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. 96. MONDAY, MARCH 16, 1896, SALT LAKE CITY, UTAH. VOL. XXIX.

U. S. SUPREME COURT.

Decision Against the Central Pacific and Southern Pacific.

STATE FRANCHISES MAY BE TAXED,

Justice Field Dissents—Decision on a Case of Extradition of a Consul.

WASHINGTON, March 16.—Chief Justice Fuller, in the United States Supreme Court, today handed down a decision in the cases of the People of California against the Central Pacific and Southern Pacific Railway companies, involving the right of the state to tax the franchises of those roads. The railroad companies resisted taxation on the ground that their franchises were derived from the national government as well as from the state authorities and were inseparable. The court decided against this view, holding that the railroad companies owe their existence as corporations to the state and are subject to the state laws in respect to taxation. The chief justice said the state franchises never had been merged in the federal franchises and they were as legitimately subject to taxation as the road beds of the companies. Justice Field read a dissenting opinion. He said the position taken in the majority opinion is sound and unassailable.

ANOTHER DECISION.

WASHINGTON, March 16.—The Supreme court today reversed the decision of Judge Maxey, of the Texas federal court, in the case of Consul Orozbe of Mexico, asking for the extradition of certain men claimed to have been engaged in the Garza insurrection in 1891 and 1892. The Supreme Court decision has the effect of holding them subject to extradition. Chief Justice Fuller read the opinion.

Heaviest Storm of the Winter.

NEW HAVEN, CONN., March 16.—Reports from all parts of the state indicate the heaviest storm of the winter prevails. The average depth of snow is seven inches. In New London, however, over a foot has already fallen.

AID FOR CUBA.

An Expedition with Men and Ammunition for the Island.

NEW YORK, March 16.—The Press this morning says: Despite the efforts of the Spanish consuls, officials and spies in this country, in the face of the loss of the steamship J. W. Hawkins, and the seizure by United States marshals of the steamship Bermuda, the Cubans in this vicinity have now upon the sea, bound for the island whose freedom is the one thought of their lives, that heretofore large cargo of ammunition of the steamship.

On another vessel it is understood are a lot more men who are to be transferred to the Bermuda on the high seas.

The Bermuda left New York yesterday morning. It was shortly after 4 a.m. when she got up her anchor, in which when she passed Sandy Hook and about noon was some distance the fleet of newspaper tugs that followed her to sea. The air was filled with rumors yesterday. Thomas Estrada Palma has disappeared from town and General Carlito Garcia left his home early in the morning and had not returned at a late hour last night. The news came to what that they had sailed for Cuba and that it was the intention of the patriots to persect the system of government in Cuba in order to induce a more substantial support from other countries, including the United States, from that of mere sympathy. The law of this country prohibited the vessel from leaving her decks down to the waters edge with gunpowder and arms for the insurgents in Cuba, and in all, forty tons of ammunition and guns were stowed on board the Berbiana and also several cases containing dynamite.

SPANISH WARSHIPS ON THE LOOKOUT.

KEY WEST, FLA., March 16.—Before the steamships Bermuda, Three Friends and Commodore, each supposed to be carrying a filibustering expedition to Cuba, reach the island they have to run the gauntlet of a number of Spanish warships, now cruising off the east coast of Florida. Three days ago three Spanish warships appeared off the south beach of the island of Key West. It says the vessels were about 10 or 12 miles out, apparently waiting for filibusterers. Yesterday after one the Spanish vice-consul went out to one of the vessels in a steam-launch and, it is supposed, gave the commander some information relative to the movements of the suspected steamers. Immediately after the vice-consul left the vessel the three cruisers sailed away toward the north. The supposition is that they will patrol the east coast of Florida waiting for the Bermuda, the Three Friends and the Commodore.

There is said to be a large number of men camped on one of the Florida keys north of here, who expect to be taken off by one of the three suspects. The key is in the United States waters, however, and it is not believed that the Spanish will dare to interfere with the men. So far as known the United States officials have received no orders to watch for the suspected cruisers.

British Soudan Expedition.

NEW YORK, March 16.—A dispatch to the Herald from Cairo says the first troops to leave for the Dongola expedition will go on Wednesday if the transport vessels are ready. The third, fourth, seventh, eighth, eleventh, twelfth and thirteenth battalions are all ready at Assouan, Wadyhalfa or Koraska. The fifth and sixth battalions go from Cairo and when the newly formed fourteenth battalion was composed of picked Soudanese troops.

