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. 183 THURSDAY, JUNE 27, 1895, SALT LAKE CITY, UTAH. VOL. XXVIII.

DEFEATED BY YALE.

Harvard and Columbia in the Triangular Boat Race.

FAVORABLE WEATHER AND WATER

Time, Ten Minutes and Twenty-eight Seconds—Mishaps on the River.

NEW LONDON, June 27.—Yale wins by three-quarters length; Harvard, second; Columbia ten lengths off. Time, 27 minutes 4 seconds (unofficial).

Harvard's freshmen eight oared crew, so confident of victory, were defeated today by Yale, while Columbia was third in the annual triangular race over the two miles of the Thames water course. Watson, of Harvard, is said recently to have stated that if his freshmen did not win this year there was little hope for his varsity eight which rows with Yale tomorrow.

The Associated Press scored a triumph by instantly announcing over its special wire along the shore that Yale was the winner.

Weather and water favored a good race. In fact a southeast breeze was blowing up the course over the incoming tide, and heavy clouds shaded the water. Just above the railway bridge whence the crews were to row two miles up the river with the tide was anchored a huge float, where Referee Guy Richards lined the crews, while Veteran Allen stood beside him as official timing.

At 10:35 word was given. Harvard first caught the water, Columbia's oars flashed next while Yale in the middle of the course was sagging back. Harvard on the Groton side and Columbia on the New London side pulled each half's length ahead within six strokes. Harvard after short starting strokes squared away, rowing forty strokes to the minute. Harvard gained on Yale. Yale overhauled and led Columbia at the quarter. As yet there was no clear water between the shells. Columbia crew ragged as she neared the first half mile flag, and it became evident thus early that they were outclassed. Harvard made the first half in 2:18, Yale in 2:20, Columbia in 2:23.

Entering the second half of the first mile, Columbia's bow-man broke the fastening bar of his row lock and was scarcely able to pull his weight. In Yale's boat, No. 2 was losing his first wind. No. 4 in Harvard's shell was bucking his oar. The crimson crew were saw-teething from side to side in a ragged form. Yale, though distressed, was pulling along gamely thirty-four strokes to the minute as the shells passed the first mile flag. Her time at the mile was 4:55. A quarter of a second later came crimson Columbia trailing over three clear boat lengths in the rear in 5:15. Thence the race was Yale's, though by an exceedingly slender margin. No. 2 in Yale's boat had gained his second wind.

Harvard's men dropped their stroke to a weary swing of 32 strokes. Columbia was losing momentarily. The bowman frequently unshipped his oar and his comrades were obliged to carry his dead weight until he was able to replace the blade.

The closing of the race was close and spirited. The nearness of Harvard to Yale kept alive in the crimson the hope of winning by a spurt. It was not in the boat, however. Yale went over the two mile and finish line in 10 minutes and 28 seconds from the start. Harvard crossed in 10:32, a length behind, while poor Columbia, with a disabled out-rigger, finished in 11:18, sixteen lengths behind Yale and fifteen behind Harvard.

HARVARD DECLINES.

BOSTON, June 27.—The Harvard university's committee on athletic sports has sent a declination of the Oxford and Cambridge universities' challenge to an international athletic contest in this country next autumn. The reply closes:

"If we should be declared fortunate enough in some future year to win on this side of the water the leadership in track athletics which this year belongs so unquestionably to Yale, we shall hope to have the pleasure of competing with the winner of the Oxford-Cambridge games."

Fight With Outlaws.

HENNESSY, O.T., June 27.—Deputy sheriffs from Woodward, O.T., hunting Zip Wyatt, alias Dick Yeager, and gang, came suddenly upon four of the gang sixty miles west of Hennessy. The outlaws mounted their horses and attempted to escape. Shots were exchanged. Charley Black, brother of Tom Jack, killed in the Cimaron fight eight weeks ago, was seriously wounded in the hip and one officer was slightly wounded. The wounded outlaw was tied to his horse and the gang escaped.

The English Situation.

