The Evening paper is the paper of Today, the morning paper is the paper of Yesterday.

DESERET EVENING NEWS.

5 O'clock ~EDITION.~

TRUTH AND LIBERTY.

NO. 166 FRIDAY, JUNE 7, 1895, SALT LAKE CITY, UTAH. VOL. XXVIII.

THE COLORADO WAR.

Eight Hundred Armed Cattlemen Start For the Scene

TO DRIVE AWAY THE SHEEPMEN.

The Latter Said to Be Accompanied by Pinkertons and Prepared for Battle.

Denver, June 7.—A special to the [illegible] from Wolcott, Colo., says advices have been received by a courier from [illegible] to the effect that on June 5th [illegible] armed cattlemen started for the [illegible] Head mountain country with the [illegible] of driving the sheepmen out. [illegible] is rumored that the sheep herders [illegible] accompanied by 150 Pinkertons [illegible] would resist.

FIGHTING AFRICANS.

"[illegible]" Tribes Defeated by German Soldiers.

Berlin, June 7.—An official dispatch from Herr von Puttamer, governor of the Cameroon district of West Africa, announces that there has been more fighting with rebellious Cobo [illegible]. Four strongholds of rebels [illegible] been stormed by the German [illegible] troops and 200 tribesmen [illegible] and many others captured. On [illegible] side of the Germans twelve native soldiers were killed and forty-[illegible] wounded.

Naval Academy Graduates.

Annapolis, Md., June 7.—Among the graduates of the naval academy today were D. V. Todd and W. H. Standley, of California.

Freight Rates Demoralized.

St. Louis, June 7.—Not for a long time has the rate situation in St. Louis been so deplorable and hopelessly bad as at present. In all directions, [illegible] all cases and commodities and [illegible] all rates shippers can get about [illegible] rate they happen to want. Tariff [illegible] have been laid aside and freight [illegible] are engaged in a wild struggle to [illegible] to get the most business at [illegible] least profitable rate.

Chairman Day has not yet called a meeting of the executive board of the Southwestern Traffic association, and the condition of affairs in the territory remains unimproved. The withdrawal of the Santa Fe and Frisco complicates matters.

READY FOR EMERGENCIES.

Whisky Trust Distilleries Turned Into Arsenals or Forts.

[illegible], June 7.—A local paper [illegible]: Every distillery in the United States controlled by the whisky trust has been turned into an arsenal.

For nearly a month past United States deputy marshals have had their [illegible] in the distilleries. They are [illegible] heavily armed and prepared to resist any attack that may be made, or any attempt to take possession.

[illegible] incendiaries or dynamiters [illegible] the receivers fear. A decision is [illegible] expected from the supreme court [illegible] the state which may have the effect of precipitating hostilities. There may [illegible] and add a new phase [illegible] to the legal troubles of the [illegible]. On the other hand, they may [illegible] a more tranquil character in the [illegible] of a pitched battle with firearms.

The anxiously expected decision is [illegible] the case of the Distilling and Cattle Feeding company vs the People ex rel. [illegible] attorney general. This is the case [illegible] General Maloney filed information [illegible] of a writ of quo warranto declaring the company to be an illegal corporation; in effect, a trust and existing contrary to the anti-trust laws of the [illegible]. He was sustained by the circuit court. The decision was appealed by [illegible] to the Supreme Court and a decision, it is expected, will be handed down within a few days.

