THE DESERET EVENING NEWS.

FIFTIETH YEAR.

IS HEARD TODAY

tese of Evans and Rogers Before

Supreme Court on Demurrer,

REGUMENTS OF ATTORNEYS

per Taken Under Advisement,

ad Should Demurrer he Sustained

The petition of Attorney P. L. Wil-

as filed a couple of weeks ago,

siging Attorneys David Evans and

iny R. Rogers with having made a

pertous contract with one Thomas

ion, and asking that the names of

accused attorneys be strucken from

sells of practitioners in the courts

mah, came up before the Supreme

et today on demurrer. Assistant

mey General W. A. Lee, Judge

at and F. S. Richards appeared in

alf of the State, and Judge Powers

sented Attorney Rogers, while At-

r Evans appeared in his own be-

Proceedings Will End.

CHAMPERTY CASE

TRUTH AND LIBERTY.

THURSDAY, JUNE 7, 1900. SALT LAKE CITY, UTAH. Sheriff-We, you say, who was with **CONCRESS CETS**

CONFESSION OF I don't care to say. We walked in the store and the man jumped out of bed, drew a pistol on us and said, "Throw up your hands," and I shot him in self "NICK" HAWORTH lefense Sheriff-So you shot him, did you? Sheriff-What did you do then?

We took his pistol and left. Sheriff-Why did you leave without anything more? I was afraid.

Where was your team. It was out along the road horth of Layton. Did you go right to your team after killing the old man?

What did you do with the plstol? We hid it in a strawstack north of

Layton. Whose old coat was that we had in court?

It wasn't mine, What time did you get back to Og-

The next morning about 7 or 8 o'clock

What time did you leave Ogden for

What time did you leave Ogden for Layton the night before? Stephenson was put in juli that day for stealing hay, and we were husting for money to get him out until about 8 o'clock; then we came to Layton. Where did you get the gun? I got it from a sheep camp out this side of Ogden? When did you get 12?

When did you get it? I got it the day before we came out

MINING SUIT

Ex-Sheriff Belnap, Well Acquainted With the Prisoner, Tells About His Tulk.

It Was the Bone of Contention in

Court at Farmington Today.

ATTENDANCE WAS SMALL.

champertous. Champerty, like main-tenance, is indictable at common law; the offense is now generally reached by the summary jurisdiction which the courts exercise over attorneys as offi-[SPECIAL TO THE "NEWS."] Farmington, June 7,-There was a cers of the court in cases of malpraclight attendance in court this morning when the trial of Nick Haworth was JUDGE HOWAT'S STATEMENT. resumed. The session began at 10

Judge Howat, for the State, said the statutory grounds were not the only grounds upon which these proceedings could be had. There were other grounds. It was a question for the court to determine. If the court be-came convinced that the attorneys had came convinced that the attorneys had done something wrong and improper, unbecoming a member of the bar, it could say what punishment should be meted out to them. The contract was certainly obnoxious, not to say danger-ous. It was a temptation to Nelson to commit a wrong. It was not necessary that an attorney should be first con-victed of a criminal offense before he could be proceeded against for disbar-ment. Mr. Evans' reference to the betting proposoition was an unfortu-nate one for him. If a welcher made a bet and refused to pay he would be ex-pelled for conduct unbecoming a gen-tleman.

general powers of the court over its

Gross offenses, such as deceit, mal-

practice, crime, or official delinquency or misdemeanor are grounds for strik-ing from the rolls, but not every moral

"Malpractice as to an attorney, for "Malpractice as to an attorney, for which he may be suspended from prac-tice or removed from office, means venal practice in a professional capac-ity, and a resorting to methods and practices unsanctioned and prohibited by he

Notwithstanding the fact that many

Notwithstanding the fact that many of the things that were regarded as champertous at common law are not now held to be champertous, champer, iy has always been held to be not only

CHAMPERTY DEFINED.

"Champerty is a species of mainten-ance, and punishable usually in the same manner." * " It is the virtual purchase of the suit, or the right to sue. So if an attorney prosecute an

action for a certain per cent of the amount recovered, this is said to but

mala prohibita, but also mata in se.

officera.

delinquency.

