HIS TORIAN'S OFI Church of Jesus Christ of Latter-day Saints. NEWS. THE DESERET EVENING

FIFTY-SECOND YEAR

PREST. M'KINLEY'S **REMAINS IN CANTON**

Funeral Train Arrived at 12 o'clock-Demonstrations of Sorrow and Affection Along the Route.

proper, bearing the remains of Prestdent McKinley arrived at 12 o'clock. It was met by Judge Day at the head of the local reception committee, while assembled about the station was the entire militia of the state. Mrs. McKinley, weeping piteously, was helped from the train by Dr. Rixey and Abner Mc-Kinley, and conducted to a carriage. which was in waiting and was then which was in waiting and was then driven rapidly to her home. The near relatives followed her. The remains were then lifted from the catafaique car and carried on the shoulders of the body bearers through a gangway formed by President Roosevelt and his cabinet to the waiting hearse. The sur-rounding soldiers were at "present

formed by Freshein House. The sur-cabinet to the waiting hearse. The sur-rounding soldiers were at "present arms" and bugles sounded "taps." The Fresident and cabinet then en-tered carriages. They were followed by the guard of honor, headed by Admiral Dewey and Gen. Miles in full uniform and the sad procession then moved up Tenth street in the direction of the court house where the body was to lle in state. Soldiers at intervals all the way kept back the immense crowds which thronged the streets. The pro-cession passed all the way beneath big arches, draped with black. STREETS ARE FILLED.

STREETS ARE FILLED.

Although the greater portion of the multitude which is expected to attend the funeral services of President Mc-kinley is not expected before tomar-row, a large number arrived this morn-ing and it is expected that over house ing and it is expected that every hour of the day will witness the arrival of at least one special train. During the morning and the streets were filled with marching bodies of Knights Templar and Knights of Pythias, while grizzled veterans bearing the badge of Major McKinley's old regiment—the Twentythird Ohlo-elbowed their way through the crowds that packed the sldewalk. Fully two hours before the time scheduled for the arrival of the train people began to gather at the Tenth street depot of the Pennsylvania rail-road to await its coming.

HONORARY PALL BEARERS. The honorary pall-bearers, John C. Dueber, George B. Frease, R. A. Cas-sidy, Wm. R. Day, Joseph Riechele, Henry W. Harter, Wm. A. Lynch and Thomas F. McCarty, all clad in long frock coats of black, wearing silk bats and on the left arm a long streamer

Canton, Sept. 18 .- The funeral train , were changed and the railroad men were sent out in force. At Wilmerding the employes of the Westinghouse Air Brake company were at the track and at East Fittswere at the track and at Last Files-burg were several thousand people. The train had now practically entered the suburbs of Pittsburg, that city of muscle and brawn, and the industrial workers were strung along the track in solid lines.

in solid lines. In solid lines. At Bessemer, the huge stacks of the Carnegie steel plant were pouring forth dense volumes of smoke and flame, and under this black canopy the toilers gathered in dense throngs, standing mutely with uncovered heads. Just beword, the great mills of Braddock gave forth another multitude of grimy work-men, and to the left across the river, where is located that other great hive of industry, Homestead, the wharves were lined with men ard women.

AN IMPRESSIVE SIGHT.

Entering Pittsburg a wonderfully impressive sight was presented. Along both sides of the track for some miles both sides of the track for some miles were solid walls of humanity. In some places the people stood twenty deep, while the embankments were black with them. On the top of every freight car was a human hedge. The over-hanging bridges bent beneath their burden. The roofs of houses were lined, All stood with uncorned books while All stood with uncovered heads while the bells of all the churches were toll-

It was just one minute before o'clock when the first section of the fu-neral train bearing the body of Presi-dent McKinley arrived in sight of the Union station. This train carried Theodore Roosevelt, members of the cabinet and other government officials. Ten minutes ahead of it a pilot engine and baggage car were sent out over the Fort Wayne rond. The first section came through the station at the rate of about 25 miles an hour. None of those who were on the train were visi-ble and most of the blinds were drawn. The second section, or funeral train, was late, and did not reach the station until 9:35 o'clock. When it came into view, many of the watchers placed coins on the rails to have the train run over them. There were hundreds of these souvenirs.

