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. 280 MONDAY, OCTOBER 22, 1894. SALT LAKE CITY, UTAH. VOL. XXVII.

JAPANESE HISTORY.

Which Future Generations Will Read With Pride.

INCIDENTS OF THE COREAN WAR.

As Related by the Portfolio Author of the Empire of the Rising Sun.

SAN FRANCISCO, Oct. 22.—The Japanese are making history not only through their troops in the field and their fleets upon the sea, but through their authors and publicists. From L. Sone of the Tokio Nichki, which supplies arms and munitions of war to the mikado, and who is now in San Francisco, have been obtained some volumes of war history published in Japanese by the Hakubunsha Kwo Publishing company of Tokio. Mr. Sone is on his way to London and declares He is on private business, but arms and munitions of war are to be obtained in those capitals.

Following the story of the Corean rebellion and the sending of Chinese troops into the hermit kingdom, is the following account of the first battle fought:

"Asan was not the first bloody meeting of the nations. Speeds and swords had whipped it with the gore incident to that sanguinary struggle. The first real fight of the war was at Ashi Ferry on July 25th. Captain Matsuoka and Captain Tokiyama were killed there.

"The Japanese decided to attack the Chinese by night, but only one officer knew the orders. The soldiers were ordered to prepare for action, and rested on their arms. The night of the 25th had begun and the Fleurs covered the skies, and the darkness was like a wall.

"At midnight the Japanese force was ordered to advance to the attack. Absolute silence was enforced. At last the army moved, the left wing leading. When near the Chinese camp of Latin was formed and the fight-ing began the engagement.

"The commander of the right wing was Captain Mazzuzi. The point of his advance had been made within a half mile of the river Kuro, deep, and when the fulcrum waited another system, shoulder deep and sick of the action, twenty-five feet wide, over which there and been a Bar bridge which the Chinese in retreating had hall destroyed.

"Beyond the river the enemy had three camps, but had not 7000 secure, and the wrighful artillery gave the alarm when the Japanese were yet some distance removed. A hill fellow gave the alarm by shouting. The Japanese soldiery would not be denied, but rushed eagerly into fighting distance and piece their rifles with shell and deadly effect.

"The old feud with China was re-membered and every soldier of Japan fought as though he was alone to answer for the rebuke to the encroaching Chinese empire. The Japanese were low, but they were brave, and the vast horde of Chinese and Coreans melted before the onslaught. Hardly one Chinese force made a fair resistance, and the petty commander of Japanese swept over the field, shouting and killing as he went. The Japanese were:

"The Japanese then were getting up to Asan. It was dark, the road was unknown to the attacking party, mines and marines were around, fire which threatened each and somewhere ordered Captain Sugiyama of the Naniwa to meet the fleet late the train near and Japanese.

"Those who were not mired down or drowned hurried inwards, carrying as best as them, until a body of Chinese cavalry was encountered. Captain Matsuki tried to drive way the night before horse troops. He drew his sword and was in the lead when a bullet pierced him in the thigh. He did not loose heart, but using the sword as a prop he extracted the bullet and rushed on in the fighter. Another ball pierced his head. He stood on and fell dead at the base of the horse.

"His soldiers went on in avenging him, and spared neither man nor horses, but slaughtered all alike. Both twenty Chinese soldiers lay torn and stricken down. Fighting began at 3 a.m. and continued for thirty minutes before the flood of Chinese dissipated before the sobriety of the attack.

"When the contested fort been gathered after the skirmish it number on board Asan and marched in peace until July 29th, when the main body of the latter, commanded by General Oshima, went up against the right wing of the Chinese army, which was intrenched in the fort at Seikan. The Japanese flew on the left and were assailed by the Chinese small arms. Bullets came like hailing rain, covering the skies and making the noise 'sheet, sheet.' Both parties fought very hard. The Japanese right wing coming from the Asan body attacked the dirt intrenchments of the left wing of the Chinese. Suddenly smoke covered all the earth. The crying and the whizzing of the bullets and the shouts of the sweet soldiers, filled with the rout of unseemly, were also the noise. Work the mountains to hills are rolled together and confused.

