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. 275. WEDNESDAY, OCTOBER 14, 1896, SALT LAKE CITY, UTAH. VOL. XXIX

LONE ROBBER'S BOLD WORK

Holds Up a U. P. Passenger Train.

MADE TRAINMEN ALLIES.

Vain Attempt to Blow Open the Express Safe.

BURGLARY WITH REGISTERED MAIL.

A Daily Tenderfoot and Companion-ate Footpad—Robber Endeavored Six Dynamite and Then the Engine Himself—Where He Got Through His Work. He Escaped Easily—Special Terms and Officers in Pursuit.

Utaah, a small station on the Union Pacific railroad in Weber canyon, eight miles east of Ogden, was the scene of an early hour this morning, of one of the most daring robberies ever perpetrated in the West.

It appears that the holdup was the work of one man, single handed and alone, who by a clever ruse induced the passengers and trainmen into the belief that he had ample assistance in the raid that he was making. His method of operation was as follows: He first made his appearance by climbing over the tender into the cab of the engine and peremptorily commanding the fireman and engineer to throw up their hands, saying that he was about to rob the train. The robber was disguised in such a way as to prevent any possibility of identification, having his head enclosed in a sack with eye holes cut. The men immediately complied with the request of the robber and were forced to disgrace themselves by his command, parodying them with, "Hands up!" and "Over they go!" Over this mock they were required to pull down their hats in a manner that would indicate to the passengers and others that they, too, were robbers.

At this point he cancelled the now captive engineer and fireman to uncouple the train leaving the express and mail car attached to the engine. After this he was ordered the passenger mounted the engine, leaving the engineer and fireman upon the ground, pulled open the throttle and ran part of the train half a mile down the canyon where he stopped and began his efforts to blow open the safe.

The express messenger and mail clerk in the meantime, remained in their respective cabs.

The robber commended the express messenger to maintain a similar silence, as intimated, which he was willing but implicitly obeyed. After this he spent an industrious half hour or more in attempting to pry him and blow open the safe, with dynamite. During the operations of the robber the express messenger sat quietly on a box near by. After failing to reach the inside of the safe, and seeing that success in that direction was impossible, he abandoned his work and turned his attention to the mail car, where he commanded the clerk to throw out the registered packages and four mail bags were secured bags, intact in count. Taking out his knife, he immediately proceeded to cut open the bags and rifle them of such matter as suited his fancy. He secured a number of registered packages, but as to the exact number and how much money they contained, there is no means of knowing at this time. At this point the robber finished his business and turned his attention towards making his escape. The direction which he took from this point is not known.

Turning attention to the rear portion of the train, it was found that the engineer, during the time of the operations of the robber in the express and mail cars, had made his way to Uintah station, a mile and a half west of the tubbery. During this time also, the firemen had remained with the detached cars at the rear, until a trolley came up the line from the direction of the engine and reported that the robber had fled. The firemen then went forward and brought back the front part of the train, uncoupled it to the point where it had been left behind and the train into Uintah station, where it joined the regular engine. The train reached Salt Lake this morning two hours and forty minutes late.

The robbery was officially reported to General Superintendent Bancroft at Salt Lake this morning by Conductor Allen and Engineer Hawkins, in the following language:

"Train No. 3 was held up about 2 o'clock this morning at a point just east of Uintah. The robber tried to blow the safe open in the express car but failed. They then compelled the mail clerk to throw out the registered mail. He did so and he possibly threw out open and the contents pilfered. The robbers came over the bank and at the tender at Strawberry bridge and held up Engineer Hawkins saying, "Where I tell you to stop, stop right away." The train stopped half a mile east of Uintah and uncoupled and breakman went into the tender. The breakman got down and came one and said, "that will do," and began to shoot. We then both went forward of the tender and soon after heard the engine moving. I went to the rear end of the train and looking ahead, saw the train had been cut in two. I then went forward and saw the mail and express car gone. I rode on the front end of the train from where I was. A trolley came back and said the robber had been gone about half an hour. I then walked down to the engine and found no one in it. I then saw the engine which was not answered by the helping engine at Uintah. I then ran engine and mail car to Uintah, where I found the engineer, who had walked into the station.