Inw

me little time was consumed after convened in determining how to ed. In the absence of any arment between the attorneys, of Justice Bartch directed that sel proceed on the demurrer to the mation filed by Attorney Williams. tleman. MR. EVANS' ARGUMENT.

ATTORNEY F. S. RICHARDS. storney Evans was the first to adin relation to the Layton murder. Re-membered that on more than one oc-casion defendant asked after the mur-Attorney F. S. Richards, also of counsel for the State, followed Judge Howat. Mr. Richards said he never had a more painful duty to perform in the court. He started out by saythat he regretted having to appear derer. On one occasion he exclaimed, "The G- d- s- of a b- should be he case, in view of the fact that he his life than the present one, The court, however, had appointed him to represent the State and he accepted the responsibility as a matter of duty. In ersonally concerned. He had conhanged." red with a law firm with a view of Upon cross examination witness said Haworth asked after the progress of the investigation. He seemed more diing his members to represent him. responsibility as a matter of duty, in the making of the alleged champertous contract he was not going to say that Messrs. Evans and Rogers were actu-ated by improper motives. They may or may not have been. The fact re-mained, however, that the wording of the agreement way Nelson a wide lati the investigation. He seemed more di-rectly interested than any oth-er individual. On nearly ev-ery occasion of these visits the question would come up. Witness was asked if he did not know that some gipsies who had encamped near Layton were suspeted of complicity in the murder and said that he did. bing otherwise engaged they were is to be present. He then proded to say that inasmuch as the had come up on demurrer it secessary to refer to the statutes. mained, however, that the wording of the agreement gave Nelson a wide lati-tude, and it was left open for him to commit very serious offenses, chief smong which would have been subornation of perjury. He southed that the attorneys would have sanc-tioned the committal of improper and unlawful acts but the contract most assuredly permitted them petition and affidavit filed by m. Williams and Nelson stripped mer verbiage charged him and Mr. IS HAWORTH INSANE. ers with having made a champer-Ex-Sheriff Gilbert Belnap of Ogden centract contrary to law. What was the next witness. He testified to having frequently seen defendant; knew him by the name of "Nick;" knew of no other name at this time; toil of an in-terview he had with Haworth in the was not stated, but he took it for most assuredly permitted them. The most reprehensible part of the whole affair and to which he particularly desired to call the ted that the petitioners referred he old common law. He called the Layton jail on January 1st, of this year. He was in company with Sheriff Abbott and other men. Before the aileged con-versation was detailed the defense obis attention to the fact that the ation did not charge champerty. court's attention to, was for Messrs. ared the making of a champerious Evans and Rogers, after insking the contract and obtaining the money to jected, and the prosecution gave them dispute the agreement with Mr. Nelson, the privilege of cross-examination. The defense also asked that Sheriff and afterwards come into court and set up the defense "the contract is illegal, Abbott be cross-examined now as to and we are not obligated to pay you mental condition of Haworth prior anything. to the taking of a so-called confession to counsel, was an awful thing That. or admission from the defendant, At-torney Weber contended that his side for an attorney to do, and while it might not be criminal, it was certainly wrong and unbecoming of any member ntended to show that the defendant was not in a mental condition to make of the bar. any alleged admission or confession. He quoted from Underhill and other au-At 12:30 a recess was taken. thorities as to whether the confession was voluntary or not. Mr. Weber claimed the accused was not in a men-THIS AFTERNOON Upon the reconvening of court this afternoon Mr. Richards resumed his argument. He gave the definition of moral turpitude and read from a recent tal condition to have his statement considered in any other light-except as a forced confession, hence it was inadnissable as evidence. decision on the disbarment decision on the disparament of an attorney delivered by Chief Justice Marshall of the State of Pennsylvania. In conclusion Mr. Richards said he had performed his In answer to a question by fr. Allison as to whether Mr. Veber considered Haworth insane Mr Weber he replied "Yes, we consider him induty, disagreable though it was, consane fierce combat of words ensued in scientiously. He had done by the court as he would expect an attorney to do A fierce combat of words ensued in which Mr. Weber said he thought the question of the admissability of this by him were he on the bench, and had Messrs. Evans and Rogers as estimony should not be heard before done by he would expect them to do by him were he so unfortunate as to be in their the Judge Rolapp ruled that the mental allber of the prisoner could not be position tried here. The defense then tried to have it ar-JUDGE POWERS CLOSES ranged so that if any undue influence were shown to have been used to force a confession that the whole testimony Judge Powers conclusied the argument for the respondents. He said he was glad that he was able to appear s to the interview be thrown out, in the case without having to make an apploary. He appeared for a young The examination was then proceeded with. Mr. Belnap said that he had talked through an iron grating door in man (Mr. Rogers) whom he admitted to practice. A whole lot of extraneous matter had been introduced, and m and his former partner, Mr. the jall from the hallway, Witness said Haworth asked him if he was still runit seemed to counnel that an effort was made to make a collection ning the store at Ogden; asked if Hel-ler was still at the livery stable; and agency out of the Supreme court. many other people were enquired after, including Morris Richter, the saloonlisbar an attorney was a serious thing. from that individual his means keeper who was one of the witnesses for the prosecution. Defendant asked of livelihood; it meant starvation for his wife and family, and imprisonment would be far preferable to the individ-Belnap to write down the names he had suggested, and as he did so Sheriff Abwould be far preferable to the individ-ual disbarred. The petition did not state a cause of action, and the de-murrer should be sustained. What did the information allege? It charged Evans and Rogers with having made a champertous contract with Thomas Value. What was champerty? There bott approached and the prisoner ceased talking. Cross-examination, "Were you influ-enced by any special consideration; the reward for the murderer's apprehen-sion, for instance?" Witness did no a champerious contract with Thomas Nelson. What was champerty? There were numberless decisions on the ques-tion, but no two of them agreed. It was not a grievous offense, at least the statutes of Utah failed to so define it. The records of courts throughout the world failed to show that an atknow that it had anything to do with his interest in the matter, Oliver Wood of Fielding, the man who lost a sack and some food, was recalled and some further questions asked by both sides relating to the lost articles. E.Henry Williams of Syracuse,George Hodson of Marriotts, Weber county, and Sheriff Abbott of Davis county, teshad ever been disbarred for torney champerty. The allegation that a champertous tified this afternoon, the latter going incontract had been made was of itself not sufficient. Where was the contract? Counsel for the State said it was in to the details of his movements in the case immediately upon being informed of the murder and up to the present trial. On March 30th the witness had but nothing should be the records, considered that was not contained in the information, for that would be equivalent to amending the informa. a conversation with the prisoner, which he had reduced to writing. Here commenced a controversy as to ad-mitting this statement in evidence. tion, and was therefore not permissa-