"The Japanese left wing began to use its bullets and ammunition was fast to fill the fort of the Chinese, who cried so much that their assailants knew a great victory was coming home. At the same time the Chinese fired a heavy cannon at the Japanese, but did not know how to shoot, and some shots were sent while others passed by still.

"The smoke again veiled the earth and the Japanese fired hapharts and ran into the fort and began to pierce their enemies, who could not face such fierce foes, but fled. Many were killed, but the Japanese pursued the rout and turned the guns against the enemy. Out of 3000 Chinese soldiers Asan, which was twenty feet high. The Chinese fought hard to hold their ground, but were forced back towards Asin.

"In this way the Japanese troops, under General Oshima, proceeded and destroyed all the lines before them.

"The Japanese lost six officers killed and seventeen men wounded. The Chinese loss was about 1000 killed and wounded. When Seikan was occupied the Chinese ran away from Asan without their equipments and munitions of war. Eight cannon, sixty Krupp guns and ammunition fell into the hands of the Japanese. Everything was served and sent to Jinsen. Five hundred bags of provisions were handed to the people of Asan. All the wounded, among the enemy, were killed, but all the small arms were saved.

"A theological step was created two miles from the south gate of Seoul and the Japanese army was reviewed. Here on the great room of a brigade of Corean who regard a land of beef and wine as the soldiers. On August 25th a number Chinese soldiers, advanced at the battle at Gin-Sen, while retreating joined to Jost the town of Chin Sen. Corean. Part of a Japanese army encounter corps, Ho to Sadzuo, was marching on the evacuation of a long-rank and when they saw the vanishing of the enemy Chinese, the engineers drew their swords and went right among the Chinese and fought so bravely that the Chinese soldiery mutinied as gathered spears enemy at the approach of danger. The Corean soldiers were grateful to their Japanese friends and gave the soldiers the liberty of the town."

Books are more on the battlefields of the war as they will go into Japanese history.

CHILDREN PERISH IN A FIRE

Their Parents Unable to Save Them From the Terrible Fate.

Through the Heroic Efforts of the Fire Department Seven Lives are Rescued.

NYACK, N. Y., Oct. 22.—Four grandchildren of Rev. William Taylor, a Methodist missionary bishop of Africa, perished in the burning, elegant home of their father, Rose Taylor, South Nyack, early today. In addition one man was badly burned that he can scarcely recover and two others were seriously injured.

It was a little after 4 o'clock when Mrs. Taylor was awakened by smoke. She aroused the family and fled, pursued Taylor. He found the main flood with smoke, the fire having ascended great headway. Mr. and Mrs. Taylor groped through the suffocating smoke to the open air, without any thought of safety. Mr. Taylor ran to the stable to unhitch a horse and found seen to be safe. Mr. Beach was in bed in the room next to the children and not seen to come forth in the rear. Mr. Heath was in the room next to the children and not seen to come forth in the rear. Mr. Heath was in the room next to the children and not seen to come forth in the rear. Mr. Heath was in the room next to the children and not seen to come forth in the rear.

Mr. Taylor, who is now in London, will arrive in Chicago tomorrow.

Wholesale Attempt at Poisoning.

CAIRO, Ill., Oct. 22.—A wholesale attempt to poison the inmates of the county hospital was made by putting strychnine into the coffee. Twenty-two persons are now suffering from the effects of the drug and are under medical aid. It is supposed that the material was put in by a Lebanese who had been employed in the kitchen and had been discharged.

Well Known Business Man Dead.

TACOMA, Wash., Oct. 22.—Charles W. Morton, vice-president and secretary of the Tacoma Elevator company, is dead after an illness of several months. Mr. Morton was only 32 years of age, but one of the best known and most active business men in the northwest.

