and any one who could have arranged himself so as to be in all the exchange offices of the company at the same time would have brought 12,000 angry subscribers wanted to be in connection with another subscriber. Each telephone belonging to the company is represented in the exchange office by an annunciator drop. When one of these drops gets down a call is made. These drops are held up by hooks and at 5:07 a.m. the entire 12,000 fell and the exchange girls failed to understand the call. At first they tried to answer them but failed to satisfy the whole switchboard simply awaited developments and as nothing further developed, the drops were replaced.

Will Recognize Cuba.

NEW YORK, Nov. 1.—A special to the World from Colon says: The Brazilians, according to a Rio Janeiro dispatch are determined to recognize Cuba. In Chile, the democrats especially are using violent language in regard to Spain. A conflict between the democrats and Spanish in Chile is imminent.

The Nicaragua Canal.

NEW YORK, Nov. 1.—A special to the Herald from Washington says: Information has reached Washington that the members of the Nicaragua canal commission will sign today (Friday) their report on their inspection of the proposed route of the water way and send it at once to the state department. It is generally believed here that the report is favorable to the construction of the canal under government management. It is thought the estimate as to its prospective cost will be about $100,000,000.

Suspected of Being a Filibusterer.

NEW YORK, Nov. 1.—A special to the World from Kingston, Jamaica, says: The steamer Lafrenia, though strongly suspected of being a filibuster was not detained here.

The government took no action in her case because she is an American ship.

This is the vessel, which it is reported landed Cespedes and twenty men with an immense quantity of arms and ammunition near Guantanamo last Sunday. Her captain and other officers deny everything although several rifles, supposed to be samples of those carried to Cuba, were found on board.

Asking for a Receiver.

PORTLAND, Ore., Nov. 1.—The complaint against the Frank Brothers Implement company, alleging it to be insolvent and asking for the appointment of a receiver was made in the United States circuit court on Wednesday by N. H. Latimer, of Seattle, connected with Dexter, Horton and company, bankers. He seeks to collect on a note for $8,000 due from the company. He alleges that the plaintiff is indebted to a large number of other firms and corporations to sums exceeding $120,000. The firm has branches at Pendleton and La Grande in Oregon and also at Spokane, Wash., and at Genesee, Idaho. The value of the assets, the complainant is unable to state with any degree of certainty. W. R. Ayer has been appointed receiver.

KILLED BY SNAKES.

A Newly Married Couple That Had Strayed.

JEFFERSONVILLE, Ind., Nov. 1.—Newton Smith and bride, formerly Miss Annie Day, met a horrible death less than a week after they were married. They eloped in this city as the girl's father opposed the match on account of Smith's poverty. Returning to their home in Kentucky, not far from Frankfort, they moved into a small house built by Smith before the wedding. The bride's father had refused to speak to them at first but becoming reconciled, went to the cottage to take them home with him. He opened the door and to his horror found Smith and his wife lying dead. The room was literally alive with snakes. Neighbors were summoned and the snakes at last driven away or killed. The bodies were removed and it was found that the house had been erected over a bed of snakes where the reptiles collected for the winter.

Robbery Mystery Explained.

GOSHEN, Ind., Nov. 1.—The sworn confession of James W. Brown, who is in prison in the county jail at Allegan, Mich., clears up the mystery which has for two years surrounded the express robbery at Kessler's Siding.

On the night of September 12, 1893, the eastbound express on the Lake Shore was run in on the siding at this station near Kendallville. The engineer was shot and the express messenger badly hurt by masked robbers who cracked the express car safe and emptied it of its contents.

Brown was arrested in Michigan five weeks ago as a suspect in the attempt to loot a Chicago & West Michigan passenger train. Some remarks thrown made aroused the suspicion of the sheriff, that he had a hand in the Lake Shore robbery.