Engineer J. H. Young was notified from Uintah by the engineer of the helper and he was prevented in place himself in communication with officials and is wrong for the sending out of a special train manned by them, to the scene of the robbery. Among the officers on board were Adam Patt, the Raleigh, Bannock Canon, the Sheriff Burt and others.

Officers were also sent out in a short time from Ogden, Kaysville and Evanston and every avenue of escape is thoroughly covered that it will be impossible for the robber to elude officers in every quarter.

The sheriff's posse which went from here was composed of Deputies Slater, Tracy, Grant and Tomlin. This afternoon Messrs. Gibbs and Thomas will go out to another direction to try to strike the trail.

Superintendent of Contrch of the Pacific Express company and clerks left Salt Lake at 11 a.m. today for the scene of the robbery to make a thorough investigation with a view to ascertain information leading to the identification and capture of the guilty parties.

Two tramps who were found on the train have been arrested and are being held at Ogden as possible witnesses.

CHARLES BALDWIN'S STORY.

The Well Known Salt Lake Attorney Quietly Prepared to be Held Up by the Robbers.

Charles Baldwin, the well known Salt Lake lawyer, was a passenger on the incoming train. He was on his way to Bloomington, Ia., where he has been for the past two or three weeks. THE NEWS then who found him at his office this afternoon, he said:

"The passengers were awakened at about 2 o'clock this morning by the accident parties running down the aisle of the sleeper making, and awakening the sleepers. I thought at first that the train had been held up and that the robbers would probably soon pass through. Presently he said he heard two shots fired in quick succession and a gold watch and chain which he had presented to him. "My last thought," he said, "was that the men had concluded to commence them to a couple beneath my vertb. Other passengers secreted their valuables and money about the sleeping car. I concluded that if I must be robbed I might as well give up my possessions with my mother-in-law."

Continuing Mr. Baldwin said that the passengers were informed that several shots had been fired. However, he heard none himself. But some of the other passengers did, therefore they may be right. The admonition to keep their heads inside, being met by the robber that his colleagues were pulling other side of the train ready to shoot the first person who curiosity might be moved sufficiently to have him show his head.

Mr. Baldwin further said: "That train stood on the track distance from the engine for nearly two hours. I did not hear or see anything myself. The train was not moving when I awoke and I was not aware of the attempt at holdup. The passengers were necessarily frightened and gave no indication of fight. The passengers of course were naturally timid, but one of them having a revolver or weapon of any kind. It is claimed the express messenger could easily have killed the robber but was killed out of it by the fireman, who said, 'you don't know how many there are of them and the chances are that if you kill him they will kill you and kill us.'"

"This advice seems to have had full force and effect upon the express messenger, for it he has entertained any idea of resisting it seems to have been entirely dissipated at the circumstances Warning of the fireman.

CAPTURED THE BANDIT'S LIFE.

A Conspicuous and Frightened Trainman Makes Himself and Escape Easily.

Special to the Deseret News.

OGDEN, Oct. 14.—The press of officers and sheriffs are still winding in and out of this city in pursuit of the Union Pacific passenger train east of Uintah this morning. The robber secured from California registered mail packages and emptied one of its entire contents of registered letters for San Francisco. What amount he secured is not yet known.

His escape is now upon the side in the canyon car failed. Then he walked to the mail car and called upon the clerk to throw out the registered mail. He did so and the contents pilfered. The robbers came over the bank and at the tender at Strawberry bridge and held up Engineer Hawkins saying, "Where I tell you to stop, stop right away." The train stopped half a mile east of Uintah and uncoupled and breakman went into the tender. The breakman got down and came one and said, "that will do," and began to shoot. We then both went forward of the tender and soon after heard the engine moving. I went to the rear end of the train and looking ahead, saw the train had been cut in two. I then went forward and saw the mail and express car gone. I rode on the front end of the train from where I was. A trolley came back and said the robber had been gone about half an hour. I then walked down to the engine and found no one in it. I then saw the engine which was not answered by the helping engine at Uintah. I then ran engine and mail car to Uintah, where I found the engineer, who had walked into the station.