The effect of a decision sustaining the action of the attorney general and the decision of the lower court would, [illegible], be much more far reaching than to simply cause a disintegration of the trust. If the contention of one of the anti-trust attorneys be [illegible], it will have the effect of restoring to the original owners of the [illegible] all right and title to the various plants, on the ground that all [illegible] to the trust were illegal and that any and all contracts made with the [illegible] were in violation of the anti-trust statute and therefore void. [illegible], so far as can be learned, there [illegible] been no concerted movement on the part of the original owners to take [illegible] possession of the properties in [illegible] the decision is favorable to the attorney general, there have been [illegible] individual moves in this direction to alarm the receivers, and [illegible] the heavily armed guards of United States deputy marshals in the [illegible]. There are twenty-nine [illegible] distilleries in the trust, with more than eighty plants. Twenty of [illegible] are located in Illinois and five in [illegible]. The value is many millions of dollars, and it seems to be the [illegible] of outsiders as well as of the [illegible] of the trust that the original [illegible] will make a strong fight to get [illegible] should the Supreme Court [illegible] be favorable to them. Such a [illegible] might involve the state of [illegible] in a conflict with the United States authorities in order to enforce the action of its highest judicial [illegible], although it is a remote probability.

A TEST CASE.

Bank President Charged With Violating an Arkansas Statute.

Los Angeles, Cal., June 7.—[illegible] W. England, the attorney who was arrested a few days ago on a warrant from Arkansas, has returned. He was charged with having received, as president of the Bank of Lonoke, public funds on deposit in violation of an Arkansas statute, providing that it should be embezzlement for any person or corporation to loan or receive public funds. The funds were received prior to the present statute, but the failure of the bank during the panic during 1893 prevented the repayment to the county of about 25 per cent of the amount received. While it was never contended that Mr. England had fraudulently manipulated the affairs of the bank, he was indicted seemingly as a test case.

Upon his arrival in Arkansas, Mr. England was met by his friends with the necessary papers and released. Before returning to this city he obtained a written statement from the receiver of the defunct bank as well as from the lawyers who are prosecuting the suits, that no fraudulent or irregular transactions existed during his administration of the bank's affairs.

Mr. England is confident that the suits will be dismissed.

Lake Drying Up.

Niles, Mich., June 7.—Barron lake, near here, is slowly drying up. Within two weeks the shores have receded over five rods. No one is able to account for the phenomenon.

CAUSE OF THE DISASTER.

Story Told by Survivors of the Ill-fated Colima.

The Vessel Badly Loaded and the Captain Blind to the Impending Danger, They Say.

San Francisco, June 7.—The Call, [illegible] an account of the wreck of the Colima as told by the survivors of the wrecked vessel, says:

The ship was overloaded, badly loaded, top heavily loaded—all agree to that. When the gale struck her, she weathered it but badly. Then she careened. There was a list to starboard, and she did not right again. Men called out to the captain to cut away the deck loading of heavy spars. The captain was obdurate. He knew his business, or fancied that he did, and would brook no suggestions from what he called the terrified and panic stricken passengers. And they probably were all that he called them, for they could see death staring them in the face, while the captain remained blind.

The ship listed more and more. With apprehension everybody waited, held their breath, till she should bear up and right again, but she did not right. She listed still more. Then she lost her steering power. The captain rang for more steam, and would not cut loose the deckload—that might have saved her. Steam could not save her. The engineers were taken to their utmost; still the vessel listed. The panic on board grew worse, the fear of death more intense. Then the captain gave orders for the crew to keep the passengers within bounds. Whether these orders went so far as to withhold life preservers from the passengers and to retard those who sought to do so some on deck, where they might have a chance of battling with the waves, is not known at this time. Perhaps some further investigation will shed some light on this point.

At all events the effects of those orders were to turn the crew and subaltern officers into a band of tyrants who acted as though they sought to prevent anyone from escaping the doom that yawned before them. Steerage and cabin passengers say they sought to obtain life preservers and were forcibly restrained from doing so. Down in the steerage a guard was posted at the companionway door, and those who escaped to the deck in time to cast themselves into the sea before the vessel went down did so only by main force, by kicking and fighting their way past the guard.

Those who were saved are some of those who were wiser than the captain, who could see their peril more clearly, and had will enough to throw themselves into the foaming sea before the Colima gave her last list to the starboard. As she did this the captain's whistle sounded to cut loose the deck load of spars.

Beaten by Union Seamen.