NEW YORK, June 27.—A special to the *Herald* from Paris says: Sir Charles Dilke, being interviewed on the English political situation, said: The Liberals have not the ghost of a chance in the coming election. I do not think anybody honestly believes the contrary.

Lord Rosebery's Fun.

LONDON, June 27.—Mr. Thomas Gibson Bowles, the tory member of Parliament who has made a special attack on the government's fisheries bill, while riding along Rotten Row met Lord Rosebery, to whom he remarked that at last the seal fisheries bill had been passed.

"Yes," replied Lord Rosebery, laughing, "and there has been a good deal of fishing for the seals of office this week."

Advance in Prices.

NEW YORK, June 27.—The *Iron Age* says: The upward course of prices has been emphasized by the advance of $3 per ton on steel rails. The mills, however, the western mills have been the beneficiaries of the improvement in the demand. The eastern manufacturers are awaiting the overflow. Bessemer pig iron is strong, with large sales in the Pittsburg district, and $15 dollars is now claimed at the Pittsburg price. Billets have been marked up from $20 to $20.50 in the same locality. Advances have also been secured in wrought pipes and tubes. The most radical advance, however, appeared to have been made in plates. The plate mills are almost without exception so completely sold up that little can be promised in the way of early delivery.

EPWORTH LEAGUE.

A Great Religious Demonstration—Thousands Meet in Conference.

CHATTANOOGA, Tenn., June 27.—The second international convention of the Epworth league is proving as big a religious demonstration as the most sanguine expected. All the bishops of the Methodist church are here except Bishop Vincent. Twenty-five special trains bringing 5,000 people have already arrived with delegates from every state and territory in the United States. Trains bearing 5,000 more are on their way. In addition, special excursions from the adjoining states will swell the number of visitors to at least 15,000. The conference was formally opened this afternoon in a tent which has a seating capacity of 10,000. The tent was crowded. An inspiring song led by a chorus of 1,000 voices started the great convention to work.

Eloquent addresses of welcome were delivered by Mayor George W. Ochs and Rev. J. P. McFerrin, and fraternal responses were given by Bishop E. R. Hendrix of Kansas City, Bishop S. M. Merrill, Chicago, Rev. Dr. John Potts, Canada. The conference was then formally turned over to Dr. Steel, chairman of the general committee. At 2 o'clock tomorrow morning three to five thousand delegates will make a pilgrimage to the top of Lookout mountain and hold a sunrise prayer meeting above the clouds. The most significant feature of the conference is the absence of any sectional and denominational feeling and the spirit of unity that prevails.

Seal Fisheries Bill.

OTTAWA, Ont., June 27.—The Canadian government has received the draft of the bill for the Pacific seal fisheries read for the third time in the imperial Parliament. Sir Charles Tupper, minister of justice and ex-minister of marine, says the dominion government will enter strong objections to two clauses. One empowers Russian vessels to search Canadian sealers and the other exacts the extreme penalty of forfeiture of ship and equipments for infraction of the regulations. The dominion government will forward a strong protest to the imperial government.

Warner's Prediction.

CLEVELAND, O., June 27.—General A. J. Warner said today it was evident there would be a split in the Democratic party next year on the silver question. He said the silver men must get together and he believed a candidate would be found for whom the Democrats of the South and Republicans of the West and the Populists would vote.

Police Charged With Murder.

NEW ORLEANS, June 26.—Joseph Strehlin, one of the men accused of being implicated in the incendiary fires in Gretna, out of which grew the lynching of John Frye on Friday morning, says that the lynched man was hanged by the police. Frye, he says, was first badly beaten by the chief of police, and the officer who captured him placed the rope around his neck, the other police officers standing by to assist.

International Railway Congress.

LONDON, June 26.—The fifth meeting of the International Railway congress was opened at about 3 o'clock this afternoon in the imperial institute by the Prince of Wales, in a felicitous speech. He paid a special compliment to the American delegates, saying this was the first time the railway congress had the pleasure of welcoming them. He said that while the hosts could not promise the delegates the beauties of Italy, or excel in splendor the reception accorded them by the late czar in their last meeting, he thought it would profit them to visit the Manchester canal and other great works.