As the train passed the Fourteenth and Eighteenth regiments of the na-tional suard they presented arms and the great multitude was silent and stood with uncovered heads. The same scenes were repeated as the train passed through Alleigheny. 56,000 PEOPLE AT STATION. It is estimated that not less than 50,-000 people were at Union station and BOODE PEOPLE AT STATION. people were at Union station and 25,000 at the Allegheny depot while the crowd that viewed the funeral train from its entrance into Pittsburg until It crossed the city line in Allegheny, was not less than 250,000. In the face of every one there were signs of deepest feeling and mourning. There were many children in this vast assembly and they seemed to realize with their elders the sorrow the nation was experiencing and on their young faces too was expressed the the mourning as for one whom they had loved and lost. It had been reported last night that the train would reach Pittsburg at 7 o'clock and thousands of people had had been standing in the raw, foggy atmosphere from 6 o'clock.

train was at Lewisville, only six miles from Canton, and soon the shops of the dead President's much-loved city, were dotted along the way. For the first time the sun, which had been be-hind heavy black clouds, threw its rays on the gathered throngs and lighted up the sombre emblems of grief and the entry into Canton was made in the entry into Canton was made in the bright sunshine. JAMES F. REED DEAD. So Says the Jury Which Tried His One of the Few Survivors of the Ill-Fated Donner Party. Santa Cruz, Cal., Sept. 18.-James F. Reed one of the few survivors of the ill-

fated Donner party which came to Cal-ifornia, in 1848, died last night. He was a native of Illinois, aged 61 years. MEMBERS OF CABINET.

Stated on Authority that All Will Accept Re-appointment.

Washington, Sept. 18 .- It was stated on excellent authority that all members of the cabinet have accepted the re-appointment tendered by President Roosevelt yesterday. The manner in which the President made the appoint-ment rendered it impossible for the members of the cabinet to take any

other course, as they are already in the position and cannot decline, but must resign their places if they desire to leave the cabinet. More than this they all believe in the sincerity of the President in desiring their services and in return they wish to assist him to the full extent of their

power to carry out the policies of Former President McKinley, which Mr. Roosevelt has adopted for his administration. Another feature of the relations of the new President with the last administration became known today to the effect that Mr. Roosevelt has been fully advised and has approved of the negotiations in progress relative to the pro-posed isthmian canal treaty with Eng-

land. Swedish Colony for Wyoming.

Cheyenne, Wyo., Sept. 18.—Ernest G. Miller, representing a company of wealthy Chicago men, has secured a water right and applied to the state land board for 20,000 acres along the Platte river near Fort Laramie, in the northern part of the county. The land will be divided into forth acres teacts will be divided into forty acre tracts and settled by a colony of Swedes. A canal forty miles long will be dug from the Platte river above Fort Laramie to

water the land to grow sugar beets. A sugar fartory to cost \$1,000,000 will be built in the colony, which is on the Alliance-Guernsey line of the Burling-tor millead ton railroad. Berlin Boerse Changes.

Berlin, Sept. 18 .- The substitute re port of the sub-committee of the boers committee issued today contains radi-cal recommendations for the removal of the obnoxious clauses of the law which has so hampered speculations in stocks and grain since its enactment. It is expected that the report will be adopted and lead to a revival of business on the boerse

Czolgosz's Counsel Accepts.

Buffalo, N. Y., Sept. 18.-Loren L.



TRUTH AND LIBERTY WEDNESDAY, SEPTEMBER 18, 1901. SALT LAKE CITY, UTAH.

Case,

VERDICT RETURNED AT 2:45

Belleved All Day That It Would Be a Hung Jury or Acquittal- Defendant Happy.

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The jury in the Hubbard case came into court at 2:45 this afternoon after being out since twelve o'clock, and promptly returned a verdlet of "not guilty." It is stated that the verdict was reached on the first ballot. The defendant was overjoyed at his acquittal. The jury which tried hun and pronounced him innocent is as follows: Wm, Cooper Jr., Edmund S. Lovesy, Joseph H. Snarr, George Maycock, Wm. D. Powell, Lewis W. Judges, Edward S. Guest and Josiah Wheeler.

