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DESERET EVENING NEWS.

5 O'clock -EDITION.-

TRUTH AND LIBERTY.

NO. 179. SATURDAY, JUNE 23, 1894, SALT LAKE CITY, UTAH. VOL. XXVII.

TAR AND FEATHERS.

Against General Tarsney Maltreated by a Masked Mob.

THE ARGRIEVED HIS ENEMIES.

Governor Waite Offers a Reward for the Arrest and Conviction of the Perpetrators of the Outrage.

COLORADO SPRINGS, June 23.—Adjutant General Tarsney was kidnapped from Alamo hotel at midnight by seven unknown, masked men, taken to the suburbs in a hack, tarred, feathered and ordered to leave El Paso county and never return. Tarsney was called from bed by the hotel clerk to answer to a telephone call. Masked men entered the hotel, seized Tarsney, clubbed him over the head with the butt of a pistol and carried him off. The clerk quickly gave the alarm, and fifteen minutes elapsed before he mounted officer had started in pursuit. Up to 8 o'clock this morning no trace of Tarsney had been found. The actions of men were intimidating. Governor Crowley, one of them, says Tarsney was taken to a point near Austin Bluffs. A posse is scouring the country in search of him. There was a meeting of twenty-five deputy sheriffs last night in the Antlers park at which it is supposed the plot against Tarsney was hatched.

GOVERNOR WAITE OFFERS A REWARD.

DENVER, June 23.—Governor Waite offers a reward of $1,000 for the arrest and conviction of any of the men participating in the outrage at Colorado Springs. General Tarsney is a member of Congressman Tarsney (Mo.) and ex-Congressman Tarsney (Mich.). He has been acting as counsel for the Cripple Creek miners. He incurred the bitter hostility of the A. P. A. by calling the militia against the city and during the police board trouble.

General Tarsney was still sleeping at 11 o'clock. Hack drivers Sherman Conway and Jean McKinley were arrested but released on their own recognizances. They declare they do not know the masked men and were forced at the point of revolvers to drive the party. One man, they say, remained with Tarsney ostensibly to conduct him to the city. Some men wanted to tar Tarsney, but the leader prevented this. Tarsney thanked him and shook hands with him.

DENVER, Colo., June 23.—Governor Waite has sent a force of detectives to Colorado Springs on a special train to hunt for Tarsney. Mrs. Tarsney and daughter went on the same train.

THE GOVERNOR HEARS FROM TARSNEY.

DENVER, June 23.—This afternoon Governor Waite received a dispatch from General Tarsney, who is at Palmer Lake, twenty-five miles from Colorado Springs, that he will be met here by a special train and brought to Denver.

A BEAUTIFUL MIRAGE.

A Large City Painted on the Evening Sky.

COLUMBUS, Ind., June 23.—The western sky last night contained a beautiful picture in the form of a mirage. Plainly on the sky was a beautiful city, with its churches, spires, elegant buildings and wide streets lined with shade trees. The adjacent mountains were covered with green foliage and a peaceful river whose lilies silver. The colors were distributed in the same were united with the various shades of the rainbow. The rare scene lasted thirty minutes.

With Masonic Ceremonies.

WACO, Texas, June 23.—The corner stone of the Texas Cotton palace was laid yesterday with Masonic ceremonies. The day was observed as a general holiday and an extensive parade took place, in which were all kinds of cotton decorations and design. The building will be completed September 1, and President Cleveland will be invited to open it.

MRS. JUMBO'S BAD LUCK.

Her Daughter's Stocking Not a Safe Deposit for Money.

FARGO, N. D., June 23.—Mrs. Jumbo Cantwell, wife of the Coxey leader, is in Fargo on her way East to join her husband. She organized scales in several Montana towns and sent them east to join Cantwell. At Hunt last night her secretary, a man named Farley, stole $100, which she had hidden in the stocking of a daughter, eight years old. She is searching for Farley.

Horsemen in Chicago.