A Surprise to the Detectives.

CHICAGO, June 27.—Captain Elliott, chief of the detective bureau, expressed great surprise when shown a dispatch from Danville, Ill., today to the effect that Olivette O'Neal for whom the police were requested to look by David O'Neal, a mine owner from Kraig creek, B. C., was his wife. When O'Neal requested the aid of the police he intimated the woman was his sister, who was an heir to some money. Mrs. or Miss O'Neal came to Chicago some months ago to undergo a surgical operation. The last heard of her was on Decoration day, when she wrote to O'Neal for some money.

The South Enid Tragedy.

SOUTH ENID, O. T., June 27.—The double tragedy here yesterday in which E. W. Patterson, register of land office, and City Marshal Williams were killed, has created wild excitement. Elliot Isenberg's wound is serious though not necessarily fatal. The men had many friends and sides are being taken by the citizens.

Isenberg came to Enid shortly after opening, September 16, 1893, and started the *Daily Wave*. He is a fearless fighter and writes with a pen dripping with wormwood. He made a practice of roasting his enemies mercilessly. He opposed Patterson primarily because he was a "carpet bagger," but more on account of being a Southerner. The *Wave* is a Democratic newspaper, but was not favored with the land office printing.

SEIZED BY ENGLAND.

A Homemade Kingdom in the South Atlantic Ocean.

NEW YORK, June 27.—The *Herald* says: There are well-defined rumors floating around in diplomatic circles that the home-made island kingdom of Baron Harden-Hickey, in the South Atlantic ocean, has been seized by England.

Baron James A. Harden-Hickey is a son-in-law of the Standard Oil millionaire, John H. Flagler. He was born in California forty-one years ago, he has been a Parisian editor, but was exiled from France on account of a cartoon. It was on one of his many voyages that the baron discovered his kingdom, "Trinidad I." There were no inhabitants there when he first found the island. In the spring of last year the baron raised his flag and proclaimed himself the lawful ruler. His agents in the United States began to rally recruits around the royal standard. Currency and postage stamps were printed, laws were made and a navy was secured in the shape of an old bark, which when not employed in defense of Trinidad's solitary port, carried the mail over to Brazil. King Hickey was and is a Buddhist, and he tried to pattern the kingdom on the principles of the gentle Gautama. He instituted the "Order Doohevallon" for his subjects and ordered a supply of gay golden crosses, with which to recompense letters, arts, science and industries.

The next news from the little kingdom of Hickey will be awaited with anxious interest by many people in New York, and the ware of procuring subjects for the self-made king, which has been going on in this city, will be stopped until some definite information is received.

The Atlanta Exposition.

NEW YORK, June 27.—General L. W. Avery, of Atlanta, Ga., foreign commissioner of the cotton states' international exposition, to be held in Atlanta from September 18th, this year, to January 1, 1896, arrived in New York on the steamship Caracas from Venezuela. The general, who was appointed by the exposition and accredited by the United States government, visited during his nine months' trip to Brazil, the Argentine Republic, Paraguay, Uruguay, Chile, Mexico and Venezuela. He was everywhere cordially received and met with most flattering response on the part of the different republics.

NO EXTRA CONVENTION.

California Democrats Have Spoken Already on the Silver Question.

LOS ANGELES, Cal., June 26.—Chairman Gould, of the Democratic state central committee, has addressed a communication to J. W. Mitchell, of this city, in answer to a request from the latter that the state central committee be convened for the purpose of calling a convention of the Democratic party to take the position on the silver question. Mr. Gould says in part:

"I cannot now see how it would be practicable to call together a convention in this state whose conclusions could supplant the position taken by our party last fall unless primaries and county conventions be held, which course, I am satisfied, would not meet with popular favor. A Democratic state convention met last fall in San Francisco, as numerous, as able and as representative as any that ever assembled in California. That convention announced the position of the party on the silver question, as on other matters then deemed to be important political issues, and I cannot but consider it rather presumptious—no representatives to be selected, and no means of bringing any issue before the public existing except by adopting resolutions—for me or for the central committee to assume that the solemn declarations made by our last convention, that convention which brought this committee into existence, was a blunder and that another convention should be called by us to rectify that error."