Found Dead in His Room.

CHICAGO, Oct. 22.—David Higgins, a broadcast, aged 31 years, living at 178 Saugamon street, was found dead in his room last night. Two months ago Higgins' wife died. His mother-in-law is living with the dead man and his daughter Minnie are left. Richard Higgins and his sister-in-law, Bridget Hampton and his daughter Minnie are being held by the Desplaines street police to await the result of the coroner's inquest which will be held this morning.

PECULIAR DAMAGE SUIT.

To Test Whether a Contract Between Employer and Employee is Binding.

WABASH, Ind., Oct. 22.—A peculiar damage suit was filed in the Wabash circuit court designed to test how far a contract between an employer and an employee is binding. The plaintiff is Wallace Meyer, proprietor of a bakery in this city. When the works were established in this city three years ago Oscar Busch, a printer who was engaged in the life soliciting on the interest of both, was brought from New York city under contract to do that work. He was paid $15 a week and two years ago the wages were raised to $18. About a month ago he quit work and would not return unless engaged for two years at $20 a week. This was assented to by Mr. Meyer and a written contract was drawn up and signed. Friday night Busch said he wanted the contract and him as he did not intend working longer, and asked for $52 was given him. Monday morning he did not appear, and when reminded of the contract said he made no difference as he was going East, unless Mr. Meyer raised his wages to $25 a week. Mr. Meyer declined to consider this proposition and Busch not only refused to go to the factory but refused to let his contract go to work. Payment was stopped on the $52 check and a suit for $1,000 damages began against Busch. Meanwhile the factory is closed, two finishers have been engaged to work and the works will not start until the latter part of the week when a skilled printer can be hired and brought here.

Belgian Elections.

BRUSSELS, Oct. 22.—According to unofficial figures published here, recent elections for members of the Chamber of Representatives resulted in the following distribution: Catholic, 104; Liberals, 19; Socialists and Radicals, 33. It is reported M. Debefve, premier, has been charged by the cabinet to form a coalition ministry.

On the Trail of Robbers.

FORT WORTH, Tex., Oct. 22.—Two men who held up the westbound Texas & Pacific passenger train, Friday, have been sighted off Gordon, well mounted and armed. A large posse have gone to that neighborhood, Deputy Sheriff Aggregating $1,500 have been offered.

The robbers got but $1,000, but had they opened the safe $60,000 would have been theirs. They are heading for the Palo Pinto mountains.

Killed a Bandit.

GUADALAJARA, Mexico, Oct. 22.—Mounted posse report that they overtook Antonio Sanchez, the noted bandit chief, in the mountains and shot him to death. Several of his desperate band were wounded and captured.

Soldiers for Indian Agents.

WASHINGTON, Oct. 22.—While the Indian officials at one time showed a desire to appoint civilians as Indian agents in the places of army officers, it now has been determined to fill such vacancies with army officers.

NEGOTIATIONS FOR PEACE.

China Probably Willing to Consider Russell's Demand.

TIEN TSIN, Oct. 22.—It is stated from reliable source that negotiations for peace between China and Japan are proceeding at Seoul.

The Jury Disagreed.

EAST CALIFORNIA, Mo., Oct. 22.—The jury in the case of Miss Mary E. Bartlett against the estate of Dr. Henry Bigbow for breach of contract of marriage in which $117,000 are claimed, reported today that they could not agree and were discharged. It is believed a compromise will be effected.

Won the Strike.

NEWARK, N. J., Oct. 22.—George B. Mayo, one of the largest hat manufacturers of this city, agreed this morning and about one hundred of the six hands went back to work.

Master Dying.

MONTREAL, Oct. 21.—Ex-Premier Mercier is rapidly nearing the end, being 2 o'clock a.m. he has been unconscious.

Joined the Brotherhood.