Engineer J. H. Young was notified from Uintah by the engineer of the helper and he was prevented in place himself in communication with officials and is wrong for the sending out of a special train manned by them, to the scene of the robbery. Among the officers on board were Adam Patt, the Raleigh, Bannock Canon, the Sheriff Burt and others.

Officers were also sent out in a short time from Ogden, Kaysville and Evanston and every avenue of escape is thoroughly covered that it will be impossible for the robber to elude officers in every quarter.

The sheriff's posse which went from here was composed of Deputies Slater, Tracy, Grant and Tomlin. This afternoon Messrs. Gibbs and Thomas will go out to another direction to try to strike the trail.

Superintendent of Contrch of the Pacific Express company and clerks left Salt Lake at 11 a.m. today for the scene of the robbery to make a thorough investigation with a view to ascertain information leading to the identification and capture of the guilty parties.

Two tramps who were found on the train have been arrested and are being held at Ogden as possible witnesses.

CHARLES BALDWIN'S STORY.

The Well Known Salt Lake Attorney Quietly Prepared to be Held Up by the Robbers.

Charles Baldwin, the well known Salt Lake lawyer, was a passenger on the incoming train. He was on his way to Bloomington, Ia., where he has been for the past two or three weeks. THE NEWS then who found him at his office this afternoon, he said:

"The passengers were awakened at about 2 o'clock this morning by the accident parties running down the aisle of the sleeper making, and awakening the sleepers. I thought at first that the train had been held up and that the robbers would probably soon pass through. Presently he said he heard two shots fired in quick succession and a gold watch and chain which he had presented to him. "My last thought," he said, "was that the men had concluded to commence them to a couple beneath my vertb. Other passengers secreted their valuables and money about the sleeping car. I concluded that if I must be robbed I might as well give up my possessions with my mother-in-law."

Continuing Mr. Baldwin said that the passengers were informed that several shots had been fired. However, he heard none himself. But some of the other passengers did, therefore they may be right. The admonition to keep their heads inside, being met by the robber that his colleagues were pulling other side of the train ready to shoot the first person who curiosity might be moved sufficiently to have him show his head.

Mr. Baldwin further said: "That train stood on the track distance from the engine for nearly two hours. I did not hear or see anything myself. The train was not moving when I awoke and I was not aware of the attempt at holdup. The passengers were necessarily frightened and gave no indication of fight. The passengers of course were naturally timid, but one of them having a revolver or weapon of any kind. It is claimed the express messenger could easily have killed the robber but was killed out of it by the fireman, who said, 'you don't know how many there are of them and the chances are that if you kill him they will kill you and kill us.'"

"This advice seems to have had full force and effect upon the express messenger, for it he has entertained any idea of resisting it seems to have been entirely dissipated at the circumstances Warning of the fireman.

CAPTURED THE BANDIT'S LIFE.

A Conspicuous and Frightened Trainman Makes Himself and Escape Easily.

Special to the Deseret News.

OGDEN, Oct. 14.—The press of officers and sheriffs are still winding in and out of this city in pursuit of the Union Pacific passenger train east of Uintah this morning. The robber secured from California registered mail packages and emptied one of its entire contents of registered letters for San Francisco. What amount he secured is not yet known.

His escape is now upon the side in the canyon car failed. Then he walked to the mail car and called upon the clerk to throw out the registered mail. He did so and the contents pilfered. The robbers came over the bank and at the tender at Strawberry bridge and held up Engineer Hawkins saying, "Where I tell you to stop, stop right away." The train stopped half a mile east of Uintah and uncoupled and breakman went into the tender. The breakman got down and came one and said, "that will do," and

and get if not accompanied his work. As he was uncoupling the cars several shots were heard but it is believed they were made by an exposion of dynamite cans. Four cases of powder were found near where the engine was stopped.