Declared Unconstitutional.

COLUMBIA, Ohio, June 27.—The supreme court today declared the law to tax inheritances of direct heirs unconstitutional.

VOLCANIC DISTURBANCES.

Unusual Seismic Activity in Lower California.

SAN DIEGO, Cal., June 27.—Volcanic disturbances are again reported in the Chocopah country of lower California. George Neal, a mining man, has just returned from that region and says that on Sunday he saw smoke ascending from the central peak of three mountains that rise several hundred feet above the desert. The smoke spouted high in the air and was accompanied by sounds like distant cannonading. The Indians told Neal that mud volcanoes, gas fissures, hot springs and fire volcanoes were all at work more actively than ever.

War on Whisky Shops.

PARSONS, Kansas, June 27.—A war of extermination has been commenced on the whisky shops in this city by Mayor Stevens, and as a result there is not a joint running. Marshal Mason arrested Perry Waldron and William Washington, the leaders of the whisky business today. Each plead guilty. Waldron was fined $300 and costs and Washington $200. Each paid their fines and quit the business.

Cuban Republic.

NEW YORK, June 27.—The *World* says:

A republic is to be proclaimed in Cuba. An election of delegates will take place in New York July 10. All the Cuban clubs of the United States will be represented. Delegates will choose a president for the provisional government for the new republic.

Thomas Estrada Palma has been selected to succeed Jose Marti, the illustrious Cuban martyr." Immediately upon the proclaiming of the republic interest-bearing bonds will be issued, redeemable when Spanish domination ends.

Was Collins Murdered?

NEW YORK, June 27.—The *Herald* prints a full page story giving details regarding the life and death of Wm. P. Collins, a well known company promoter, who was found unconscious on the night of May 21, at the foot of a stairway of an apartment house in this city. The *Herald* states that information has been presented to the grand jury tending to show that Collins was murdered. It has been pretty generally believed that Collins's death was due to an accidental fall on the stairway.

The Boys Confess.

MILFORD, Ill., June 27.—Wm. Karns, aged 16 years, has confessed to setting fire to the livery barn of E. C. Chabol, in which M. D. Wilber lost his life Saturday night. He implicates Wm. Butler, aged 13. The boys have been placed in jail to await the November term of court. They tell conflicting stories, one of which implicates a third person, who hired them to do the work. The other is that they had a grudge against the proprietor.

MEXICAN CAMPAIGN.

Expedition Directed Against the Yukatan Indians.

EXTERMINATION CONTEMPLATED.

The Aborigines Preparing for Defense and Hopeful of Success.

CITY OF MEXICO, June 27.—The war department is engaged in active preparation for another vigorous campaign against the rebellious Yucatan Indians. Large bodies of infantry and cavalry have been concentrated at the towns of Becuzmen and Bacalar, in southern Yucatan, and others are being put in readiness for marching from Maida, the capital. The people of the state of Yucatan are enthusiastic over the movement to permanently subjugate the troublesome rebels, which have long caused the southeastern peninsula of Mexico to be shunned by commerce and other enterprises, afraid to their robbery and death in a region exceedingly rich in mahogany, dye woods and other natural products.

The Twenty-second battalion and other bodies of troops have been detailed to make the campaign. The troops by land will receive cooperation from the troops by sea. A landing will probably be made from Mexican boats at Ascension and Espiritu Santo, two good bays on the Atlantic, off the sea of the Antilles. From these landing places the troops can easily reach the heart of the rebellious district, and the attack will be made from opposite directions.