The Hubbard rape trial is over, and the defendant is anxiously awaiting the verdict. The forenoon was occupied chiefly by the arguments of counsel. In accordance with according made by the court at the conclusion of yester-day's session visitors for today ad-mitted to the court rogin. The crowd was small, however, Promotive few were was small, however, Pre. soly lew were aware that the public were to be ad-mitted today. Judge P wers made a strong address to the h v in which he stated that the evident adduced had not been sufficient to asten on his client the crime with bich he was charged. The district torney was equally positive that soft and evidence had been produced to co. "Ince the jury had been produced to co. The the Jury beyond a reasonable do. 4. Judge Powers made d areful review of the testimony taken 1, the case. He said there was absolutely no proof that

said there was absoluted no proof that the crime of rape had been committed, and there could be no ayoult with at-tempt to commit rape when the child consented. Continuing, the judge said that there was not a scintilla of evi-dence to sustain the assistion made by the attorney for the stat, that the evi-chased. The testimory c Ella Jensen, be said was corruptorted by Miss Lag.



cutor. He said that Hubbard had been hounded by the sheriffs, police, district and county attorneys and Arthur Brown as no defendant had ever been hounded during his twenty years' ex-perience at the bar. Counsel attacked Mrs. Lawler's testimony and said that the testimony of Dr. King alone was enough to convince any one that the whole case was an attempt at black-mail. mail

Judge Powers followed Mr. Lippman He began by poking a little fun at the district attorney. He was asking for a conviction on the testimony of two wit-nesses—Helen Knox and Mrs. Lawier— the one a little street arab, and the oth-

er a woman who doubted herself as shown by her heralding herself as a divorced woman and keeper of a lodg-ing house. The testimony of both was

ing house. The testimony of both was a network of contradictions. "Where is the scarlet woman of Com-mercial street," thundered the judge who would stand calmly by and see a child raped, in order that she might have evidence to convict this defend-

It is against the impulse that God has planted in the breast of woman. The judge finished by saying that such a character required no impeachment, after which he took up the trans-cript of Helen Knox's testimony and pointed out twenty-nine contradictions in it.

Court was adjourned at 5:30 until 10 o'clock this morning. SUPREME COURT DECISION.

Written by Jadge Hart, Justices

Baskin and Bartch Concurring. The Supreme Court has handed down The Supreme Court has handed down an opinion in the case of Precilla Wheatiey Murphy, appellant, vs Hum-phrey J. Ganey and Mary A. Ganey, which affirms the judgment of the low-er court. The appellant was the di-vorced wife of Jesse J. Murphy, now deed, and in 1881 she deeded a 3x8 rod lot in Ogden to her husband. In 1891 Murphy sold the lot to Ganey, who deeded it to his wife. Mr. Murphy ob-tained a divorce from his wife in 1889. In a cross-complaint in the divorce In a cross-complaint in the divorce pleadings Mrs. Murphy claimed that her husband had compelled her to give him a deed to the property in question. By the decree of divorce Mrs. Murphy was given the Salt Lake homestead and was given the Salt Lake homestead and a \$12-a-month lien on the Ogden prop-erty. Later this decree was modified, but the lien on the Ogden property was renewed. When her husband died Mrs. Murphy brought suit against the Ganeys for recovery of the Ogden lot. She lost her case. The court held that she had dent on her since in follows she had slept on her rights in failing to object to the sale of the property to the Ganeys who had purchased for a valuable consideration, also that the



to Have Three-Fourths of It-She Was Disappointed at Amount Required.

cence of the charge against her was not mentioned, as Justice Prindeville has decided to follow the example of Judge Cheilain, who has the cases of the oth-er anarchists before him. Miss Goldman was exceedingly cheer-ful when she was brought into court by Chief Matron Keesan, and chatted vivaciously with her attorneys, Messrs. Salliel, Geeting and Brown. Mr Geeting for Miss Goldman, ad-dressed the court first. He said that while the defense was willing to allow the police every opportunity to secure evidence against Miss Goldman, as well as the other anarchists, he was confi-dent that Miss Goldman was entitled under the law to freedom under bonds. "I can assure this court," said the

Chicago, Sept. 18 .-- Magistrate Prinde- cence of the charge against her was not ville today decided to allow Emma Goldman, the anarchist, her freedom until the case comes up for hearing, under bouds of \$20,000. Her attorneys said they had secured \$15,000 and immediately left the courtroom to seek the additional money necessary. Meanwhile Miss Goldman was led back to the women's annex at the Harrison street station. She was visibly dis-appointed at the amount of the bond required.

required. "I guess they thought they would make the bond so big I could not fur-nish it." she said, "but I have triends the police know nothing about, and I'll be out of here by night." The hearing of Miss Goldman's case on the charge of "conspiracy to murder President McKinley" was set for tomor-row. Her counsel, however, learning President McKinley" was set for tomor-row. Her counsel, however, learning that there would be no session of the courts tomorrow because of the Presi-dent's funeral, decided at a conference this morning to take the matter of ball before the magistrate today. The mat-ter of Miss Goldman's guilt or inno-

appear before this court whenever destred." John E. Owens, representing the city prosecutor, advanced no objection to ball being allowed, but pleaded that, in view of the importance of the case and the national interast in it, the bond be made as heavy as possible, in accordmade as heavy as possible, in accord-

"I can assure this court," said the lawyer, "that my client, if under no bond at all other than her word, would

CZAR NICHOLAS ARRIVES IN FRANCE

Disembarked at Dunkirk-Town in Gala Array-Impossible to See Russian Ruler for Cordons of Troops-President Loubet Boards the Imperial Yacht Standart.