The Sussexshire regiment is the only English one at present ordered to the front, but the Connaught rangers are to be medically examined today.

It is now affirmed that Sir Herbert Kitchener does not lead the expedition, but that the commander will be sent by Lord Wolsey.

There is a strong force of Dervishes at Dongola. The intelligence department hears that two strong bodies of Dervishes are marching on Kosseila. If it falls, Suakim will be placed in great danger.

Speaking of Silver.

LONDON, March 16.—The Times dispatch from Brussels says: In the Chamber of Deputies, Deputy Bertrand made a minute and searching statement of the evils of the depreciation of silver. M. Demeur Demeyer, minister of finance, in reply, recognized the gravity of the evils, though he thought it was not incumbent on Belgium to call a monetary conference. But the government would cooperate in any measure in this direction of fixing a ratio between gold and silver.

Forest Fires and Ammunition.

LONDON, March 16.—A Cape Town dispatch to the Times says that the government has ordered that forest fires and ammunition, through the Delfosa mine, but no more the guns.

HIS FIRST IN THE SENATE.

Senator Cannon Criticises Secretary Hoke Smith

For His Reply to the Recent Resolutions as To Indian Lands.

WASHINGTON, March 16.—Palmer (Ill.) offered a resolution in the Senate which went over, declaring that unlimited coinage of silver by the United States would subvert the existing legal and commercial values.

Cannon (Utah), made his first speech, sharply criticising Secretary Hoke Smith for his recent response to the Senate resolution as to Indian lands. Cannon characterized the secretary's action as discourteous, misleading and evasive and protested in behalf of the west against the lack of information and intelligent action by the secretary on matters affecting the western country.

At 1 o'clock Lodge (Republican, Mass.), was recognized for a speech in support of the resolution for additional immigration laws.

House Committee on Railroads.

WASHINGTON, D. C., March 16.—Several members of Congress interested in the Sioux City and Pacific railroad appeared before the House committee on Pacific roads today to give their views upon the proposition recently made by Coombs, the Sioux City banker, regarding that branch. Representatives Meiklejohn, Nebraska; Pettus, Iowa; Fordney and Tawney, Minnesota, presented petitions from many towns asking for the construction of the road southwest from Sioux City to North Platte, contemplated in the original Pacific railroad acts. The advantages of such a line, as presented by Meiklejohn are that it would disgorge the union Pacific of Omaha and Kansas City and in their power to repair earlier mistakes of colonial policy. There is a prospect that in future principles of humanity and morality will supersede inhumanity and cruelty.

Mail Matter Destroyed by Fire.

CHICAGO, March 16.—Postmaster Washburne Hesting says that in the South Chicago postoffice Are Sunday afternoon, the entire Saturday night and Sunday mail for South Chicago with the exception of registered letters was destroyed, not a scrap being saved.

Brazil's Boundary Dispute.

NEW YORK, March 16.—The Herald's correspondent in Rio de Janeiro sends word that the Brazilian government will present to Congress an agreement with France upon the question of the contested territory in Amapa, on the border of French Guiana.

Found Guilty of Murder.

TOPEKA, March 16.—Frank Nevels, colored, has been found guilty of murder in the second degree for having killed Mrs. Mateon, found dead in her house in this city with her head crushed in with an axe, over a year ago. Mrs. Mateon had not lived with her husband for several years and suspicion was directed against him. He was exonerated, however, having come on from California, where he lives, and proven an alibi.

Meeting in New York.

NEW YORK, March 16.—Snow has been falling continuously since 12 o'clock on Sunday, and at noon today showed no signs of abatement. There is no wind. The storm does not seem to have affected the railroads. The traffic on the street railway lines is somewhat disturbed.

Jackson and Walling.

CINCINNATI, March 16.—The circuit court today remanded Jackson and Walling to the sheriff of Campbell county, Ky.

British Steamer Destroyed.

LONDON, March 16.—The British steamer Matadi, which sailed from Sierra Leone on February 5, has been totally destroyed at Boma by an explosion of gunpowder. Some passengers and the crew were saved, but many are missing.

