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. 207. TUESDAY, OCTOBER 17, 1893. SALT LAKE CITY, UTAH. VOL. XXVI

INSANE OR IN LOVE?

A Young California Millionaire's Tender Affections.

INTERRUPTED BY A SHERIFF.

A Wedding Tour that Led to a San Francisco Asylum instead of Europe.

SAN FRANCISCO, Oct. 17.—Charles L. Fair, the young millionaire who married a woman known as Maude Nelson, a few days ago, left here with his bride on the overland train last night for a European tour. Previous to starting, Fair transferred all his property to his wife and made a will leaving her everything he possessed. When the train reached Fort Costa a county sheriff entered and forcibly removed Fair. The bride was not interfered with. She left the train of her own accord. The ground on which the young man was restrained is said to be insanity. He was brought here.

MACMAHON DEAD.

Another Conspicuous Figure of the German-French War Gone.

PARIS, Oct. 17.—Marshal MacMahon died at 10 o'clock this morning.

He died at Chateau La Forie on the river Loire. He was quite broken down in health yesterday. During the night his strength gradually ebbed until the end came peacefully. Members of the family were at the bedside.

AT THE FAIR.

The Children are Having a Great Time.

CHICAGO, Oct. 17.—The second day of children's week at the World's Fair opened bright and beautiful, the temperature being just right. Yesterday forty thousand little people passed through the gates and today promises to exceed that record, as the children began to drop in in large numbers as soon as the gates were opened, and continued to come during the forenoon.

The fat stock show opens tomorrow and the exhibition of thoroughbreds and trotters will follow. The management is counting on half a million people in the grounds next Saturday, Manhattan day.

IN THE SCANDALE FOR GOLD.

Charged with Obtaining Money Under False Pretenses.

BOSTON, Oct. 17.—The *Herald* says a warrant has been issued for George P. White, representing W. S. White & Co., bankers, on the charge of obtaining by false pretenses about $200,000 from Boston banks and $300,000 from New York, Philadelphia and Pittsburg institutions. It is said the firm was once worth a million and a quarter, with liabilities of only $300,000, and that now the firm could not make good a check for $100,000.

Taken Ill Suddenly.

WASHINGTON, Oct. 17.—Senator Gibson of Maryland was taken suddenly ill in the cloak room at noon. Physicians were hurriedly summoned and prescribed for him. They said the trouble primarily was an attack of indigestion, but it affected the muscles of the heart. There was, however, no organic affection of the heart and no danger of a fatal termination. He was taken home in the Senatorial hotel. This is the second attack of the kind he has suffered the past few days.

Cherokee Land Sold.

FORT GIBSON, I. T., Oct. 17.—Cherokee lands to the value of $5,500,000 have been sold to an English syndicate for par and accrued interest. The agreement was signed last night by the Cherokee delegation.

COMMANDER ADAMS SICK.

Physicians Will Open His Old Wounds.

CHICAGO, Oct. 17.—Capt. J. B. S. Adams, commander of the Grand Army of the Republic, who has been suffering acutely from old wounds received during the civil war, is somewhat easier today. It has been decided by the physicians to open the wounds in order to allow discharge.

An operation was performed this afternoon consisting of an incision in the hip. It occupied one hour. Captain Adams displayed much fortitude under it. The physicians say the operation is not dangerous.

A MURDEROUS GARDNER.

Revenge for Supposed Injustice to His Girl.

GREENWALD, Pennsylvania, Oct. 17.—A startling tragedy occurred in the princely family of Blucher De Wanstadt, descendants of the famous Marshal Blucher. The family is wealthy, with marriage connections in England and the United States.

Countess Blucher became displeased with and dismissed a pretty maid servant with whom the count's gardener was desperately in love. The man pleaded with the countess and counsel was for the commutement of his punishment. Later the count and countess were looking out of a window when the gardener jumped from behind a bush with a rifle and fired, killing the count and fatally wounding the countess in the neck. He then committed suicide with the same weapon.

