NOW FOR ARGUMENT.

That Libel Suit Against the "Tribune" May Be Finished Today.

ARTHUR BROWN ON THE STAND.

A Question of Conscience to Be Settled With Judge Powers—An Oath, and A Gang.

There is now a favorable prospect of the $25,000 libel suit, in which Arthur Brown prosecutes the plaintiff against the Tribune Publishing company as defendants, being finished sometime late today or early tomorrow. The evidence is in, and nothing remains but the arguments of counsel on both sides.

At the time the NEWS report closed yesterday afternoon testimony as to Mr. Brown's alleged burglarious propensities was being taken. Judge Rivas, in the swing of witnesses, was still on the witness stand.

H. L. Driver, who said he had known Arthur for five or six years, his general reputation was that of an overbearing and aggressive character.

W. P. Noble said there was danger of a riot at the polls, the excitement was great on that particular election day in 1892. We were heavily peppered. Brown's reputation was as mentioned. Witness at that time was a member of the Liberal party and was sympathizing with the Liberal cause.

A. L. Williams, Bell Holmes and Frank Hyde testified that so far as they knew Brown had not the reputation of being a burglar.

The defense offered to introduce the evidence of nine persons who it was alleged Mr. Brown had helped to whip to vote at the election, but these evidences were ruled out as immaterial and exceptions were entered.

Arthur Brown, the plaintiff, next took the stand and identified certain memorandum books used at the polls and also identified certain pencil memoranda in his writing.

The Tribune in Brown's clothing sale, which were brought in partly with claims that Mr. Brown had repudiated them, were put in evidence and the defense rested.

The plaintiff recalled Mr. Lannan, manager of the Tribune, who stated that he advertised in selling Brown's clothing in the hope to promote election order and to keep down riot.

Mr. Rymer said he was election judge at polls 1, in the Fourth precinct. Fourth Ward, yesterday morning he had to be put in two and has to be put in twice. He was asked where he lives and said, in a brick house in a certain county, but he was no more sworn and no such house as he described.

Hakan S. Weis, judge of poll 2, stated that he was sworn, Brown as the judge present at all.

MR. BROWN ON THE STAND.

Arthur Brown called by the plaintiff's counsel, said he had lived in Salt Lake Fifteen years, during which time he has been trying to promote law. He affirmed at poll 2 and at no other. He did not see Heaney on that day at all and did not inject his vote. He had no conversation with him; never invited him out of town; not gave him any cigar; did not buy cigars of him; had not even seen him, nor had talked with him. Had read the article in the Tribune, and there was no truth in it.

Judge Powers—Were you very much angered at the publication of that article?

"Yes, angered and grieved."

"Are you always grieved when you are angered?"

"No; you could anger me, but you could not grieve me."

"Did you sleep that night?" (Laughter).

"I don't remember; but the Tribune did not interfere with my sleeping."

"Did you lose any business on account of the Tribune article?"

"I don't know."

"Did the Tribune injure you in your business?"

"No such man as the Tribune people could permanently injure my business. They injured the society and community, and hurt my feelings by the lies they published."

"Did you have a conversation with Judge Goodwin after the filing of your suit?"

"Yes."

"Did he refuse to drink with you because you had taken your reputation in his hands?"

"He said something about not drinking with a man whose reputation was not worth more than $5,000." (Laughter.)

"Do you not frequently have quarrels with people?"

"No; only with such people as the Tribune."

"Do you not know that you have a general reputation for being a burglar and both here and in Michigan?"

"No; I never heard it twice the Tribune at red it."

"Can you call any of the voters who prevented themselves to vote below?"

"No; I did not call any person a burglar in jail."

"Did you call Mr. Sullivan a liar?"

"I did not."

Court here adjourned till 10 o'clock this morning.

Upon court reassembling this morning the plaintiff again took the witness stand for further cross-examination by Judge Powers, who first asked—Were you a candidate for any office at the time?

Witness—Every American citizen is always a candidate for political honors.

"Were you aspiring for any public position at the time that article was published?"

"No, sir."

"Were you at that time ambitious for public preferment?"

"I never thought anything about it. I was only grieved my feelings as an American citizen, to be a candidate for any office, I should do so."

"You were a member of the Anacostia at that time?"

"I was."

"Do you consider that that article injured you actually among the members there?"

"I do."

Asked in what way, Mr. Brown mentioned the names of Mr. Barrow and others who had declared as it his being a burglar and so forth and with genuine astonishment "I present you with a photograph of that camp so showing how it did injure me!"

"You think you have a conscience?"

"I have not more than the whole Tribune outfit, with you included; I will swearing this on it." (Tremendous laughter.)

"Do you believe a man's conscience is the most valuable thing with him?"