For Fish Commissioner.

WASHINGTON, March 16.—The President today sent the Senate the following nominations:

John J. Brice, California, commissioner of fish and fisheries, vice Marshal McDonald, deceased.

Not Appreciated in London.

LONDON, March 16.—The Pall Mall Gazette this afternoon says the Northern Pacific railroad reorganization scheme is not appreciated here. The Northern Pacific preferred declined 5½ today.

Dervishes Advancing.

ROME, March 16.—The Italia states that the Crispi ministry authorized Gen. Baldissera to negotiate a peace with Mohdik after the defeat of Adowa.

The Messagero says Gen. Baldissera on leaving Rome had authority to evacuate Kassala, Agordat and Adi Ugri.

The latest news from the front in Africa is that the main body of Dervishes is advancing upon Kassala.

SENATORIAL FIGHT.

Kentucky's Governor by Proclamation Calls Out the Militia.

LEGISLATORS REFUSE TO VOTE.

A Mass Meeting to Protest Against the Action of Governor Bradley.

Death's Harvest.

NEW YORK, March 16.—The firm of George Jarvis and Son, organ builders, has been wiped out by death in the short space of three days. It was announced of Jos. P. Jarvis, the senior member, and Edward G. Jarvis Sr. Joseph Jarvis died last Friday. Edward G. Jarvis Sr. died last night. Both men worked at their homes in this city.

ST. PAUL, MINN., March 16.—Carl Nordeen, a well known journalist, died last night after several week's illness. He was 56 years old and was a member of a noble German family. He was born active in journalism ever since 1867 having worked in Wheeling, W. Va., Pittsburg and St. Paul.

LONDON, March 16.—The death of Mrs. Morris, a sister of Ellen Terry, the well known actress, is announced.

Without the President's Signature.

WASHINGTON, March 16.—The Senate joint resolution directing the secretary of agriculture to purchase and to distribute seeds, etc., as in preceding years, has become law, without the President's signature. Secretary Morton refused to carry out the old law and vigorously opposed the present mandatory act.

Hailstorm at Melbourne.

LONDON, March 16.—A dispatch to the Times from Melbourne says that a terrible hail storm has occurred there. The hailstones being the largest on record. Windows were smashed and buildings uncovered and wrecked by the force of the storm. Shipping also was damaged and crops and trees were uprooted. One woman is reported killed.

Mysterious Shooting.

ST. LOUIS, March 16.—Walter Graham Sharp, 16 years old, was mysteriously shot and fatally wounded early yesterday morning while on his way home. The only clue as to the identity of the murderer is a hat left behind which bears the initials "H. D." Owing to the peculiarity of the circumstances of the shooting and the strangeness of the assault the police are mystified.

To Correct Colonial Wrongs.

LONDON, March 16.—The Berlin correspondent of the Times with reference to the Peters scandal says:

The authorities at home are now doing all in their power to repair earlier mistakes of colonial policy. There is a prospect that in future principles of humanity and morality will supersede inhumanity and cruelty.

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LEGISLATORS REFUSE TO VOTE.

A Mass Meeting to Protest Against the Action of Governor Bradley.

FRANKFORT, KY., March 16.—What promises to be the most sensational day of the senatorial fight was begun with a proclamation from Governor Bradley, issued this morning, calling out the state troops. The proclamation declares, "For several days past, an armed body of desperate men have by threats and demonstrations intimidated and overawed the members of the general assembly; that a portion of said persons assaulted Senator C. J. Walton and prevented him from going out to one senate chamber; that a party of said persons in like manner took possession of the door of the house while the joint assembly was in session and attempted to decide who should enter the chamber of the house when said session was being held, and that on the 14th day of March persons were attempted to be sworn in as deputy sergeants-at-arms of the senate and thereupon forcibly seized the doorkeeper of the house of representatives, while the joint assembly was in joint session, and prevented him from exercising the duty of his office and allowed persons to enter who were not entitled to the floor on the floor; that the presence of these persons (members from voting in the joint session) that the civil authorities have at no time arrested any of these riders or armed persons, but have permitted them to continue their work of intimidation."

Upwards of four hundred soldiers occupy the state house square. Governor Bradley was in consultation all morning with Adjutant General Collier and Colonels Cox, Moore and Gaither. These gentlemen agreed that there would be no difficulty in preventing trouble.