PARIS, Oct. 22.—The *Figaro* says Bismarck has joined the triple alliance, composed of Austria, Italy and Germany, and the visit of the King of Servia to Vienna and Berlin was in contemplation of still further changes in the situation.

CHECKED IN ITS CAREER.

Injunction Against Standard Oil Company Pennsylvania.

PITTSBURG, Pa., Oct. 22.—The supreme court of this state has halted the Standard Oil company in the process of absorbing the independent oil refineries. A deal had been made to buy out the Pedersen and Refiners' Oil company. John G. Carlisle, of Franklin, Penn., a stockholder, secured an injunction in Venango county courts. Today the attorney court, without discussing the questions involved, made the injunction permanent.

CZAR AND CZARINA.

Peace Entertained For the Illness of the Empress.

THE STRAIN UPON HER TOO MUCH.

The Emperor Reported Somewhat Stronger this Morning—He Passed a Good Night.

LONDON, Oct. 22.—The Globe this afternoon publishes a dispatch from Petrowayne the caution had a the typhoid yesterday. She never leaves the sick room as of low care and can hardly be induced to take repose. It is feared that the caution will lose her reason if her anxiety is protracted any considerable time.

St. Petersburg, Oct. 22.—A dispatch from Livadia regarding the czar intimate that the attack they reported yesterday was only temporary.

COPENHAGEN, Oct. 22.—Private advices from Livadia today say that the czar has passed a good night and is somewhat stronger today.

Col. Ingram Dead.

ATCHISON, Kan., Oct. 22.—Col. Aaron E. Ingram, aged 58, formerly general attorney of the Missouri Pacific, died this morning after years of illness. He held many Missouri Pacific attorneyships in the south and the west.

Attorneys Argue a Demurrer.

MILWAUKEE, Oct. 22.—Attorneys representing the Northern Pacific company and the receivers and stockholders' committee appeared before Judge Jenkins today to argue the demurrer of the receivers to the petition of the bondholders' committee asking for the foreclosure of the mortgage. A reply to the foreclosure suit. Gen. Field occupied most of the time so far in arguing against the demurrer.

The demurrer to amend the bill in the U. Raleigh and Pacific case was argued this morning. The attorneys-general are made complicate the case. Argument before Judge Jenkins today. He took the case under advisement.

WAR PREPARATIONS.

Mexico and Guatemala Dispatching Troops to the Frontier.

OAXACA, Mexico, Oct. 22.—Official advices have been received from Guatemala to the effect that that country is dispatching large forces of troops to the frontier along the Mexican border. The Mexican government has ordered several thousand troops to Acajutla and Tehuantepec. These official preparations for war are causing much excitement in the states of Tabasco and Chiapas, and many foreigners are leaving.

Vice President Stevenson's Tour.

KANSAS, Mo., Oct. 22.—A special train bearing Vice President Stevenson and party arrived here at 9:30 a.m. where 40 citizens and school children had assembled. Congressman Hatch introduced Stevenson who delivered a five-minute address, speaking on what Congress has done in the way of reforming the tariff, and expressing the hope that the voters of this congressional district would return Hatch to Congress. The train pulled out for Memphis, Mo.

New York Stock Market.

NEW YORK, Oct. 22.—Industrials were rather heavy at the opening of the stock exchange, general electric receding 4, sugar 1.

At 11 o'clock sugar advanced ½, lost ½ and rallied ½, sugar preferred ½. The general list moved slightly, and at noon the market was firm but quiet. The announcement by President Platt, of the United States Express company, that the dividend was passed because it had not been earned caused a drop for the stock to 48 against 51½ at the last sale.

Recovering the Bodies.

DUPO FERRY, Oct. 22.—Forty bodies have been recovered from the colliery at Avion, where an explosion of fire damp occurred on Saturday. In addition thirty persons were seriously injured by the explosion.

"EASY WAY TO WEALTH."

