The Evening paper is the paper of Today, the morning paper is the paper of Yesterday.

DESERET EVENING NEWS.

5 O'clock -EDITION.-

TRUTH AND LIBERTY.

NO. 3 FRIDAY, NOVEMBER 23, 1894, SALT LAKE CITY, UTAH. VOL. XXVIII.

NO SIGNS OF PEACE.

Japan Borrows Another Fifty Millions for War Purposes.

A THIRD ARMY SENT TO CHINA.

Two Interpreters and War Correspondent Captured and Killed—The United States Acts Alone.

YOKOHAMA, Nov. 23.—The minister of finance has announced a further war loan of 50,000,000 yen, in Eng. making 80,000,000 yen of the 100,000,000 yen authorized by the parliament to be raised for war purposes.

A third army has left Hiroshima aboard transports. The destination is not known, but it is conceded it is intended to operate in the Yang Tse Kiang districts of China.

VICTIMS OF THE WAR.

HONOLULU, Nov. 23.—The steamer from Moji reports that no assault has been made upon Port Arthur up to November 19. Two interpreters and one war correspondent following the second Japanese army have been captured and killed by the Chinese.

UNCLE SAM INDEPENDENT.

LONDON, Nov. 23.—Dispatches from Washington that Great Britain is supporting or cooperating with the United States in the attempt to induce Japan and China to be reduced to official views suggested by the latter. The United States government is understood to have acted with complete independence of the powers.

New United States Minister to Washington.

TOKIO, Wednesday, Nov. 21.—The Mikado has appointed Mr. Kurino, the Japanese minister at Washington, to be minister of the Japanese empire at Rome.

Englishmen seem to be proud of their relations to the United States with positive delight.

The Cabinet Meeting Postponed.

WASHINGTON, Nov. 23.—Lord Pauncefote, the cabinet meeting was postponed because the President was not well, the wet weather aggravating his gout and the pain in the injured foot.

POLITICIAN OR COWBOY.

A Wager to Decide Which is the Best for Sheriff.

CHICAGO, 23.—"Black Bill" Fitzpatrick and Edward Flanagan, of the stock yards, in the stock district 12 next Monday night will pitch midnight over 100 yards of space, with a bet in the form of a wager to decide a wager. The wager money, $50 a side, is up and the question now is whether a politician can run the yards in a shorter time than a man who is noted only for three miles fleet and stout yard's score. Most people in Chicago know Bill Fitzpatrick. He was once an alderman and also a county commissioner. He is also a millionaire. Flanagan is a rare and sport, originally from Texas, and a stockyard hand. Sheridan & Co. are the men who are to provide the money. It is not generally known, or the statement is not what Sheridan would call sensational. In fact Fitzpatrick weighs an even 200 pounds and Flanagan lands at weighing 165. The money is said to have been tied for the affair of patronage in Michigan avenue between Jackson and Van Buren streets. Midnight has been set as the time for the race to start that there may be no delay of traffic and to avoid police interference. But there is no longer any fear on the police score, for Inspector Shaw has agreed to act as judge for Fitzpatrick and Senator O'Brien will perform a like service for Flanagan.

Both principals have begun training.

LUCKY'S CONQUEROR.

Antecedents of Mrs. Paxton, Whom Rosser Contests with the Sword.

BOURBON, N. Y., Nov. 23.—Mrs. Jane E. Paxton, who, report from San Francisco say, is to wed Gen. Anthony Lucky, was formerly a resident of this city. Mrs. Paxton is the daughter of the late Col. W. H. Matthews of this city and is well known in Rochester society. In 1882 she married B. W. Paxton, a member of a wealthy family in Santa Rosa, California, and is now reputed to be worth between one and two million dollars. The couple lived together until 1891 when they filed the usual papers for an divorce. After her husband's departure Mrs. Paxton returned to Rochester and made her home with her parents, supporting herself and two children by the aid of her musical talents. In February last she left the town to join President and Instructor an action for divorce from her husband. In order to carry on the legal action she took up her residence in the western city.

THE HOLMES MYSTERY.

