DESERET EVENING NEWS.

TRUTH AND LIBERTY.

VOL. XI. SALT LAKE CITY, UTAH TERRITORY, WEDNESDAY EVENING, OCTOBER 9, 1878. NO. 269.

THE EVENING NEWS

Published every evening, except Sunday.

One copy, one year, with postage.....$10.50
" " six months, " 5.25
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Last Night's Dispatches.

EASTERN.

The Vanderbilt Will Case.

NEW YORK, 8.—In the Vanderbilt will case, to-day, Mrs. E. Fletcher Bishop testified that she had several conversations about spiritualism with the Commodore. The first was after '68, after his first wife's death. He expressed his belief in spirits; said that he employed several spiritualistic physicians, and that they gave him great consolation. In '73 he advised her husband to employ them, saying he did so after his wife's death, and was enabled through them, to know what she was doing in the other world. Another time in '72, he told her he had a revelation from his dead son George. He said George advised him to make William the head man, as the girls did not know how to take care of money, and Cornelius was an invalid. Also, the Commodore said he had employed several spiritualistic physicians, who gave him great consolation with spiritual manifestations. He said Cornelius was delicate and incapable of attending to business, and might be placed in an asylum. In '74 the Commodore told witness his wife had been revealed to him through spiritual doctors, and she advised him to give the principal part of his property to William, who would take care of it.

The Astor Heirs.

Judge Van Brunt, today, rendered his decision in the case of the Astor heirs, who sought to enjoin the city permanently from making improvements on its water front, authorized by the act of 1871. While the decision, which is favorable to the city, will doubtless be appealed from, it is the most important rendered since the ring trials. The questions involved nearly the whole water front of the city, and upon their ultimate determination will depend millions of dollars. Judge Van Brunt says the conclusion to which I have arrived is that the right of plaintiffs to this wharfage, resting in covenant and the city not having in any manner covenanted not to use the land outside the wharf, and not having given any easement over the land, for the benefit of the wharf, that defendants have invaded no right of plaintiff in making use of land outside West Street. The complaint must be dismissed with costs.

Remonstrance.

A remonstrance has been sent by the clearing house to Secretary Sherman, against his recent order requiring the tenders of National Bank currency, intended for redemption, to pay the expressage on it in advance. It is claimed that the order bears unequally on the large as compared with the small cities and towns.

The Santa Cruz Insurrection.

A dispatch, announcing that the insurrection in Santa Cruz is drawing to an end, says the French and English men-of-war are protecting the towns, while the Danish soldiers and loyal volunteers are scouring the country. Occasional conflagrations are occurring, but the majority of the rioters are seeking to save themselves by flight. Many of the leaders are in custody. Seventy sugar estates are reported burned, and the report that half of Fredericksted is in ashes is confirmed.

Shot by an Unknown Party.

CINCINNATI, O., 8.—Thomas Stewart and his sister, two old people living on a farm near Richmond, Ky., were shot by an unknown party on Friday night last.

The Pestilence.

MEMPHIS, Tenn., 8.—The weather is settled and warm, which is favorable to the further spreading of the disease. From six o'clock last night until noon to-day, 22 deaths were reported by the undertakers.

The Indians.

OMAHA, 8.—Col. Carleton, from Camp Robinson, has, by this time reached the country between Snake Creek and Niobrara River, through which the Indians are expected to pass.

A Sidney, Neb., dispatch, of yesterday, says: A courier from Carleton's command, on Snake Creek, arrived here at 5 p. m., and reports that Carleton's advance discovered the advance scouts of the Cheyennes on the night of the 3d, 35 miles southeast of Snake Creek station. If not discovered by the Cheyennes Carleton would engage them next day.

Camp Robinson, Neb., 8.—John McGee, an old resident here, reports that Indians were seen this morning by cattle men, within twelve miles of this post, signalling from Crow Buttes, by means of looking glasses, in a southeasterly direction.

A courier from Spotted Tail reports that a band of Indians crossed Wounded Knee Creek on the night of the 6th, going in the direction of the new Red Cloud Agency.

From information gathered from a courier arriving here, no less than four parties of hostile Cheyennes are said to have crossed between here and Wounded Knee Creek, going north, and the belief is that the Indians have been aided in evading the troops by runners from Red Cloud and Spotted Tail agencies.

Nothing from Carlton's command for the past 72 hours.

Hat Creek, 8.—Messengers arriving at Camp Robinson, this afternoon, report the prairie as having been set on fire, 35 miles north east of Hat Creek, by the band of Indians that were said to have crossed the Sheridan road day before yesterday. The atmosphere southeast and east of here is black with smoke; the smell of the burning prairie grass is very discernable. A large tract of country must be on fire, as the stock is coming from that direction on to this range.

