

EVENING NEWS.

Thursday, September 22, 1897.

FRAGMENTS.

THERE is a message at the Western Union Telegraph office for Edward Brain.

The Home Dramatic Club appear for the first time this evening in "Lights of London."

The Saturday matinee of the Home Club in "Lights of London" bids fair to be largely attended.

Mrs. Young, of Escalante, Garfield County, has just reached this city with a wagon load of home-made cheese, which she left at Teasdale's.

Tickets for this evening's performance of "Lights of London" have been selling rapidly. The Home Club will present it again to-morrow evening and for a Saturday matinee.

JOSEPH G. GRISMER and Phoebe Davies, two pronounced Salt Lake favorites, have the last two rights of next week at the Theatre, and will produce "Hoop of Gold" and "Called Back."

A GENTLEMAN down from Provo says there is such a lively demand for the home-made iron paint that the manufacturers are compelled to erect a larger furnace in order to increase the output.

The Chamber of Commerce committee on railroads did not report last evening as expected, but owing to not having received a final answer from the Union Pacific, they asked and were granted until Monday next.

COALTER & SNEEGROVE have the popular "Boulevard March" arranged for the piano or for bands and orchestras. The piano edition has on the cover a fine portrait of the distinguished general in full uniform.

Hon. A. L. THOMAS and Hon. Abner Williams, of the Utah Commission, accompanied by Secretary W. C. Hall, left for the east to-day, to be present at the meeting of the Utah Commission in St. Louis on Monday next.

In the First District Court at Provo, yesterday, in the case of the United States vs. Thomas R. Butler, motion to quash the indictment was argued and taken under advisement. The petit jury were discharged until Thursday, to which time court adjourned.

On Wednesday last, at Logan, Henry M. Dinwoodey and Florence M. Whitney, were united in the holy bonds of matrimony. The groom is the son of Brother Henry Dinwoodey and the bride the daughter of the late Horace Whitney. We join with the many friends of the interesting young couple in wishing them health, happiness and prosperity.

A FEW days ago a little son of the late C. C. Hurst, of the Fifth Ward, Logan, was standing in front of a moving machine to which a team was attached. Suddenly the horses started and the knife of the machine caught the boy's foot, and, starting in just back of the big toe, cut the foot almost half off. Dr. Ormsby sewed the flesh and dressed the foot, and the boy is progressing favorably. —Logan Journal.

At a special meeting of the Board of Trade to-day resolutions were adopted favoring the project of a standard gauge railroad from Salt Lake City to Los Angeles, and pledging the support of the board in carrying out the plans proposed by the projectors, at Salt Lake. The board says that the road will be successful in every point of view, from the day the rail is laid. —San Francisco Chronicle, Sept. 20.

PETER PIPER SHELBY, late assistant general traffic manager of the Union Pacific, is granted leave of absence without pay and without title. It is understood Mr. Potter meant to release him on Sept. 1st, but P. P. called the general manager's attention to certain patents in use by the company without royalty, which said patents belong to said Shelby. Whereupon said Potter tendered the late A. G. T. M. a leave of absence and meantime the question of royalty on the patents will be arranged. —Omaha Railway News.

Theatre Next Week. On Monday next "Shadows of a Great City," which was given here two years ago, and met with pronounced success, will be again presented. An exchange thus describes it:

In this play the name indicates the plot. Five acts of suspense and mystery, interwoven with clever comedy, are only cleared up in the last, and the innocent man saved from the machinations of a clever pair of scoundrels. The play is prompt in action and never drags. It has an absorbing plot—that is to say, incidents accumulate in interest as the story is revealed and unexpected, and what more is there? Not a word of the dialogue is superfluous and it would be hard to say how any of the acts as they now stand could be improved. Several of the characters are new to the stage. Jim Farren, the Bowery boy, Biddy Roman, the kind hearted Irish boot woman, Helen Standish, her protegee, Mr. Arkwright, a detective, who is a gentleman, and not as usual in the drama, a two-faced scoundrel. (Of the cast L. R. Stockwell as Jim Farren, and George Osbourne as Abe Nathan, the pawpaw, carried off the honors on the male side.)

A False Verdict. It is frequently asserted by those opposed to the jury system that jurors in criminal cases are generally imbued with the idea that they are "chosen to convict." This claim received an exemplification in the trial of the Chinaman Ah Toi Ong, in the Third District Court yesterday afternoon.