This is deemed a peculiarly propitious time for making the move, as there are several rival cliques in the various divisions of the Yucatan tribes, each striving for the ascendancy. On the appearance of a superior power it is probable some of the leaders will desert to the Mexican troops and fight against the thousands which will attempt to withstand the federal power.

As the troops advance the country conquered will be occupied and fortified and in this way, even should the Indians escape across into Balize, they will be prevented from returning.

The Indians have of late been making large purchases of rifles and ammunition in the city of Balize, and are evidently preparing to make a strong defense, as they have successfully done in other campaigns against them.

GOD AND MAMMON.

An Attempt of Combining in One the Service of Two Masters.

CHICAGO, June 27.—Headed by Commodore Bongee who claims to be a young African prince, a dozen people, mostly from this city, left last night on a journey of 12,000 miles to Central Africa. Their mission, they say, is partly to convert the natives to Christianity and partly to collect diamonds for themselves. The leader and backbone of the enterprise is the Rev. Alexander C. Scott, (colored), a Methodist minister of Fairview, Mich., but the originator of the trip is Commodore Bongee. Bongee claims to be a son of the King of Bongee in the Congo country. Six years ago he came to this country. At that time he was unable to speak a word of any language but his native tongue, but now, after a course of studies, he is able to speak English and German fluently. When he came here he had a pocket full of diamonds, and he says there is more where he came from. The party seem to be well supplied with money. They also carried with them a case of rifles, a large lot of six-shooters and thousands of rounds of ammunition. They went from here to Montreal, from which city they will sail to Liverpool.

WILL DISMISS THE CASES

Against the Members of American Railway Union.

WASHINGTON, June 27.—There will be no more attempts on the part of the government to prosecute the 150 members of the American Railway union in California, charged with participating in the strike of last July. The attorney general advised the United States district attorney at San Francisco to use his own discretion in the matter, and he has replied that he would dismiss the cases now pending. The reason for this action is that the evidence against the meeting is considered insufficient. The cost to the government of prosecuting the four cases already tried was $20,000 and no convictions were secured. As there is no additional evidence to be used against the other men, it is considered impossible to convict them.

KENTUCKY CONVENTION.

Order Restored and Nomination of Candidates Continued.

LOUISVILLE, Ky. June 27.—The Democratic state convention re-convened at 9:30 today with the usual large attendance. For state treasurer the names of W. H. Gardner, John C. Herndon, W. C. Kendall and R. C. Ford were presented with eloquent speeches. The ballot resulted: Gardner, 295; Herndon, 172; Kendall, 81; Ford, 270; E. Kenton, 58. A motion to drop the lowest after each ballot was adopted; 449 votes being necessary for a choice there was no nomination.

The second ballot for state treasurer resulted: Gardner, 398; Herndon, 43; Ford, 439. Ford was declared the nominee.

For auditor, Luke C. Norman was nominated by acclamation.

G. B. Swango was nominated for register of the land office, on the second ballot.

W. J. Hendricks was nominated by acclamation for attorney general.

FRANCE AND SWITZERLAND.

An Effort to End the Tariff War Between the Two Countries.

NEW YORK, June 27.—A special to the *World* from Paris says: M. Hanotaux, the minister of foreign affairs, introduced in the Chamber of Deputies a bill modifying the commercial relations between France and Switzerland. The bill is designed to put an end to the tariff war between the two countries. The modification takes the form of a reduction of the French minimum tariff on watches, clocks, machinery, and silks, but manufactured cotton is expressly excluded.

Not only Switzerland, but all countries having commercial treaties with France containing the "most favored nation clause" will be benefited by the reduction. Since the rupture of commercial relations with Switzerland in 1892, France has lost 11,000,000 francs, or $2,200,000 annually. Switzerland's loss is much less. The new agreement is due to the energy of M. Barrere, the French ambassador to Berne. The bill will probably be ratified by the Chamber speedily.

Dissolution of Parliament.

LONDON, June 27.—In the house of lords today the premier, the marquis of Salisbury, announced that he hoped to obtain the queen's consent to the dissolution of Parliament on July 8.