"I wish to say," said the governor, "that the military was called out in order to protect the members of the legislature from mob violence and not to interfere with them."

The McCreary guards were reinforced early this morning by the Brown light infantry from Lexington, and Louisville legion, 150 men under the command of Colonel Castlemain. These two companies were placed on duty on the state house grounds and military regulations enforced.

Adjutant General Collier's orders to the officers in charge of the entrances to the state house, expressly stated that no one except members of the two houses, the sergeant-at-arms, the doorkeeper, sink-room keeper, pages, newspaper reporters, and telegraph operators, were entitled to admission.

The guards carried out the orders to the letter. Col. Jack Chinn came down this morning from Harrodsburg. "I have telegraphed unconditional surrender," he said; "this is enough for me."

About 11 o'clock the Louisville legion was marched back to the cars and ordered to be in readiness to answer promptly the call for further service. The Blackburn men call the governor's action an "outrage."

A meeting of the citizens of Frankfort was called to protest against the presence of the militia in this city. "This display of force will stop all legislation," said a Blackburn senator this morning. "Nothing shall be done. We'd like to see the revenue bills or anything else get through now."

Just before 11 o'clock Sergeant-at-arms Summers, of the senate, entered the lower floor of the state house with six assistants, commissioned on Saturday. They were Jack Chinn, Bob Lillard, Jim Williams, John McKinney, John Snead and Walter Scarr. These men were hailed by Captain Galm. Summers protested they were his assistants and he had affidavits to show they were so entitled to enter. The captain was firm, however, and to force their way upstairs. Everything before the convention of the two houses was quiet as could be.

Senators James and Walton entered the House chamber. They said they would vote in the joint assembly today if requested to do so.

Dunlap did not show up. It is certain he will not be seen in Frankfort again this session.

When the joint session convened roll call showed 95 present. Neither Democrats nor Populists responded. The president announced no quorum. On motion of Senator Boyle one vote was cast, that of Speed for Boyle. Republicans and Democrats, with the exception, refused to respond. The joint assembly then adjourned until tomorrow.

DENOUNCING THE GOVERNOR.

There was not standing room in the court house when the indignation meeting was called to order to protest the action of Governor Bradley in calling out troops. Mayor Julian told of his conference with Governor Bradley, in which he assured the executive he would give ample protection and character and the governor's action so highly patriotic and unbecoming. Ex-Attorney General Hendrickson introduced Judge Lyenaker Hoard as chairman of the meeting in a speech scoring the governor. Judge Hoard took the chair amid a burst of enthusiasm. Speeches were made by Colonel E. H. Taylor and others denouncing the action of Governor Bradley in severe terms.

The "Indians" All Right.

WASHINGTON, March 14.—Private advices received here from Port Royal are to the effect that the Indians touched the bottom inside the harbor yesterday while coming up the bay. As no official report of the fact has been made to the navy department yet, it is assumed that no damage was sustained, as the bottom is soft inside the harbor, and the vessel was unscathed by proceeding very slowly. The officials of the navy department disclose the story that there is anything wrong with the battery of the ship and point to the report of the inspection board which went to sea with her and fired every gun on the ship under all possible service conditions. The big interior iron gun, considering the main battery, worked with perfect smoothness, and the interlocking mechanism, which generally gives more or less trouble at first, moved without a stick. The fleet of the big guns started home in some of the battle machines, and these were subjected to be repaired by other means, but this was no consequence of failure.

Mark Twain Not Ill.

BOSTON, March 14.—Mark Twain, the American humorist, will resume his lectures on Wednesday next, and will leave India for Africa on April 16.

Lieutenant General Not Needed.

WASHINGTON, March 14.—Secretary Lamont has written a letter to Representative Hawley, chairman of the House committee on military affairs, urging against the revival of the rank of lieutenant general in the army at the present time. The letter was called out by sending to the secretary the bill reviving this grade in General Miles's interest, and asking his opinion upon it, as is customary in matters pertaining to the department. Without making any direct reference to Gen. Miles, the secretary says that he does not see any reason for any such legislation at this time.

Nine Hotel Fire.