The defendant was accused of the crime of burglary. The statute defines the offense as one that must be committed in the night, and while the evidence was sufficient to show that the Mongolian had been guilty of petty larceny, it did not develop that he had gone late Pearson's shop in the night time, and therefore a necessary element in the crime of burglary was not proven. Notwithstanding this fact, and the explicit instructions of the judge, the jury continued in deliberation and returned a verdict of guilty. Judge Zane, however, would not allow the heathen to be thus fouly dealt with, and ordered that the verdict be set aside and the prisoner released, which was done. Ah Toi Ong has probably been punished severely enough for his crime of a razor, as he was kept in penitentiary seven months awaiting trial.

Leads Items. "Thistle" sends us from Leeds an account of a surprise party, which, as it relates to an affair of only local interest, is not reproduced.

Quite a number of people in Leeds are sick with malarial fever, but, as Oesterly truly brings convalescence to this class of sufferers, it is hoped that all will soon recover.

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IN SHORT ORDER.

To-day's business in the District Court quickly disposed of.

The Third District Court was in session less than an hour to-day. Five cases arising under the third section of the Edmunds law, were on the calendar for trial, and all were disposed of. The first called was that against JAMES C. WATSON,

who is charged with living with his three wives. Mr. Watson has already served one term in the penitentiary for what is made by the Edmunds law unlawful cohabitation, having been sentenced in May, 1895, to receive the extreme punishment provided by Congress. To-day he withdrew his plea of not guilty to the present indictment, and changed it to guilty. He was allowed till October 11, at 2 p. m., before sentence.

FREDERICK PETERSON was the next defendant called. He is an aged gentleman, and is nearly blind. The indictment also alleged unlawful cohabitation, to which charge the defendant pleaded not guilty, and a jury was impaneled to try the case.

The defendant himself was sworn and testified—I am the defendant in this case; have resided in Salt Lake City 35 years; do not know Anna Anderson; know Anna Hansen Peterson; she is my wife; Annetta Halvorsen Peterson and Magdalene Christensen Peterson are also my wives; Anna and Magdalene lived in my house, in separate apartments; I separated them that way so as to conform to the law; this was in 1893; I have not lived with them, except that I had a room in the house; I took meals with my first wife alone.

To Mr. Peters—I married my first wife thirty years ago; the second, 25 years, and the third, 20 years ago; the first has no children; the second has four, and the third one; I ceased living with them in 1893; they supported them since then; have called on them once or twice to take me to them; I still claim them as my wives, but do not visit them as such because the law forbids it. The case was then submitted on the Judge's charge, in which the jury was instructed that it was necessary to show a living or associating with the polygamous wife; simply to claim a polygamous wife was not sufficient to convict. The charge was eminently impartial, and the jury was set forth plainly and carefully by the Court.

The jury retired, and returned in a few minutes with a verdict of guilty. Those present who were unacquainted with jury methods in this class of cases were considerably surprised at such a result under the instructions of the court, but to one familiar with the history of the Edmunds law in Utah, an acquittal would have been as astonishing as a thunder-storm from a clear sky.

Mr. Peterson requested, and was granted, until Tuesday, October 4th, for sentence.

In the order of those accused of unlawful cohabitation was:

RYTHUM H. EVANS, of the Sixth Ward, Salt Lake, who withdrew his plea of not guilty, and entered one of guilty to the charge made in the indictment. Sentence was fixed for October 31, at 2 p. m.

Following Mr. Evans' case on the calendar was that against JOHN TATE,

of Tooele. The indictment contained four counts, three of which were dismissed. The defendant pleaded guilty on the remaining count, and was given till September 29, at 2 p. m., before sentence.

JOHN GERBER, of West Jordan, also changed his plea of not guilty of unlawful cohabitation, to guilty. Sentence was fixed as the date of passing judgment.

The court then adjourned till 10 a. m. to-morrow.

The Choir Excursion.