ture at 5 p. m. Today. RUSHED THE NAVAL BILL It Went Through the House by a

Close Margin-Senate Ready to Quit.

Adjournment of National Legisla-

THROUCH WORK

Washington, June 7 .- After the reading of the journal which covered almost forty-eight hours of continuous session, attempts were made to pass bills by unanimous consent, but in almost

A number of minor bills and resolutions were passed as was also a bill to amend the car coupler law so as to require railroads to report monthly

reported another disagreement and moved that the House recede and conamendment which simick out the word "hydrographic" and provided for ocean surveys, including waters of Porto Rico, Cuba and the Philippines except

Rico, Cuba and the Philippines except the coasts therof. Mr. Dayton (W. Va.), who was one of the superseded conferes, moved to recede and consur in the Senate amend-ment in order to bring the question squarely before the House. This mo-tion took precedence over that of Mr. Carnee.

charged the conferees with betraying their trusts, apologized for his words amid applause. A vote was then tak-en, first upon Mr, Dayton's motion to recede and concur in the Senate amend-ment. On a rising vote it was carried,

the remaining items in the naval bill. Adjourned sine die. The House has agreed to the resolu-tion for adjournment at 5 p. m.

Washington, June 7.-When the Senate reconvened at 12:45 m, Mr. Hale reported a further disagreement on the naval appropriation bill and neoved that the Senate insist upon its amendment. The report and motion were agreed to. The Senate then took a recess antil 2 o'clock.