"Yes, I believe it is the most valuable thing with him next to Heaven, Sir."

Re-direct by Judge Henderson: Witness said he remembered the article in the Tribune humiliated him by asserting that in his capacity as a judge of election he had been guilty of fraudulent acts and dishonest motives in taking the ballots away, thereby a man to move the town. He was humiliated and humiliated by the article, as well as to prevent him voting on that day. He felt as if he had been injured seriously, possibly and perhaps financially.

Judge Lee Shipp, called by Judge Henderson, said he attended the Fourth precinct polling place in 1892, and was there nearly all day trying to keep the peace and trying to keep the Liberal supporters of the Liberal candidates." That little disturbance occurred there, but he was not responsible if any approximation as to it. He did not remember to have heard any talk of Brown being a burglar, but knew was a conflictivity as to how the society should be filled.

C. H. H. Ure, an election officer at Poll 1, Fourth precinct, at the February election of 1892, was called by Judge Henderson, but as the first question put was found out, he was "excused."

F. C. Dorsey was called by the defense in rebuttal, and Attorney Rigby was asked to see the witness whether he saw Arthur Brown at Poll 1, Fourth precinct, on the day of election, but the question was objected to and was not answered.

Judge Powers, in order to save time in the taking of a class of people who were addressed below by the evidence of William Taylor that Mr. Brown refused his vote at poll 2, that he declined to permit him to be sworn or to have the voter identified as to his right to move to vote.

The court declined to allow this testimony to go in, and an exception was entered by Judge Powers, who then said, "We rest."

The Judge then asked that the defendant's counsel be given the privilege of opening and closing the argument. He proceeded to show that this was the rule in this class of cases.

Attorney Varian argued against the proposition, which he said was unusual, and in this being the second case, counsel had exceptions.

Judge Henderson opened the talk by briefly supporting certain points which he might not be able to be in the court's instructions to the jury. He glanced over certain portions of the evidence and closing of counsel.

Judge Powers then rose to reply.

The argument of the proceeding in full appears in the NEWS goes to press.

BRIEFLY.

At about 2:30 this afternoon a letter belonging to a man whose name is given as Thomas Williams started from East Temple street and ran westward on Second South. When near the intersection of West Temple street the runaway overturned with a wagon which contained Peter N. Groff of Dover, and Dr. W. J. Snow, of this city, and considerable in Mr. Groff was painfully hurt in the ankle, and Dr. Smith received a number of bruises about the legs. The runaway wagon contained angles, which were scattered in the street.

THE GENEALOGICAL SOCIETY.

Articles of Incorporation Filed in the Probate Court Today.

An Association Formed to Secure Genealogical Information and Establish a Library.

A movement that is fraught with deep interest to the majority of the people of Utah received official place on the public records in Salt Lake county today, in the filing of the articles of incorporation of the Genealogical Society of Utah.

The articles of incorporation set forth that the objects of the association are "benevolent, educational and religious, and not for pecuniary profit; benevolent in collecting, compiling, establishing and maintaining a genealogical library for the use and benefit of the members and others; educational in disseminating information regarding genealogical matters; Religious in acquiring records of ordained priests to officiate with ordinances of the religion of our Lord and savior Jesus Christ, at the request or vocation to the dead who are disciples of the Church of Jesus Christ of Latter-day Saints and not faith in the revelations of God."

The governing power of the society is vested in a board of seven directors, which include the officers. The board is constituted as follows: Franklin D. Richards president; John Nicholson vice president; James H. Anderson secretary; A. M. Musser treasurer; John Jaques librarian; Andrew Jenson and George Reynolds.

The names of the incorporators, with six residents of Salt Lake City, are given as follows:

Wilford Woodruff, George Q. Cannon, Joseph F. Smith, John Nicholson, James H. Anderson, Amos Milton Musser, Lorenzo Snow, Franklin D. Richards, James Henderson Wolsley, Abraham H. Cannon, George Reynolds, John Jaques and Ida and M. McAllister.

All members of the Church of Jesus Christ of Latter-day Saints, in good standing, owing fealty to authority in the society. The offices are to be elected annually, and the official place of business is to be at Salt Lake City.

Land Office.

The following filings were made in the land office under date of Nov. 21st:

Charles Allison, of Salina, commenced homestead entry of the west half of the northwest quarter, and the northeast quarter of the southwest quarter, and the southeast quarter of the southwest quarter, section 17, township 22 south, range 3 east, containing 160 acres.

Isaac Granger, of Fayerville, Washington county, commenced entry of the west half of the northeast quarter, section 11, township 41 south, range 12 west.

Bradford W. Elliot, of Plymouth, Box Elder county, for the same filing point of the southwest quarter of section 29, township 13 south, range 2 west.