Richardson-Johnson.

There was a wedding at the home of John E. Richardson, No. 433 East Third South street last night, J. E. Richardson of this city and Miss Edith Johnson of Draper being the contracting parties. The ceremony was performed by Elder Adam Speirs, Bishop of the Tenth ward. After it was over the guests adjourned to the banqueting hall where a sumptuous wedding supper was served, it having been provided by the "old folks." There were numerous congratulations and music both vocal and instrumental. The young couple have many friends who wish them well on their journey through life.

Educational Notes.

The attendance at the summer school has increased from ninety-five yesterday, to one hundred and six, today.

An operetta under the direction of Mr. B. B. Quay will be given at Murray, July 11th. Mr. Quay will also have charge of a large chorus class in the Fourth of July program of exercises.

JIM WILLIAMS'S BIG JOB.

It is Evident That the Utah Champion Has a Hard Fight Before Him.

From information received from Jim Williams, Utah's champion pugilist, now training at Creede to meet "Mexican Pete" on the night of July 4th, it is evident that he has a much greater bargain in hand than he supposed when leaving here.

He says he was very much astonished when reaching there to discover that the Mexican was taller than either Corbett or Fitzsimmons and that he had a "reach" longer than either of those big bruisers and that he was at least fifteen pounds heavier than himself. He is being backed in Colorado against Williams by heavy odds, the ranchmen and miners about Creede standing ready to make most any kind of a bet in favor of the man who has won so much money for them. He is known as a fierce aggressive fighter from the moment he enters the ring and usually puts his man out in the first half dozen rounds. He strikes a tremendously heavy blow but so does Williams and the latter, with his friends, believe that the Mexican will not be able to eat tamales or drink cactus water for three weeks after the battle.

Will Spar Hard.

In the arena of the Salt Lake Athletic club on Wednesday night next there will be, unless the improbable occurs, a glove contest for "points" that will startle the members. The contestants are the "Black Prince," who has been having things go his way for a considerable time in this locality, and Harry Taylor, of Seattle, whose record as a slugger in and about the Sound country is said to be of a character that makes most of his darkey opponents turn pale.

THE RAILROAD MEN'S ROAD.

Meeting Addressed by President Vroman Last Night and 350 Shares Subscribed For.

The meeting of railway men in Armstrong's hall at the corner of Second South and Third West streets last night was well attended and enthusiastic throughout. It was in the interest of the San Diego & Eastern railway contemplated to be built from the coast to this city. Gilbert McLeod acted as chairman and J. W. Murphy filled the role of secretary.

President Vroman of the road above indicated was introduced and detailed the plans of the project to date. It was co-operative throughout and cooperation could do very much. Utah was an object lesson in this particular. The proposed railroad would be made of much benefit to the railway men and public alike. Instead of being over-capitalized, say at $60,000 per mile, it would not exceed $15,000 per mile, and dividends would be paid regularly. The people of San Diego had guaranteed preliminary expenses and stood ready to grant all needed terminal facilities, as well as ample wharf privileges bordering on deep water. The people there had already given right of way through the city for the S. D. P. & E. railway, and were enthusiastic over the project. It had traversed much of the proposed route northeast from San Diego, and but little more than 400 miles from there were the famous Utah coal fields cropping out for twenty miles, with veins in thickness from fourteen to twenty feet, equal to the Pennsylvania article. There was also Utah's great iron deposits, wonderful to behold. The road as a carrier would be a success in every particular. Shares were $10 each, and no money was to be collected until 150,000 shares were subscribed for, when work would be commenced. Safe-guards were thrown about the stockholders, inasmuch as they would elect the board of directors, and there would be no forfeiture of money paid in until they had "run by" three regular assessments, and even then they would be given 60 days additional to pay up through the attorney. Three thousand shares had already been subscribed at the other end of the line, and it only remained for the army of railroad men of the country to say if they would establish a precedent so largely in their own favor.