CHICAGO, June 23.—Nearly one-half the names on the registers of Chicago hotels for the past twenty-four hours were those of horsemen or people who have come to the city to see the greatest of American races. The great crowd, however, will reach Chicago early this morning, when the train will be loaded with throngs coming here from Lafonia and St. Louis. Manager Daly has ordered a train at the Auditorium and will be there for breakfast this morning.

WILL REMAIN IN JAIL.

Train Robbers Make Futile Efforts to Escape.

ST. LOUIS, June 23.—The wiley train robbers, Marion Hedgpeth and Marion Hesse, will be compelled to remain in jail despite the fact that for several days past they have been making efforts to escape. Head Guard Riley frustrated their efforts. In passing Hedgpeth's cell Tuesday night he saw something crawling through the bars. The instrument disappeared and he opened the door, and after a short time a long, sharp piece of iron, partly filed into a key was found back of the cot. Guard Lehman, in transferring Martin Hesse from one cell to another found a handcuff key in his pocket. He is under sentence to serve six years for robbing a postoffice. Hedgpeth is sentenced to twenty-five years. He says that a prisoner who went to the pen gave him the bar. Hedgpeth managed to hide the pieces last January but was caught as he was attempting to slide out of the top window.

REMARKABLE SENTENCE.

An Omaha Judge Startles the Legal Fraternity.

OMAHA, Neb., June 23.—A remarkable sentence was passed upon Charles M. Bachman by District Judge Scott. Bachman had been found guilty of adultery, heretofore and contempt of court. He was sentenced to the full extent of the law for adultery—$500 and one year in jail; for contempt, $50 a month for ten years and $5,000 costs, or in lieu of it, imprisonment in jail and ten days for contempt of court for intimidating a witness, one sentence to begin at the expiration of another. Bachman was directed to be confined in a cell. He has a wife and children. As Bachman is a pauper and has no friends he cannot raise any money to secure a bond, and he actually must remain in jail for life. This remarkable sentence is the theme for discussion by all lawyers in Omaha.

In Sympathy With the Strikers.

PUEBLO, Col., June 23.—The Pueblo lodge of the American Railway union, with some 400 members employed by the Denver & Rio Grande, Union Pacific, Denver & Gulf, Atchison, Topeka & Santa Fe, Chicago, Rock Island & Pacific and Missouri Pacific railways, tonight passed resolutions in sympathy with the striking coal miners and voted not to handle coal mined by non-union men.

BIGGEST WESTERN RACE.

The Chicago Derby Run Today Before a Large Crowd.

A Fine Field of Crafters, Crack Jockeys, But the Favorite Only Landed Second.

CHICAGO, June 23.—Over 15,000 people swarmed to Washington Park today to see the American Derby. The day was perfect for horse racing. The following are the Derby starters and jockeys: Domino, Taral; Senator Grady, Gaghen; Hungria, Hamilton; Boy Lizzie, Vanhoser; Lucky Dog, W. Hill; Dutiel, Burgess; Dupont, Martin; Prince Carl, Wilkins; Reprimand, J. Hill; Alnemo, Overton; Cash Day, Weber.

Sensat Grady was the favorite in betting as Domino reached the track so late that many betters feared he had not sufficient time to round to. The odds on Grady were 2 to 1, and on Domino 5 to 1. Dupont and Dunan were heavily backed.

WASHINGTON PARK, Chicago, June 23.—A storm came up about 2:15 o'clock which threatened to make a heavy going for the derby.

THE WINNER.

Hy El Banita Anita wins, Grady second, Dupont third; time—2:08.

A Rich Strike.

SPECIAL DISPATCH TO THE NEWS.

LANDER, Wyo., June 23.—A rich strike has been made on the Dutch Tom claim in the Lewiston district, in a four-foot vein at a depth of six feet. The ore washed $10 to a pan, a few going as high as $25.

CHARGED WITH MANSLAUGHTER.

A Ten-year-old Boy Supposed to Have Murdered a School Mate.

SPECIAL DISPATCH TO THE NEWS.

RAWLINS, Wyo., June 23.—Johnnie Allen, the ten-year-old boy who shot and killed Ellen Wheeler, a schoolmate, while on the way to the Lake Creek school near Sinclair, January 17, last, has been arrested on the charge of manslaughter, at the instance of Robert Greene, father of the girl. As the case is now generally thought that the shooting was purely accidental, but subsequent developments have led the father to prefer charges against the boy.