Dunkirk, France, Sept. 18.—In honor of the visit of the czar, the streets of Dunkirk echoed with the measured state boards, they looked very formid-Dunkirk echoed with the measured tramp of infantry marching to take up a position in the cordon thrown ar and the section of the docks where the presidential boat, the gunboat Cassini, was lying and along the line of the route from the prefecture, in which President Loubet stayed over night, to the side of

perfect forest of masts all bederved

with flags. A stream of specia.ors

from the landing stage.

SAW NOTHING OF CZAR.

semble behind the cordon and witness the departure of President Loubet and

the landing of the czar and the main body of the visitors. The inhabitants

of Dunkirk saw absolutely nothing of

the czar as the ceremonles took place

behind an impenetrable wall of soldiers

dent Loubet, cniered the train at the

dock side. After lunching at the cham-

ber of commerce, they left for Com

peigne, without even traversing the streets of Dunkirk. These arrange-

ments were a source of keen disap

pointment to the Dunkirk citizens, who

cort the Standart, the czar's yacht, in-

Enormous crowds invaded Dunkirk

Malo les Banes, a suburb couple of miles from Dun-

CAME FROM FLORIDA.

so disconcerted that she endeavored to pleave by the back entrance without go-

ing through the formality of unlatching

kirk.

and the czar, in company with Presi-

A large crowd was allowed to as-

able

LIST OF FRENCH SHIPS.

The following is a list of the French First Characteristics and the second states which took part in the review; First Class Battleships-Massena, Formidable, Courbet, Charles Martel, Bouvel, Jaureguigberry, Armored Cruisers-Depuy de Lome,

Protected Cruisers-D'Assas, Surcouf,

Galilee. Coast Defence Battleships-Bouvines, e hour fixed for President Loubet's Admiral Trehouart, Jemmanes embarkation, the sun was shining. The wind, however, was high and the temconneau. perature decidedly cool. There was a

Bruix. the dock. The weather cleared considerably this morning and by 7 o'clock,

Destroyers-Yatagan, Durandal, Fau-

and on the left arm a long streamer of crepe, occupied the center of the platform, while back of them stood the committeemen and a number of the more intimate friends of President Mc-Kinley.

Standing behind the depot platform, drawn by four beautiful black horses, stood the hearse. It was a richly carved and decorated funeral car. There were no trappings, no special adorument. Everything about was simple but handsome and in excellent taste. Large nets, from which were pendant heavy black tassels, covered each horse and a groom stood at the head of each animal. The horses had been especially selected for their beauty, several cities in the neighborhood having offered teams from which the committee had made its final selection.

DRAPING THE CITY.

Citizens of Canton-worked all night draping the city with black. Arches were erected at the court house and y various other places, where the funeral cortege will pass in its movements to-day and tomorrow.

CASKET BORNE TO COURT HOUSE. The casket was borne to the court

house amid vast throngs of people, lin-ing the streets and packed within the court house square. There it was deposited within the central chamber. President Roosevelt and the members the cabinet were the first to pasa y the bier, followed by the highes cers of the army and navy.Senator Han-na and many others high in public life. Later the public was admitted to the chamber and thousands viewed the remains. Mrs. McKinley and the rela-tives did not go to the court house. She stood the trip fairly well and soon after arriving went to sleep in the old

THE FUNERAL TRAIN.

Thousands Gather Along Route to Pay Their Last Respects.