Ogden and Salt Lake posses were immediately, and passengers were not molested. The train arrived at Ogden at 4:30, two hours late. Robbins and McFarlane, deputies, and Sheriff George Allen, coming out. As the robber walked past the baggage car he stopped to see the baggageman and he could easily have killed him but was preparing to fire, when the fireman told him to desist, as there were twenty men in the train and that all the trick men would be seen.

A bottle containing some oil and a burglar's outfit were found just east of the track, indicating that the robber had gone in that direction. It is believed that he has taken the trail over the mountains for Coalville and Orange Park and that he will come out in Kamas Valley. A posse is on that trail, but no trace of the fugitive has been found as yet.

THINKS THERE ARE TWO.

Superintendent O'Neil Thinks That Escape Through the Mountains Is Next to Impossible.

OGDEN, Oct. 14.—The train held up near Uintah arrived here this morning. No passengers were molested, the robbers confining their operations to the mail and express cars. The robbers, from all indications, stopped the train at Paisecum, a small station in the heart of Weber canyon. They surprised the engineer by suddenly appearing from behind a bank and covering him with a gun. They ordered the fireman to enter his head with a cotton sack which they handed him. The engineer was ordered to stop the train and was told to uncouple the express car which he did. While the operation of the robbers was this the engineer ran away to Uintah where Superintendent O'Neil was informed. Meanwhile the baggage and express cars were uncoupled by the robbers and run ahead of the train a few hundred yards and both cars broken open. The robbers tried to open the safe in the express car. The railway officials say the booty secured was a few mail bags, the value of the contents being unknown. An special train in charge of Superintendent O'Neil may catch the robbers as the latter cannot get out of the canyon except by an eastern route and all station agents have been notified and are watching.

Telegram from Adam Patt.

Up to a late hour this afternoon no clue to the identity of the robber has been obtained, other than that he is described as very big indeed, that he was a man who has had some little experience in train work. Adam Patt, who was on the train, wires from Uintah to Chief Davenport, Ogden stating it has Ogden officers and any clue in the pursuit. This morning Patt wires that he will make the canyonds and is still in pursuit.

A VERY BOLD ACT.

Robbin For Years Past Have Proved Too Dangerous a Business to Continue in Such Cases.

CHICAGO, Oct. 14.—The Union Pacific last mail held up at Uintah, Utah, this morning was carrying Chicago and other various mail from the east one Chicago tomorrow morning. Superintendent Troy of the railway mail service, was wired this morning by phone or telegraph to Uintah that all the registered mail was thoroughly rifled and as a great proportion of mail is carried in sacks between banks containing exchanges and bullions and always a good proportion of cash, the loss is supposed by Mr. Troy to be considerable. "Talk in the first time in many years our mail cars have been held up," said Mr. Troy. Bandits in the past have contented themselves with rifling express cars and have left mail alone fearing the relentless energy with which the government pursues such robbers. It was an exceptionally bold act to attack mail on the Union Pacific, one of the largest carriers of mail in the country. The government officials will leave no stone unturned men who did this act."

An Option Pass.

SAN FRANCISCO, Oct. 14.—A special from Salt Lake City to a morning paper says:

The Union Pacific train due here at 11:45 o'clock this Wednesday morning was held up a short distance east of Uintah, near the mouth of Weber canyon and about eight miles from Ogden. It is supposed that the men who did the work, but just how much booty they got is not known and particulars will be late. The engineer who left the train ran ahead to Uintah and telegraphed in the news here. He believes, however, from the conversation of the men as they went through the train that they intended to blow up the express car with dynamite.

A train was made up at Ogden and Deputies Sheriffs and other parties up the Union Pacific passenger train east of Uintah this morning. The robber secured last California registered mail packages and emptied one of its entire contents of registered letters for San Francisco. What amount he secured is not yet known.