The Border Troubles—Proclamation by President Hayes.

WASHINGTON, 8.—The following proclamation was issued by the President to-day:

Whereas, It is provided in the laws of the United States that whenever by reason of the unlawful combination or assemblage of persons, or rebellion against the authority of the government of the United States, it shall become impracticable in the judgment of the President to execute by the ordinary course of judicial proceedings the laws of the United States, within any State or Territory, it shall be lawful for the President to call forth the militia of all States and to employ such parts of the land and naval force as he may deem necessary to enforce the execution of laws, or to suppress such rebellion in whatever State or Territory thereof the laws of the United States may be forcibly opposed or the execution thereof forcibly obstructed, and

Whereas, it has been made to appear to me that by reason of unlawful combinations and assemblages of persons in arms, it has become impracticable to enforce by the ordinary course of judicial proceedings of the laws of New Mexico, especially with Lincoln County, and that the laws of the United States have been therein forcibly opposed, and the execution thereof forcibly resisted, and

Whereas, the laws of the United States require that whenever it may be necessary in the judgment of the President to use the militia for the purpose of the faithful execution of the laws of the United States, he shall forthwith, by proclamation, command such insurgents to disperse and retire peaceably to their respective abodes, within a limited time.

Now, therefore, I, Rutherford B. Hayes, President of the United States, do hereby admonish all good citizens of the United States, and especially of the Territory of New Mexico, against aiding, countenancing, abetting or taking part in such unlawful proceedings; and I hereby warn all persons engaged in or connected with said obstruction of the laws to disperse and retire peaceably to their respective abodes on or before October 18th inst.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed. Done at the city of Washington, this 7th day of October, in the year of our Lord 1878, and of the independence of the United States the one hundred and third.

R. B. HAYES.

By the President,
F. W. SEWARD,
Acting Secretary of State.

Red Cloud and his Chiefs.

Col. Osborne telegraphs the commissioner of Indian affairs from White Clay Agency, of the 7th inst., *via* Camp Robinson, Nebraska, that a scout, just arrived there, reported that Red Cloud and his chiefs were then only five miles distant and coming in.

Cabinet Meeting.

The Cabinet to-day, discussed the subject of finances as connected with government's receipts and expenditures. There was a general agreement that estimates for the next fiscal year should be at the lowest practical figures, in consequence of the falling off in revenue.

The Proclamation—Sherman's Instructions.

General Sherman, this afternoon, issued the following, promulgating a letter of the Secretary of War in regard to the President's proclamation of lawlessness in New Mexico: The following instructions were received from the Secretary of War: "The brigadier general commanding the military department of Missouri will, if necessary to enforce conditions announced by the President, employ the forces under his command after the time and for the purposes indicated."

Murdered by Mexicans.

Information has been received at the department from the United States commercial agent at Piedras Negras, of the murder of Walter Henry, a native of Texas, by Mexicans, near Saragosa.

Wool Market.

PHILADELPHIA, 8.—Wool is quiet and firm, at 18 @ 25 for California fine and medium and 18 @ 20 for coarse.

Fatal Railroad Accident.

BOSTON, 8.—A serious accident occurred this evening, on the Old Colony Railroad, to a crowded excursion train, which was returning from the Silver Lake rowing match, between Reagan, of Boston, and Davis, of Portland. A train of 20 cars ran off the track. It is rumored that 42 persons are killed, and that Reagan, the boatman, was fatally injured.

A dispatch received later at the police headquarters places the number at 10 killed and 150 injured.

The accident on Old Colony Railway, occurred between Atlantic and Wollaston Heights about 7 o'clock this evening. The scene of the accident is about seven miles from Boston, and as soon as the news reached the city, a large number of cots and stretchers were sent out by the city officials.

At midnight, no intelligent account had been received, but it is known that at least 10 were killed and 100 wounded, in a greater or less degree.

The train to which the accident happened, was one returning from Silver Lake, and composed of 22 cars and two engines, carrying about 1,500 persons, who had been out to witness the race between Reagan and Davis. The train was not going at a high rate of speed, perhaps 20 miles an hour. It is not yet positively known what was the cause of the accident but it is stated that a freight train had just been switched off to make way for the excursion train, and as the accident occurred at this switch, there is reasonable supposition that it had not been properly locked.

Both engines jumped the track and went over an embankment, total wrecks, but the engineers and firemen escaped death, only one, as far as known, being seriously hurt. At least five of the cars were wrecked, including the baggage car and four passenger coaches. Among the latter was an English coach, in which were many oarsmen and newspaper men. These cars were piled upon each other, and the wonder is that the loss of life is not greater. Patrick Reagan, the loser of the race, to-day, was sitting with Mrs. Faulkner, wife of his old boating partner, both were killed; Chas. H. Morgan, son of the editor of the Express, was also killed. Among the injured are Mr. Blake, wife of the Cambridge boat builder, Geo. C. Kimball, of the Associated Press, Walter Clifford, reporter of the Express, Mike Mahoney, and two of General Butler's sons who are reported seriously hurt. It is stated that James Flynn, manager of the Silver Lake Regatta, was fatally hurt.