Pittsburg, Sept. 18.—The train ran more slowly after leaving Harrisourg, shortly after midnight, and daylight was dawning as it arrived at Altoona, at the foot of the eastern slope of the Alleghenies. But through the semi-darkness the forms of many people could be seen strung along the track. Pittsburg, Sept. 18.-The train ran Without the depot, a vast throng num-being three or four thousand people, surged up to the train. Many must have been there all night and others had, waited for hours, as the train was originally scheduled to reach that point at 3:20 a. m. Extra engines were cou-pled on here, and the train was pulled up the mountains riously morning was raw, foggy and cheerless, Mountaineers, with axes on their shoul-ders, came down from the steep slopes to pay their homage with uncovered heads. Passing the summit at Cresson, the descent began. Half the population of Johnstown, the first of the steel manufacturing centers through which the train was now to pass, was at the track and a company of local militia stood forth from the tunnels at the train's approach, and the steel mills along the Conemaugh river were emp-

WOMEN WITH UPLIFTED HANDS.

Four women with uplifted hands were noticed on their knees and handker chiefs were at the lips of others, and from the smoke covered city came the sound of the church bells clanging out the universal sorrow. The train slowed down that the people might better see the impressive spectscle at the rear of the train, within the observation car, the elevated flag-covered casket with its burden of flowers and the two grim armed sentries on guard at the head and foot, and outside, on the platform soldier with his bayonetted gun and sallor with drawn cutlass, both at alute. So rigid they stood, they might alute have been carved out of stone. A little further on, the train passed a string of coke ovens, the tenders at the mouths of the glowing furnaces with their hats in their hands. At Jeannette were a thousand or more glass workers, with their families.

division, the train crews and engines packed the little station. Now the

During the passage of the train through the two cities, a section of Lattery B, fired a salute from Mount Washington and the city church bells tolled. GOV NAST BOARDS TRAIN. but his attorney will be allowed to see

New Brighton, Pa., Sept.18 .- The first section which preceded the train with the catafalque car attached did not stop in Pittsburg, but attached did not a moment to permit Gov. Nash, of Ohio, with his staff, and Gen. Dick. com-mander of the Ohio national guard, to board the train. The scene from the car windows great out a more board the car windows grew even more imprescar windows grew even more impres-sive after the Allegheny river was crossed. The river was covered with dredges, each thronged with humanity, and the wharves along either shore could not be seen for the people strug-gling for foothold upon them. The iron girders of the bridge were hung with men and hove. The public mark

with men and boys. The public park beyond was alive with people. Every window was filled with faces. The houses were swathed in black. Hang-ing from a tail crane in one of the fac-tory endosures was an other factory enclosures was an effigy of the assassin Czolgosz and wearing on his breast a dark lettered card of angry

imprecation. In the body were a dozen Leaving Allegheny the funeral train sped through the little town of Sewick-ley, an outskirt of the great metropolitan region with Denver, the home of Senator Quay, nestled across the river. Benator Quay, nested across the river. Here the populace came to the train en-masse. From this point through to Beaver Falls, the train rushed through thriving little manufacturing towns. Rochester, New Brighton and Kenwood. At Rochester, New Brighton and Kenwood. At Rochester a big American flag streamed from a telegraph pole, its edges trimmed with crepe and the church bells could be heard tolling dis-mally. Beaver Falls was reached at

CLIMAX OF A GREAT DEMONSTRA-TION

TION. Canton, Ohio, Sept. 18.—The first sec-tion of the funcal train reached Canton at 11:30. The climax of a great demon-stration of sorrow that had been ob-served all the way from Pittsburg, be-gan at Alliance, eighteen miles from Canton. There the halfmasted flags were bordered heavily with black, and it seemed as if every man, woman and child was at the station. A big white streamer, ten feet wide, was across the main street, lettered heavily in black, "We Mourn Our Nation's Dead." The church bells were tolling dolerously. Then came the last half hour's run into Canton, where the body was to be Into Canton, where the body was to be received into the arms of its own peo-ple. Mile by mile, the approach was marked by growing evidences of deep personal affection. Flags that had of-ien waved McKinlay welcome were now en waved McKinley welcome were now lowered in sorrow. The schools were dismissed and the entire population were ranged along the track in sor-rowful silence. The straining faces showed that the people took this mournful homecoming as a personal be-reavement, which had entered into each home and it was as though fully a home, and it was as though fathers and mothers and eisters were watching for a glimpse of the casket that held their

own loved one. At Maximo, the country stores were At Pitcairn, the end of the railroad heavily draged and the townspeople

county court, to act as counsel for Leon E. Czolgosz, upon his trial for murder in the first degree in killing President McKinley. Judge Titus will return from Milwaukee on Friday and will then consult with Judge Lewis and determine the line of defense to be pur-sued

sued Both of the attorneys have been prominent in public life in New York State. Judge Lewis served two terms in the state senate and fourteen years on the supreme bench, four of which were as a member of the old general term of that court. Judge Titus was district attorney of this county for three years, and was state senator for two terms and was elected as a judge of the superior court of Buffalo, the last four years of his term being served as a supreme court justice, after the abol-ishment to the superior court by the

constitutional convention in 1894. Colgosz is now confined in the Erle county jail. He is kept in close con-finement in the tier of iron cells set apart for murderers and is under guard night and day. He is not allowed to read or smoke, and the guards are not allowed to converse with him. No one

him.