In his confession, Brown says that he, with John and Abe Smalley, were living in Allegan county, Mich., just before the Lake Shore hold up. They planned the express robbery before entering the Indiana limits. Over three men executed the robbery alone, entering the state on foot and traveling at night only. After the hold-up the three pushed back across the Michigan line, tramping forty or fifty miles. After dividing their haul from the United States Express company, amounting to over $10,000, they separated. Abe Smalley went to northern Michigan, while John and Brown went west. All recently worked into their former haunts near Allegan. John was killed six weeks ago while resisting arrest. Abe disappeared after the attempt to rob the Michigan railway train. Brown says he has his share of the spoils invested, but refuses to say where and will give no account of the two years he was in the crime, by which he got lower, and the recent one. The three held a well earned reputation for years as bad men in both Indiana and Michigan.

In Sympathy With Cuba.

CHICAGO, Nov. 1.—Dispatches to a local paper indicate that yesterday was a popular day for meetings in sympathy with Cuba. Among other places, Bloomington, Kankakee, Ottumwa, Marshalltown, Fort Wayne and Decatur, Illinois, held successful demonstrations. The resolutions generally "urge the people of the United States to express themselves upon this subject, so that Congress shall know that the American heart beats for the oppressed of all lands," and request members of Congress to do all that can be done to promote Cuba's liberty. Mr. T. McKenna presided at an enthusiastic meeting in Pittsburg.

Alleged British Spy Released.

WATERHOUSE, Ill., Nov. 1.—Word has been received that Alexander Rutherford, formerly of this county who was twice arrested in Guatemala, Central America, as a British spy, has finally secured his release through efforts of the United States minister. He has an exciting experience, being shipwrecked on the way there, and had great trouble in getting released. His relatives here proved his citizenship and secured government aid for his release.

Railroad Extension.

SEDALIA, Mo., Nov. 1.—The Kansas City extension of the Missouri, Kansas and Texas Railway company from a point on the main line four miles south of Green Ridge, to Holden, Johnson county, has been completed. The extension gives the Missouri, Kansas and Texas entrance over its own line into Kansas City, from St. Louis and will, it is said, result in a fierce competition with the Missouri Pacific. Through trains will be running in ten days.

Anti-Saloon Army.

BLOOMINGTON, Ill., Nov. 1.—The anti-saloon army is the name of a new order which has been organized here for semi-political purposes and whose intention is to go into all parts of the Union. The headquarters have been established in this city. H. P. Paris, a prominent citizen of Clinton, Mo., is the originator of the scheme. He received the thought some time ago that an organization similar to the A. P. A., but with its forces directed against the saloon would be a powerful and useful organization in prohibition work.

Revolt Quickly Crushed.

NEW YORK, Nov. 1.—A special to the Herald from Kingston, Jamaica, says: The attempt to organize a revolt against the government was made a fortnight ago near the Dominican town of Baoiao on the eastern frontier. Prompt and severe measures were taken by the government and the revolt was quickly crushed. Numerous arrests have been made and many persons have been court martialed and shot.

Order has been restored.

SLAIN AT MARSOVAN.

An American Citizen Assassinated Near the Church Door.

ATTEMPT TO BURN A COLLEGE.

Intimation that the Murder May Have Been Committed by the Revolutionists.

CONSTANTINOPLE, Nov. 1.—Advices from Marsovan, Asia Minor, show that the trouble anticipated by United States Ambassador Terrill, in the dispatch to the state department in August last, has culminated in an attempt to burn the American college there. It is added the would-be incendiaries have been discovered. The agitation against Americans at Marsovan began a year ago when some of the pupils of the American college were expelled, because their fathers were suspected of being implicated in the Armenian movement. This caused suspicion to fall upon five professors, two of whom are Americans.

Terrill has notified the authorities at Washington that Garbed, a native and American citizen, has been assassinated at Marsovan, close to the church door, when going to attend religious service. Garbed was one of the students previously sent away from the college at the request of the Turkish authorities, on the ground that he was connected with the Armenian revolutionists. He was the chief man of the Protestant community at Marsovan, and chairman of the council of thirty, held responsible for the peace of that city. Garbed, however, is said to have been murdered by the revolutionists because he had given the government information regarding their plans. At the same time, Terrill notified the state department at Washington that the revolutionists had marked the professors at Marsovan for slaughter long before the Massacre atrocities were committed.