W. A. McKenzie and J. W. Murphy spoke also and an subscription being called for 350 shares were taken in short order. Mr. Vroman spent today in calling upon local business men in the interest of the proposed railway scheme.

Another meeting will be held at the same hall on Friday evening beginning at eight o'clock. An effort will be made to have it very numerously attended.

MORE OF THE COAST ROAD.

Hon. John C. Long, of San Diego, Also Here in Its Interests—Thinks It will Succeed.

That the San Diegans are very much in earnest in their efforts to have a railroad constructed from the coast to this city is evident from every move they make.

Treading close upon the heels of President Vroman, comes Hon. John C. Long, also of San Diego, whose mission is to see the business men of Salt Lake, a function he has been performing today and will continue to perform until, as he believes, success will be the result of his efforts.

The people of San Diego have set their hearts on a railroad to Salt Lake and are willing to assist in the building of it almost to any extent. The thing is to get the enterprise into proper shape. Little doubts are entertained in regard to the feasibility of the scheme. Mr. Long is so enthusiastic over the matter as to declare that he believes construction on the road will begin within ninety days. That he may be right in his conclusions is the hope of every citizen of Utah.

BAD CASE OF "WHEELS."

The Bicycle Business Means Trouble for G. S. Smith, alias Thomas E. Jennings.

Nineteen-year-old G. S. Smith, alias Thomas E. Jennings is the victim of a bad case of "wheels" which being interpreted in the light of police investigation and development means that the young chap has been engaging in an unprofitable bicycle business though it is evident from his own story that he made some money out of the venture before trouble came upon him.

According to Detective Sheets young Smith about a month ago went into the store of the Columbia Bicycle company and bought a wheel on the installment plan after which without stating the facts in the case he sold it to Browning Bros. for $15 saying he was compelled to dispose of it on account of being hard up. Following this transaction up and having been moderately successful he next purchased a wheel from M. R. Evans and sold it to Greschel for $20. His next venture, so far as absolutely known, was made this morning, when shortly after 7 o'clock he stepped into the Intermountain company's place of business on Second South street and hired a bicycle, which he was soon after attempting to sell to dealers in second hand goods.

Officer Johnson watched him for a time and then picked him up and marched him to the police station, where he admitted his guilt and where he had the effrontery to declare that had he been successful today he would have taken this evening's train for Denver. In his possession were a number of receipts for other bicycles of which he has disposed. He recently returned from Butte, where the police think he was on a similar unlawful business. Smith is said to be a Salt Lake boy, and gives his address as No. 145 East Sixth South. He was booked up on the charge of grand larceny.

ON THE GROUND FLOOR.

Justice Dropped One Story at the Police Station Today—Paddy Boyle Gets Twenty-five Days.

The administration of justice fell one story at the police station today on account of the hearing of the Devine case in Judge Smith's chamber. The most notable feature of the drop was that poor old Paddy Boyle, who frankly and unblushingly admits that he has passed but fourteen years in jail on account of drunkenness, was sent over the way for twenty-five days having plead guilty to his old weakness.

Then the case of Wm. Wayne was called. Wayne, it appears, has been making it very unpleasant of late for his wife who is suing for a divorce. His arrest for the offense was consummated a few days ago when he went into court and made a formal plea of innocence. By today he had changed his mind and admitted that he was guilty and the court fined him $15. He had two-thirds of that amount on deposit and was allowed to go out and rustle for the remainder.

It Was Illegally Drawn.

It transpires that the tax levy ordinance passed by the City Council on Tuesday night was improperly drawn and illegally passed in that it failed to specify each necessary purpose for which the money raised is to be used. In order to overcome the defects the council members have been notified to attend a special meeting on Saturday evening next. The members of the Coke club and one or two other ordinance law studying organizations would like the privilege of drafting the next ordinance in order that it may be in proper shape. They say they will guarantee its validity if passed as submitted by them.

TO TRY OR NOT TO TRY

The Question Which Has Been Agitating Fire Circles Today.

CHIEF DEVINE IN "COURT."