PARTICULARS IN COURT.

A Young Denver Lawyer's Striking Argument.

DENVER, June 23.—Two prominent lawyers engaged in Bailey's during the trial of a case before Justice of the Peace Harper today. Ralph Talbot endeavored to snatch some papers from the hands of Henry H. O'Reilly, and being unsuccessful, struck him a blow between the eyes, floring him and drawing blood. Mr. O'Reilly regained his feet and was about to return the blow when others interfered and separated the men. O'Reilly is a quite elderly, gray-haired man and he assault is considerably younger. The court gave Talbot a severe reprimand and fined him $5, the limit for contempt.

Railroad Bridge Blown Up.

NORTH ENID, O. T., June 23.—As the southbound passenger train was passing through Round Point last night, several shots were fired into it without damage. A short time afterwards a bridge was blown up with dynamite and 300 feet of track torn up. The Rock Island have brought suit in the Oklahoma district court against individuals in Round Point to recover damages of $75,000 for the wrecks two weeks ago. The blowing up of the trestle last night was no doubt for revenge.

Flood in Kansas.

WICHITA, Kansas, June 23.—Heavy rains have caused Little Arkansas to overflow Greenwald Park, and last night the people living near the river were compelled to move. The water remained stationary from midnight to 5 o'clock this morning and has been rising and falling all day.

THE SENATE.

Bill Speaks Strongly Against the Income Tax.

WASHINGTON, June 23.—In the Senate today Call offered a resolution providing for a committee of five senators to investigate the election and conduct of senators and representatives by corporations.

Stockbridge said he was willing the investigation should be allowed so far as Platts was concerned, but he did not think it just to include the whole country.

The resolution went over and the tariff was taken up.

Hill said yesterday would become known in history as Populist days standing in the speeches of Kyle and Allen. He said he already had been made to repeal the state bank tax, to enact a free coinage bill in the bill, both of which are considered part of the Democratic platform, while especial efforts have been made outside the platform to incorporate an income tax in the bill. No other system of taxation spoke such a broad field for fraud and evasion and none offered such temptations. If a tax were to be imposed there was no reason why the exemption should be $4,000 when in nonpartisan candidates, whereas the tax was levied, the exemption was but $2500, and even down to $1500. Was it to compensate for the high cost of living that? He believed the higher the exemption the odder it would be to defend the tax.

Having spoken nearly two hours, Hill gave way to Gallinger, who also opposed the income tax.

Then Hill offered an amendment limiting the exemption to incomes less than $3,000 which Vest offered yesterday in behalf of the Finance committee, but afterwards withdrew; lost, 22 to 28.

Hill's motion for a limit of $2,000 was lost, 23 to 26.

Hill moved to make the line of exemption $1,000; lost, 19 to 32.

Hear offered an amendment to exempt from the operations of the inheritance tax, property of lineal descendants and widows. Lost, 27 to 35. Hear then offered an amendment exempting inheritances of lineal descendants and widows on estates less than $5,000; lost, 23 to 29.

On Hill's amendment to change the date when the income tax provision would go into effect from January 1, 1895, to January 1, 1896, and the date of the separate return from 1896 to 1897, the yeas were 25, nays 41.

THE HOUSE.

WASHINGTON, June 23.—Speaker Crisp returned to the Capitol today after his absence on account of illness.

The Senate amendments to the bill conferring the charter of the Supreme Lodge of Knights of Phythias were concurred in.

The Senate bill making Labor day a legal holiday was temporarily laid on the table.

Eulogies on the late Representative Hunt, at the request of Outhwaite, were postponed to Saturday, July 7, prior to going into committee of the whole on the deficiency appropriation bill.

Report was made of the contested election case of Tom Watson against J. C. Black, Tenth Georgia district, in favor of Black.