Professor Tracy and Prof. Riggs of Marsovan college were especially disliked by the revolutionists and their lives threatened for having commented to the students of the Armenian students suspected of being in sympathy with the revolutionary movement. Eventually a Turkish guard was furnished the college at the request of Terrill, and all danger seemed to have passed away, especially as the United States authorities previously had compelled the Turkish government to pay an indemnity for the destruction of the school building at Marsovan.

Anniversary of Alexander's Death.

LONDON, Nov. 1.—The prince of Wales, wearing Russian uniform, Prince Nicholas of Greece and a majority of the members of the diplomatic corps were present this morning at the impressive requiem mass celebrated upon the first anniversary of the death of the late czar of Russia, Alexander III, by Father Smirnoff, confessor of the Russian embassy, assisted by the Russian bishop of San Francisco.

A Duel to Death.

LONDON, Depot, Ky., Nov. 1.—W. P. Bentley, a member of the Kentucky legislature in 1887-88 and a most prominent man in Leslie county, fought a duel to the death Wednesday night with Rige Hignite, who killed his brother about a year ago. Hignite died immediately. Bentley lived eight hours.

Presidential Appointments.

WASHINGTON, Nov. 1.—The President today made the following appointments: Solicitor for the department of state, Walter M. Falson, North Carolina; chief bureau of accounts, state department, Frank M. Branagan, Ohio.

Saw a Burning Vessel.

QUEENSTOWN, Nov. 1.—The Cunard liner Campania, from New York, arrived here this morning and reported that in latitude 45, longitude 48, at 9:15 p.m., Oct. 28, she saw a burning three-masted vessel. The Campania found that she had been deserted. It is supposed the crew already had been picked up by a passing vessel.

CORBETT IMPATIENT.

He Wants the Thing Settled One Way or the Other.

HOT SPRINGS, Ark., Nov. 1.—Corbett and Brady left here for Little Rock this morning.

LITTLE ROCK, Ark., Nov. 1.—In company with his manager, Brady, and his trainers, Corbett arrived in Little Rock at 10 o'clock this morning. "Of course," Corbett said, "I don't know what the outcome of these proceedings will be, but I want the thing settled one way or the other pretty soon. I am in readiness to fight now and always have been. I asked nothing unreasonable of Fitzsimmons and honestly think that he is keeping from me. I don't know what to make of his actions." When asked as to the possibility of trouble between him and Fitzsimmons, Corbet said:

"Well, something of that kind may happen, but if it does, Fitzsimmons will have to start it. I won't begin it. But I want to say right now, that if the fellow does begin any funny work, he is going to get licked good and hard."

FITZ A GENTLEMAN, ON HIS OWN WORD.

LITTLE ROCK, Ark., Nov. 1.—No matter what the legal proceedings may be, this afternoon the chances are a hundred to one that there will be no fight between Corbett and Fitzsimmons. The latter and Delay in an interview with a representative of the Associated Press: "There will be no fight in Arkansas. I am done with the Florida Athletic club and have no use for the citizens of Hot Springs."

"Do you mean you will not fight in any deal that may be managed by either the Florida Athletic club or by the citizens of Hot Springs?"

"Do you mean you will not fight in any deal that may be managed by either the Florida Athletic club or by the citizens of Hot Springs?"

The reply came like a flash: "I mean just that." In an earlier interview Fitzsimmons declared he would not fight in this state, if it was against the law.

"I am a law-abiding citizen," he said.

He said regarding the possibility of trouble between himself and Corbett: "I won't start any trouble, but I'll give him all the fight he wants, if he starts in on me. I intend to be a gentleman, if he will allow me to do so."

MAY FIGHT IN PRIVATE.

AUSTIN, Tex., Nov. 1.—George Walker, lessee of Little Rock opera house, received a telegram from William A. Brady asking terms for the opera house for this afternoon for training purposes behind closed doors. Walker granted the request. He thinks there is a scheme to pull the fight off this afternoon in private.

Physician Fatally Wounded.

LITTLE ROCK, Ark., Nov. 1.—Dr. John I. Hancock, a prominent physician, was shot and fatally wounded by W. L. Brown at 12:30 this, Friday, morning. Brown alleges that Hancock had debauched his wife. Brown is in jail.

Will Close the Bank.