ANOTHER RAILROAD WRECK.

Several Persons Reported Dead and Injured.

PITTSBURG, Oct. 17.—The first section of the New York and Chicago limited express, westbound, on the Fort Wayne line, was wrecked at Weiser ville, Ohio, early this morning by running into a freight train standing on the track. A heavy fog prevailed at the time and the engineer of the limited was unable to see it till too late to prevent a collision. Are reported to have been killed and our others injured, two of them probably fatally.

Killed—Elmer Jackson, fireman; John Carrothers, pilot.

Injured—Robert Jackson, engineer, fatally; Robert Ferry, train electrician, fatally; Alex Fraser, baggageman, seriously; Robert Fowler, train electrician, seriously.

The telegraph operator in the signal tower, name not learned, was badly burned with acids. The passengers were thrown from their berths by the shock but escaped with slight bruises. Considerable damage was done to the freight train. The injured were removed to a hospital. The heavy freight train on the Fort Wayne departed and came together again at Beaver Falls, Pa., early this morning. Twelve loaded cars were wrecked, and the depot shed and telegraph station demolished. Operator Elmer Lyons was badly injured. Two tramps stealing a ride also happened to be turned under the debris.

For Defrauding the Government.

EL PASO, Tex., Oct. 17.—Webster Flanigan, the mains collector at this port, has been indicted by the United States grand jury on a charge of conspiracy to defraud the government by passing a quantity of sheep over the border free of duty.

THE SENATORIAL STRUGGLE

Dolph Criticises the Conduct of Certain Legislators.

Debate on the Difficulty of Ascertaining Whether a Senator Is Actually Present or Not.

WASHINGTON, Oct. 17.—At the opening of the Senate this morning, Dolph asked that the journal be corrected to show the presence of Allen and Kyle on sundry roll calls yesterday, they having been present in the Senate but failed to vote.

Dolph said it has become apparent, if senators could talk indefinitely and read from books and papers without limit, the Senate, without amendment of the rules or a different construction on those it has, must sit along without accomplishing anything. Twenty-six Republican senators not only invoked the legal aid of the Sherman act but would vote to amend the rules so the majority could limit the debate. He regarded as fatuous for a senator to suggest the absence of a quorum and then on roll call refuse to vote. The Senate was being brought into disrepute by such a course.

Faulkner, W. Va., who was in the chair last evening and ruled on the effect by Dolph, that the names of Allen and Kyle be recorded, said there was no power to record a senator as present under the rules.

Hill, New York, said there was no reason why, in the absence of rules, the presiding officer should not tell the truth and make the journal recite it to tell the. The presiding officer had the right to exercise his senses, and when a member sat right in front of him and did not vote to have the journal show the fact of his presence. The Senate was clinging to past traditions and there was no force in it; the duty of a senator was more than merely remaining in his seat, it was his duty to take part in the business. To hold that the mere fact of Allen be entered in connection with the roll call at 6:30 last evening. He chose this, as Allen's name appeared at that time as having taken part in a colloquy.

THE HOUSE.

WASHINGTON, Oct. 17.—The bloody shirt was waved for a time this morning when the bill removing the necessity for affirmative proof of they loyalty of pensioners or wars, previous to the civil war, was called up. Burrows claimed it would repeal the section barring from pensions all who engaged in the rebellion.

Oil, Oats denied this and said it only affected a few survivors of the Mexican and Indian wars.

"Call the bloodhounds off the track of the Union soldiers," vehemently said Burrows, "before you restore men who were false to the Union to the pension rolls." (Republican applause). Continuing Burrows pointed out that he expected these statutes to be wiped out; that the majority would reassert the doctrine of states' rights and consideration be restored to and Union soldiers be stricken from the pension rolls.

Oats said he fought four years for what he believed to be right, but now he was devoted to the Union and would shed more blood in its defense than Burrows ever did. He suggested that the bill be modified to exclude pensioners.

The modification was accepted and the bill passed.