Pittsburg Fool Converse in the Law's Hands, with Many Victims.

PITTSBURG, Oct. 22.—The news of the closing up by the police of the gaily-colored and persuasive agents of the Equitable Co-operative Investment company, on Saturday, brought great crowds of investors from the country into the town, showing how widespread has been the operations of these concerns. The Dunkeyes, who operated the pebble stock and produce exchange, secured their share on call for a hearing this evening. At the office this morning they announced to their clients that as their books were in the hands of the police they were powerless to pay out money or transact any business except to receive notices of the withdrawal of deposits. All the co-operative pools have a clause in their agreements by which they can insist upon thirty days' notice of withdrawal. The Consolidated Stock and produce Co., another discretionary pool, did not open its doors today. Hundreds of investors, who went to the office to get their money, were confronted with the notice that the firm had temporarily suspended. Washington Force, the manager, was not there and no one appeared to know his whereabouts. Warrants have been issued for him. Other pools are expected to suspend any moment and excitement among the investors is running high. By the books of the Dalzoyne it is shown that over half the investors were women, most of them poor servant girls and washerwomen, who hoped they had found an easy road to wealth.

McKinley to Kentucky.

HUNTINGTON, W. Va., Oct. 22.—Governor McKinley was today bowling out acknowledgments and goodby from Ashland to Sterling, Kentucky. There was no time set to speech. At Ashland, near the dividing line between Kentucky and West Virginia, a salute was fired and several hundred men, women and children hurrahed. A five minute speech was made and the train

Left on to Grayson city, Kentucky. Here there was another noisy demonstration. The train reached Ashland (now Ky.) 27 Ohio, a town, and was met at the depot by a band, escort and some of him to the hotel. After speaking this afternoon Governor goes to Cincinnati to deliver an address tonight.

Obituary Notice.

LONDON, Oct. 22.—Baron Bailey (late Bolton Smith) is dead. He was financial secretary of the treasury in 1868 and president of the local government board from 1874 to 1880.

Stricken with Paralysis.

LONDON, Oct. 22.—Empress Dowager, consort, has been stricken with paralysis.

Movement of the Asiatic Fleet.

LONDON, Oct. 22.—A dispatch to the Times from Tien Tsin says that the report is current that seventeen Japanese warships under Admiral Ito, have assembled at the Ping Yan inlet. Pechihe Haven, it is said, has never been occupied by the Japanese. The Chinese fleet is reported at Wei Hai Wei.

Stevenson Swinging Round.

LANCASTER, Mo., Oct. 22.—Vice President Stevenson passed through here at 10:01 a.m., speaking five minutes to 3,000 people.

Shooting the Looms.

FALL RIVER, Mass., Oct. 22.—The weavers passed a sentence of 33⅓ per cent reduction tonight and only 25,000 looms out of a total of nearly 60,000 in the city are running.

COW AND HORSE.

The Better Wins in a Race Without Much Effort.

PONTIAC, Mich., Oct. 22.—People in Oakland county are discussing a novel race which occurred last evening on the race track here between a cow and horse. The cows contended in a buggy race against the horse, Edward White and Joseph Russell, the owner of a high grade Durham cow, nine years old, and about four weeks ago he began to drive her to a cart. She soon developed startling qualities and many a score of good horses was left behind. White was put to take the dust from the Durham's heels. One day Russell tried to pass White with his speed mare. The two to words, and Russell White let Russell get just the cow would beat the horse on a half mile race or a half mile walk. Russell accepted the bet and the money was put up. The cow was somewhat confused by the shouts of the crowd and the electric sticking excited, with her tail in a tangle, but she nearly won the half mile in seven minutes, the horse being a minute behind.