Boer

the cars, and the company now claims so many places have been filled that they can only provide positions for less than 1,000 of the old employes. Gradually the Transit company has resumed service on all but two or three of its lines, but is not running the usual number of cars on any of them, and none at night. Additional compan-les of deputies have been organized from deputies have been organized from among the posse men sworn in during the past few days, and a plan to divide the entire force into two divi-sions to do duty in North and South St. Louis is under discussion, Since Sunday there have been no more assaults on women passengers on the street cars. The police have made several arrests in consequence of these affairs. Among those arrested were three poing girls who have confessed that they took part in the assault on Miss Pauline Hesser. President Mahon of the Amalgamated Association of Street Car Employes, said today: "I do not think the gov-ernor would be justified in calling out the militia at present. There is no law-lessness here but what the local author-ities can cone with "

Alle lean

itles can cope with.

Since the strike began numerous stor-ies of a sensational character have been sent out by irresponsible persons. One story to the effect that Maud Thomas. 17 years of age, astride a nule, led 5.000 strikers to the Carondolet pow-or house has relative with the address er house last night, with the object of destroying that building, is wholly without foundation

Among the affidavits filed in the United States circuit court in connection with the proceedings for an injunction against street raliway strikers, is on signed by R. L. Wilson and E. A signed by R. L. Wilson and E. A. Drushel, formerly residents of Cleve-land, O., now employed by the St. Louis Transit company, alleging that W. D. Mabon, president of the National Asso-ciation of Streat Raliway Employes, and Harry Bryan, president of the local division by division, 106, "in private or secret meet-ings, where the public would not know what transpired, by their manner, speech, inuendo and conduct, gave tht afflants and other members of the as-sociation to understand that they were at the secret induces to save head of

at liberty to indulge in any kind of violence that would interrupt the operations of the street railway lines and prevent other men from operating cars

Mr. Mahon, when seen in regard to these charges, said: "I deny completely the charges of Wilson and Drushel."

PRESIDENT KRUGER ON A WARSHIP.

London, June 7 .- The Birmingham Post, organ of Mr. Joseph Chamberlain, secretary of state for the colonies, says it hears from an officials source at the Hague that a serious question concerning President Kruger is now before the Netherlands ministry. The paper adds

that the president up to last Friday had decided to seek refuge on board the Dutch cruiser Friesland, new off Lor-enzo Marquez, and asserts: "There is, beyond doubt, good reason to believe that instructions on the sub-ject have been cabled to the commander of the warship."

An immense crowd greeted them at the depot. The party was joined here by Theo, Roch of the St. Paul recep-

Mr. Fischer said: "We have received

ar, escouragement from American people than we expected, and we had expected a great deal too. There is nothing at all disheartening in the situa-tion in South Actes.

ion in South Africa. Simply because

Pretoria has been taken is no sign th

war will end soon. We are not con-quered by any means, and the Eng-lish can expect a hard fight yet."

London, June 7 .- The list of ramialties

how coming through indicates that there was severe lighting before the thirteenth voemanry surrendered. Al-ready the names of nineteen men killed

and twenty-eight wounded have beer issued. The killed include Sir John El

liott, Cecil Power, baronet, and among the wounded is the earl of Lorgford. In the absence of anything from Brit-ish sources enlightening the Boer state-

nent that Gen. Buller requested a three

days' armistice, the military experts here are inclined to believe a revised version of the story will show that Gen, Buller summoned the federals to sur-render or evacuate their positions with

n threee days, failing in which he will

therley, 12 miles east of Pretoria.

he same source, it is reported that th

British prisoners are being removed to Nooltgeacht, from the unhealthy spot in the Elands-valley. About 500 men reached there June 5th, and 700 June

6th. These probably constitute the por-tion of the prisoners which Lord Rob

rts reported has been shifted from

The strained relations between the

secretary of state for war, the marquis of Lansdowns, and the British com-mander-in-chief of force, Lord Wolze-

ley, appear to have reached such pltch that but for the exigencies of th

situation Lord Wolseley would hav resigned. It seems that Lord Lans

downe attempted to usurp some of th authority always heretofore wielded by

the commander-in-chief, and the latter is now said to have laid the whole mat-ter before Lord Salisbury.