Illinois Supposed to be the Confederate of the Prisoner.

CHICAGO, Nov. 23.—Nothing has yet been discovered as to the whereabouts of Minnie Williams and her sister Anna. The impression is gaining, however, that Mr. Holmes, at least, is a confederate of Holmes. It is believed the abduction of the incendiary fire at Englewood under the mild belief enough to make them go out of town without taking Anna's trunk. It has been discovered that mail is being sent to Mrs. Mary Yoke, the mother of Benjamin Yoke, at Franklin, Indiana, every few days. The envelopes were marked "Return to No. 16 Gaylord street, care of F. E. Blackman, Chicago." F. E. Blackman left night fifty one, declared the statement that the correspondence between Benjamin Yoke and his mother passed through his office. He denied all knowledge of the letters and said he never met H. H. Holmes or Benjamin Yoke in his life. He said he only remembered with the case arose through having leased a the security of a lease on the Holmes house at Englewood.

Some substantial travelers who visited Iowa the little Girls at Sidney, Iowa, that night saw a photograph of a young woman said to be Minnie H. Williams. "I saw that woman in Indiana last week," was his comment, and when he was told the fair original had been murdered, screaming to pointed supposition, some weeks before, he looked incredulous. The police also think Miss Williams is alive and able to make a report when called upon. Neither Holmes's friends nor his relatives seem to be concerned except as to any trouble those who would pay him his rewards.

Gold Shipment Not Stopped.

NEW YORK, Nov. 23.—Gold Hickey John Dover and others in Power Hill recently had an interesting time that had evening. Death were in the air only a few minutes when the flying among the old mine. For years and years Dover, gaunt, haggard, shovel and weather-worn, has been digging about the mines for their treasure. Whether he went in was literally buried by a sudden cave in, or was overcome by a sudden attack of heart disease, is not known. Hickey also, the Dover, had been in the Canadian line in the Big Illinois against the Dover in the mines, Mr. Dover and his boys, with the intent to sell the Dover to Hickey, only leaved that he was not allowed to compete. He brought his home east and was good news with Hickey Monopoly park and Hickey, and to the United Dover was on $75,000 to $100,000.

RETURNED FROM A MISSION.

Seven Elders Arrive from the South Sea Islands.

Two Children From Samoa Said to be Destined to Sea Crossing.

SAN FRANCISCO, Nov. 23.—The steamer Mariposa, which arrived today from the South Seas, brought seven Mormon Elders who have been on a mission to the islands. They are on their to Salt Lake. Their missionary work has been done in Samoa, the Friendly Islands and New Zealand, and they have 3,000 followers in New Zealand. They, with twenty other Elders, have been carrying on their work for three years past.

Traveling with them in the steerage were a little girl and a little boy, aged 8 and 11 years respectively, who are entrusted to the care of the Elders. The Elders intend to take them to Salt Lake. The children are Samoan Indians. The Elders intend to have them given over to the care of relatives by their parents. They say it was their intention to educate the little one at Salt Lake. However the case may be, the local authorities intend to send the children back to Samoa.

New York Stock Market.

NEW YORK, Nov. 23.—The stock market opened generally steady but most of the losses incurred in recent off-hand fluctuations. Sugar and Lead rallied 2.

After hour dull and 1 to 2 fractional losses. Trading was heavy. Sugar and Lead rallied 2 and 1 respectively under the lead of New York Central, which gained 2 to per cent; Canadian Pacific advanced 1; Sugar advanced 2 per cent. All the general list became heavy, most declining 1 to 2 per 1.

Actual recovery was checked when it was made, but subsequently the market gave way under pressure. The market closed irregular.

MANY CHARGES.

A New York Police Justice in Some for Future Offenses.

NEW YORK, Nov. 23.—Patrick Divver, police justice, may be compelled to show cause why he should not be deprived of his judicial function. A petition has been lodged with Jos. F. Daly, chief judge of the court of common pleas. It is alleged that Divver is guilty of carelessness, negligence and inefficiency in the discharge of his official duties, of malfeasance, has consistently allowed bribes to influence decisions of election officers, has connection with green goods swindlers and engages in pitch-penny. The petition is signed by five taxpayers, of whom one is Isaac E. Funk, publisher, and another Charles E. Fuller, president of the Union Dime Savings bank.