The half mile trot was also won by the cow without an effort in 3:07. White was saving up his cow's wind for the race against time, which he had advertised as the ring up feature. His elephant dog, which kept close behind the cart also seemed to feel a weight of responsibility in the race, was expected to win the mile's heats as a last resort. This proved unnecessary with the race with the horse for a record. White claims, however, that she netted a quarter of a mile at a four minute gait on a country road, and promises to lower that with a few week's training. The cow is driven with regular harness and bit and never made a break.

Yarrow Rebels Routless.

CHEMULPO, Oct. 22.—A detachment of 1,000 wounded Japanese has arrived here. There is a large number of wounded at Seoul. In addition 2,500 wounded Japanese have been sent to Japan. At Ping Yang there are 1,200 wounded Chinese in the hospitals. The rebellious Tanghais of southern Corea are restless and only the fact that they are not provided with arms prevents them from breaking out in open revolt and driving upon them, for which many of them have started.

Four hundred Japanese soldiers have been stationed at the king's palace, Seoul, as the king's troubles is believed to be in league with the Tanghais.

The Chinese are mobilizing a force at Kiren and gathering a strong force at Powling Pu.

The second son of the king of Corea left here on October 16th as a special envoy to the mikado in order to ask for peace, to return the visit of Marquis Shinio, of the Japanese envoy. The king's son took him a quantity of presents. Many letters from Europeans in Corea have been opened by the Japanese authorities. The British consul's mail bag was delained three weeks.

Not in Conflict with Banking Laws.

WASHINGTON, Oct. 22.—The attorney general has decided that the Boyd county (Georgia) bonds which have been a subject to controversy will not conflict with the banking laws of the United States.

Tammany Candidates.

NEW YORK, Oct. 22.—At Democratic headquarters today it was announced that Phillip Wehle, Tammany Democratic candidate for assembly, had succeeded to retire from the ticket. "Oliver Dolder" Smith, the aldermanic nominee to whom Candidate Grant also took exceptions, says he will not withdraw. A conference of Democratic managers will be held today to consider the situation of those Congressional districts in which there are now Democratic candidates. Senator Faulkner, chairman of the Democratic Congressional campaign committee, and Senator Hill are expected to attend.

Only a Joke.

CHARLESTON, S. C., Oct. 22.—The report of the lynching of five men near Orangeburg, S. C., was a long-jap operator's joke.

In the Supreme Court.

WASHINGTON, Oct. 22.—United States Supreme Court today announced assignment of the third Monday of December the case of the state of California vs the Southern Pacific road, involving title to Water Front, Oakland, California.

Land Office.

The following filings were made in the local land office under date of October 22:

James F. Dickson, of Pangoitch, Garfield county, has made final proof on the northeast quarter of the southeast quarter and the west half of the east half of section 32, and the northwest quarter of the northeast quarter of section 33, township 36 south, range 3 west, containing 240 acres.

Peter Peterson, of Woods ds, Emery county, has made final homestead proof on the south half of the northeast quarter, and south east of the southeast quarter section 13, township 19 south, range 14 east.

BULLION-BECK BATTENS.

Another Chicago Scheme to the Bitter Berate of that Great Company.

It was nigh unto midnight on Saturday when the directors of the Bullion-Beck & Champion Mining company ended a session which commenced at 1 p.m. on that day.

The matter of opening bids and awarding contracts for the building of a new mill on the mines was considered at length and disposed of with several additions to all which on the present changes take place in the directorate of the company. It was brought about by the resignation of Mr. J. C. Cunningham from the board. That resignation was succeeded by Mr. H. B. Clawson.

A RUSSIAN PRINCE

Visiting This City—Has an Interview with President Woodruff.

Prince Galitzine, a Russian nobleman of high rank, and a general favorite in top-most circles in the Russian army, who has been traveling extensively in the United States, arrived in this city last evening. He spent a portion of today in sightseeing about the city. He visited the Tabernacle in company with Elder A. H. Cannon, and called upon President Woodruff, with whom he had a pleasant interview.