U. S. Commissioner for the Yellowstone.

CHEYENNE, Wyo., June 23.—General J. W. Milburn was yesterday appointed commissioner of the U. S. court with jurisdiction within Yellowstone National Park under the act to protect animals and punish offenses committed within the Park.

A French Steamer Lost.

LONDON, June 23.—The French steamer Gherk from Liverpool and Havre for Valparaiso, has been sunk off the French coast in a collision with an unknown vessel. All on board were saved.

SAVED A CHILD BY A KICK.

The Infant Playing on the Track When a Train Came Along.

But the Fireman Ran Along the Footboard and Diverted the Little One into the Ditch.

EKTON, Md., June 23.—A thrilling experience was that of Engineer Greason and Fireman Nelson on the Central division railroad pay train as it passed through Rising Sun, Cecil county, Md.

David Maber's two-year-old son was on the track when the pay train came along, and he was bothered when the engineer gave the warning signals stop the train to avoid a fatality. If possible, Fireman Nelson sprang through the locomotive window, ran along the footboard and swinging from the pilot table, kicked the child to the forehead and knocked him into the ditch along the track. The train was stopped, the crew went back and carried the little form into its home. On the return trip the train stopped and the little fellow was found playing in the yard, on his forehead being the mark of the fireman's shoe when he kicked him over and saved his life.

The Geology of Montana.

WASHINGTON, June 23.—The work of mapping the areal geology of central Montana will be resumed at once, and continued all summer. The area to be covered is over 3,000 square miles adjacent to the area surveyed last summer.

New York Change.

NEW YORK, June 23.—Stock market opened weak. Sugar fell off 1; Rubbers 1; Omaha 1; Consolidated Gas 1; sugar fell off 1 more.

Sugar under the attack sold down 4, the market was heavy after 11 o'clock; Atchison and Northern Pacific preferred fell 1; North American and Union Pacific 1; sugar rallied 1; lost the improvement and recovered 1.

Silver, 62½; bonds, 110.

Bank Statement.

NEW YORK, June 23.—The weekly bank statement: Reserve, decrease, $21,200; loans, decrease, $2,148,900; specie, decrease, $1,824,700; legal tender, decrease, $2,162,700; deposits, decrease, $5,152,600; circulation, decrease, $31,800. The banks now hold $79,365,375 in excess of requirements.

The Stalwarts Under Cover.

PITTSBURGH, Pa., June 23.—The situation has not changed since the arrival of the troops yesterday. The infantry are patrolling the roads and the cavalry are scouring the country, but the notorious Hungarians and Italians are under cover.

ROYALLY GREETED.

Ovation to the Temple Workers Visiting Brigham City.

TO MANILA AND BACK TODAY.

A Shower Causes Slight Change in the Program, but all Goes Merrily—Old and Young Engage in Festivity.

(Special to the News per Amount Telephone.)

BRIGHAM CITY, Utah, June 23, 1894.—The Temple workers who with other invited guests of President Lorenzo Snow, left Salt Lake at 2:30 yesterday afternoon, arrived here on time, 4:45 p.m., all in good spirits.

It had been arranged by the authorities here to have the Sunday school children, numbering several hundred, form a double line from the depot on the street leading up town and have the visitors pass through the ranks, also to have Mayor Peters deliver a speech of welcome extending the freedom of the city, and also music by the band on the arrival of the visitors at at the station. A heavy wind accompanied by a fall of rain, which came up a few minutes prior to the arrival of the party at the station, compelled a change of program.

The children were hastily shuffled in the opera house to await the storm blowing over, as the rain fell quite freely when the train pulled in. Mayor Peters omitted his welcoming speech, but the Brooklyn Hotel band gave cheering music. Hundreds of people also remained to receive the visitors, with scores of vehicles to convey them up town. After all were seated in the conveyances, the procession started up town, headed by the band in a carriage, followed by President Woodruff, Cannon and Smith and members of the party. The rain having subsided, they drove through the principal streets.

By this time the children were out again and formed a double line near Main street, through which the procession passed, the children meanwhile waving their handkerchiefs as the party moved along. After passing through the other part of town the visitors were taken to the respective places assigned by the committee of arrangements, where they were to locate during their stay of three days here.