Chicago, June 7.—Four sailors employed on the lumber barge Augus Smith were taken from the boat and badly beaten by members of the Seamen's Union. The assault was made in the hall of the Seamen's Union on Randolph street.

The contention between the beaten sailors and the union is the wage scale. The union card demands $1.50 a day and it is alleged these men are only receiving $1 a day.

Costa Rica Ready for War.

New York, June 7.—A special to the World from San Jose, Costa Rica, says: Everything possible is being done to put this country in good position for defense. The topography is such that an invasion by Honduras and Nicaragua combined would be difficult.

If the four other Central American republics combine against her, it is believed she will receive Colombia's help, with which she can hold her own.

Costa Rica will make no further concessions, but rest on President Cleveland's decision with reference to the boundary.

Steamship Company Fails.

New York, June 7.—A special to the Herald from Colon, Colombia, says: The Carribean steamship company has gone out of business after six months' tentative operations, losing in that time $20,000.

The chartered steamer Premier will be returned to the owner, Mr. Vipond, of Montreal.

Damage by Cyclone.

Summit, S. D., June 7.—A cyclone passed six miles west of here at 7:30 last night, causing loss of property but none of life.

Satolli for Cardinal.

Rome, June 7.—It is stated upon good authority that Mgr. Satolli will be created a cardinal at the next consistory.

THE BLUE AHEAD.

Record of the Relay Bicycle Ride Between Chicago and New York.

Syracuse, N. Y., June 7.—W. F. Hanvey, the Blue Relay rider in the Chicago-New York race between Woodsport and this city, arrived here at 1:33 this morning, three hours and fifty-five minutes ahead of the schedule, and was followed seven minutes later by H. M. Bachman with a Red message. Hanvey grew faint on the road, having had no breakfast and was barely able to ride through. Bachman made up 28 minutes of the time between the Blue's and Red's.

Utica, N. Y., June 7.—The Blue relay bicycle riders passed through this city at 1:13.

Fonda, N. Y., June 7.—The Chicago-New York relay riders have arrived here, the blue at 1:31; the Red at 1:41.

Fatal Mine Accident.

Bismarck, Mo., June 7.—The top of Doe Run lead mine, at Flat River, caved in, killing Robert Penberty, Robert Labuyre and John Delirouse.

ANOTHER CLOUDBURST.

Further Damage Done in Wurtemberg by Flood.

Stuttgart, June 7.—It is officially announced that the fatalities which resulted from the cloudburst on Wednesday over the Wurtemberg portion of the black forest amount to fifty. At Balingen thirty houses were demolished by a rise of the river Eyach.

There was another cloudburst last evening in the same district and the Eyach valley was again flooded. The damage done is not known. The Rems valley was also visited by a water spout, and there have been heavy thunder storms throughout the southern portion of Wurtemberg. The Danube and Neckar are greatly swollen.

Off for Hamburg.

Southampton, June 7.—The U. S. warships San Francisco and Marblehead left today for Hamburg.

THE MANCHESTER CUP.

Won by the Prince of Wales's Fleetwell Against a Large Field.

Manchester, June 7.—Fleetwell II, owned by the Prince of Wales, won the Manchester cup today against a large field, which included M. F. Dwyer's Banquet II. Fleetwell was the favorite in the betting, 7 to 2, but the Americans who turned out in large numbers backed Banquet II heavily, so just before the race the odds were 5 to 1, whereas a fortnight ago they were 2 to 1.

There was much grumbling when it was announced a few days ago that Cannon's Reminder who had a good chance and who had been backed to win the cup for months, had been sold to Baron Hirsch, and scratched. This morning nearly all the sporting papers tipped Fleetwell II for winner but all intimated that Banquet II was a decidedly dangerous horse.

The result was: Prince of Wales's Fleetwell II, first; Mr. Cohen's brown colt Ironclawn, second; P. Buchanan's chestnut colt, The Docker, third.

Each of these is a four-year-old.