A FRIGHTFUL FALL.

Two Painters Meet With Serious Injuries at McCornick's Residence.

BOTH MEN ARE IN THE HOSPITAL.

O. E. Porter Has His Skull Fractured and George N. Coombs Hurt Internally.

There was a very serious accident at the McCornick residence about nine o'clock this morning and that two men were not killed outright instead of receiving injuries from which they may recover in a short time.

Yesterday O. E. Porter, who formerly worked on the journey and company building and George N. Coombs in the Tenth Ward were put to work by contractor J. P. Reese to repaint all of the exterior woodwork on Mr. McCornick's residence. They progressed very well until late morning when suddenly and without warning of any kind, the crank staff to which was swinging slowly under the cornice of the house gave way and they were precipitated two stories to the mortar pavement below where they struck with frightful force.

Porter was carried unconscious, bleeding from the skull fracture and suffering other injuries, while Coombs was hurt internally and about the lower limbs. Both men were taken to the hospital where they are receiving the best of attention. Porter is fatally injured. Dr. Worthington has charge of the case.

PREFERRED DEATH.

Robinson, Sentenced at Beaver, Swallows a Dose of Laudanum.

An Opinion Expressed that the Crime Was Caused Severer on the Prosecuting Men.

Special to the News, by Special Telegraph.

BEAVER, UTAH, Nov. 21, 1894.—The town was startled this morning with the intelligence that two laudanum were used. One was A. S. Harrison of Grafton county, recently convicted of assault with a deadly weapon and under sentence of two years in the pen. The other was a young man named Tom Bates, who had been indicted and had consumption.

The Harrison case is the wonder-stricken one. A good many people think the court was unduly severe on him, in view of the fact that all blame for the troubles out of which the prosecution grew was not on his side. Yesterday afternoon he met his attorney and asked about the prospects for getting out on the pending appeal. He did not receive much encouragement and expressed himself strongly against going to the pen. He got sheriff Morris to go with him to a drug store, ostensibly to get some liniment and while there and the sheriff unsuspecting he got a small vial of laudanum and took it in everything as he is reported to have said, shortly after reaching his cell he swallowed all of the laudanum but a few drops. The sheriff called in soon after and learned what Robinson had done, but was staff, locking the cell door behind him. He did not appear at the cell again till this morning, when his prisoner was dead. The relatives of the deceased have been notified by mail.

OGDEN.

OGDEN, UTAH, Nov. 21, 1894.

Notes.

The Fifth Ward institute has in operation a payroll welfare class for ladies, misses, children and gentlemen.

The Chamber of Commerce and leading business men are at present taking much interest in the matter of introducing manufacturing industries into Ogden.

Delegate-elect F. J. Cannon left for the East this morning. He will attend the Transcontinental congress as one of the delegates from Ogden.

At the meeting of the Chamber of Commerce last evening Mr. Evans's proposition to erect a blast furnace was accepted. Mr. Evans proposes an outlay of $100,000 and to receive a bonus of $25,000. Preliminary to making an agreement that operations are to commence within sixty days.

PROVO.

PROVO, UTAH, Nov. 21, 1894.

Lehrum Acquitted.—Lottery Case.

In the case of the United States vs. Lehrum, today, the witnesses were excused from the room, or were also the jurors not on the panel. There are two indictments against the defendant charging the same offense, as having been committed on a his daughter.

Prosecuting Attorney Jones, in stating the case, stated that, said he was inevitable to regard to Mr. Lehrum's guilt, and it be relieved this case, if, when all the evidence was heard, he should not feel a reasonable doubt guilty be returned. The evidence tended to sustain the indictment and a verdict of not guilty was returned. The defendant was acquitted. The evidence in the indictment was dismissed on motion of the prosecution.

Following the Lehrum case was that of the People vs. George Hughes, Prosecuting Attorney Jones prosecuting on the part of the people and S. A. King appeared for defendant. Hughes is accused of robbery—taking money from the person of Wm. M. Nebeker, in Orem, on the night of Fort Deseret, on the 14th day of August, 1894. The sum mentioned is said to have been $150.

Wm. M. Nebeker was the first witness. He testified that he was in the saloon business east of Fort Deseret. Hughes, whom he knew was a miner, was at the saloon or whores on the 14th of last August. A Mexican was dealing dominoes to the, and Hughes was looking on. A toward H. he cited a game with another Mexican and won. He offered some money from a purse, and met to be. Then Hughes took the money on the gambling table, and pointed a pistol at Mexican's head to compel him to give up the money. Some time after this he threatened witness that he would kill him unless witness gave him (Hughes) all the money he had, and "of course" he gave it to him.

On cross-examination he testified that he had been engaged in saloon-keeping, and gambling for several years. He was now located on what is called the strip. He has a license for gambling.