In the evening at 8 o'clock an old time party was held in the opera house hall room, which was well filled. Presidents Cannon and Smith, Elder F. M. Richards, with Bishop Preston and Winder, Elder Angus M. Cannon, and all the rest of the party were in attendance. Dancing was indulged in by old, middle-aged and young alike, and heartily enjoyed. The music was specially chosen for its melodious character, and an excellent orchestra supplied it. Much amusement was occasioned by witnessing the enjoyment of many old members of the party who had not engaged in a dance for a quarter of a century previously. President Woodruff retired and did not attend the party. Scotch reels, Roger de Coverley and other old time dances prevailed, even the older gentlemen and ladies in the party participating. At midnight the party dispersed.

The people of Brigham City have fairly outdone themselves in hospitality and kindly feeling, and the visitors fully appreciate it.

This forenoon the party went to Mantua, the beautiful village about five miles east, held a short meeting, took lunch and will return at 4 p.m., then inspecting the waterworks, etc., here.

Tonight an ode will be given in the opera house.

Tomorrow, Sunday, they will attend meeting in the Tabernacle, and next day will visit Willard City, and will return home on Monday afternoon.

ANOTHER REPORT.

By mail this morning came the following official report:

On every page of the book of experience common to humanity, there is an intimation that the realities of life do not answer to pleasure to the promises of the imagination; but there was no place for the cynic among the party of Temple workers or their friends who gathered at the U. P. depot yesterday to take the 2:40 p.m. train for Brigham City on a four days' excursion. After a year of labor in that holy place where it has been their pleasure to administer the keys of life and salvation for their fellowmen, they had now met, free from anxiety of any kind, to enjoy the generous hospitality of President Lorenzo Snow and the Saints of Box Elder Stake, and the quiet enjoyment to be seen in their countenances told of the esteem in which they held the privilege of indulging in what had been promised them, a sweet surprise.

Each member of the party had previously been furnished with a badge consisting of a white silver inscribed ribbon six inches in length, bearing a blue imprint of the Salt Lake Temple, and this was a passport to the cars, three of which were comfortably filled as the train pulled out at noon. With the badge, President Snow had also sent to each one a tinted card reading as follows:

BRIGHAM CITY, Utah, June 23, 1894.

WELCOME.

(Name of the recipient.)

SALT LAKE TEMPLE EXCURSIONIST.

Entertained by

Soon after the train started each excursionist received a small folder giving an outline of the general plan of procedure for the four days' entertainment, and the care with which every detail had evidently been gone over before hand, was noticeable in every day's program, but a description of this not unlike an at the Box Elder City depot.

When the train arrived at 4:45 o'clock p.m., we found the ample depot grounds here literally covered with people and conveyances, waiting to receive us, with President Budger Clawson and the committee in charge. With the utmost dispatch and celerity, under the orders were transferred to the waiting carriages and the procession of nearly a hundred vehicles took its way up the elm-embowered avenue for which Brigham City is noted, to the town, where the skilled order came very nearly to perfection. At one edge of the city the party was saluted by the waving handkerchiefs of fully five hundred shining school children drawn up in line on either side of the street. Passing on through the principal thoroughfares of the city, amidst thronging the waters, the visitors saw a splendid opportunity of seeing the town before being driven to their appointed places, and certainly not one of them but was struck with its solid improvements and beautiful homes.

At midnight the figure, as announced Monday night, at which the program spoke, was detailed by the Brooklyn band, which, by the way, had met us on the depot and led off the procession through the city, and upon reporting to the opera house, we found that, as at the depot, every seat had been arranged for our enjoyment.

The program for the evening ran as follows:

Short address of welcome, President Budger Clawson.

Song ..... Choir
Prayer.
Music ..... Brooklyn Band
Address, Question, "Father's Spring, Home, Mission" ..... Elder Heber J. Grant
Music.
Address, "Our Relations to the Rising Generation" ..... Elder Benjamin Cluff, Jr.
Music.
Address, "Mother's Duties" ..... Temple Class
Music.
Benediction.