The prince is understood to be a man of broad views, possessing the qualifications of a statesman and of a general.

DEATH OF R. A. WOOLLEY.

Another Well Known Citizen Passes Unexpectedly Away.

The sad and unexpected death of R. A. Woolley, occurred at his residence, No. 331 east, Third South street, at 7:30 o'clock this (Monday) morning after an illness of about one month.

Three weeks ago last night Mr. Woolley's mother died. From that up to his own demise he was almost constantly confined to his room, and during that period only visited the place of business once or twice. Death was caused by a complication of kidney disorders which developed into dropsical troubles, from which he suffered considerably.

The deceased was the son of the late Bishop E. D. and Mary Ann Woolley and was forty-three years of age. He leaves a wife and four children, many relatives and a host of friends and acquaintances to mourn his early and unexpected departure from the sphere of action. He filled a creditable mission to the Sandwich Islands in 1881-2-3. He was at the time of his death and had been for many years immediately previous, president of the Eighth quorum of Elders.

In business and in social circles he was well and favorably known as manager and secretary of the Salt Lake Building and Manufacturing company. He was also a director in the Coop Wagon and Machine company, and at the time of his death held a similar position in the State Bank of Utah. He was an honest, earnest and well-meaning man and his death will be deplored by all who knew him. It is the company of which he was manager and secretary that is now erecting the magnificent Grant school building, which is now so nearly completed and ready for occupancy. The Lowell and other stately educational structures were also reared under his supervision. Mr. Woolley was a good citizen. He left an honorable life. He made a kind friend and an affectionate father. In his death his family have indeed received an irreparable loss. May the Author of all good comfort them in this their overwhelming distress and sorrow, and may they be made to feel that their Father in heaven is near.

The funeral will be held on Wednesday afternoon at two o'clock from the Tabernacle ward meeting house.

The Ritchie Trial.

The case of the People vs Attorney Ernest E. Ritchie, on the indictment for perjury, has been set for trial to-morrow morning. A change may be made, however, later.

Grand Jury at Work.

The grand jury of the Third district court resumed their labors this morning after a few hours of rest.

Judge Merritt's Division.

In Chief Justice Merritt's branch of the Third district court this morning the following matters came up:

Stuart Stevenson vs J. F. Jack, administrator, et al. The name of Clara Egan, as administratrix, was substituted for that of A. S. Egan, deceased, as defendant.

Alex. G. Sutherland vs Mary B. Hengel. Default and decree of foreclosure.

M. J. Jones vs Ridgeway. Defendant given leave to file amendment to answer.

J. C. Bauer vs Henry Wagener et al. Ordered that cause be dismissed, on motion of plaintiff's counsel.

W. L. Anderson vs Salt Lake Loan and Building Association. On motion of defendant, the cause was also dismissed.

Carl Bischoff, a native of Germany, now of Salt Lake County, was naturalized to citizenship.

The remaining case of L. A. Scott Elliott vs Geo. C. Williams is under argument this afternoon on motion to retax costs and motion for a new trial, by Attorneys John M. Zane and C. S. Varian for the plaintiff and Brown and Henderson for the defendant. It is the case subject to land, irrigating water and the measuring box.

NOW COMES SICHER

The Alleged Slayer of Guiseppi Morgano Brought Into Court.

A CONTINUANCE IS APPLIED FOR B

Attorney John Le Taylor, the author of a "brief," Objects to Railroad an Injection Has to the Indictors.

The trial of Modesto Sicher, charged with the willful murder of Guiseppi Morano in Farley's canyon a short time ago, had been set down for this morning, but Attorney John Le Taylor presented an affidavit for a continuance. The grounds upon which the affidavit was based were the absence of witness whose evidence is expected to be most material in behalf of the accused, including that of Sicher's own brother, besides "other matters of great importance to be attended to in the preparation of a proper defense, but which counsel has been unable to look after in the short time allowed by the court."