SHAME DISCOVERY.

Five Medical Students Arrested in the Act.

KANSAS CITY, Nov. 23.—Five students of the University Medical College of this city were arrested early this morning in Oak Grove cemetery, Kansas City, Kan., in the act of robbing the graves. They are A. C. Emerson, Detroit, Illinois, Robberson, Ogdenville.

The five students were fined $25 each by Salsbury, in Kansas City, Kansas.

STRUCK A FOE.

Damage Sustained and Laborers Injured.

NEW YORK, Nov. 23.—The Sergeant Nationalists, from Hoboken, in making a trip at the foot of Barley street in the bay today, struck the hull head boating the latter part of the run. Several laborers, D. Roberts, manager of the Equitable Insurance company, Frank Gibson, a laborer, J. C. Easton and Fred Rennell.

Died of Paralysis.

NEW YORK, John Sickler, father of the Sickler family, died in Fort Chester from paralysis, 70 years old. His engines were used in almost every city of the United States.

LONDON SCHOOL BOARD.

A Defeat Defeated by Non Sectarian Election.

LONDON, Nov. 23.—The result of the election for members of the London school board will not be known until late. Mr. Dyke Acland, Mr. Dawson the Duke of Newcastle in the city of 1,000 votes.

JAPANESE TREATY.

An Important Document Now Signed in Washington.

LONG NEGOTIATIONS ENDED.

European Powers Will Have to Follow Suit and Recognize Japan in the Family of Nations.

WASHINGTON, Nov. 23.—Secretary of State Gresham, in behalf of the United States, and Minister Kurino, of Japan, in behalf of his country, have affixed the signatures to a new treaty of amity and commerce between this country and Japan. The final formalities in the execution of the instrument occurred at the state department yesterday after the close of office hours and the fact that it now stands only the ratification of the two governments was successfully announced by the Associated Press yesterday.

Secretary Gresham will now transmit the new treaty to the United States Senate as soon as it contains, and Mr. Kurino will forward it to the Japanese home government. The treaty approved by the emperor of Japan and party consult.

Coming at the present time, the signing of the treaty is considered of much significance, especially in view of the assistance probably forward the committee when the foreign powers are contending to show that Japan's invasion of the sacred kingdom was a trade to the United States. The signing of the treaty demonstrates the kind which has been in progress for three years, and it was at a special view in closing the long negotiation that Kurino was taken. Down for important part in the Japan and Foreign. Mr. Kurino sent to Washington. The event also will place much a moment in Great Britain, France, which Gresham and other foreign ministers are watching at the United States. If the treaty has on account. That was Great Britain secured and the case with France and Germany, are largely expected upon the close of the Anglo-Japan negotiations.

Extraordinary Mission.

LONDON, 23.—Judge Washington is expected to embark for Quebec immediately, and Sir Richard Cartwright will also leave for Quebec. The latter will go to Quebec from which country he will return to Hawaii via New York. The Lodge has not met with success.

A DIVORCE CASE.

Plaintiff Tells Some Particulars of His Married Life.

PARIS, N. Y., Nov. 23.—In the Herkimer Hugh divorce case Mary pointed, Aaron Hinckley, testified to having been married and to cruelty at Hinckley during and since the panic in 1893, and could not concentrate his mind on any subject. He told of the defendant visiting him at the bank, having a check cashed and asking him to deposit a portion for her, and said she was called at his house over the bank on a Sunday and said about the situation. He said about an hour and at that time he became unusual intimate with her. He frequently visited him at the house. He paid her from $1 to $2.50 during his visits. He denied the charges and being jealous of her actions, and made threats about what her business would do, and one night he came home and off to an alley and a street and told him that they would kill him unless he handed the gold. He asked to go to and after words fulfilled his promise. They made an agreement of either end at that time, but he had lost his pocket book containing the paper. The case is pending the city for more than one year and two days before.