The House then resumed the consideration of the Cox banking bill. Lockwood opposed it vigorously, but it was passed.

The President Revisiters.

CHICAGO, Oct. 17.—*Herald's* Washington: Carlisle informed Brice this morning that the President has put his foot down and will stand by no more appointments, except possibly in a few cases of extreme urgency, till after the Senate acts on the silver bill.

Decorating the Officers.

PARIS, Oct. 17.—President Carnot has conferred the Russian Admiral Avelan the decoration of grand officer of the Legion of Honor. Other officers have also been decorated.

Guimard Dying.

PARIS, Oct. 17.—At 8 o'clock p.m. it was thought that Guimard could not live through the night. He has been comatose since midnight.

Parted and Jailed.

NEW YORK, Oct. 17.—W. L. Patton of the firm of Patton & Co., was sued last May for nearly $100,000 and with practically no assets, is in jail charged with hypothecating $50,000 worth of trust certificates and appropriating to his own use a quarter of a million of money belonging to the creditors. It is said that Patton never realized the allegations but claimed he would be able to make the loss good through wealthy relatives.

POLITICAL MATTERS.

What the Liberal City Fathers are Doing for Themselves.

THEIR SECRET SUNDAY SESSION.

A Rousing Independent Citizens' Rally—Fred Tribner's Apology and Confession.—Notes.

The intriguing Liberal members of the City Council are scurrying under the statement of the municipality's wrecked financial condition as submitted by his honor, the Mayor, at their last meeting. And in other words, as they say, "effect" or obstruct this statement they have been holding dark lantern sessions, which have been devoted wholly to denouncing the "fine plate way" his honor had a "spotting things." It leaked out today that the Liberal members of the City Council, reinforced by one Democrat, who, however, it is stated was only present by permission and not for the specific purpose of taking part in the proceedings, held a secret meeting at the city office on Sunday afternoon. As a result of the session it is said that a financial report antagonistic to the Mayor's will be presented at tonight's session.

INDEPENDENT CITIZENS' RALLY.

The Independent citizens and citizens' committee of fifty through their executive campaign committee are arranging for a magnificent rally to be held in the Theater on Wednesday evening, the 25th inst. Among the speakers who are expected to address the meeting are Judge Henderson, Mayor Baskin, P. L. Williams, Judge Zane and J. C. McNally.

THE VOTE IN 1892.

The News nearly a month ago published the following figure of the delegate election of 1892, and as there has been a constant demand for them they are herewith reproduced for reference purposes:

Salt Lake City.	Republican.	Democratic.	Allen.
First precinct	67	91	40
Second precinct	42	49	11
Third precinct	57	57	2
Fourth precinct	61	48	13
Fifth precinct	50	40	10
Total	277	285	77
Democratic and Republican vote over Allen			208
Total vote cast			7,879
Registered and not voting			1,500
Total registration 1892			9,379
Total registration 1893			9,301
Decrease			78

POLLING PLACES FOR THE ELECTION.

County Registrar Warden has announced the polling places for the November election throughout the city as follows:

First Precinct—Exposition building.

Second Precinct—Kennedy's hack, corner Market West Temple street.

Third Precinct—Sixteenth ward school house.

Fourth Precinct—Not yet chosen.

Fifth Precinct—Richelieu building, corner South and Third East streets.

A FUNY ACCIDENT AND CONFESSION.

The exposure in last night's News of the un-American and criminal conduct of Mr. Fred Trimmer, a prominent Liberal, in voting contrarily at all of the recent elections in this city when he was still in all intents and purposes subject of Queen Victoria, caused a sensation in political circles and a shiver to run up and down the vertebrae of the Liberal camp, as it is a matter of record that others have been guilty of the same offense and have escaped the penitentiary starting them in the face.

As was expected the Liberal organ makes a puny apology for Mr. Trimmer, while the latter confesses his guilt. Concerning him the morning champion of Liberal wrongdoing says: "Everybody knows he (Trimmer) has been a resident of this city he has been a consistent and unswerving Liberal and he has voted accordingly at every election." No one doubts for a moment that Mr. Trimmer's methods are those that were adopted by many transient bums who had for the time become "consistent and unswerving Liberals" or that the procedure was not thoroughly "Liberal."