SHERIFF HOWELLS RETURNS.

Sheriff Howells and Deputles Harries

attack them.

Waterval

La Crosse Wis, June 7-The part envoys passed (hrough



NUMBER 171.

A KANSAS TOWN

Buildings are Scattered Over the

Adjacent Country.

WIND DESTROYS

Gold Democrats to Meet.

casualties are reported.

Indianapolis, June 7.—A meeting of the national executive committee of the gold standard Democratic party has been called for in this city on July 25, at 2 p. m. It is understood that the chief business of the committee will be to opening for the committee will be chief business of the committee will be to organize for the committee will be placed in the field. The committee will be composed of George F. Peabody of New York, John C. Bullett, Pennsyl-vania; Gordon Woodbury, New Hamp-shire; J. J. Valentine, California; Jos, Bryan, Virginia; L. M. Martin, W. R. Shelby, Michigan; Thomas F. Corrigan, Georgia; W. B. Haldeman, Kentucky; J. P. Frenzel, Indianapolis.

San Francisco's Plague.

San Francisco's Plague, San Francisco, Cal., June 7.--No change is reported in the plague situa-tion at the health office, The hearing of the application of the Chinese six companies for an injunction restraining the board of health from further interforing with the free move-ments of the Chinese residents of this city will be heard today before Judge Morrow in the United States circuit court. court,

The injunction proceedings went over until next Wednesday on the motion of the attorneys for the board of health, who stated that they had not had millcient time in which to prepare a prop-er answer to the complaint.

It was agreed that the matter of quarantine should remain in statu quo until after the injunction had been set-

A conference will be h today beween the president of the board of health and the attorneys for the six companies regarding the care of the indigent Chinese confined within the lines of quarantine.



States court today. In the morning Mr. Burton was recalled and answered a few questions regarding the map which he made. The other witnesses were R. C. Chambers, William Thomas and James Quick, the two latter being miners who had been employed at the Ontario mine for a number of years. Their testimony related to the amount

of work that had been done in the vein that is involved, Mr. Chambers' examination covered

nearly two hours, and had reference to witness' title to the property.

The plaintiff in the Crown Point-Onario suit concluded its testimony yesterday afternoon and rested. The witnesses in the afternoon were, R. H. Officer, the assaver, and one of the jurymen in the case; Walter Woolf, bookkeeper of the American Smelling and Refining company; Peter Kraller and George Hall. Mr. Officer testified to certain assays made by him of samples taken from the Munadore mine, and furnished him by Expert Wiley.

Waiter Walf testified as to the value of ores from the Munodore consigned to the smelter by the On The company. value ranged from about \$100 to

Cannon.

HOUSE.

Mr. Moody (Mass.), who last night

The House, at 3 o'clock, concurred in

SENATE.

After passing a bill amending the

committee.

nci, which was a different mattirely. The statutes were silent ertous contracts. Barratry fined by the statutes, but that erean attorney went around stirp matters and seeking to bring out a "groundless case." Most were ignorant of the meaning of ty. The publicity given the digs now under consideration many of his friends to that he was charged with a s crime. Some of his relatives said to him "Why Dave, have you been doing? I see by ers that you are going to be 'scamperty.' wney could become so craven

umoral as to render him unfit mber of the bar, and yet h tot be violating any law. He thad been disbarred for making merious contract. The petition state that the making of the between respondents and Mr, involved moral turpitude, and reason failed to allege a cause m. A lawyer had the right to ivantage of things that any en could and not be liable to ent unless he falled to keep e law. Two lawyers make a horse race. The one that lines to pay and he is sued. 10 law. recover, in a court Mr. Evans quoted and read said he hoped justice would be

ATTORNEY GENERAL LEE.

ant Attorney General W. A. the State, followed Mr. Evans, the court had already found subtract made between Messrs. and Rogers and Nelson was rious. It had also been held by t in the case of Croco vs Ore-W. as applied to champerty, was at the time of the adoption of tution, and that a contract chan attorney is to pay the court In a suit is a champertous con-

uming," anid Mr. Lee, "that the this case is the law the case at bar, to the expurposes of this case that respondents as such ered into a champerious further question remains or or not the making of would constitute a d for the disbarment

f respondents. for the language used Croco vg O. S. L. Ry. on page 322 thereof, is not disposed to apply (mperty with the rigor page scales, and the second second the second second second second the second iuring earlier time. AN he peculiar state of sonich such a law grew; nost absurd extremes; indictable for aiding a a lawyer, for loaning nd, to vindicate his legal ring to voluntarily testipending suit, and other like of-charity and triendship.""