The Tabernacle Choir, with invited friends, numbering some 200, left Salt Lake City at 7:30 a. m. Tuesday, on the Utah Central for Provo, and were soon borne swiftly away from the smoke and turmoil of the busy marts of trade into the green fields and orchards and the exhilarating breezes of the beautiful September day, bent on three whole days of solid rest and recreation. They soon after arrived at Sandy, where it was noticed that the great struggle for total abstinence is in full blast. Although there are still several struggling saloons, yet the enterprising advocates of temperance have erected a large sign in the middle of the town inscribed in black letters,

"DRINK WATER."

As this is in the imperative mode, present tense, it shows that the prohibitionists of Sandy mean business. The next place that the train pulled up at was a flourishing town in Utah County. The people there seem to be ardent advocates of home manufacture, as indicated by the conspicuous inscription "American Fork," on the side of the principal buildings. This is a sentiment that should be encouraged.

If we must have forks, give us the American "fork" every time in preference to the imported article.

It was at this point that the excursionists met the special committee appointed by the hospitable citizens of Provo to receive and conduct them to that city. The gentlemen comprising that committee were H. H. Cluff, W. C. A. Smoot, Evan Wide, Robert Dagdale, V. L. Halliday and John R. Twelves. The day, which had been somewhat overcast with clouds, now threatened to become unpleasantly damp, as the clouds lowered, and a storm of rain could be seen pouring down upon the mountains to the left, but excepting a slight sprinkle, just as the party were crossing the Provo River, it failed to materialize.

The choir party arrived at Provo at 10 a. m. where vehicles were met to convey them to the new theatre. This is a substantial brick building of tasteful design and capable of seating comfortably about 1,000 persons. Here the committee, assisted by Mr. C. R. Savage, billeted all those not provided for upon the hospitality of citizens who had volunteered to receive and care for them during their sojourn. This was the work of but a few moments and the guests of the city separated to rest and refresh themselves or wander at their sweet will, inspecting the new buildings in course of erection or visiting the public institutions, etc., with the understanding that all should meet again at the theatre at 1:30.

Promptly on time the people began to gather and the seats were speedily filled with an orderly assemblage of appreciative auditors.

The somewhat elaborate programme of music and singing was for the most part well received, and was fully appreciated, if this may be judged by the encores and applause, and the cheering and waving of hands, which were crowded with distinguished citizens of Provo and their guests, who enjoyed themselves largely in singing and dancing and recitations.

The Utah Central furnished free transportation to the members of the choir, and the citizens free wagons and entertainments; the theatre was free to all; and the citizens were made no charge for their services. Too much cannot be said of the courtesies extended by the citizens of Provo, and the hospitality of the people of Provo was as unbounded as its appreciation and enjoyment by those who participated in the pleasures of the excursion.

Too SENSITIVE.—A San Antonio, Texas, woman publishes a rather unusual sort of a card in the local newspaper. "I want the public to fully understand," she writes, "that my husband is no negro. My mother was a crole French woman and my father a Chinese Indian, and my husband's mother was a Comanche Indian and his father a German."

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POLICE ITEMS.

A Drunken "Tough" Causes a Lively Scramble.

Alma Anderson and Otto Johnson, two youths who had an idea that they could disturb the station army gatherings without danger of punishment, had cause to change their minds when they were brought before Justice Fyfer yesterday afternoon. His honor introduced an effective argument against the propriety of such disturbances in the future by imposing a fine of \$50 on Anderson and \$30 on Johnson.

This morning Frank J. Moore, Wm. Moore and Charles Vincent pleaded guilty to the charge of drunkenness, and were fined \$5 each. They will gaze on the gravel banks for five days in default of the ready cash.

Thomas Duffey, a private of Company C, was gathered in by the police last night, drunk, and was turned over to the military this morning.

This afternoon a case of disturbance of the peace, in which the Harmon family were accused of maintaining inharmonious relations toward each other, was being heard before Justice Fyfer.

About nine o'clock this morning, a lively scrimmage occurred at the corner of East Temple and Second South streets. The prime mover in the affair was a drunken fellow named Alexander Cumming, whose blonious propensities have secured him brief periods of rest on former occasions in the city jail.

The brutal fellow stationed himself in front of the Post Office this morning and began to insult and annoy ladies passing. Deputy Marshal Franks was in Marshal Dyer's office, above the Post Office, and having observed what was going on, started down to check it. Before he got to the sidewalk, however, Cumming seized and rudely jostled a lady, who had just alighted from a car.