The further statement is made that Mr. T., on the 23d inst. "appeared before the district court and took out his second papers, which was a surprising to his friends as it was pleasing to his political enemies" concerning the same matter, Mr. Trimmer is quoted as saying: "I first went to Colorado in 1881 and took out my first papers of citizenship. For six years I voted in Colorado." Then he positively and definitely declares, "that when I came to Utah I continued to vote whenever I got a chance." Also that he "found" his name on the "rolls here as a voter" and that he exercised the privilege he supposed he was entitled to as a citizen. In conclusion he says that "if such only plead ignorance of the law as an excuse." A very pretty story for a man of Mr. Trimmer's intelligence and one that will not redound to his credit when called upon to "show the colour" in the Third district court for perjury, false registration and illegal voting.

POLITICAL SHORT STOPS.

D. O. Worley Jr. has been nominated by the Davis county Democracy for the office of county superintendent of schools.

At the Democratic convention of the Piute representative district held at Parowan yesterday afternoon David Stoker was nominated by acclamation.

T. J. Tolton a young Beaver merchant, was nominated by the Democrats of that place last evening for representative to the Territorial Legislature for the Sixteenth district.

It now transpires that Windwardresser J. L. Frazee is an aspirant for legislative honors. He too, wants to represent the "poor workingman." It is a cinch he is dead, perhaps, that he wants to run on the Liberal ticket.

A silent "wood sawing" contest is said to be going on between Charlie Ansell and Fred Tribner, the two men who are Assistant Independent Advocates for the office of city auditor on the Liberal ticket. The "wood sawing" is a decided success but for the prohibition of the silent end that is producing both of the boys.

John Greenwald, the man who has no more use for an Assistant than Teodore Rutgerder has for the Five Books of Moses, says that the idea that cities nominate him for city recorder is not his choice. John says he will accept no nomination unless it comes by acclamation.

Political chaw hunters are scurrying hard an morning now on every hand. It is notice it there were ever so many men in the hands of their friends before. It is safe to say that a dozen of the surrounding States would easily be supplied with legislators and still we would have willing patriots by the score.

The Afro-Americans held a fierce meeting last night endorsed the silver bill movement and decided that their executive committee should meet the executive committee of the Independent citizens' movement at headquarters tonight and discuss a plan of action.

A well known citizen who declares that he has voted the Liberal ticket ever since he came to the Territory said last night as he saw the Plymouth chap parading the streets that "the objective Fred was the nearest centerfire they had counted for the occasion, very much dressed and wrinkled and altogether out of date."

When John Greenwald was asked by a yellow fever Liberal today if it was true that he had left that party, Jake took off his hat, fixed his smile for a moment as though he was about to give vent to a yell but instead smiled as he only can, and then softly whispered with a knowing wink "Cy Posey, I am the only man in it, Sir!"

A NEWS reporter heard an entire delegation of Liberal workingmen talking today to a worker that always they met (sic) they were not being fairly treated. The burden of their conversation was that under their new local representation in the Liberal ticket by the nomination of Hamilton Fowler and Charles Ansell for the Fifth precinct they would "hoist the machine boldly."

The opened harmony of parlors and strawberry caucuses of both complexions, Mr. Maxwell, is now said to be advocating the theory that the solid vote on which his chances of a Liberal nomination does not revolve. He contends that it is flat and that the principal of class is near the City hall, believing that the Council are the best of all clubs.

The Democrats who were recently hypnotized by Rose Dawn have nearly all come out of the trance under which they are said to have given away party secrets. Now that the magic spell has been broken and the success of the Independent movement is assured the Liberal chief has commenced to look for more victims from that source on which to exercise his Thessalonian powers.