Will Be Sentenced to Death.

MANSIER, N. D., Nov. 23.—Early this morning the jury in the Kent murder case brought in a verdict of guilty and decided that the defendant should be sentenced to death. Defendant heard the verdict apparently unmoved. Sentence will be passed tomorrow. Kent was accused of the murder, having offered a large sum to an accomplice to commit the crime. He was belonged to a prominent Minneapolis family.

Eminent Physician Dead.

MEMPHIS, Nov. 23.—Dr. F. L. Sim, one of the most eminent physicians in the country, died here today.

Suit for False Imprisonment.

DENVER, Nov. 23.—Office Goodwin, of Los Angeles, arrived here today to take back to that city J. W. Payne, the army contractor wanted of embezzlement by his bondsmen. He found Payne has regained his liberty on a writ of habeas corpus. Payne has sued the city detective who arrested him and Chief of Police Armstrong for $20,000 damages for false imprisonment.

Greek Church in Pittsburg.

PITTSBURG, Pa., Nov. 23.—Bishop Nicolaus, of San Francisco, is in the city and will dedicate the Greek Catholic church here tomorrow.

KILLED by an Explosion.

ORANGEVILLE, Ont., Nov. 23.—By an explosion of the boiler in a saw mill at Monticello, Robert McQuattie and Alex Darragh were killed. Ole Hendrickson had his arm torn off, James Towers was seriously hurt.

For Consistency to Refrend.

PITTSBURG, Nov. 23.—Seven officers and employees of the Fidelity Building Loan and Investment association, also known as the Columbia Building Loan and Investment association of Washington, D. C., with offices in this city have been arrested on the charge of conspiracy to cheat and defraud. The prisoners are: Harlan Dingman, of Washington, president; Andrew Mall, of Washington, vice president and the following local employes: R. F. Mundell, W. M. Beery, F. J. Hodges, W. A. Ewing and H. Haight. They were held under $1,500 each. Emma Snyder, counsel, of Allegheny, is prosecuting. She said to the City yesterday to draw her money and it was refused.

Price Cutting Gun Shooting Scale.

HARTFORD, Conn., Nov. 23.—In the inter-collegiate shooting contest at the gun club grounds Yale, Princeton, 81; Harvard, 81.

Fatal Explosion.

CHARLESTON, W. Va., Nov. 23.—While some workmen at the new waterworks were drilling in a gas pipe, the gas exploded, killing Joseph Harkins was instantly killed; Frank Riley fatally injured, and two others were badly cut, all colored.

The Suit Against Sage and Gould.

NEW YORK, Nov. 23.—The hearing of suits of the stockholders against Jay Gould, Russell Sage and others in the Iowa Pacific Railroad company was today adjourned for December 7 by Surrogate Fitzgerald.

CROOKS AND CRIMES.

A Chinese Gambling House Keeper Fined $250.—An Expensive Scare.

The machinery in the police court was not just ten minutes late yesterday, after which an adjournment was taken until ten o'clock at 2 o'clock.

John Ming, a Chinese gambling house proprietor, to whose joint men and women of all colors are said to flock for other purposes than those of indulging in an occasional game of fan tan or pitch, fainted $25.

Samuel Gerard, a young Gap who arrived in town a few days ago was taken before for house on a charge of vagrancy. He had been seen mingling with "some boys" yesterday and escape his arrest. He sought to prove to the satisfaction of the court that his association with the lawless element that was simply the result of a meeting. He was discharged on his promise that he would work in the ways of good citizenship.

Officer Hogan last night arrested a man who gave the name of Charles Smith. He is accused of having taken a valuable watch from a Oregon Short Line passenger train in the vicinity of Ogden. He is certainly best on the Ogden officers.

Henry Rossin, the former clerk of the "Office of Albany," Jacob Hoffman, alias "Shorty," the man who was robbed little by Rossin, is called on the same point charge, which he did and that their office. He was night in to his position before a crowd action. Being acquitted then and placed the work of "Shorty." Rossin refused to pay the usual fee to the officer and was the keeper of the boarding house frequent in the station yesterday late last. The result was that Rossin was fined $5 and "Shorty" was made the happiest bootblack in town.