PORTLAND, Ore., Nov. 1.—The stockholders of the East Portland First National bank have decided by unanimous vote to liquidate and wind up the affairs of the concern. Its affairs are reported by the stockholders and the officials to be in good condition. The cashier, B. H. Bowman, reports money on hand to pay all depositors.

The French Ministry.

PARIS, Nov. 1.—M. Vigan has accepted the portfolio of minister of humanity, and only the office of minister of foreign affairs, said to have been tendered Baron de Courcel, the French ambassador to London, remains to be filled. The cabinet does not please anybody, but it is understood it will receive the support of the radicals and socialists while it lasts, which is not expected to be long.

M. De Crais, formerly French ambassador to London, is mentioned, but declined the portfolio of minister of foreign affairs.

M. Berthelot, who accepted the portfolio of minister of education, has been prevailed upon to take the portfolio of minister of foreign affairs. He is a life senator.

U. P. Receivership.

NEW YORK, Nov. 1.—Ex-Senator John C. Spooner, counsel for the old receivers of the Northern Pacific Railroad company, and Frederick N. Otis, president of the Farmers' Loan and Trust company, trustees of the Northern Pacific mortgages, have left for the west to endeavor to induce the courts along the company's line to act in harmony on the receivership. Herbert H. Turner, counsel for Kelston, accompanied the latter.

EARTHQUAKE IN ROME.

The Vatican Shaken, But the Pope Perfectly Tranquil.

ROME, Nov. 1.—A severe and prolonged earthquake shock was felt here at 4:45 this morning. Many houses swayed badly. Walls were cracked and plaster fell from the walls. The people ran panic stricken into the streets and serious disaster was apprehended. Happily the first shock seems to have ended the subterraneous disturbance, without serious damage. Some idea of the alarm created may be gathered from the fact that prisoners in Regina Cœli was so badly shaken that the terrified prisoners broke into open revolt and tried to escape. Troops from a neighboring barracks were summoned and the prisoners were driven back at the point of the bayonet. The Vatican buildings were severely shaken, but the pope was perfectly tranquil. He sent to the nearest police depot to inquire if there had been any loss of life or any serious damage.

SEVERAL BUILDINGS DAMAGED.

The seiche of shocks lasted 11 seconds. Two clocks in the observatory were stopped and the old tower of the Roman college was cracked. Two houses collapsed and it is reported several persons were injured. Four palaces and the Bank of Italy are uninhabitable. Palazzo Odescalchi and five other palaces are seriously injured. The Vatican buildings, quirinal, railroad station and ministerial offices are also reported to have sustained some damage.

The latest advices from Rome say that no serious damage was done. Three-masted vessels were slightly cracked. Chimneys fell, and the walls of the barracks of the Swiss Guards at the Vatican were slightly cracked.

Prize-fighter Dead.

PORTLAND, Ore., Nov. 1.—Jack Dempsey, the well known pugilist, died this morning of consumption.

THE HOLMES TRIAL.

Judge Arnold Shows That He Has Some Pride.

PHILADELPHIA, Nov. 1.—The Commonwealth has promised to close its case today and in all probability Holmes will be the first and perhaps only witness for the defense. There is a pretty general belief that if he goes on the stand, he will do more to hang himself than all the evidence of the commonwealth.

Today's session began by recalling Mrs. Pitezel. Mr. Graham asked her if there were any cuffs to the shirts she yesterday identified as her husband's. She replied that Holmes had taken them from the trunk and destroyed them. On cross examination, Mr. Shoemaker rigidly questioned the unfortunate woman concerning her travels with Holmes and subsequent arrest for conspiracy. His apparent intention was to show that Mrs. Pitezel had been the controlling influence during the ramblings throughout the country and that she carried Holmes about in an attempt to evade arrest. "You want to prove that she was not Trilby but Svengali" suggested Judge Arnold, "that she led him."

This remark was drawn out by a dispute over the relevancy of the cross-examination, which was not pushed any further. Edward H. Case, the Chicago agent of the insurance company which Holmes had defrauded, testified that he had visited Holmes's house in Wilkinsville, Ill. He did not see Holmes, but a woman calling herself Mrs. Holmes. He identified the picture, in which she is shown holding an infant, Holmes's child, lovingly against her face.