Ohio Anarchist Put in Penitentiary. Cleveland, O., Sept. 18 .- Frank Idings who recently declared that he belonged to a society that would pay \$50,000 to any man who would kill President Roosevelt, was today ordered turned over to the board of managers of the Ohio state penitentiary by Judge Ken-nedy, of the central police court. Idings was identified as a paroled convict. He was sentenced to the penitentiary in March, 1898, to serve five years for burglary and larceny, and was paroled in December, 1898. As a result of his utterances recently, Idings will serve at least two years more in the state prison.

Ailied Third Party Conference.

Kansas City, Mo., Sept. 18.-The "Al-lied Third Farty" conference had still not been called to order at 2 o'clock today. The morning was spent in separate conferences by the different con-tingents. The platform to be presented to the conference had been decided up-on and accepted by all elements, but there was a hitch among the Populists over the name to be given the new party. The Populists would only agree provisionally to a new name, insisting that they would have first to submit the question to their constituents. The St. Louis delegation was in favor of adopting a permanent name without waiting upon the Populists co-operation, the name, however, not to be bind-ing upon the Populists until it should be ratified by referendum. Finally, the Populists submitted a proposition to make the work of the present gathering preliminary to be followed by perma-nent organization at a national convention to be held not sooner than six months from date. They suggested

that the present conference proceed with organization, giving the new party the temporary name of "The Third Party Alliance." They favored an organic and immediate union of all re-form forces, to be officially comented at the proposed convention six months hence, state conventions of all reform parties to be held in the meantime and lelegates to the general convention elected

Am. Sugar RefineryCapital Increased New York, Sept. 18.-At a special meeting of stockholders of the Ameri-can Sugar Refining company, held in

Jersey City today, the capital stock the corporation was increased from \$7 000.000 to \$90,000,000. It was also voted that \$10,006,000 of the new stock should be applied to the cancellation of mortfavemeyer did not attend the meet ing.

James G. Batterson Dead.

Hartford, Conn., Sept. 18 .- James G. atterson, president of the Travelers' nsurance company, died at his home here today after a short illness with sciatica. He was 80 years old.

ed the assignment of Judge Emery in he said, was corroborated by Mrs. Lawler and Deputy Sheriff Sleater. All that the defense could bring against Ella Jensen was that she haff said the was Jensen was that she had said one was willing to pay for a certificate char-acter. Counsel for the atta d re-marked that it was in the for Mrs. Crutch and Mrs. Course to question Helen about what took place in Hub-bard's room. It was no more indelicate than for Ms. Lawler to join the tran-som-climbing brigade. There is a rea-sonable doubt upon the entire case, and sonable doubt upon the entire case, and a strong incentive for false testimony

on the part of the state in the civil on the part of an end of the jury," "I beg of you, gentlemen of the jury," said Judge Powers in canclusion, "to try this case on the evidence, without allowing passion or prejudice to sway new minds. What good could come to your minds. What good could come to this or any community by convicting this man on the evidence that has been submitted?"

PROSECUTOR EICHNOR.

At 10:25 o'clock Mr. Eichnor com menced his final address to the jury. He said that the jury had observed Judge Powers' method of attacking Mrs. Law ler, a woman who stands alone in the world. There could be no conspiracy between Mrs. Lawler and Mrs. Knox, as the two women were not acquainted.

"Did the defendant call one witness said Mr. Eichnor, "to prove his good moral character? No. If he had that would have opened the door for the state to show the contrary. When a man is charged with a helnous offense what will he do in the hour of need! Why, he will call upon some of his friends, prominent men, to show that his life has been clean."

Mr. Elchnor referred to Robert Louis Stevenson's novel, "Dr. Jekel and Mr. " as a sample of a man leading a Hyde. double life and compared the defendant to the dual character.

"Hubbard may have been a prominent citizen." continued the prosecutor,"but that gives counsel no right to designate the prosecutrix in this case a little street Arab."