FIRST DISTRICT COURT.

Some Legal Business Transacted this Morning.

(Sitting as the News go to Press yesterday.)

PROVO, Utah, Nov. 23.—This morning in the First district court the jury continued a verdict in the case of Bailey vs. Cubey Bros., in favor of plaintiff for $1,100.40. The case of Daniels Bros. vs. John Beck, judgment and decree of foreclosure by default was granted in favor of plaintiff for $11,317 together with $400 attorneys' fees and costs.

GONE TO ST. LOUIS.

Utah People Who Will Attend the Trans-Mississippi Congress.

The following persons left for St. Louis on the Union Pacific this morning: Colonel T. G. Webber and wife, Hon. John Henry Smith, C. F. Karns, C. E. Savage, W. H. Rowe, all of Salt Lake; Reuben Clawson and J. M. Jensen, Brigham City; William Paxman, Nephi; Hamer Rigdon and wife, Ogden; William and A. Budge, Paris, Idaho; Henry Hughes, Montpelier; George L. Farrell, Smithfield; John Hopkins, Provo; Rev. E. Eich, Fort Bridger; Bishop Lund, John Donaldson, Teton; Hubert F. Jenkins, Louisville, Lincoln and Judge Dusenberry, of Provo. Colonel Webber will have over the same road tomorrow.

This evening Judge Goodwin will leave for St. Louis, over the Rio Grande western. Arthur Hatch, Wm. Conner, Miss Jones and President Shurtliff, of Weber county, departed over the same route last night.

Died of Old Age.

ANN DAY, wife of Joseph Day, sen., died of old age on Tuesday, November 20th, says the Davis County Clipper. She had fell sick upon several occasions but her illness only lasted a day or two each time. This time she took sick in the morning and in the evening she passed away. She was born February 8, 1813, at Margretlea, England; married in Preston the land of her birth; came to Utah in 1852; was the mother of nine children, seven of whom survive her; she died while crossing the ocean. Deceased was very much respected by the people of Bountiful.

Looking for a Friend.

Mrs. Harriet Lawrence, formerly King, of Oxted parish, Surrey, England, says she would be much pleased to learn the whereabouts of Mr. David Deer, who years ago came to this country from Kent, England. If the gentleman should happen to notice this inquiry he will confer a favor by communicating with the lady. Her present address is care of Mr. T. Lawrence, Pocatello, Idaho.

WHAT IS IT TO BE?

Arthur Brown's Libel Suit Given Into the Hands of the Jury.

THE VERDICT ANXIOUSLY AWAITED

Not Only By the Contending Parties But By a Curious Crowd of Politicians, et al.

At the time the News went to press the jury in the Brown-Tribune libel suit are still deliberating in their room, having been out since 10:30.