John King, who had charge of the manuscript and read the proofs of "Holmes's own story" testified that he got some copy from Shoemaker, Holmes's lawyer, and some from Silas Long, the typewriter in Shoemaker's office, and published just what he received.

Amy Long, the typewriter referred to, said she received the manuscript from Shoemaker. It was in pencil and the handwriting was unknown to her. A witness of Holmes's handwriting was shown her, and she identified it as the same. Detective Geyer, recalled, said he had been sent to Holmes's cell five weeks ago to see if any person was concealed there. While making a search he came upon the manuscript of the book and brought it to the district attorney.

Geyer also found in Holmes's cell a letter to John King, about the sale of the book.

The commonwealth offered in evidence letters, papers, pictures and Holmes's book, and rested.

The defense called Miss Yorke for cross-examination on the question of the marriage with Holmes, which was not brought out in the examination yesterday. She declared that when she married him, she believed she was becoming his lawful wife. She said that in order to bring about the marriage, he told her mother that his wife died and left him certain properties in the South, West and in Fort Worth, providing to look his uncle's name, Henry Mansfield Howard. He was not and no relative living except an aunt in Africa. He explained his taking the name of Fell in Fort Worth by saying that his business complications required it. Miss Yorke, at the conclusion of her testimony, laid her head on her hands on the back of her chair. Her presence did not move Holmes today.

The court at 1 o'clock took an hour's recess.

Lawyer Rowlan, counsel for Holmes, said this afternoon he expected to close his side of the case in about two hours, and there was every probability of the case going to the jury tonight.

Upon reassembling of court Mr. Rotan advanced to the bar and said: "It is incumbent upon the commonwealth to prove motive beyond a reasonable doubt. They have not done so. They have proven that a body was found, but not that anybody killed it. We must therefore pray judgment of the case away from the jury, or give them binding instructions."

"This is so ridiculous," interposed Graham, "that I decline to argue it."

"This is not the time to make a ruling," Judge Arnold decided; "I express no opinion. The jury must decide after they hear the evidence."

"Then I must respectfully," "we must entreat your honor to grant us a continuance of at least an hour, in which to decide upon the line of defense."

Graham objected.

Judge Arnold told the counsel they must make selection between calling witnesses or going to the jury on the argument alone. But he ordered a recess of half an hour to permit them to confer with the prisoner.

After council meeting, forty-five minutes, Rolan announced that the defense would call no witnesses. It was then agreed to begin the argument tomorrow morning.

A CARD.

As to a statement attributed to me at a meeting in Brigham City on Monday last, to the effect that "a certain man had been paid $10,000 for stealing the election of Salt Lake City, and he was now at the head of another political organization," and my later denial of having either made or intended any attack upon anybody on the occasion referred to, I desire to say:

I have absolutely no knowledge of having made the statement quoted above, or anything like it, so that there could have been no wilful intention on my part to prejudice or injure the "certain man" referred to, or the cause with which he is at present identified. In what I have since said concerning the remark, I was intentionally as positive and unequivocal as I knew how to be, because I felt perfectly confident that it could not have been made without leaving some impression on my mind, which latter, as stated, was not the case. But on conversing subsequently with some of those to whom I referred in my interview for its corroboration, I was informed to my astonishment that some such remarks had actually been made. Of course I immediately took pains to have the whole truth of the incident communicated to those most affected by it, and now feel it only proper that this public occasion should be taken to lay it before the community. I repeat that there was not a scintilla of malice or of malicious intent in my mind, and no desire to be offensive to anybody; and I can therefore with the utmost candor and sincerity express regret that the incident should have occurred. Anything that could be construed into an attempt to revive past bitterness, or throw additional unpleasantness into the present excitement, or militate against future harmony and welfare, I should, and do, regard as extremely deplorable; and I should regret exceedingly if anything that I may have said could be used as having a tendency in that unfortunate direction. Whatever influence I have with the people of Utah I desire to be used to bring about an improved condition of feeling between the different classes of the community; and that so far as politics and office-holding are concerned, the words "Mormon" and "non-Mormon" should be stricken out of our vocabulary.