Steamer Ashore.

Queenstown, June 7.—The British steamer Dervoir is ashore on Briggs Reef. Four hundred passengers have been landed by boats of the coast guard. The steamer lies in an easy position and probably will float this evening.

Heavy Failures.

Lancaster, Pa., June 7.—Executions for $45,500 have been issued against H. S. Kirk & Sons, proprietors of Stevens's cotton mills and manufacturers of cigars. It is understood the failure is a heavy one.

Abraham Hirsch, dealer in millinery, also failed, executions having been issued for $37,000.

Died of Pneumonia.

Annapolis, Md., June 7.—The wife of Lieutenant Rogers W. Gall, U. S. N., who was Miss Ash, of California, died this morning of pneumonia.

Laid to Rest.

Managua, Nicaragua, via Galveston, June 7.—The remains of Hyram Lutt, the U. S. consul who died yesterday afternoon, were buried today. The body was escorted to the cemetery by all the Nicaraguan ministers and 200 soldiers. Military salute was fired over the grave.

The Revolution in Ecuador.

New York, June 7.—A special to the Herald from Panama, Colombia, says: Advices received here from Guayaquil, Ecuador, says the government possessions are now reduced to the provinces of Pichincha, Canar, Azuay and Loja, the other eleven being almost completely in the hands of the revolutionists.

The four principal ports, Guayaquil, Bahia, Esmeraldas and Manta are also held by the insurgents and the interior provinces will be compelled to surrender although it is thought that by the aid of clergy they will be able to hold out for some time.

General Madaro, brother of General Eloy Alfaro, has left here to join the insurgent forces, General Flores, ex-commander-in-chief at Guayaquil, has fled, it is supposed, to Payta, Peru, Dr. [illegible], his secretary, has arrived here.

Forest Fires Raging.

Brazil, Ind., June 7.—Serious forest fires are raging in the northern part of this county and the southern part of Parke, caused by railroad men burning old ties along the track. It is said that about 300 acres of timber has been consumed by the flames, while some residence property is threatened. A large number of men have been constantly at work fighting the fire.

Found in the Creek.

San Antonio, Tex., June 7.—W. F. Crankrite, a wealthy building contractor, owning a ranch on Saledi Creek, six miles out, and his wife were found drowned in the creek this morning. They are said to have gone fishing. Suspicious wounds on the man's head point to murder.

Sold the Corpses.

Birmingham, Ala., June 7.—Lee Harris and Ace Mitchell, colored murderers, highwaymen and thieves, were hanged here today before 2,000 people for the murder of Grocerymen Mariwether and Thornton. Both bodies were turned over to undertakers who purchased them several weeks ago for $16 from the men themselves.

REBELS DEFEATED.

Cuban Insurgents Attack the Government Troops.

FIERCE FIGHTING FOLLOWS.

The Revolution Forces Compelled to Retire With Loss, Pursued by the Soldiers.

Havana, June 7.—A small detachment of Spanish troops, it is announced in a dispatch from Manzanillo, were surprised by insurgents commanded by Amadora Guerra. Fierce fighting followed. The Spanish lost one sergeant and three soldiers killed and had seven wounded. The insurgents were compelled to retire leaving four dead and nine wounded. The troops pursued the fleeing insurgents and captured five prisoners.

Another dispatch announces that a number of insurgents recently attacked the village of Guaya which was defended by a small detachment of troops commanded by Col. Castillo. The Spanish soldiers routed the enemy who left three dead upon the field.

Gould's Yacht in the Lead.

Sheerness, Eng., June 7.—In a fresh northeaster Howard Gould's 20-rater Niagara, and two other yachts of the same class started at 11:30 a. m. today in a race for a prize of £25, in the regatta of the London Yacht club.

At 1:15 p. m. the Niagara was leading, Luna second.

The following were the times of the two leading yachts at the end of the first round:

Niagara, 2 hours, 16 minutes, 10 seconds. Luna 2 hours 2 minutes, 3 seconds.