Patrolman Ford, who enjoys the distinction of being the grufflest and biggest cop on "de force," thinks this is a country of wonderful possibilities and accomplishments, and points to himself as a glowing and conspicuous example. "If ye don't believe it this till me I didn't my card scrambling and scratching climb up to the proud and will paying position I now occupy."

It is generally regarded that the letter, warm cold talk of the Liberal boat speaker is an attempt to feel positively dangerous crash in large far into the political sea at this stage of the storm. Even Captain Powers controlled that, and would, if he had the time, cunning and cash, demonstrate it. But it would be useless effort, as the Independent Citizens' fleet of sentiment leaves signal and will sail into the barbor flying colors and his fellowship should take passage on an American owned steamer in order to win.

Harry McCallum, who, since he has commenced to study law has been called "judge," presided at the meeting of the Liberals from Wisewell's ward in the Horsley building last night. The "judge" led O. W. Powers and a man named Allen, whose initials are C. E., to the platform and did the introducing act for the many strange beings who were at the meeting and who otherwise would not have known who was addressing them. Then the man from the Wolverine state opened his natural gas valves, and in the brief space of five minutes the crowd was near the point of asphyxiation. The chief was cheered and applauded lustily throughout his harangue, his frozen claim, but a few cube bystanders say the audience was fighting for breath. When Orlando sat down the man Allen hesitated for his party for half an hour, after which the meeting broke up.

The Young Woman's Journal.

The first number of volume Five of this valuable magazine, the organ of the Young Ladies' associations in Zion, is out of press. Its contents are varied and excellent, such as will interest and instruct all classes of readers. This periodical has a unique field, which it has thus far very ably filled, and it ought not to fail in this patronage it merits. The price is $2 per year.

Today's Probate Court.

Estate of Hannah A. Campbell, deceased. Hearing on petition for letters of administration. Order made appointing S. R. Milner administrator on filing bond in the sum of $35,000.

Estate of J. N. Merritt, deceased. Hearing on petition for sale of personal property, also order made as prayed.

Brake for Arm.

Yesterday afternoon Marguerite, the three-year-old daughter of Edward H. Culliner, of the Fourth ward of this city, was brought drawn in a child's wagon, when the vehicle was accidentally overturned. The little girl only fell about eighteen inches, but the blow was sufficient to break her arm at the elbow. The injury is not such a serious that the little may be rendered still for life. Surgical assistance was rendered.

MATTERS AT HOME.

City Warrants May be Redeemed Within Thirty Days.

BIG GRAIN DEALING COMPANY.

Facts and Figures of Interest to Business Men, Farmers, Bankers, Miners, Laborers and Others.

City Treasurer Dale says the city warrants called for redemption are coming in but slowly. He wanted all warrants up to No. 112 as he has the cash to redeem them, and if they were brought in he called for it would be not a short space of time before the whole of the $250,000 outstanding warrants would be taken up.

Mayor Baskin received last evening a personally worded letter from Hair & Co., the New York bondkeepers who are taking up the present issue of the city's obligations. The communication expresses the thanks of Messrs. Hair & Co. for the courtesy they have received in the negotiations, and states that they feel everything in the statement forwarded to be in a satisfactory condition.

So far as the credit of the money is concerned, how much is now available, and how soon, depends somewhat on the warrant holders. The first installment is received and is now being used to redeem city warrants. As soon as $50,000 of them are taken up and a certificate to that effect is furnished Hair & Co., another $50,000 in cash will be paid, when a second $50,000 instalment of warrants is taken there will be a third payment, and so on until all the money is paid and warrants redeemed. Under the circumstances this can be effected with the whole issue before the 20th of November, so that if the warrants are presented promptly as called for they can be all redeemed within the next thirty days. This will, too, place the city's bonds, the bondholders will, of course, just $500 less than the full limit we can be required for a year at least.