FORT SCOTT, KAN., March 16.—The Rice hotel, a large two-story frame building, was burned this morning. Flames enveloped the building with lightning rapidity, thirty occupants barely escaping with their lives.

Some waiter girls and guests jumped from the rear windows, receiving slight injuries. J. D. Dupee, of Ohio, was badly burned. M. L. Waldermeyer, proprietor, and wife, were singed. The loss on the buildings is about $25,000, uninsured.

In Favor of the United States.

WASHINGTON, March 16.—Case of the United States vs. the State of Texas, involving the ownership of river points, was decided in the supreme court today in favor of the United States. Justice Harlan handed down the opinion. The case involves 1,000,000 acres.

DEPARTING IN PEACE.

Perrine Comet Will Soon Pass out of View.

WASHINGTON, March 14.—Observations of Perrine's comet made at the National observatory tonight show that it is traveling away from the earth in a southerly direction very rapidly and growing perceptibly fainter. Tonight it was scarcely half as bright as two nights ago, and its position was determined as 49 degrees north declination and 2 hours 15 minutes right ascension. During the period of five days it has increased in its position about 20 degrees in the right ascension and the declination lessened by a half degree. It is still an open question whether the stranger is traveling in a parabola or in the direction of an elongated ellipse, as the difference is relatively in this respect since the last observation was so slight as warrant any definite conclusion. In the latter case it will again return to view, but otherwise it will pass beyond observation and become lost in space. Bonsh calculation indicates that it will disappear in about a month.

It has been moving further away from the earth steadily since about February 23rd, when it was nearest to the earth, its distance being about 35,000,000 miles. The observations at the government observatory will be continued as long as possible, and may solve the vexatious question as to which of the two courses it is taking.

Cherokee Bill's Fate Settled.

FORT SMITH, ARK., March 16.—Saturday's dispatches from Washington settled the fate of Cherokee Bill, the most noted outlaw of the Indian territory border. The President's refusal to interpose removes Bill's last possible chance, and he will hang on St. Patrick's day. On Nov. 3, 1894, Cherokee Bill killed Frank Dalton, a citizen of the territory, around the town of Lenapah. Cherokee Bill during this raid killed Ernest Melton. Bill was arrested and locked up at Fort Smith and in due time was convicted and sentenced to death. While he was confined there he killed a jailer. For this he was also tried and sentenced to death. It is for the first of these crimes that that Bill is to hang.

Cherokee Bill, or Crawford, has acquired the distinction of being the only man that has ever had two death sentences appealed to the United States Supreme Court at the same time.

HUNTING FOR A FORTUNE.

And Experiences of an Aged Lady in Search of Her Boyle.

BALTIMORE, March 16.—Among the 285 steerage passengers who landed at Baltimore today from the North German Lloyd steamer Weimar was a Miss Cornelia Beisels, who returns to America after hunting a fortune in Germany and England, which she believes she is heir to. Miss Beisels is 64 years old and was born near Edgefield Court House, N. C. Some time ago she read of the death of Mr. Beisels who was said to have left $300,000,000 in relatives, some of whom lives in the United States. Her father, Miss Beisels stated, came to America from Ireland, thirty-three years after the close of the Revolutionary war, settling in the Carolinas. Her father, Miss Beisels says there are several more millions due her from the Temple estate in England. Her mother, she says, was Martha Sarah Temple, daughter of William Temple, Grim whose family in England was the great fortune is said to be awaiting claim. Eason means ago Miss Beisels said she left New York with a view of presenting her claims to the two fortunes. Landing in Bremen she proceeded to Edgefield, where she sought the services of a lawyer. No one assisted her and her persistence even did not elicit information to satisfy her as to the chances of securing the Beisels fortunes.

Intending to return to Germany later and make a final effort in her own behalf, she decided to go to England and there get legal assistance in obtaining some of the millions of the Temple estate, which was at one time thought, only awaiting her presence and proofs before they would be handed to her. Reaching London she found it impossible to secure the aid of a lawyer, and she left for Liverpool, where she was arrested and on argument she would see would make the London justice before which she was taken believe she was an inmate in the Bellevue in the Temple estate.