Cause of the Disaster.

The cause of the disaster is now explained by the statement of Charles Westgate, engineer of the leading locomotive on the wrecked train. He says, after leaving Wollaston station, while traveling at the rate of 20 miles an hour, and when about a quarter of a mile this side of Wollaston, he saw, about 300 yards ahead, a freight car on a train running on to the main track from a siding, and he instantly whistled down brakes and reversed his engine. He and his fireman (Dennison) stayed on his engine, and when it struck the car both were thrown off. Dennison was badly scalded. Westgate claims that he did all in his power to stop the train but that he had the right of way, and the switch was all right. He did not expect to see a freight car so suddenly emerge from a siding, which is seldom used. On the Old Colony road all the trains run to the left instead of the right, as is the custom on other roads, and the freight car was being switched on the right track, and had nearly crossed when the accident occurred.

Further returns from the scene state that a later addition to the list of killed will raise the total number to 25 or more. Most of those killed were in the baggage, the English coach, and two passenger cars. The two latter were telescoped partially, and in these many were injured. About 300 or 400 persons were on these cars, and not less than half the number were hurt.

FOREIGN.

GREAT BRITAIN.

The Afghanistan Difficulty.

LONDON, 8.—A dispatch from Allahabad states that on the appearance of a strong Afghan force in a threatening attitude near Jamrood, the garrison of the latter place was reinforced to seven infantry regiments and three batteries. General Ross, commanding Jamrood, was preparing to clear the lower pass and assault Ali Musjid, when he was ordered to await further reinforcements, as it was judged inadvisable to run the slightest risk of a check. It is doubtful whether sufficient transportation has yet been collected to enable the column to advance from Dera Ghazi Khan, as ordered.

A French Fleet.

The *Standard* announces that France has decided to dispatch a very strong fleet to the Mediterranean. The fleet will comprise, besides smaller vessels, ten broadside ironclads, and will carry 130 guns and 6,000 officers and men.

Bosnian Resistance.

A dispatch from Vienna says: The Sultan, while declining to sign the convention, promises not to encourage Bosnian resistance, and hopes Austria, on her side, will not urge, for the present, her treaty right to garrison Novi Bazar, which would be certain to provoke resistance. The correspondent declares that accusations of inhumanity are brought against the Austrians merely to justify the Sultan's refusal to sign the convention.

A Bucharest dispatch says: It is stated that Bessarabia will be formally surrendered to Russia on Sunday.

The Turkish Circular and Austria.

A Vienna correspondent writes, that consternation has been pronounced in Count Andrassy's camp, and considerable irritation in the public mind by the Turkish circular requesting the powers to compel Austria to conform to the declaration of her plenipotentiaries at the Berlin congress. Count Andrassy, last week, assured the Hungarian premier that the convention with Turkey was regarded as a moral certainty. Its failure is likely to have great influence on the Hungarian crisis.

There is an impression in Hungary that Austria is in danger of drifting into war with Turkey, hence the anxiety to prevent operations against Novi Bazar.

A correspondent, friendly to Andrassy, resents and repels the Turkish charges, that the Austrian troops have done their work with needless severity and cruelty, and says such charges are not in keeping with the Porte's professions of anxiety to maintain relations of friendship and alliance.

BRITISH AMERICA.

The Australian Cricketers.

TORONTO, 8.—The Australian cricketers began a game to-day, with a team of 22 selected from the provinces. The Canadians made 100 the first innings. The Australians then went to the bat, and, after losing five wickets, the game was called. The play will be resumed to-morrow. The Australians made 80 for five wickets.

WANTED.

INFORMATION wanted of the whereabouts of Thomas White, formerly of Massachusetts.
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LAND NOTICE.
HEREBY give public notice to all concerned, that on Saturday, the 26th day of October, at the hour of 11 o'clock a.m., a hearing will be had and TAKEN DOWN before the Register and Receiver of the U. S. Land Office at Salt Lake City, Utah, the question of the mineral or non-mineral character of the following described tracts of land, viz: That portion of Section 27, T. 1 S., R. 1 E., lying east of the Jordan River, and being bounded on the E. S. Surveys as mineral, but being claimed by me as agricultural. All parties claiming adversely the above described land are requested to file their claims, if any, with the undersigned, on the day and hour above mentioned.
ROBERT A. BINGHAM.
Salt Lake City, Utah.
August 28, 1878.

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