"There is one item that I would like to have more generally understood," said Comptroller Hall, chairman of the City Council finance committee, today, "and that is that under the contract with Hair & Co. these gentlemen pay interest to the city on the whole $250,000 bonds from Sept. 5th. This amounts to the $125,000 on which they have no option, and the $125,000 which they have accepted. The figure paid was 99 cents on the bonds and accrued interest from July 1 to Sept. 5, and from the latter date interest is paid to the city, even if the whole issue of $250,000 has not been accepted by Hair & Co."

A HEAVY GRAIN DEALER.

This morning's freight train from the north brought in a carload of wheat, one of barley, from eastern Idaho. This particular car was loaded at Idaho Falls, and shipped to the Co-operative Wagon and Machine company in this city. It represented only a small part of the grain which the company has received here this fall, but was an indicator of the fact that the company is one of the largest grain dealers in the West.

The magnitude of the business which the company does in handling grain may be more fully comprehended by a knowledge of the fact that during the first two weeks of this month nearly thirty cars of wheat, oats and barley have been received at the company's office in this city, and shipped out to the local market. Some of it has been shipped out of the Territory, the demand for it at home being too strong. Most of the grain thus brought in is wheat, and has come chiefly from southern Utah and southern Idaho. It is still of the best grain, for this company takes special pains to that end. The grain is inspected at the time it is received, and thus the armer pays for his machinery in the very best quality of his farm product. This fact makes it easy for the dealers in the wheat in the local market, especially as there is but a limited supply through the farmers holding for higher prices than now prevail, except what they must for the grain yet to pay debts.

The first half of this month has witnessed more than a million pounds of grain brought to Salt Lake by the Co-operative Wagon and Machine company, as each carload contains from 40,000 to 45,000 pounds. It is largely brought up by the millers, though a number of packers have made purchases with a view to speculating. They know that wheat will not remain at the present figure a great while but it will, they definitely will be on hand with the rise in the market.

The machine company gets all this grain in for merchandise. Farming implements, twine, etc., are sold in the agricultural, and in the fall form payment for the bill. The implements manufactured are a good index to the solidity of the company's extent of the grain crop. This season there was much less grain than for each of several preceding seasons, as indicated by the smaller failing off in the quantity of binders twine purchased.

"Our business is a good indicator, too, of the economic disposition of the farmers," said Secretary H. S. Wells today. "This year the increased sale of machine extra makes it clear that the farmers have turned a good deal of attention to saving by doing up their old machinery. The hard times have contributed to this, and the wave of retrenchment that has passed over the farmers has been quite marked. There is not so much waste this year as there is sometimes. All the grain that has come to us this year is of fine quality, notwithstanding that the quality of the yield is reported to be good in some localities."

NOTES.

Articles of incorporation of the Cyclopolis Mining & Milling company have been filed with the Territorial secretary. The capital stock is $200,000, and the Top Top and Cyclone claims, in Rush valley district, will be operated. The officers and directors are P. A. B. Franklin, president; W. H. Pearce, vice president; Christine Trenier, secretary and treasurer; Karles Tabo and Charles S. Dey.

St. Johns, Arizona, *Herald*: Manufacturing sorghum syrup is the order of the day at present. Wagons loaded with the sacrificial cane are passing through our streets the live long day on their way to the various mills.

San Bernardino, Cal., dispatch: A party arrived in this city a few days since from a protracted prospecting trip in the desert in the region north of the Bow mine, bringing with them fine specimens of gold-bearing quartz discovered by them. As only shows near success in brittle silver and $200 in gold. The rock is black and of peculiar appearance. The lodge discovered is but a few inches in width. A party fitted out by J. W. Blair left this city today to develop the discovery.

DEMOCRATIC WAR HORSES.

Irish and Tolton Nominated in the South for the Legislature.

Promotion of a Lively Contest at the County Convention at Parowan.—Democratic Factions on the Track.

Special to the News from Beaver Telegraph.

ST. GEORGE, U. T., Oct. 17.—At the Democratic convention at Toquerville yesterday A. W. Irish was unanimously nominated as the candidate for representative to the Legislature for this district.