"Thirty days in the workhouse," said Miss Beisels, "was the justice meted out to me. I could not get a lawyer to take up my case, so after serving my sentence I came on to where Germany again, where I hoped I might have better luck." Again going to Bremen, she says, she found no one willing to assist her, and finally decided to return to this country. She said she was going to her home, Mrs. Wade Hampton in Atlanta, Ga. Before starting on her fortune hunt she lived at Jackson, Miss. She says that the late L. Q. C. Lamar of Mississippi was her cousin.

THE SOUDAN EXPEDITION.

The British Undersecretary of State Makes a Statement.

The Government Perceives a Danger that May Under Certain Circumstances Threaten Europe.

LONDON, March 16.—The greatest possible care was manifested in the House of Commons today, when the liberal leader, Sir William Vernon Harcourt, put a question to the government regarding the proposed advance of the British Egyptian troops up the Nile from Wady Halfa. The reply of the undersecretary of state for foreign affairs, Geo. N. Curzon, was a long, carefully prepared statement in which he pointed out the threatened Dervish advance and their danger to Egypt, and indicated that the movement of the Egyptian troops arose partly from a desire to aid Italy in her struggle with the Abyssinians. Curzon said the government was sure that all subjects of her majesty would have most sincere sympathy for Italy and expressed regret at the defeat of General Baratieri. This statement brought forth loud nationalist cries of "No." Curzon said the courage of the Italians led to the hope that they would rise from their reverses and vindicate the honor of their flag. "At the present moment," he said, "influences are at work and forces are unchained in Central Africa, which, if linked with victory and swelled by a perfectly possible combination of events, would constitute a most serious danger, not merely to Italy, Egypt, or British occupation of Egypt, but to the cause of Europe, which is the cause of civilization."

Throughout Curzon's speech the Irish members interpolated cries of "No." When T. H. M. Healy, among others, cried "no" to the undersecretary's expression of sympathy with Italy, Healy's followers cheered, and the speaker paused for an instant. He then continued: "The sympathy, which is now broken by a few dissenting voices, at the misfortune which has befallen a nation of gallant soldiers and staunch allies." (Great cheering.)

THE TROOPS START.

CAIRO, March 16. — The Egyptian troops have started for Wady Halfa, where the entire Soudan expeditionary force is expected to assemble on April 1, when the advance on Dongola will be commenced.

Instantly Killed.

CHICAGO, March 16.—J. J. Colvin, a prominent manufacturer of galvanized iron cornice, was superintending the work on a new station at the Lake street elevated road at Fifty-second street today when the temporary scaffold on which he stood was struck by a train and he was hurled into the street, being almost instantly killed.

Great Northern Strike.

SEATTLE, WASH., March 16.—There are mutterings of strike on the Great Northern in consequence of the cut in wages announced a few days ago, as effective from March 1. Employes say it the cut is made applicable to trainmen the road will be tied up as tight as a drum. The telegraph operators especially are incensed at the reduction.

Bound for Alaska.

SAN FRANCISCO, March 16.—The steamer Umatilla sailed last night for Victoria and Puget Sound ports, carrying away at least 100 miners with outfits bound for the gold fields of Alaska. Many of them are going to Cooks Inlet while not a few are to cross the divide at the Chilkoot winter and attempt to cross the ice from Dyea Inlet to the Yukon.

Indian Convicted of Murder.

GUTHRIE, O. T., March 16.—At the Rocky Creek court ground in the Choctaw Nation, Charles Homes, a full blood Indian, was convicted of murder and sentenced to be shot March 27 between the hours of 9 and 2 o'clock. On the second day of last November Homes went to the house of his wife's sister-in-law, Wilson Kaleshubi, living near Stringtown, and waite he and his wife were in bed asleep crept into the house with an axe and chopped his head open. He then forced his wife to go with him, threatening to kill her in case she refused. The first opportunity she had she made her escape and told what had happened.

According to the Choctaw customs, Homes is not in prison or in the custody of officers. He will be allowed to roam about at his own sweet will until the day of execution. This is an old law of the Choctaws and only one case of a violation of it is on record.

On execution day Homes will be dressed in a black robe and stationed in the court ground. A tin star two inches square will be placed over his heart as a target and he will stand on his own coffin. Twelve Indians, stationed thirty paces away, will shoot at the target but only two of the guns will be loaded. Only court attendants are allowed to witness the execution.

CYANIDE VICTORY.