President Woodruff, being tired after the drive, did not come to the hall, but President George Q. Cannon, Joseph F. Smith and Lorenzo Snow and Apostle Franklin D. Richards were there and with their wives formed the dais position at the head of the hall.

President Budger Clawson's opening address was as neat as could be. He said in part: "Owing to your labors for the good of the human race, aside from other considerations, and there are many of them, we consider it a great honor to open our homes to you and to welcome you in the best our mean affords.

To this, President Snow, in behalf of the visitors, responded briefly, closing by invoking the choice blessings of heaven upon all and the installation of the company into the easy comfort of an old time party. We complete, when the "Blessing" had been sung by nine male voices under the able direction of S. N. Lee, and after the opening prayer had been offered by Brother Charles Kelley of the Stake presidency. Miss Hulda Salmon recited "The Measure of Zoroaster." As to the dancing there is no need to say it was done with spirit, and the only complaint your correspondent heard was that Bishop George Romney and Bishop John R. Winder "run the pigeon wing" a little too arbitrarily to suit their young brethren and that when the "Boston Reel" and "Off Hogerty de Coverly" were called they were noticed to "sing an."

ON THE LAKE.

Secretary Hamlin and Party Take a Voyage from Sallair.

It is not all of the people who live in the cities and towns that almost border on our great inland sea that have experienced or appreciate the delights of a voyage on the Great Salt Lake. These, however, are becoming better known, not only to residents, but to distinguished visitors, and as time goes on a compliment to the latter in the summer season will not be complete without a visit to the briny lake and a skim over its surface as well as a bath in its waters.

Among the visitors to enjoy the lake trip last evening was Assistant Secretary Hamlin, who left at midnight on his journey to San Francisco. In the party which went to Saltair were Mr. Hamlin, his private secretary, Mr. Moran, and Judge Stephenson, of Indiana, now of the department of justice at Washington; Acting Governor C. C. Richards, U. S. Marshal Nat M. Brigham, Surveyor General George W. Snow, Register of the Land Office Byron Ross, Mr. Gies, D. C. Dunnet, Col. H. Page, N. W. Clayton and F. Dewey Richards and wife. The party left Salt Lake at 7 p. m., and at 8 p. m. boarded the Tabula at Saltair, for an hour and a half's cruise along in the west shore of Antelope Island. Returning at 9:30 p. m. an elegant lunch was partaken of and the party came to Salt Lake, arriving at 11 o'clock. The entire trip was thoroughly enjoyed and the visitors expressed themselves as highly gratified and delighted.

Assistant Secretary Hamlin also was the recipient of the kind attention of several citizens yesterday. He was taken a drive to the penitentiary and Fort Douglas. Afterwards dinner was served at the Knutsford, and then the party visited Saltair.

The secretary expressed himself as greatly pleased with everything he saw in Utah, and recognized to the full extent the industry and perseverance of the people who have redeemed the country from its original desert condition to its present state of cultivation and beauty.

Mr. Hamlin will sail on the 10th of July on the revenue cutter Rush, which has been detailed for the purpose of carrying him to Alaska. There he will make a thorough investigation of the seal question with reference to the alleged depletions that have been predicted upon our government, and will return prepared to suggest to Congress some further legislation on the subject.

In the Fire Department.

This evening "Billy" Hyweist, for many years a member of the Salt Lake fire department, but who is common with many others was displaced in the political change of 1890, goes back to his old cart. As a man of experience in this particular line he is considered the peer of any fireman in the West, and he has many friends who will be glad to hear that he has been restored to the place that he held with credit so long. Of late he has been acting as deputy United States marshal, but resigned that position today.

Some of the discharged firemen are claiming of reducing the force of the board of fire and police commissioner in beginning with next service.

DONE BY CONFIDENCE MEN.

Warrants of Arrest Issued for the Members.

A Sanpete merchant named James was the victim of a couple of confidence men at Colton's Park yesterday afternoon, having been duped to the tune of about $400. He afterwards went before Commissioner Park and made out a complaint against the two men on a charge of gambling, their names being given as Charles Steele and Ben Anderson. Captain Lindsay arrested the former at Calder's hot and had Ben Anderson.