BEAVER, Oct. 17.—The result of yesterday's Democratic convention at the Federal court house here, was the nomination of J. Frank Tolton, by acclamation, as candidate for member of the house of representatives in the next Legislature from this the seventh district. Piute and Wayne counties, not represented in the convention, were not represented.

Hon. Charles Austin, of Parowan, was representative from here the last session and found, of Mr. Dodge, Wayne county, that he is reported that Parowan is going to contest the seat being returned again this year. The fight went saturday at Parowan, at the county convention of this the thirteenth district, will be between Charles Austin and R. C. Rowe for the position. John Ward Carlisle is the dark horse in the fight.

The best Democratic speakers have been secured from several counties to go to Parowan on Saturday, where a big barbecue, brass bands and rousing time are intended.

Divorce.

Judge Zane this afternoon granted a divorce to George B. Squires, a former warden at the penitentiary, from his wife, Mary Squires, on the ground of desertion. There was no defense.

THIRD DISTRICT COURT.

The Two Divisions Run by Judges Zane and Hurich.

In Judge Zane's court this morning, in the case of the Silver-Bow & Champion Mining Co. vs. L. T. Moshesser et al, judgment by default was entered against the partnership.

Brennan Joseph, a German, now a resident of Summit county, was sentenced to the penitentiary.

The trial of the case of Utah Central Railway company vs. the R. G. W. Railway company was continued by consent.

Julius J. Farrell vs. Mary Laffin. This case was also continued.

CASE OF OF ATTACH.

The suit of J. W. Jenkins et al vs. A. H. Mayne was then tried by the court, a jury being waived. Attorneys Ferguson and Cannon appeared for the plaintiffs, McIlwrath and Lyons for the defendant. The amount of the claim was $6,500, for work done and certain materials furnished. In Commissioner Moyer's court judgment was rendered for the full amount claimed, and the matter now comes up on the defendant's appeal. The case was submitted and taken under advisement.

BEFORE JUDGE HURICH.

Judge Hurich and a jury in his morning resumed the hearing of the suit of Philip A. Dix vs. Salt Lake City, jointly heard yesterday. The suit is brought by Mr. Dix, as guardian ad litem of his minor child, John, aged seven years, and the amount claimed is $10,000. It is an action for damages for personal injuries, and the facts were told in yesterday's News.

In the Hammond-Taylor murder case the prosecution was allowed till 2 p.m. to file motion for a continuance in the Hammond case. Waite strongly opposed the same.

This afternoon the case was set for hearing on October 25th.

OTHER SUITS.

The case of Charles T. Nelson vs. the Salt Lake Rapid Transit company, in which the plaintiff claimed $5000 damages for the conductor ejected him from one of the company's cars while riding from the new track to the city, continued in Judge Zane's court late yesterday afternoon. At 5 o'clock the jury returned into court with a verdict in favor of the plaintiff for $100, signed by nine out of the twelve jurors.

In the case of W. G. Shannon vs. W. A. Shearer and Angel Brothers, tried in Judge Zane's court at quite length Monday afternoon, the plaintiff recovered judgment in the sum of $102.35 for labor performed on two houses. The case came on appeal from Justice Gee, who rendered judgment in favor of the plaintiff for the full amount claimed. The jury was instructed to bring in a sealed verdict. They did so this morning, finding for $105.35 as against Angell Bros. Thirty days' stay was allowed.

C. S. Hanson and Mrs. Williams, arrested last week on an indict'nt charging them with adultery, were arraigned before Judge Hurich and entered pleas of not guilty. Judge Powers will appear for the defense. The main testimony is the letter of Harry Hammond, the boy awaiting trial for shooting little Clyde Robertson.

THE KIMBALL CASE

Petition for the Removal of Mrs. Davey, as Guardian, Dismissed.

PROBATE JUDGE BLAIR'S REASONS

He Does Not Consider That Any of the Serious Allegations Made Have Been Proved.