The Absence of Commissioner Noble Stirs Up a Hornet's Nest—Hoge's Jolly Enemies.

The initial airing of the unclean linen of the city fire department was to have taken place in the police court this morning but a hitch in the arrangements resulted in the postponement of the exhibition until this afternoon. The preliminary proceedings though brief were portentous in their character and every indication points to a stubborn and bitter contest.

Promptly at 10 o'clock Judge Powers and Attorney Lippman, counsel for the complaining firemen, ascended the stairs and entered the court chamber, their arms filled with law books and their pockets bulging out with a miscellaneous assortment of documentary evidence for use in the trial. Then Chief Devine, against whom the multiplicity of charges heretofore published in the NEWS are preferred, sauntered in and took a seat. Soon after him came Attorney John M. Zane who has been retained to look after his interests.

It was 10:15 when three members of the board of fire and police commissioners appeared and took their position at a table which had been provided for them. These were Chairman Jennings, Empey and Stephens. The courtroom was crowded at this time and there was some uneasiness and anxiety manifest at the delay. Finally Chairman Jennings asked: "Gentlemen, are we ready to begin?"

JUDGE POWERS OBJECTS.

Judge Powers took the initiative by saying in substance that he had been directed by his clients to object to but three members of the board sitting as a court to hear the case (Commissioner Noble being absent from the Territory). The prosecution was ready to proceed properly, but not improperly. Three members of the board, under the law, could not render a decision and it was highly important that when a conclusion was reached that it should be a correct and just one. Three members could not legally under the circumstances even though objections on that score were waived. One member was absent. The complainants knew that his judgment was very good. They wanted the judgment of all. It was an important case and no mistake should be made. The prosecution had fifty-four witnesses subpoenaed and it wanted a full and fair opportunity of establishing every charge and specification made in the complaint. If compelled to go to trial, why, of course they would go, but not until a protest against it should have been entered and recorded. He then quoted law to the effect that a board of removal should consist of all officials in whom the power of removal was vested.

OUGHT NOT TO BE POSTPONED.

Attorney John M. Zane, representing Mr. Devine, here took the floor in opposition to the objections of Judge Powers. It was evident to every thoughtful person, and it should be especially so to the board, that the trial should not be postponed. The lack of harmony in the department meant that speedy and prompt action should be taken in the matter. Conditions unfavorable to its operations should not be allowed to remain. The objections that three members of the board could not legally try the case he thought were not well taken. As he understood it that question had been before the board before and had been settled to the satisfaction of the members themselves that three of them, constituting a majority, could act. A majority of any board was a quorum and a quorum could always transact business. He was desirous of proceeding without any further delay and closed by saying that the hearing could not come on any too soon.

WENT OVER UNTIL THIS AFTERNOON.

The members of the board here held a whispered consultation and when they were through Chairman Jennings announced, "Inasmuch as there seems to be some question on the point raised we will take a recess until 2 o'clock this afternoon, at which time, gentlemen, you had better have your authorities here to quote from so there may be no unnecessary delay."

SLOW IN GETTING THERE

Commissioners Not Very Prompt in Beginning—City Attorney Hoge Surrounded by "Jolly Enemies."

The commissioners this afternoon showed that they had been stricken with an attack of county selectmen tardiness, which is anti-dispatch in its completest form. It was well nigh 2:30 when they appeared. On calling the board to order, Chairman Jennings informed the attorneys they could cite their authorities whereupon Judge Powers proceeded to do so at length. The substance of his argument tended to prove that all members of the board must be present and consult over the case at issue though a majority might decide.

HAS "JOLLY ENEMIES."

City Attorney Hoge at this juncture arose and said he desired to state the position he occupied or would occupy in the case for the reason that he was surrounded with enemies—jolly enemies—friends in one sense, perhaps, still not friends, who wanted to know what he "was doing here." Under the city ordinances he was required to prosecute and defend the city cases according to the circumstances of the cases tried. Under the ordinances he was also required to defend city officials when on trial for any act committed in their official capacity.

As to the application of the cases re-

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