OR COURT TO DETERMINE.

to be champertous, if rethis court to determine of the execution and conchampertous contract. ons and circumstances Ve existed in this case sufficient ground for the or suspension from their meys of this court of the

sets forth five disthe disbarment or f practicing attorney. The being a generalization grounds mentioned. ounds are specified by elf, it does not necessaride striking from the rolls for not specified. A statute is not trued as restrictive of the

After Judge Powers had concluded. it was agreed among counsel that in the event of the court sustaining the demurrer, it would end the proceedings. if the court should conclude the taking of testimony was necessary a referee will be appointed for that pur-10.86



Registered at the White: J. Hamers, Minneapolis

Kenyon guests today are J. D. Mo-Innes, Kansas City: Milton D. Joseph, Athol. Mass.; Don McKay, Denver; E. Mead, Cheyenne.

At the Cullen today are G. W. Pat-terson, Worthington, Minn.; F. Beau-ben, Asleton, Iowa; W. F. Omyon, Ta-coma, Wash.; W. H. King, Dakota.

The new combination hose and chem. ical wagon, and the engine were called up to No. 208 north State street this morning, where a pile of brush and a fence was on fire. The run was necessarily slow and laborious up the steep hill, and at places the men were com-pelled to walk. No damage was done by the fire. The cause was matches and boys.

HAWORTH'S CONFESSION.

It was alleged months ago that Haworth had made a confession to Sheriff Abbott in which he admitted out-right, the killing of Sandall. To all questions as to the correctness of the suspicion Sheriff Abbott turned a deaf ear, neither affirming nor denying the story. Nevertheless it was firmly be, lieved that he had obtained a confes-It appears that that opinion was well founded as the presentation of a written document to the court by the prosecution this afternoon shows. It is prosecution this afternoon shows. It is in dialogue form with Sheriff Abbott and Haworth as the participants, and is concluded in the following language, under date of March 20th:

Sheriff Abbott-I went to see "Nick" and told him I intended to leave for the west after "Canvass Back." Nick-There is no use of your doing

that Sheriff-I will have to, as he is our witness

Nick-Well, I will plead guilty. Sheriff-The judges won't accept such plea without the particulars. Nick-Well, I will give them to you. killed the old man in the store at

Layton. Sheriff-How did you get in? We pried the back door open, eriff-How did you get in?

\$200 per ton. The period of the con-signments covered the years 1895 and 1896. The freight and smelting charges amounted to about \$15 per ton. On cross-examination Mr. Wolf stated that about \$3 of the \$15 were for freight and the balance for smelting charges. Peter Kroller, the patentee of the Munodore, identified the contract en-tered into between himself and George Hall. He was living in Park City when the papers were made, and so far as he knew, there had been no ore taken out of the Munadore or any openings or workings in the ground. On cross-examination he testified that he saw Mr. Chambers on the dump of the No. 1 shaft of the Ontario mine in the fall of 1890, and at that time they discussed a proposition for the former to pay him for ore that was being taken out of the Munadore which the foreman had told the witness was being done. Mr. Chambers had said to witness. "Youre a pretty fellow to buck up against me," etc. Witness did not remember that the foreman had ever said that the witness would receive \$19,000. In re-direct testimony the witness stated that he told Mr. Cham-\$19,000. bers that he understood that he (Chambers) was taking ore out of the Mund dore, whereupon the latter replied "Yes, what are you going to do about it?" The witness answered, "Nothing. I'd be a pretty fellow to buck up against you." On being shown a document purport-

ing to have been signed by him and witnessed by James Lockhart, witness attested that it was not his signature, but very much like it. George Hall was called, and identi-

fied a deed transferred by him to the Crown Point company. He had not Crown Peint company. known of any ore taken out of the Munodore up to the time he sold it, and in October, 1895, applied to Mr. Chambers for permission to enter the On-tario mine, a request which was denied. Witness believed that the Ontario com pany has been working under Crown Paint ground for years.