After J. L. Rawlins did not begin his address to the jury on the part of the plaintiff until after the News had gone to press yesterday afternoon. He spoke for about an hour and a half. His contention at the outset was that there was not a scintilla of truth in the allegations contained in the article, supported by the defendant's own witnesses. Mr. Brown had not opposed Hagerty's vote either nor merely as otherwise. He had not worked Hagerty out of town, either to prevent him being a witness in election damage suits or otherwise. These allegations made by the Tribune were the important points in the case and the jury must not be misled by the introduction of irrelevant matter by the defendant's counsel. They understood to prove that Brown was a hackster and had lost reputation, but they failed to show that the term has ever been applied to him prior to the publication of this article. The night of the arrest and its publication having been proved, and counsel, the only thing left to counsel is the amount of the damages. That matter and attitude taken subsequent to the article is not expected. It was published without even probable cause. Hagerty did not willingly and of his own accord go to the Tribune office and make the statement. He was not in the office by an agent of the Tribune nor was he induced by the reporter to make a statement. But the statement was altogether different from the one published in the paper. Hagerty did not tell them that Arthur Brown was the man who had induced his wife and who had worked them out of town. That was a conclusion arrived at by the Tribune people in their desire to make a sensation. Hagerty said Arthur Brown had in damage his character. They knew the article was false when they published it. They also knew that Hagerty was not a laughing stock, and they knew that he was brought there for the purpose of influencing the will of the inner voters of the Fourth precinct. The Tribune people say they published the article in the interest of pure ballot, when they well knew that Hagerty was brought there for the purpose of corrupting the ballot. The editorial which appeared afterwards was published for the purpose of injuring and damaging Arthur Brown as much as possible. The defense set up as a plea that no damage was done by the publication of the article, that the paper has a reputation for truthfulness and fairness to every side of the Union and in foreign countries where, as the manager would make you believe, it has a large circulation. It cuts up its own immediately as proof that its sins are more and damage Arthur Brown. The statements, and counsel, have blamed the attorney who opened the arguments for the plaintiff for what they call his exhibition of incredulity. They consider it disgraceful that he thought it was awful, yet Johnson had to go on the witness stand in each case, two years after the election, and practically say that Arthur Brown should have been killed for injecting illegal votes—that it was disgraceful for counsel to call the editor of the Tribune a cowardly cur for stating in his production of his editorial contrary and slashing the Gentiles of Utah and their leaders. "Fancy the lion watch standing like a contrite with flaming swords guarding the purity of the ballot, while he is holding with the Jesuit spirits of the venom heart with a pen dipped in hell!" in conclusion, Mr. Rawlins asked the jury to lay aside all prejudice and try the issue in which case awaiting to the law and the law as thereof to be laid down by the courts and to give Arthur Brown's character such vindication as it was in their power to do.

Chief Justice Merritt said he would defer his charge to the jury until Friday.

Judge Merritt's charge to the jury this morning occupied but a quarter of an hour in delivery. It had been previously prepared and was read from a number of typewritten pages. Owing, however, to the fact that it would be death only to use sitting immediately near the bench, where the entire energy had been cast of Judge Powers, of counsel for the defense, asked that it be handed over to the jury, in order that they might take it with them to the jury room. Exception also offering no objection, this was done. The court began by reciting the origin on which the action was based, and by quoting from the complaint itself. The law of libel was clearly defined, and particularly in reference to newspapers and their publications. The charge was exceptionally able, and the defendants argued all the necessary ground.

It was 1:00 when the jurors retired, and then Judge Powers asked to submit a number of exceptions to the charge, which were taken down by the official stenographer. Assuming a new tenor, Judge Henderson made a long move on the part of the plaintiff. Among the exceptions was one to the instructions of the court that the jury determine if the words of the Tribune were "libelous" or not. The Tribune people say they intended the article to be libelous, and they have sought to be brought there for the purpose of influencing the will of the inner voters of the Fourth precinct. The Tribune people say they published the article in the interest of pure ballot, when they well knew that Hagerty was brought there for the purpose of corrupting the ballot. The editorial which appeared afterwards was published for the purpose of injuring and damaging Arthur Brown as much as possible. The defense set up as a plea that no damage was done by the publication of the article, that the paper has a reputation for truthfulness and fairness to every side of the Union and in foreign countries where, as the manager would make you believe, it has a large circulation. It cuts up its own immediately as proof that its sins are more and damage Arthur Brown. The statements, and counsel, have blamed the attorney who opened the arguments for the plaintiff for what they call his exhibition of incredulity. They consider it disgraceful that he thought it was awful, yet Johnson had to go on the witness stand in each case, two years after the election, and practically say that Arthur Brown should have been killed for injecting illegal votes—that it was disgraceful for counsel to call the editor of the Tribune a cowardly cur for stating in his production of his editorial contrary and slashing the Gentiles of Utah and their leaders. "Fancy the lion watch standing like a contrite with flaming swords guarding the purity of the ballot, while he is holding with the Jesuit spirits of the venom heart with a pen dipped in hell!" in conclusion, Mr. Rawlins asked the jury to lay aside all prejudice and try the issue in which case awaiting to the law and the law as thereof to be laid down by the courts and to give Arthur Brown's character such vindication as it was in their power to do.

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