Letters Patent of the New Ore Extraction Process

MUST NOT BE INFRINGED UPON.

Decree in the Famous Case Brought Against the Mercur Gold Mining and Milling Company.

The famous stubbornly fought cyanide case brought by the Gold and Silver Extraction company of America, Limited, against the Mercur Gold Mining and Milling company, John Dern, et al, came to a compromise close before Judge Marshall in the United States circuit court today. A stipulated agreement was duly presented, signed by the litigants on either side.

Under the agreement it is decreed that the letters patent of the United States issued to John Stewart McArthur, Robert W. and William Forest on May 14, 1889, for improvement in the process of obtaining gold and silver from ores, and the claims thereunder are good and valid in law and that plaintiff is entitled to the exclusive rights under said letters and invention; that the letter patent to John Stewart McArthur on December 24 n, 1889, for improvement in metallurgical filter are good and valid in law and that the entire title thereto is vested in plaintiff; that defendants jointly and severally have infringed upon such letters patent; that so an accounting has been waived, the plaintiff recover from defendant $20,000 in full of gains, profits, etc., derived from said infringements; that each of the defendants are restrained and enjoined from using in any manner any process or improvements similar to those heretofore used by them, which may infringe upon either of said patents. The defendants are also enjoined from using or imitating the metallurgical filter referred to for the full term granted in the said letters patent.

Judgment for court costs in the sum of $41.50 was also entered.

CASE OF ATTORNEY BAUM.

Attorney J. M. Tanner asked consent of the court to withdraw the motion to substitute a bond for the $250 cash deposit of Peter M. Baum guaranteeing his appearance in court when wanted, and asked to have the case dismissed on the ground of lack of jurisdiction. Mr. Tanner stated he was not prepared to argue the case then but would like to do so at an early date, whereupon Judge Marshall announced that he would hear Mr. Tanner on March 23d.

OTHER BUSINESS.

Additional business was transacted as follows: Judge Sutherland, of the committee on rules, reported rules for the government of the courts, which were referred to Judge Marshall. The committee was discharged from further service and their report placed on file.

C. B. Jack, H. G. McMillan, E. W. Wilson and J. M. Tanner were formally admitted with power to practice before both courts.

ACCIDENTAL SHOOTING.

Horace Durrant, The Victim of a Comrade's Carelessness.

Another accident of the child-killing-with-loaded type occurred in this city just west of Jordan river last evening about 5 o'clock.

As is usual in such cases the results are serious. This time the victim is Horace, the fifteen-year-old son of Stephen T. Durrant, traveling agent and salesman for Clark, Eldredge & Company. The Durrants reside at No. 1230 west Third south. Horace and a cousin, Algie Collington, about his own age, were playing together, the latter handling a 32-caliber revolver. Suddenly there was an explosion and Horace fell to the ground as though dead. An examination showed that the bullet had entered his head directly under one of his eyes. Its course after that was unknown and no probing by the doctors was done last night nor had at the latest reports today on account of the serious condition of the unfortunate boy, whose prospects for recovery at this time are not very bright.

Sanpete Reservoirs.

Mt. Pleasant (Pyramid) The matter of building reservoirs for the storing of water and the reclaiming of arid land has begun to take practical shape in this part of Sanpete county. On the 20th of last month the Cedar Creek Reservoir company was incorporated at Manti with a capital stock of $15,000 divided into 1,000 shares of the par val ue of $15 each. It being the desire of the company to give any so desiring an opportunity to share stock in the new company, and to obtain means to begin work at once, it will place about 700 shares on the market at $12 per share, one-fourth to be paid in cash and three-fourths in labor. The dam and reservoir site have been surveyed, and everything is now in readiness to begin actual work. It is estimated the dam will be about 600 feet long and 65 feet deep at its greatest depth, and will have a capacity for irrigating at least 1,000 acres of land. The reservoir will be at the mouth of Cedar canyon, the site having been purchased from Peter Jensen for $1,500, and will bring under cultivation that excellent soil along the slope to east. When it is considered that this land has no superior for grain, lucern and fruit crops, on look of the immense value of the undertaking can be obtained. There are several hundred acres of land thereabout subject to entry. Another company will soon be incorporated to carry out a similar project in Pleasant Creek canyon, adding several hundred more acres of productive land along the west slopes.