The opening statement for the de-fense was made by Mr. Sutherland, he also illustrating with a map. He said that the testimony in the case will show that the Ontario is the oldest mine in the group, having been located in July, 1872. He granted that one vein did leave the side line of its claim at about the point indicated by the plaintiff's map, but it would be shown said he, that the vein had its apex in Ontario ground. The vein forks, he contended, and it would be shown by testimony that the south vein dips flatter than the north, and that they meet at about the 400 level of the On-tario mine. If these two veins unite he said, as we expect to prove, then the Ontario being the older location, would have the extra-lateral rights to the vein. It would be further claimed by ven. It would be further claimed by the defendant, said he, that even if the veins do not unite the extra-lateral rights of the defendant should hold good, by considering the group as one claim, as it is in fact. If it was proved, he concluded, that the defendant was light for even then from the Muse liable for ores taken from the Muno-dore claim, the defendant would insist that the estimates by the witnesses for the defense were extravagant,

The first witness for the defense was Lafayette G. Burton, a civil engineer and assistant engineer of the Ontarlo mine for the past seventeen years. Mr. Burton drafted the maps used by Mr. Sutherland, and he testified as to the workings, surface croppings, depth of soil over the yein, etc.

Speculator Suicides.

Chicago, June 7.-Thomas D. Cott-rel, an old and well known speculator on the board of trade, today shot him-self in the head. His brother, Edward Cottrell of New York, who, years ago, was one of the heaviest speculators on the board, is now in an insane asylum near New York. Despondency over Ed-ward Cottrell's condition, as well as financial reverses, is believed to have been responsible for the attempted sulcide. It is said the bullet wound will prove fatal.

incorporating the supreme lodge of the Knights of Pythias, a funtil 3 o'clock was taken, a further recess m.-The Senate has agreed to

adjourn at 5 p. m. HIGH LIFE WEDDING.

Millionaire Crocker's Daughter Becomes Mrs. Harrison.

Suffern, N. Y., June 7 .- One of the most beautiful and fashionable wed-dings that has taken place at Tuxedo Park was that of Miss Mary Crocker, daughter of the late Charles F. Crockr, and Francis Burton Harrison. wedding ceremony was performed in St. Mary's church. The capitals of the pillars from which numerous arches of the church spring, were covered with masses of white peonles, and the arches were outlined with branches of sprays from forest trees, from the high pointed arch over the altar drooped festoons of woodland greens, and from the center there was suspended an immense wedding bell of white roses. On each pew was fastened a large bunch of white roses tied with long white streamers. The bridal party were Misses Susan Alexander, Caroline Tayor, Mary Scott and Jean Reid, and the ittle Misses Jennie Crocker and Harriet Alexander were Miss Crocker's at-tendants. Frank L. Polk was best man According to a dispatch from Louren-zo Marques under today's date, the Boers under Gen. Botha are again con-centrating in the neighborhood of Ha. The ushers were Archibald Harrison, brother of the bridegroom; Albert Fair-fax, Grover Morris Frederick D. Haute-ville and William Sloane of New York city and Benjamin Cable of Chicago. A special train of eight Pullman cars arried the invited guests from and to New York. Breakfast for all but the bridal party was served on the ver-andas of Mrs. Alexander's cottage, which were hung in green. The table for the bridal party was in a room which had a center-piece of white rose and was decorated with ferns, rosebuds and lilles.

MONTH OF ST. LOUIS STRIKE.