His escape is now upon the side in the canyon car failed. Then he walked to the mail car and called upon the clerk to throw out the registered mail. He did so and the contents pilfered. The robbers came over the bank and at the tender at Strawberry bridge and held up Engineer Hawkins saying, "Where I tell you to stop, stop right away." The train stopped half a mile east of Uintah and uncoupled and breakman went into the tender. The breakman got down and came one and said, "that will do," and

GEYSER-MARION SUIT

Decision Handed Down by His Honor Judge Ritchie Today.

OF GREAT IMPORTANCE TO MINERS.

Deals With the Trespass Complained of and It Sets Extra-Territorial Rights—In All Doubts.

Judge Ritchie today handed down the following decision in the suit of Matthew T. Gibbons, H. B. Milner and G. R. Rothwell, plaintiffs, vs Marion Gold Mining company, a corporation, defendant.

It is an ejectment and involves some point of mining and study. It will be of great interest to miners in the said other cases. The decision runs as follows:

The plaintiffs in this case sued the defendant for trespass for entering upon their property and carrying away ores, and to enjoin further threatened trespasses. The defendant's answer, apart from the portion relating to the equitable issue involved, was a plea of the general issue and evidence, justifying the taking of the ore in question by reason of an extra-territorial right under section 2322 of the Revised Statutes of the United States. At the time of the trial it made no claim to the mineral ores under written the ores were mined.

The Geyser claim is based upon the patent to the Geyser mining claim shown on the plat accompanying, and other positions not patented, covering the entire zone of the Geyser lode, and of the Marion claim owned by the defendant under an older patent.

The defendant, by cross complaint, set up its extra-territorial right and sought to have it quieted against the plaintiffs. The latter denie was the true owner, and for answer and to avoid continuously referring to the defendant as complainant on the cross complaint, and to the plaintiffs as defendants in the cross complaint, with its tendency to confusion, the plaintiffs will be designated as the "Geyser Company," or "Geyser," and the defendant as the "Marion Company."

The Marion Hill, upon which both properties are located, is situated in Little Cottonwood canyon, about two miles from the mouth of the canyon, in Tooele county and this county and westerly as shown on the plat. The Geyser and Marion claims lie adjoining easterly and westerly, the Geyser lying on the northerly side of the Marion on the southerly side of the hill. The Geyser is the lower claim of the two.

The Marion claim is a fissure bearing vein or lode of eight in place strike lengthwise of the hill, with a dip of 70 degrees to the south. The vein or zone extends northerly through the hill, slightly dipping or inclining north-easterly or easterly, generally speaking at an angle of about 15 degrees from the horizon, though varies in places up inclining towards and other irregularities. It appears on the south side of the hill generally at slightly lower altitudes, the vein varies from one to forty feet in thickness.

The evidence shows that a silver-bearing vein, situated at about 100 feet geologically from the gold vein, extends westerly from the Marion through the portion of the Marion termed "the best foot," and through the sparrow hawk claim, about 1,500 feet from the point where it leaves the Marion.

The statute under which the controversy arises, reads:

"The boundaries of all mining locations hereafter made, or which shall hereafter be made, on any mineral vein, lode or ledge, situated on the public domain, their heirs and assigns, where an adverse claim exists on the 10th day of May, 1872, so long as they comply with the laws of the United States, and with state, territorial and local regulations not in conflict with the laws of the United States governing their possession, shall have the exclusive right of possession and enjoyment of all the surface included within the lines of their locations, and all veins, lodes and ledges throughout their entire depth, the top or apex of which lies inside of such surface lines extended downward vertically, but their rights of possession to such outside parts of such veins or ledges shall be confined to such portions thereof as lie between vertical planes drawn downward as above described, through the end-lines of their locations, so far as the same may be within their own vertical planes drawn downward as above described, through the end-lines of their locations, so far as the same may be within their own vertical planes. The vertical sections of such enforcements. But their right of possession to such outside parts of such veins or ledges shall be confined to such portions thereof as lie between