Then Mr. Eichnor scored a point. "Gentleman," he said, pointing at the diagram, "I ask you, would the officers be such blockheads as to remain in room 202 for hours on several days for the purpose of looking into 202, when they could not see through the transom? If they did that they would be fit for the asylum, Judge Powers is known to win his cases by browbeating witnesses. He mi Mrs. Lawler." He made a cowardly attack on

With regard to the charge of rape the prosecutor said that evidence of the clightest penetration was sufficient to sustain the charge. The greater of-fense included the lesser, according to the law, and if the jury were in doub that rape had been committed they could find the defendant guilty of assault with attempt to commit rape. It was not necessary to show that force had been used with so small a victim as Helen Knox.

Counsel stigmatized as unfair Judge Powers' method of reading a page of the transcript of testimony taken in the lower court to Helen Knox and then asking her if she had so testified. Counsel concluded with a strong pley for the truth and said that the trumped-up story of blackmail had been punctured until it had been shown to be absolutely ridiculous.

JURY INSTRUCTED.

At twenty minutes to 12 o'clock the court commenced his instructions to the jury. The court instructed the jury that if they had a reasonable doubt as to the degree of the crime committed hey should find the defendant gulity of the next lower degree. What occurred on Saturday, April 6th, could only be considered as showing intent or throwon April 9th. The testimony of the child was to be subjected to the same tests as that of a adult. The jury was in-structed to consider a verdict on four charges, viz. rape, assault with attempt to commit rape, essuit and battery The instructions were very full and lengthy. Judge Powers then filed his exceptions. The jury left the court room at 12 o'clock in charge of Deputy Sheriffs Arnup and Neis Naylor, who took them to dinner.

preme Justices Baskin and Bartch. ANOTHER CASE.

The Supreme court in an opinion written by District Judge Morse, Supremo Justices Earten and Baskin concurring reverses the fludings of the illutricit court in the case of Manay and Edward Connant vs the Deep Creek and Curley Valley Irrigation company et al, appel lants, and orders to cas with costs to respondents. case alsmissed

wended their way in the direction of The Connants commenced the suit plers and wharves from which a two years ago to quiet their title to the waters of Curlew creek in Boxelder county. The complaint was based on a glimpse of the Cassini might be gained, as she threaded a passage through the decree of the district court in Oneida docks to the open sea. The portion of county, Idaho, entered in 1896, which awarded to the several litigants certain the docks on which is situated the quantitles of the flow of waters in the creek. The Utah district court granted the decree as prayed for, and an ap-peal was taken on the ground that the decree of the Idaho court did not af-fect the title to the flow of the water in Boxelder county. Utah, and therefore near which the Cassini was moored, was completely cut off by troops and admission was denied except to members of the press and to those persons formed no basis for action in a Utah accompanying President Loubet, The district court. Cassini was a distance of 100 yards

COURT NOTES.

Judge Hall yesterday heard and took under advisement the case of William E. Openshaw vs John Halfin, an action brought to compel the defendant to accept a tender of \$483 for the release of a mortgage held by him, \$50 damages and \$150 attorney fees. The evidence showed that Thomas Homer acting for plaintiff had frequently chased Halfin down the street with a sack of gold to make the tender, but that Halfin had always evaded him. It was also shown that since the commencement of the action the defendant had accepted the tender and canceled the mortgage and it only remained to be determined much damages and attorney fees plaintiff is entitled to. A petition for a writ of certiorari

having lavishly decorated their town hoped that the czar would drive upon Justice Lochrie was filed in the district court yesterday by Attorney D. S. Taman for John Tingle in the suit through some of the main streets to the railroad depot, instead of going on brought against him by S. T. Chase and G. A. Whitaker. The writ is reboard the train inside the docks. At 10 o'clock the Cassini which had proceeded to the three-mile limit to esturnable Saturday morning. The suit in the lower court was decided against Tingle, and Chase and Whitaker to French waters, returned to the road. tained judgment for \$100, but the judgstead accompanied by the czar's yacht ment was not entered within the reand the Russian cruiser. quired time, and it is claimed that the justice and Constable Caffall have no jurisdiction to levy execution. by train and road. Thousands proceeded on foot and by street cars to the promenade on the seashore of A. W. Taylor is suing H. C. Shurt-liff, Jr., to quiet title to a one-half in-terest in lots 1 and 2, block 67, plat A. St.

MESSAGE TO ROOSEVELT.

President Lorenzo Snow Sends Congratulations to New Chief Executive.