Partly Guilty.

Morrilton, Ark., June 7.—Will Dowis, who assaulted Pauline Brindenbaugh, was hanged here today. He spent several minutes stating that he was guilty but in part of what he was charged with.

Postmaster Appointed.

Washington, June 7.—The President has appointed Peter F. Clark postmaster at Aberdeen, Washington.

Dividends Declared.

New York, June 7.—The American Sugar Refining company has declared regular quarter dividends of 3 per cent on common stock and 1½ per cent on preferred stock. The sugar dividends are payable July 2.

Wheat Market.

New York, June 7.—The public got under the wheat market this morning and lifted the prices 1¼c. Crop news was bullish. Some of it was worse than during the last boom.

OLNEY SUCCEEDS GRESHAM

And Judson Harmon, of Cincinnati, is Attorney General.

The Announcement of These Appointments Made This Afternoon.

Washington, June 7.—The President late this afternoon announced the following cabinet appointments:

Secretary of state, Richard J. Olney, of Massachusetts.

Attorney general, Judson Harmon, of Cincinnati, Ohio.

A LITTLE BOY BURGLAR.

Hid in a Store, Slept on an Ice Chest, Tapped the Till and Told an Awful Story.

The police have had at the station the whole of today a ten-year-old boy who is a veritable truth perverting phenomenon. He answers to [illegible] and says that he is ten years of age. His presence at the hall is explained in this way:

This morning when the Henderson grocery store on East Temple street was opened the form of a small boy was seen making for the door. But the lad didn't get there. He was stopped short and asked a series of questions as to how he came to be in the place. Some of them he answered, but others he didn't. An examination disclosed the fact that the till had been tapped and about $11 in cash was missing. The money was found in the boy's pocket. The matter was reported to the police and soon Sergeant Wire had the young culprit at the station. There he was put through a course of questioning amid tears and sobs which he could suppress without any apparent effort.

He said that he did not plan the job to rob the store himself. That he claims was the work of an older boy, Frank Wilder, living on Sixth East street. In accordance with it he slipped into the store before closing time last night and, unobserved, climbed onto the ice chest and was locked in for the night—precisely what he wanted. He was to be assisted from the place by Wilder. But for some reason he was not and after tapping the till he was obliged to stay in the store all night. He had a feast on crackers, cheese, candies, nuts and such other things as he thought would tickle his palate. Then he made his bed on the ice chest and went to sleep. He told Sergeant Wire that his mother had died yesterday and that she would be buried this afternoon. Her body, he said, was lying at the house of a Mrs. Taylor. Under the boy's direction the officer made an effort to find it and in failing the little chap said that he had been lying and that his mother was living on Twelfth East and Fifth South streets and that she was a dressmaker by occupation. [illegible] News reporter [illegible] his father [illegible] New Jersey with his mother a year ago.

A Salt Lake Boy Leads.

Adjutant General John Q. Cannon, of the National Guard of Utah, today received from Lieutenant H. D. Styer, of the Thirteenth United States Infantry, but who is acting as professor of military science and tactics at the University, the following letter which will no doubt be read with interest by those most concerned:

"In compliance with instructions of the war department, I have the honor to report the name of Will Ford Cannon, of Salt Lake City, as highest in the military department among the members of the last graduating class at that institution."

DEATH OF PHILO DIBBLE.

An Old Respected Veteran Passed to His Final Rest at Springville this Morning.

Elder Philo Dibble, an aged and respected Utah veteran, died at his home in Springville at 2 o'clock this morning. Elder Dibble had been failing for some time past and was perfectly resigned to the position. He was in the ninetieth year of his age, and had a very remarkable career.