Steele made his appearance before the commissioner this morning and was fined $100 and in default of the payment of $100 he came up for hearing this day week.

A MYSTERIOUS FIRE.

A Fisherman that Tooele County People are Endeavoring to Solve.

A story of rather a strange find was told to a representative of the NEWS by some gentlemen from Tooele county this afternoon. It was that a few days ago a young man named David Cook, while riding over the range hunting for stock in Rush Valley, near Powell's ranch and about ten or twelve miles south and east of Vernon, accidentally came across a dead horse, attached to a cultivated wagon. The outfit bore evidence of having been there for at least a year, as the skin of the horse had literally dried on the carcass—a process that required not less than one summer.

Strange to say many men had rid on and driven past the place before, but had failed to make the discovery. There are numerous speculations as to how the outfit came there. The horse undoubtedly had wandered over the prairie at will and only ceased its wanderings when the wagon became fast in a small cedar tree. How long the poor animal remained in that condition before it starved to death is, of course, only a matter of conjecture.

None of the people in that or any other part of the county, so far as has been ascertained, have any knowledge of the law by surgeon of such a horse or conveyance and various theories are advanced as to how the outfit got there. Ex-Sheriff McBride in speaking of the matter inclined to the belief that the dead body of the owner might be found in the locality. Whether as a traveler he may have been robbed and murdered for his money is a question which at this time is difficult to solve.

COMPLAINT IN INTERVENTION.

A Guardian Brought to Book for Dabbling in Real Estate.

A complaint in intervention was filed in the Third district court today by Judge Cherry, on behalf of the Louis Balden Store company, plaintiff, vs. E. Beach Graham, Robert Benson, Wm. Fear and W. B. Armendt, defendants; Clarence Armendt and Roy Armendt, minors, by Jas. W. Cherry, their guardian ad litem for the purpose of this action, intervenors and heirs of H. F. Armendt, deceased.

Defendant W. B. Armendt was duly appointed general guardian of the intervenors by the county court of Cass county, Kentucky, in November, 1890, and it is alleged that while acting in that capacity he received from the administrator of the estate upwards of $2,000 of the funds, that in January, 1890, he purchased with said trust funds certain real estate situate in Salt Lake county; that the beneficial interest of the minors on the county records in the name of Armendt, but that the legal title thereto is in the name of one W. E. Crutcher, as trustee only, however, for the use and benefit of Armendt.

Intervenors allege that this real estate is, in fact, held in trust by Armendt for their use; that they are equitable owners and entitled to the entire beneficial interest therein; that Armendt and his sureties on his guardian bond are all insolvent; that plaintiff in the action has sued out a writ of attachment and secured a jury to be made upon said real estate as the property of Armendt.

Wherefore intervenors pray that the property may be discharged from said levy and that the writ abated in so far as it affects the right of these intervenors, and that the same be declared to be held by W. B. Armendt in trust for them.

Held To Answer.

U. N. Brown and Florence Smith, the colored man and white girl mentioned in these columns yesterday, were taken before Commissioner Greenman this morning on a charge of fornication. They were held to await the grand jury's action, bonds in the sum of $500 and $300, $100. Failing to furnish the required bonds they have gone to the penitentiary.

Supreme Court.

The Territorial Supreme Court will be in session again next week. On Monday some more opinions are expected down. Quite a number of cases yet remain to be argued.

Mr. Dennis Improving.

Inquiry today met with the response that the condition of Principal H. Dennis, of the Bryant school, was more favorable this morning, and that the prospects for his recovery are more encouraging.

THE DISTRICT COURT.

The Writ of Prohibition Matter is Continued Until July 2.

ANOTHER "MAN" DESERTS HIS WIFE

Interesting Point as to Notes Levied Upon Under an Execution—General Orders.