The only case of importance before Judge Blair in the Probate court this morning was the adjourned hearing of the petition of John W. Smith, asking for the revocation of the letters of guardianship of Mrs. Susannah Davey, guardian of Alfred S. and Thetis Kimball.

The petition charged gross immorality against Mrs. Davey and her family. Mrs. Davey was alleged to have lived with a certain Joseph Heinwalts while still married to Charles Davey; it was also charged her two daughters and granddaughter were immorally, and Mrs. Davey with drunkenness. The petitioner was the husband of Mrs. Josephine D. Kimball, now deceased.

The matter came up today for legal argument, the testimony having been all introduced on the former occasion.

The petitioner was represented by Attorneys Cochrane and J. A. Williams and the guardian by Attorney John M. Zane.

The guardian answered denying that she was unfit to remain or act in that capacity by reason of any immorality, or the decline of the children or her. The reason, she said, why the boy Alfred Kimball (aged 14) did not live with her was that he had been induced and persuaded and to be by slanderous and malicious reference told him by the petitioner. She also denied that Thetis Kimball (aged 12) refused to live with her, and said the child was happy and contented with her, though the petitioner had unlawfully and maliciously by force and threats tried to take her away. Absolute denial was made to all the other allegations set forth in the petition.

Having heard what Mr. Smith's counsel had to say, and without calling upon Mr. Zane for reply, the Judge, in rendering a decision, said the charges contained against the guardian were such that, if sustained, would have compelled the court to remove her. But, in his opinion, they had not been proven, and as to the allegations of drunkenness, the evidence was far from establishing that charge against the lady. This was an unfortunate case at best, and he believed that if he had the power he would put the boy remain with Mr. Smith. It would be better that it should be so, because in the way the matter stood now there would be everlasting wrangling between those two families. His honor added that he must deny the application and dismiss the petition. He regretted that such a state of things existed; but certainly the testimony did not warrant him in interpositing to the extent of removing the guardian.

Attorney Zane asked that costs be assessed against the contestant. He did not think the estate of the children should be liable for unsuccessful efforts of the petitioner to remove the guardian, and that was what it would come down to in the end.

The court directed that the costs be paid by the petitioner, these being taxed at $75.50.

RUSSIANS IN PARIS.

Much Ado About Nothing, After All.

PARIS, Oct. 17.—This is a great day at the French capital. It is a general holiday and from early dawn people began crowding in holiday attire in the streets, pouring in from the country and from other cities in special trains. The streets were elaborately embowered in decorations in which Russian and French colors commingled, as France hopes for more on that day when the French eagles appear opposed to her in battle array. Windows, balconies, housetops and even chimneys along where the Russians are expected to pass are loaded with sightseers. The Russian naval officers arrived by train from Toulon at half past nine this morning. The throng is estimated at a hundred thousand people gathered around the depot, and every effort dealing to the military club where the Russians will be entertained were packed with people. As the Russians appeared and entered their carriages, the great throng set up a mighty shout, "Vive la Russie!" Admiral Avelan and officers accompanying him, stood up in their carriages and replied with shouts of "Vive la France!" It was only with the utmost difficulty that the police were able to keep the thoroughfares on the way to the club clear enough to admit of the carriages passing at a slow walk. At times the French enthusiasm was worked up to such a pitch that the Russians looked bewildered, the cheering masses surging forward bared through the military lines, and gathered close about them. The Russians appeared thoroughly tired out by the series of entertainments at Toulon. Admiral Avelan made a brief response to the address of welcome presented him at the station by the president of the council, expressing his pleasure at being chosen to return the visit of Admiral Gervais to St. Petersburg, closing with compliments for France and the Frenchmen.

SLAVERY ABOLISHED.

LONDON, Oct. 17.—Private advices say that the legislature of Bahia has passed a bill abolishing slavery. It was a mere form, as the negro have been practically free for some time.

Killed by a Burglar.

PULLMAN, Wash., Oct. 17.—A. B. Cooper, a prominent merchant, was shot and killed last night by a burglar who escaped. A posse is in pursuit. He will be lynched if caught.