In his death it is thought the oldest member of the Church has passed from mortality. He was baptized September 15th, 1830, by Parley P. Pratt. He was wounded by a mob during the troublous times of 1833 in Jackson county, Missouri. He was shot in the abdomen. The ball passed through his body and lodged near the backbone just beneath the skin where it remained up to the time of his death. On May 27th he was visited by some of the Elders of the Church and among other things he said at that time:

"I know, he said, the Church was established by divine revelation, Joseph Smith being God's Prophet, Seer and Revelator. With him I was familiar and closely associated during his life from 1831 until 1844, [when] I beheld him as a martyr, shot with four bullets, even unto death; and I now lie here on my death-bed with lead in my body at the age of 89, and I shall soon go to meet the martyr, for I now feel that my work here on earth is done, and my desire is that I may soon go in peace where I shall see many others who, like myself, have suffered many tribulations for Christ's sake."

His funeral will be held at Springville, from the meeting house on Sunday afternoon next, beginning at 2 o'clock.

Will Come Up Tomorrow.

Charles Horton, Thomas Harde and George Kennedy, who were arrested on information from the Leadville officers, were to be taken before Commissioner Pratt this afternoon, but the case was postponed until 10 a. m. tomorrow. One of the defendants is wanted at Leadville for carrying away certain goods valued at $25, on or about June 1st, and the officers do not know which it is. Attorneys Lichnor and Summers will appear on behalf of the defendants and endeavor to get two of them released.

Excursion Rates.

The Union Pacific has announced excursion rates as follows: For July 4th, tickets good from 3rd to 5th inclusive on all points in Utah and within 300 miles of Salt Lake. The tickets will be sold at one fare for the round trip.

The Rio Grande Western announces special rates as follows: For July 4th, one fare for the round trip between Salt Lake and all Utah points, tickets to be sold July 3rd and 4th.

For the Welsh Eisteddfod at Scofield, one fare round trip from all Utah points, tickets to be sold June 24th and 25th, limited to 30th.

For Epworth League convention at Chattanooga June 27th to 30th, one lowest first-class fare for round trip, sold on 23rd and 24th.

The Republican League delegates from Utah will go to Cleveland on a special train over the R. G. W., D. & R. G. and C., R. I. & P.

Snowing At Park City.

A telephone message received by the News from George D. Pyper at Park City at three o'clock this afternoon brought the information that it was very cold up there today and that it was snowing. There was a very large mantle of the beautiful stuff in the mountains round about. Mr. Pyper was up there with the Salt Lake concert company which left here this morning. He said the prospects for a large turn out at their performance this evening were very good. The company will return home tomorrow night.

WAS CUT WITH A HATCHET.

Chinaman Lim Lee Shows a Bad Gash Which, [illegible] Says, was Inflicted [illegible] Ray Olsen.

Among the cases before Justice Smith this morning was that of Ray Olsen, charged with assaulting Lim Lee, a Chinaman who knows more about the wicked ways of the American bad boy, than he does of that boy's language, as evidenced by the fact that when he recited his story it was through the medium of an interpreter.

Lim's story was apparently a straight one—one that does not augur well for the accused. In substantiation of the statement that he had been badly and even brutally handled, he exhibited a long, ugly gash in his head which, he said, was inflicted by a hatchet in the hands of Olsen. The case was continued until tomorrow in order that other witnesses might be brought in. The court has made an [illegible] that the indiscriminate abuse of Chinamen—very often entirely unoffending—must stop. They are frequently [illegible] to the most terrible abuse. The lesson taught young Among [illegible] the stoning of a Chinaman a [illegible] ago, seems to have had but little effect on the minds of boys of his own stripe.

Wedding Reception.

There was a very pleasant wedding reception at the home of General R. T. Burton, at No. 166 South Second West street last night. The happy couple in whose honor the affair was given was the general's daughter, Miss Florence May Burton and Dr. Erwin E. Wilcox, of Nephi, brother of Dr. Charles F. Wilcox, of this city. Their marriage occurred in the Salt Lake Temple yesterday. At the reception only relatives and intimate friends were in attendance, among the latter being the members of the Shakespeare club to which the young couple both belong. They are well and popularly known in this city and in other parts of the Territory. They will make Nephi their permanent home where the groom has already earned a good practice in his profession.