The business in the Third district court this morning was considerably narrowed down when the hearing on the writ of prohibition set specially for today was postponed until July 2, for the reason that Chief Justice Merritt—whose entire time is now taken up with Supreme court work—could not see his way to listen to lengthy legal arguments at present. The case in question is that of the Mercantile Protective Association vs Peter Lowrie, justice of the peace, the plaintiffs holding that a justice has no jurisdiction in civil actions for damages on account of injuries to character or reputation, nor in cases of slander or libel. This matter, it will be remembered, arises out of suits brought by a number of persons against the association for publishing their names in its "black list." The ruling of the Third district court is now sought in order to ascertain whether Justice Lowrie and others before whom similar suits have been brought have or have not jurisdiction to try them.

THE NOTE TERRO OF HER.

Ellis Bywater was the petitioner and Calvin J. Bywater the defendant in a suit for divorce, the ground of the same being desertion and failure to provide. The case went by default.

The parties intermarried in this city in July, 1893, and there is one child, Cleon G., aged about three years. Mrs. Bywater stated that in October, 1892, her husband, who is by trade a machinist, left her without cause or excuse, and has since neglected to provide for the wants of herself and child, leaving them dependent upon plaintiff's own labor and the charity of friends. No alimony was asked for. Mrs. Bywater is a pretty woman apparently about 22 years of age, and of very intuitive appearance. Thomas Adams was her attorney.

The court granted the decree as prayed, awarded plaintiff the custody of the child and allowed an attorney's fee of $50.

NOTE LEVIED ON UNDER EXECUTION.

Further arguments were made in the case of Wythe Denby vs John Beck (P. J. Daly garnishee)—supplemental proceedings on execution.

Attorney George Westervelt for the plaintiff; Attorney Wm. King for the defendant.

This suit involves the question of promissory notes levied on by execution. The notes were in the hands of Attorney P. J. Daly for collection as the property of John Beck. Beck has testified to this fact on supplementary proceedings, but did not describe the notes specifically. Execution was levied on the notes in Daly's hands.

Attorney Kahn objected to the levy on the ground that the notes are not subject to execution, and even if they were so subject they must be levied upon by garnishment of the indebtedness of the bank to.

Attorney Westervelt, for the plaintiff, contended that the notes are under our code, subject to execution, and that the proper mode of levying upon them was by actual seizure and not by garnishment of the maker of makers. He insisted also that if the notes are subject to execution, the manner of levy was a matter which affected the rights of third parties only, and does not concern the defendant. Authorities were submitted to the court and a decision will be rendered next Saturday.

GENERAL MATTERS.

Brighton & North Point Irrigation Co. vs. Chas. J. Hosmer et al. Thirty days' additional time granted the plaintiff to prepare statement on motion for a new trial.

Salt Lake Building & Loan association vs Geo. R. Magrath et al. Judgment for plaintiff upon stipulation.

George Gibbs vs Nat M. Brigham. Five days' additional time allowed to answer.

John H. Lloyd vs Salt Lake City Railroad Co. On motion of plaintiff, order suppressing deposition by reason of certain concessions, and permission to file new deposition.

Granville Gribble vs John W. Taylor et al. Motion to reverse demurrer overruled.

Frank Pierce, administrator, vs E. Gottfried. Dismissed without prejudice.

S. F. Tassel vs D. S. Griffin et al. Order granting defendant's case docketed after thirty days directed to stand.

Jno. R. Ingram vs A. M. Jones et al. Order for publication of summons upon affidavit.

First National Bank of Superior, Nebraska, vs Hans Sorenson. Default and judgment.

Mary E. Hill vs Jessie E. Wilde et al. C. W. Morse appointed guardian ad litem for the heir, the defendant Williams's death being suggested.

Geo. A. Lowe vs M. L. Gorrell. Demurrer withdrawn and leave granted to amend complaint. Judgment for plaintiff for $500, all upon stipulation.

William Weaver, a German, now of Salt Lake City, was admitted to citizenship.

Phillips, Judge and Palmer vs W. A. Corfat. Default and judgment for plaintiff as prayed.

Judge Merritt wound up his day at 11:45 and then adjourned court till next Saturday.

Judge Hatch did not sit in his division today.

A Small Pay Roll.

The pay roll at the City Hall today was a very small one, consisting of $[illegible] distributed as the day's portion of English ward square improvements for the past week.