In keeping with the spirit of these expressions, I would further say that if the gentleman who has taken this matter as personal to himself is still disposed to regard it as wilful and offensive, I wish to withdraw the remarks and trust this statement will be satisfactory to him as an apology.

THOMAS G. CARSON.

COURT WORK TODAY.

Prohibition Proceedings in a Case of Registration.

SAM GRICE GETS A NEW TRIAL.

Heffentner is Turned Loose—Arraigned for Adultery—Lynn Indicted—Other Cases.

A motion for a new trial in the case of James Martin and Theo. Stringham was argued in Judge Harris's division of the Third district court today, and the matter was postponed till December 2.

The motion in arrest of judgment in the case of Samuel Grice, convicted of burglary, was denied by Judge Harris. A motion for new trial was then made, and granted by the court.

Frank Mentram and Annie Depester were arraigned on a charge of adultery and fornication respectively. Both pleaded not guilty. At the request of Col. Tatlock, the defendant Mentram's bond was reduced to $500. It is understood his father-in-law will furnish it. The woman's bond was fixed at $100, with the suggestion of the prosecuting attorney that the same surety should provide it. The court appointed Col. Tatlock to defend the woman as attorney in her behalf.

In the case of the People vs W. H. Heffentner, indicted for perjury, on motion of Attorney Howat the defendant was discharged and his bondsmen exonerated.

JUDGE MERRITT'S COURT.

The only case that came up before Judge Merritt at the morning session was that of Rebecca B. Carter vs the Salt Lake Loan and Building association, and after some discussion on the part of the attorneys the hearing was postponed till next week.

This afternoon's session witnessed the opening of a case important because of the approaching election. It is entitled the application of Henry James for writ of prohibition vs A. N. Cherry, registration judge. Judge Cherry was cited to show cause why alternative writ should not issue requiring him to leave the name of Henry James on the registration list. The papers were issued this morning and given to the sheriff to make return at 2 p. m., for the court to inquire into the merits of the challenge against Mr. James on which it was proposed to strike his name from the list of Third precinct voters.

OTHER MATTERS.

One of the indictments filed by the grand jury yesterday afternoon was against S. J. Lynn, member of the City Council and connected in business with the Sierra Nevada Lumber association. The indictment accuses Mr. Lynn of a misdemeanor because the lumber company sold material to the city while he was a member of the Council.

The embezzlement case against Eugene F. Timoteson is set for hearing on Wednesday next, before U.S. Commissioner Pratt.

Injured in a Runaway.

Yesterday a young man residing at Mill Creek had a narrow escape from death by a runaway. He was driving along when one of the lines broke. He walked out upon the tongue of the wagon to secure the lines and control the animals when he fell off and down between the horses. He was picked up and taken home by Mr. John Maxwell, who found the young man very severely kicked, cut and bruised. His name could not be learned.

Wrestled Too Hard.

A son of Mr. Oliver Mawson, of Mill Creek, was badly hurt yesterday in wrestling with a companion. He was violently thrown and fell on his shoulder, which is thought to be dislocated.

Reprehensible Vandalism.

Mrs. Jennie Brown, a widow residing in the Ninth ward, complains that some Hallowe'en lawless last night broke a large pane of glass out of one of the windows in the front of the house. Such vandalism is especially deplorable when directed at a widow lady who has no one to protect her, and must earn the money with which to repair the injury.

Still Another.

There is still another industry started in this city, the cultivation and patronage of which will cause considerable money to remain here. Mr. D.M. Hill Sr., has commenced the manufacture of stove polish, shoe blacking, wash bluing and liquid glue, all of which are superior articles.

Railway Notes.

The Rio Grande has a special train to Brigham at 5:30 this evening for the accommodation of the Tremonto party.

Trilby and her feet will arrive on the Union Pacific tomorrow morning.

The Rio Grande is considering changes in the time of through trains, but definite action is deferred until the Union Pacific comes to some conclusion as to the same subject.

It is expected that in a day or two the Union Pacific people here will receive definite word as to the fast train to be put on between here and Chicago. The time will be cut down eight hours between these two points, the through train arriving here at 7 p.m. instead of at 3:10 a.m.