JUDGE McNALLY INDIGNANT.

He Objects to Being Misquoted and Misrepresented by a "Get-Up-Something" Reporter.

Judge McNally, of the probate court, was the most indignant official within the bounds of the Territory today—at least so far as known. The judge is very generally regarded as genial, jolly and extremely good natured gentleman and withal an accommodating and efficient public servant. To see him with frowning features and displeased looks is something altogether unusual. But he was in that condition today.

It happened in this way: This morning one of the enterprising dailies of this city published a half column fairy story about the Brigham Young estate and an alleged delinquency on the part of the executors thereof to appear in court and make their final report. He is quoted (first person) as saying that he had not been treated right by the executors and that he intended to make them appear before him, etc. without any further delay and that in accordance with that determination he had issued "an order calling on the executors to come in on Thursday next and show cause why they should not be made to make an accounting."

The judge says that it all news to him and that he was greatly astonished at seeing it in print this morning. He declares that he issued no such order and that he didn't even contemplate doing so. The whole thing is imaginary, he says, and why he should be thus misquoted he cannot understand. Yesterday the reporter whom he believes to have written the article called at his office in search of news and when informed that matters were a little quiet replied with an air of extraordinary self-confidence, "Well, I'll have to get up something then." As to how well he succeeded, ask Judge McNally.

A Suspended Fireman.

It was stated on the streets today that Amos Moreton, one of the firemen at Station No. 1, had been suspended by Chief Devine on a charge of reporting for duty in an intoxicated condition. The chief when spoken to declined to enter into a discussion of the case intimating that he would make his statement to the board of fire and police commissioners. The case will probably be considered on Monday night next at the regular meeting of that body. Moreton's offense is said to have been committed yesterday.

Boyd Divorce Suit.

Edith Boyd today filed in the Third district court a suit for divorce against Harry Boyd. The plaintiff claims that she was married to defendant on Nov. 5, 1892, in this city, and that she has always treated him in a kind and affectionate manner. She further claims that about one year ago defendant deserted her and ever since that time has absented himself from her and willfully neglected to provide for her the common necessaries of life, although he is abundantly able to do so, and she has been compelled to support herself by her daily labor except such support as she has received from her parents and the charity of friends. Wherefore plaintiff prays for a divorce and asks that defendant be required to pay the costs of the suit, and that plaintiff have such other and further relief as equity and good conscience may require.

Keeping Him For His Father.

George Harris, the little chap arrested by the police yesterday for stealing flowers, is being kept in the city jail until his father arrives and makes a statement that may or may not result in his release. It appears that George is a very bad boy, much given to picking up things that do not belong to him. About a month ago he was in jail on a charge of petit larceny. At that time the lad's father is reported as saying that he could do absolutely nothing with the boy and asked the officers to "run him up" whenever they saw him roaming about and that is what they have done.

Alfred Lampier and Joseph Brown, two other boy chaps who were before Justice Smith on flower stealing, promised to be good boys hereafter and on that showing were allowed to depart unpunished.

Smoke Ordinance Violation.

Axel Lund, arrested by Captain Donovan on a charge of violating the smoke ordinance, appeared before Justice Smith this afternoon and entered a plea of not guilty. The case will be heard tomorrow at 10 o'clock.

TWO OR ONE, WHICH?

That is the Question Today as to the Oregon Short Line Receivers.

SENATOR THURSTON'S ELOQUENCE.

He Does Not Oppose Separation, but Asks the Appointment of a Salt Lake Associate for Mr. Egan.