The lady, who had just alighted from a car, was near by and immediately placed the fellow under arrest. Cumming was too much for him, however, and catching a package of letters from Mr. Kimball's pocket, threw them on the sidewalk. Deputy marshals Franks, Sprague and Cannon came on the scene at this juncture, and Mr. Franks assisted Mr. Kimball. Cumming went a few rods north to the corner, when he suddenly turned on Mr. Franks, and tripping that officer, threw him into the air and onto the sidewalk. Mr. Sprague came up and a fierce struggle ensued, in which Cumming fought, kicked and bit at the officers with all his might. Finally he was subdued, but not before a few rods farther again threw Mr. Franks to the ground, but this time the officer had the advantage. Deputy Cannon now took a hand, and with Mr. Kimball, took Cumming to the City Hall in a wagon, where he was lodged in jail.

Cumming will have an opportunity to answer to the charges of assault on a lady, drunkenness and disturbing the peace, and should certainly be made an example of for resisting the officers, as his subsequent conduct showed that he was not too drunk to know what he was about. Under the circumstances the officers were also together too mild in their handling of him, especially during his conduct after his assault on Deputy Franks. Such ruffians should be taught a salutary lesson.

THE S. L. & L. A. RAILWAY.

Articles of Incorporation of the Utah Division.

The Salt Lake & Los Angeles Railway Company filed its articles of incorporation yesterday afternoon with Territorial Auditor N. W. Clayton, and so far as the Utah division of the road is concerned, the organization is now ready for business. The articles of association are as follows:

Article 1.—The name of the corporation shall be "The Salt Lake & Los Angeles Railway Company."

Article 2.—The amount of capital stock of the said company shall be \$5,000,000, to be divided into 500,000 shares of \$10 each.

Article 3.—The term of corporate existence of said company shall be fifty years.

Article 4.—The number of directors who shall manage the affairs of the company shall be ten, five of whom shall constitute a quorum, and the following named persons having been duly elected by the subscribers hereto, shall be the directors of said company, and shall hold office until their successors are elected, as shall be provided by the laws of the said company: Caleb W. West, W. S. M. Stoddard, H. R. Houghton, James Jack, G. D. Shell, Isaac Trumbo, James Stokes, Wm. Hillcock, J. N. L. Hunt.

Article 5.—This corporation is organized for the purpose of constructing, acquiring, owning, operating and maintaining a line of railway commencing at the City of Salt Lake, Utah Territory, running thence in a general westerly direction by the most feasible and practicable route, as may hereafter be determined, to a point on the western boundary of the United States, at or near the intersection of the said boundary line, and longitude 114 west, latitude 40 north, or thereabouts, said point being the western terminus of said line, and the City of Salt Lake, Utah, the eastern terminus thereof.

The counties into or through which it is intended said railway shall pass are the following, Salt Lake and Tooele. The length of the proposed railway, as near as may be, is 175 miles.

Article 6.—The actual contemplated cost of construction, together with the cost of right of way, and every other appurtenance and thing for the completion and running of said road, as nearly as the same can be estimated, by competent engineers, shall be \$8,000,000. To be used upon said road shall be steam or other mechanical power.

Article 7.—This corporation shall have the power to purchase any railroad within said Territory situated upon the line of the Utah Territory, road heretofore described, when the same may be sold under provisions of any deed of trust, decree of court, or any other legal title, and may purchase the same at private sale.

Article 8.—The board of directors may adopt such by-laws, not inconsistent with the laws of said Territory, as they may deem proper for the management of the affairs of said company.

Article 9.—The first meeting of the board of directors of said company may be held at the City of Salt Lake, Utah Territory, on or before the 1st day of January, 1898, and thereafter may be held at such place or places, either within or beyond the limits of this Territory, as may be provided by the by-laws of said company.

Bad Mail Service. A subscriber writes from Peterson, Morgan County, to the effect that he receives his News with provoking irregularity, and David Milne, of Mant, sends the following complaint dated the 18th inst:

Evidently there is some carelessness or indifference in the delivery of the EVENING NEWS to this place. The News we ought to have received on the 9th did not arrive until the 10th, when we received two papers. The paper we ought to have got on the 12th we got but two copies. The daily Herald was also detained. Again on the 17th we received two papers, but so many should be imposed upon by the carelessness of some one.