Prosecuting Attorney Judd and his assistant, Judge Howat, opposed the application, the former insisting that the affidavit set forth no legal grounds whatever for a continuance.

Attorney Taylor waxed warm and the gauntlet upon counsel for the prosecution pertaining to the objections, and declared (with gentlemanly) that he would not submit to the treatment he had received from the trial to-date he was pressed. "I must allow myself to be a tool of the motive of railroading a man to the gallows," he vehemently shouted. "Why," he continued, pale with anger, "I know he is innocent, and if he has a fair trial the jury will so find him. All I ask is a fair chance, and then that man will never go to the gallows."

Judge Bartch—We don't want any such remarks as that here.

Attorney Taylor—Well, that is the way it looks. The court must excuse me.

Judge Judd (considerably warmed up)—I think your honor ought to stop counsel. I never heard such statements in court here before.

Judge Bartch—Counsel was not pushed into his case. I asked if any attorney would appear for him and you volunteered to defend this man. Upon that I appointed you and you knew the case was set for today.

Attorney Taylor—All I have to say is that I am not prepared to go on with the case now.

Judge Bartch—Then I will listen to you on the affidavit.

Attorney Taylor—The defendant is not ready. I have not been able to prepare all the affidavits, though I have used the diligence. I have no disposition to be captious at all, but I am now powerless, and I want to do the best I can for his man. I don't want to see him go to the gallows without a trial, and I am satisfied that I will have to go on and look up some of these witnesses at my own expense, if it becomes necessary.

Judge Judd said the "speech" of counsel outside of the affidavit was of no consequence at all to the court, and he knew that the trial is ordered to proceed. The People had gone to the expense of bringing their witnesses here, and if cause were to be continued on an affidavit of that kind it was the assurance that a case would ever be brought to trial.

Judge Bartch reminded Attorney Taylor that the trial term of court was not until February, 1895.

Attorney Taylor—Is that all I think that is soon enough to take up the trial. I may have to go "over the water," and if I do your honor will see that will take some time. I may have to go to the south country for testimony on behalf of Sicher's case.

Judge Bartch considered for a moment and then announced that he would appoint additional counsel for the defense. He accordingly named Attorney Frank H. Rutherland.

Mr. Rutherland begged to be excused, however, on the ground of a pressing professional engagement.

Attorney Taylor said he had expected to have Judge Cherry as his associate.

Judge Cherry (promptly rising)—The court will certainly not ask me to assist, under the circumstances at the last minute.

Attorney Rutherland was again appealed to to help in the case, but his professional engagements prevailed.

Judge Bartch ousted Attorney Taylor up to the bench and a private consultation ensued.

After a few moments District Attorney Judd exhibited signs of uneasiness and discontent and called out in a sentorian tone of voice: "I would like to know the action of the court upon the affidavit!"

Judge Bartch (tersely)—You will get the action of the court as soon as I am ready!

"I cannot hear what counsel is saying, "if the court please," rejoined the district attorney, evidently much perturbed.

Judge Bartch—Never mind, I am talking to counsel for the defense now.

Afterwards the whole matter under advisement until 2 o'clock.

MR. VARIAN RETIRES.

When Judge Bartch took his seat this afternoon he ruled that the affidavit was insufficient under the statute, there being, he said, absolutely no showing thereof by counsel, and that as the case on hand is hopeless now, and the defendant was clearly not ready, the court would, on its own motion, grant a continuance till next Monday, at 10 o'clock. The judge also appointed Attorney Frank H. Stephens as associate counsel.

Attorney John Le Taylor said he would be quite satisfied with Mr. Stephens, but did he understand that the case would be tried next Monday?

Judge Bartch—Yes.

Attorney Taylor—Then I will ask the court to relieve me from any further responsibility in this case. It would be simply impossible for me to get ready by that time.

The court accepted the "resignation" and requested that Attorney Stephens be at once notified of his appointment.