Mr. King—What, do you say you have a license for gambling?

"Yes, sir; that is I pay a fine."

"And you call that having a license, do you?"

"Yes, sir; the officers come over there, and I pay them the money, and they give me a receipt."

Prosecuting Attorney Jones—If that isn't paying a license, what is it?

Witness—That's what I want to know.

The defense is that Hughes, who was very much intoxicated, had lost the money in a "sure thing" game and had demanded it back and that Nebeker and the Mexican had given it to him.

FOREIGN EXCHANGE.

Samuel Porter, convicted of embezzling money from the Fairview post office, was called up for sentence. He was very much affected, and explained to the court that he had endeavored to do the very best he could to keep the books straight, and had failed to do so simply because he did not know how. He had done nothing wrong intentionally. S. A. King also addressed the court in favor of defendant, and referred to his previous good character.

Prosecuting Attorney Judd said it was not a question of bookkeeping, but a question of whether defendant should appropriate government money for his own use, and that the government has a right to expect a substantial solution.

The court stated that if defendant had made some effort to pay the amount charged to care, he would have sentenced he would have left more time than to impose a light sentence. Defendant was sentenced to eighteen months in the penitentiary and to pay a fine of $140.98, the amount found by the jury, to have been embezzled.

COMMERCIAL.

SALT LAKE CHAMBER OF COMMERCE.

Today's clearings have averaged amounts to $[illegible]. Same day last year, $[illegible].

TODAY'S QUOTATIONS.

New York—Silver, 69 bid, $3.00

London—Silver [illegible]

ONE AND SIXPENCE.

Wells, Fargo & Co. received today: Paid [illegible]

McCornick & Co. received today: Bar silver, $[illegible]; silver sand ore, [illegible]; gold sand, $7,805; specie, $[illegible].

T. R. Jones & Co. received today: Bullion, $8,[illegible]; ores, $5,[illegible]. Total, $[illegible].

REAL ESTATE.

Transfers filed in the office of the county recorder of Salt Lake county, Utah, for the 24 hours ending noon, Nov. 21, 1894.

[illegible]

A Temple of Art.

Not for a Day but for all Time.

Memories of the White City are fading—all but one. Majestic in its beauty the Palace of Art survives to remind man that wonders departed. Triumphant over fire and tempest the stately structure stands beside the lake dedicated forever to the service of the people. As a gallery of painting and sculpture it surpassed and delighted the nations. As the Field's Columbian Museum it will entertain and instruct multitudes in the ages to come.

A World's Fair in miniature is the museum today. While it lasts the public will have before them a world reminder of the greater exposition of 1893. It will bring back the vast panorama of splendid exhibits including the fine showing made by

Dr. Price's Cream Baking Powder

The analysis of Dr. Price's by government experts demonstrated its immeasurable superiority in leavening strength, purity and general excellence and gained for it the

Highest Award at the Fair.

R. K. THOMAS,

26, 28, 30, 32, East First South Street, Salt Lake City.

Special September Announcement.

WE ARE NOT LOOKING FOR PROFITS, WHAT WE WANT IS VOLUME OF BUSINESS.

We shall offer some Tremendous Bargains to effect this object. We must show a thousand of few

JACKETS,
CAPES AND
WRAPS,

At about one half their value, ranging from Ten to Ten Dollars. We don't want a Wrap left in November. First. We want increased room for our Dry Goods Department, so will close out our Entire Stock of

LADIES,' MEN'S AND CHILDREN'S SHOES.

You'll all want Shoes for winter, and now is the time to get about ten pairs for the price of one. You should not wait until cold weather, but call early. Mail orders can be filled by giving sizes.

SILKS.

About Ten Thousand Dollars worth will be thrown on the counters, at prices that all can afford a Silk Dress. We are showing about Five Hundred Pieces

New Dress Goods,

Which will sell at not much more than half of last fall's prices. We shall offer Fifty Thousand Dollars worth of

RIBBONS,
LACES,
HOSIERY,
GLOVES,
TOWELS,
SHAWLS,
FASCINATORS,
UNDERWEAR,
SHIRTS,
TIES,
WINDSORS
HANDKERCHIEFS,

And Family Supplies Generally in this sale, all at Cut Prices, as we are determined to close them before January stocktaking. We don't want to have it a few weeks before then when people have been supplied, but the Goods goes in at the very commencement of the season. You'll all want less for your money this fall. It will be given you at our

Reliable Establishment.

This is a bid for your business, and the One Hundred Thousand Dollars worth of goods we expect to move between now and Christmas, will save to the customer fifty Thousand Dollars.

REMEMBER the Three Great Specialties

SILKS,
SHOES,
CLOAKS,

R. K. THOMAS.