It is perhaps superfluous to observe that the mailing of a daily paper is not usually done on alternate days, two issues at a time. The papers for subscribers in Mant, as well as elsewhere, are deposited in the postoffice here regularly on the day of publication.

"LIGHTS OF LONDON" at the Theatre to-night.

New Factory Building.

Z. C. M. I. has begun on the east portion of the D. H. Wells lot, the erection of a mammoth building, to be composed of brick, with rock foundation. Its ground measurement is 150 by 66 feet, and it will be a story high with a basement besides. It will be the largest structure of its class in this city, second only in proportions to the main building of the institution, to which it is contiguous. In it will be conducted the home manufacture department, including boots and shoes, overalls, etc. The contract has been awarded to Watson Brothers, and the construction will be pushed rapidly to completion. It will be a great advantage to the institution to own its factory building and to have the several branches of its business operated in compact shape instead of in different localities.

Visiting the West. To-day we had the pleasure of meeting Mr. W. R. Stirling, of Perthshire, Scotland, who is on a tour through the west for pleasure. He is accompanied by his sister, Mrs. McAllen, wife of Colonel McAllen, of the 92nd Gordon Highlanders. Mr. Stirling is delighted with the appearance and general aspect of Salt Lake Valley. He is a great admirer of America as a whole and appreciates the fact that there is plenty of elbow room for men possessed of business enterprise in contradistinction to the comparatively limited field presented by the Mother Country. He is treasurer of the Joliet (Ill.) Steel Rail Works. He was formerly in business in Glasgow.

Will There Be Two Roads? Rumors are afloat that the Union Pacific is not going to sit idly by and see the Salt Lake & Los Angeles Railway take the trade to the Pacific Coast. The new road must necessarily traverse nearly the same route as that proposed for the U. P. from Dry Valley, Nevada, to the City of Angels.

The Union Pacific is now fully 250 miles on the way, by having the appearance of East Temple street, and as that route has some little advantage in being the shorter of the two, some lively railway competition may be anticipated for next summer. The roads as at present proposed will run through separate districts for about 500 miles, but after that will be in close proximity and almost parallel.

COMMERCIAL.

The Stock, Money, Groceries and Provision Markets.

DESERT NEWS OFFICE, Salt Lake City, Sept. 22, 1897.

SALT LAKE MARKETS. Corrected daily by Leading Houses.

PROVISIONS.

Whole Wheat Flour, 2 1/2 3 00

High Patent Roller, 2 1/2 3 00

Patent Roller, 2 1/2 3 00

Flour, XXX, 2 1/2 3 00

Wheat per bush, 1 1/2 1 25

Barley per 100, 1 00 1 25

Corn Cracked, 1 30 1 40

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Lard, 100 lb, 6 00 7 00

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DAILY WEATHER BULLETIN.

Meteorological Reports Received at Salt Lake City on September 22, 1897, at 11 a. m. local time.

PLACE OF OBSERVATION.	THERMOMETER.				WIND.		Rainfall in 24 Hours.	State of Weather.
	Exposed.	Change in 24 Hours.	Maximum.	Minimum.	Direction.	Force in Miles Per Hour.		
Salt Lake City.....	81.2	3.2	80	80	N	Light		Clear.
Ogden.....	81.2	3.2	80	80	N	Light		Fair.
Stockton.....	81.2	3.2	80	80	N	Light		Fair.
Bingham.....	81.2	3.2	80	80	N	Light		Fair.
Park City.....	81.2	3.2	80	80	N	Light		Fair.
Alta.....	81.2	3.2	80	80	N	Light		Fair.
Lake Park.....	81.2	3.2	80	80	N	Light		Fair.

W. M. A. KORTZ, Signal Corps, U. S. Army.

F. AUERBACH & BRO.

NOVELTIES FOR FALL & WINTER!

ARRIVING DAILY FOR ALL OUR DEPARTMENTS!

Our DRESS GOODS, SILK, PLUSH and VELVET Department is replete with the best and most stylish materials to be found in the leading establishments of the country. Prices sure to please.

Our TRIMMING Department is filling up with the most desirable European Novelties.

Our HOSIERY and GLOVE Department is CROWDED FOR ROOM, and LOW PRICES are the order of the day.