Railway Company Gradually Getting Men for its Work,

A St. Louis, Mo., dispatch today says: It is just one month, lacking a day, since 3.325 employes of the St. Louis Transit company struck to secure a recegnition of their union and an adjust-ment of their grievances and a settle-ment of their differences does not seem o be in sight. The Transit company has agreed to recognize the union and to allow its employes to belong to it, but insists on retaining all the men who have taken the places of the strik-

and Goldman returned from eastern Utah last evening whither they had gone in search of the Arizona out-Last week the company agreed to take back 1,000 men, 800 more within 20 days, and as many more as there are vacancies for. The strikers insisted that all or none be taken back, and here the



Takes-Blames the Newspapers for Not Sustaining His Efforts to Preserve Order.

> Respectfully. "E. EVERMOR." bes shot. Gov. Stephens says he has not had

Gov. Stephens says he has not had the support of the press and citizene of St. Louis in his efforts to preserve or-der, and that these letters are the natural result of the constant attacks "St. Louis, Mo., June 6,-To Mr. of the newspapers and others,

AMBUSH DOESN'T PAY.

Filipinos Get the Worst of It-Two Americans Wounded.

Manila, June 7.—Captain Frank P. Crenshaw, with forty men of the Twen-ty-eighth infantry, while scouting near Taal, was led into an ambush (by a guide. Captain Crenshaw was badly wounded in the head and one private was wounded. The ambushers were scattered, leaving ten dead and three wounded on the field.

Captain Flint, while scouting five miles east of Biancabato, Bulacan province, had a slight brush with the enemy. Flint and two privates were wounded.

Women's Clubs Spirited,

Milwaukee, Wis., June 6.-The sched-ule for the third day of the club wo-men's convention included six liter-ary sessions, eight elaborate receptions Milwaukee homes, a meeting of the ominating committee besides debate on the reorganization question and the probable reconsideration of the color ntroversy

The withdrawal of Mrs. Emily Wilanison of New Jersey from the presi-ential race, leaves the field practically Mrs. Lowe.

For two hours there was a most spirited consideration of the question of re-organization. After a roll call by States

organization. After a foll call by States the vote stood 286 in favor of reorgani-zation and 431 against. The vote was received with long applause. Following this business session the honorary president of the federation. Mrs. Ellen Henrotin of Chicago, appeared for the first time and was given an ovation. An industrial session at the Alhambra Theater and the Swiss session at the Davidson, followed.

ELECTRIC FLASHES.

The Democratic State convention asembled at Waterbury, Conn., today to lect twelve delegates to the national convention.

Congressman B. fl. Dovener has been renominated for Congress by the Re-publican convention of the First dis-trict, West Va.

Eing Oscar of Sweden and Norway beit England today on his way to Paris. He was heartily cheered on the depart-ure of his train for London.

Major-General O. O. Howard, of Bur-Ington, Vt., was today unanimously al Home Missionary society, at Detroit,

The funeral of Mrs. Cecelia Stewart Sherman, wife of Ex-Senutor John Sherman, occurred at the family restdence at Mansfield, O., at 11 o'clock totay. Business houses closed and the postoffice suspended for two hours as a ark of respect.

At Columbus, O., Admiral Dewey was astir early this morning. At 9 o'clock be was conducted to the State capitol where the public awaited his coming. The drive was made amid a continuous ovation. The public reception was fol-lowed by a luncheon at the Columbus club. The event of the atternion was the great parade in which 10,000 men marched, and which was reviewed at the State capitol by the admiral.

Chairman Payne of the ways and means committee was suthorized by a recent resolution of the House to hold meetings of that committee during the recess of Congress with a view to pre-paring a bill for the reduction of the revenue, if that course seemed destra-ble. Mr. Payne said today it was not his purpose to call the committee re-gether until fail, probably a few weeks before Congress reassembles, as by that time it will be determined how far the surplus is maintained and about how much in the aggregate revenue reduc-tion is warranted.

Jefferson City, Mo., June 7.-Gov. | Stephens, governor of Missouri, Jeffer-son City, Mo.-If you do not call out the State militia in a few days you will Stephens is annoyed by letters received

from St. Louis threatening him if he does not call out the militia to suppress street car strike riots and others threatening him if he does call out the militia. This morning he received the following card:

laws. They report that they were un able to locate the murderers of Sher iff Tyler and Deputy Jenkins, but die all they could in that direction. Sheriff Howells speaks highly of the men are daily coming to town to run Lake.