President Lorenzo Snow today sent the following message to President Rooseveit: "The Church of Jesus Christ. of Latter-day Saints joins me in expressions of congratulations, este and loyalty to you as Chief Executive. May God's blessing attend your administration.

"LORENZO SNOW."

MAYOR'S PROCLAMATION 3

Salt Lake City, September 18, 1901. Whereas tomorrow, Thursday, September 19, 1901. President McKinley will be laid 1 away to his final resting place it is fitting and proper that all 4 is fitting and proper that all places of business should be closed during that time. Now, therefore I. Ezra Thompson, Mayor of Salt Lake City, Utah, do hereby order and proclaim that all places of business within Salt Lake City be closed, particularly between the hours of 4 9 a. m. and 4 p. m.

The torpedo dispatch boat Cassini. The sea going torpedo boat Grenaprofuse display of bunting at the harbor way, Docks were close packed with Lend a same and presented a

The submarines Marvel, Marse, Fran-In addition twelve torpedo boats aiached to the ports of Cherhourg and Dunkirk were present at the naval

The flotilla of torpede boat destroy-ers patrolled the lines of warships and kept the excursion steamers from enroaching on the prohibited area. The entire squadron was dressed in bunting.

the official lunch took place today, and A slight misnap to the tag of forty minutes in the outer basin, but finally the white hull of the Cassini could be perceived by the concourse assembled on the sands at St. Malo les Banes, emerging from behind the long pler, which juts out to sea from the big docks.

SALUTE OF 21 GUNS.

Immediately afterward was heard the sound of cannon, as the first battleship began a salute of 21 guns. Before the smoke had risen from the mouth of the cannon the heavy guns of the other vessels took up the salute and their thunder reverberated over the land and shook the windows of the Casino and other hotels.

Owing to the rough sea and the fact that the Cassini is an extremely bad sea boat it was decided that President Loubet and his party should embark on the imperial Russian yacht Standart and thence review the squadron, instead of the czar and czarina boarding the Cassini. So soon as the Standart was sighted,

the Cassini steamed to meet her. Then Admiral Menard's flag ship, Massena, gave a signal and the heavy cannon of the fleet boomed a salute of 101 guns.

LOUBET BOARDS THE STANDART.

When the Standart and the Cassini were about 300 yards apart, a boat was lowered from the Caselul and President Loubet and others took their places therein. The boat was then towed to therein. the Standart by a steam launch, and President Loubet and his party boarded the Russian yacht. After a short interval the Standart steamed to the head f the line and the review of the French varships bezañ

As the long black hull of the Standart from whence was obtained a with yellow funnels, proceeded slowly up the line the crowds ashore cheered magnificent view of the fivet riding at any the line the crowds ashore cheered anchor in two lines. The number of for the czar and the republic of France.

company, who visited with the young

CAME FROM FLORIDA.
Paul Nolan Gets a Big Surprise When He Opened the Boxes
It was hard to say whether Faul Nolan, secretary to assistant Traffic Manager Babcock of the Rio Grante Western, or the family catu at the Nolan domicilian residence received the greater is shock when a certain express pack age was opened last evening. The cat with tepid water and gave the young-sters a swim after their four days' trip age was opened inst evening. The cat expressed itself by jumping three feet in a box. The values had a good time in the air, elevating its tall until it and at once expressed their delight by

in the air, elevating its tail until it looked like an animated gun swab, and passing a few remarks that sounded like an effort to pronounce the name of the masculine equivalent to "good gra-cious." They were an innecent looking pair of packages, which bore the express stamp of Jacksonville, Fin. The next box panned out six lovery flaards, while the second was if anything more inter-osting. When shaken it eminted a sound as though the contents mere alimated and withal annoyed. When it was opened the two young nilaziors inside

and withal annoyed. When it was boulder a formed the two young afficators inside the most poked out their heads and nearly gave tion of the atrival of the distinguished the eat a fit. In fact, the laline was visitors

And then Nolan duly arrived with his triend. From last advices the protocol has been signed and "Central" said to have overheard Mayor. Then Nolan smiled and said: "Hew in conversation over the line this marning between the parties most af-nice of him." He was not referring inorming between the parties most af-to the cat but to his friend Gordon fected regarding the state of Pete's. Newman of the Jacksonville Terminal health.

งรู้กะไขทร้อมใหม่ใหม่หน้าหรือนใหม่ใหว่ามใหว่ามใหว่ามใหว่ามใหว่ามใหว่ามรู้แก่ไม่ม_่านรู้แรง