Today the crowd in attendance at the Oregon Short Line separate receivership hearing listened with deep attention to the flow of logic and eloquence from the lips of masters in legal science. The opening speech was by Mr. Pierce and was brief. He was followed in an address of nearly two hours by Judge Kellogg, of St. Paul, who made a logical and forcible argument. Next came Senator John M. Thurston, general solicitor for the Union Pacific, whose expected effort was chief among the attractions. When he arose to address the court there was an almost breathless stillness, continued during his entire speech, which was eloquent and impressive. His sonorous but well modulated voice and clear cut sentences were listened to with that close attention which seldom is given to speakers even on occasions where such great interests are involved.

At the opening of the court, all was as serene as though a Union Pacific attorney had not called a Loan company attorney a liar at the close of last evening's session, and the affair been terminated by a threat of Judge Merritt to send them to jail. It was after the close of Judge Marshall's argument on behalf of the Loan company, when he was followed by Le Grand Young for the railway, who opposed the granting of the request for receiver's certificates, and characterized as dishonest a proposition to segregate the road by declining to take any part. In response to Mr. Storey's inquiry as to whether opposition would be withdrawn if the whole road were taken, Mr. Young replied that he was not authorized to state. At this point Messrs. Pierce and Storey disagreed as to what had occurred at St. Paul and Oakland. Mr. Pierce called Mr. Storey a liar, and Judge Merritt stopped them, saying he would send both to jail. They apologized and the court warned them that they must not repeat the offense.

This morning the Supreme court room, where the hearing was held today, was filled with attorneys and railway and business men interested in the arguments of eminent counsel.

The first speech was by Mr. Pierce, on behalf of the Union Pacific. He took up the three allegations of the Loan company's complaint on which was based the application for removal of the present receivers, so far as they had control of the Oregon Short Line. These were that the five receivers had operated the Short Line as part of the Union Pacific system; that they had violated the traffic contract of Dec. 6, 1893; and that they had not made a fair distribution of the earnings of the roads to the Short Line. As to the first ground, Mr. Pierce argued that if the operation of the Short Line as part of the Union Pacific system was not satisfactory, the proper remedy was to apply to the court for instructions to the receivers. In appointing the receivers the court had directed that the lines should be operated as one system until other instructions from the court. This the receivers had done. Regarding the other cases he derided the Loan company's proposition. Speaking of the request that the Loan company has an option to take or leave any part of the road, that it can take the paying lines north of Salt Lake and reject the non-paying lines south of Salt Lake, Mr. Pierce insisted that if such an order were made it would be manifestly unfair to the receivers and interests in whose hands the rejected portion would be left. The Loan company's mortgage covered one line, the consolidated road, and it could not be legally segregated.

Mr. Pierce then gave considerable attention to the rule of comity, by which it had been urged that the Utah courts follow the action of the courts of the eighth and ninth districts. He argued that the Loan company could not appeal to the rule, since its proposition was to violate the reason of the rule by dismembering the property. Under this condition he urged that the Utah court insist upon a uniformity of orders which would make the line indivisible.

Mr. Kellogg, for the American Loan and Trust company, then addressed the court. He referred to Mr. Williams's remark that the Loan company was a stranger here, and suggested that there were no strangers in a court of justice. The Loan company represented as trustees the bondholders under the mortgage to the extent of over $10,000,000, also the collateral mortgage of over $13,000,000 and of the Utah & Northern mortgage of nearly two millions. The five receivers were appointed at the request of stockholders in the Union Pacific, and not in the Short Line, though the Union Pacific owned the majority of stock in the Short Line, and made its contracts.

Under the traffic contract, when the Union Pacific failed to keep it, the Short Line could enter upon the possession of its property. As the mortgagee followed in due course to the rights of the Short Line, then when the receivers, who were also officers of the Union Pacific, failed to keep the contract, then their right to the property was ended, and the possessory right belonged to the mortgagee, which was the Loan company. Reciting the history of the appointment of Union Pacific receivers in the Utah court, Mr. Kellogg stated that when the Union Pacific attorney, under the first mortgage foreclosure, came into this court, even before the lines were settled, and had receivers appointed promptly. Will the Loan company, in this court, be denied the application of the same rule which was so freely granted to the Union

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