

GODDE AND DAVES FREE.

Both Were Severely Censured by Judge Smith.

THE COURT'S RULING.

MAY BE AN INVESTIGATION BY THE GRAND JURY.

Gambler and Nymphs du Pave Fined - A Number of Minor Cases Disposed of in the Police Court Yesterday - Scramble for the Money Put up in the Bunco Game.

Police Justice Smith decided yesterday that if the grand jury had any desire to investigate the charges of rape preferred against Fred S. Godde and Ernest Daves it must do so without any documents from his court. The men were discharged.

The case was called as soon as the record was cleared of the minor matters, and the prosecution delayed its intention of putting in additional evidence, but the attorney for the defense entered an objection and the question was argued. Justice Smith overruled the objection, and the evidence, which had developed since the arrests, was introduced.

Two Tribune reporters had been in the Oxford saloon on Thursday night and there heard Daves congratulating himself while in the midst of a crowd of interested fellow listeners, upon the reported suicide of Jennie Wilson, the alleged victim of his lust. News had just been received from the city jail to the effect that Mrs. Wilson was the real victim, and with his belated brain Daves is said to have supposed this would end the case in the courts. In a bragging manner the fellow asserted that he was the notorious rapist.

The witnesses were both positive in the words they had heard, and were not shaken by the defense. When the news of the suicide was reported Daves said he wished to God the woman had died before the charges were preferred.

Officer Gillespie was also put upon the stand and testified that on the night of the suicide he had, from across the street, seen a crowd of people gathered in front of the Oxford.

The former was yelling lustily and evidently felt very joyful because of some news he had received. The witness crossed the street and learned that the cause of the defendant's flow of spirits was the receipt of the news of Mrs. Wilson's suicide.

For the defendant's sake the stand and denied having exulting because of the death of the woman. He had been drinking, he said, and was not quite clear in his mind.

This ended the testimony of both sides, and, contrary to general expectations, the attorneys submitted the case without argument.

Justice Smith said that while it was the opinion that a crime had been committed, the evidence did not bear out the charges against the defendants and he discharged them. The police court was not the court of last resort, however, and the case will more than likely be taken before the grand jury.

This case has been a very strange one," continued the justice, "the testimony being of a most contradictory nature. It is, perhaps, not as favorable to the defense as might be expected, but the prosecution closed two days ago, from the fact that they, when last on the witness stand, failed to impress the jury with the fact that the defendant might reasonably have been expected from them. As to Daves, the circumstances are not such as to lead the court to believe that he was sane when found as he pretended to be. The unfortunate woman, Mrs. Wilson, was in such a condition that the crime might easily have been committed by her.

Other Cases Considered. The revenues of the city were increased \$75.50 by the fines and forfeitures of forty-two prostitutes, five "madams" and six gambling house keepers. The raid was made on Friday night. All of the girls had the necessary bonds and none were incarcerated.

Neither Shad Green nor Charles Robinson, the youthful housebreakers, were arraigned, their attorney requesting that they be continued until Monday. These boys are charged with the robbery of the residence of D. R. Allen and the barn of K. D. Miller.

Henry Wallace is a poor fellow who came here from the east, and in his endeavor to obtain the staff of life peddled some rings. He was arrested on the charge of peddling without a license, and while he entered a plea of guilty sentence was suspended until Monday.

Nine ride-stealers, arrested upon their arrival at the Union Pacific and Rio Grande Western depot, were given five days in the city jail.

Fifteen days in the city jail was the sentence meted out to Peter Nelson for being drunk and resisting an officer.

Bill Nixon, one of the escapes from the city jail, arrested by Captain Deppan, was sentenced to thirty days in jail, the time to commence at the expiration of the old sentence. This was his seventy-five days.

THE BUNCO GAME.

The struggle which is just now in progress over the division of the swag captured by the police at the time of the shooting match and the endeavor of the great number of judgment creditors of the parties interested to walk off with the entire bonnie, is attracting a great deal of interest and causing much consternation in the ranks of the lawful owners of the jewelry and money. The "lamb" is not now quite so sure that they will get back their pieces, while the claimants are in the hands of Chief Pratt, and he is more than likely to hold them until after the hearing on Monday, at least. It is very probable, however, that the \$300 put up as bonds for Curry at the time of his first arrest on the charge of buncoing a commercial man out of \$80, will be captured, as the attorneys of that sure thing man threaten to institute judicial proceedings in their endeavor to get back the money. The admission has been made that the cash came from the "sack," yet notwithstanding this fact Attorney Richey now comes forward and has the hardihood to claim that he put up the necessary staff, and therefore the \$300 is his. Right here the suckers who entered the skin game in and they are being hunted for by an attorney and contest Richey's claim to the money. The indications are that Richey is hunting for his retainer.

During the past few days a formidable number of suits have been filed up and creditors, whose name is legion, are making Chief Pratt's life miserable in their efforts to determine whether or not this man and that has anything to do with it. To all of these chief answers that he is holding the property for evidence, and has no official knowledge of its ownership. Already he has been before three of the petty courts of this district, but up to date no service has been obtained which secured any of the money or jewelry.

Several cases, which have grown out of the uncovering of the gigantic plot, will be heard on Monday before Commissioner Pratt, and great interest is being taken in the matter by the public. The evidence, some of which is of very damaging nature to parties even now not under arrest, is said to be overwhelming and the officers feel confident of making out clear cases.

CHURCH UNIVERSITY.

THE AUTHORITIES DECIDE TO CLOSE THAT INSTITUTION.

An Official Announcement From the First Presidency to the Members of the Church as to the Reasons.

The following official announcement is made: To the Officers and Members of the Church of Jesus Christ of Latter-day Saints. Dear Brethren and Sisters—For several years past the presiding authorities of the church, acting in conjunction with the general board of education, have operated with the establishment of a church university, this institution to become the head of our church school system, and to be equipped for the work of higher instruction. During the past two years steps were taken toward founding and endowing such an institution as would meet the needs of the people of Utah, and which would be a credit to the church, as a denominational school of high grade; and on the 5th of September, 1893, a circular was issued announcing the opening of the Church University. The work of this institution was conducted during the academic year 1893-94 with abundant proofs of success, and all connected with the high-grade church university had reason to anticipate for the school a brilliant future. There was no intention on the part of the promoters of the Church University to introduce any unfair competition or rivalry between that school and the University of Utah; nevertheless, the existence of two institutions in the same city with many courses in common rendered the paralleling of work and the consequent duplication of expenditure, absolutely unavoidable. Time has very plainly demonstrated the fact that Utah, while abundantly able under present conditions to maintain one well equipped institution for higher education, cannot adequately support many such, either in material supplies or means or in students prepared for university courses of study. After due consideration of the present conditions, and the educational affairs in Utah, the presiding quorums of the church have deemed it wise to bring the work of the church university to a close, and the energy resulting from concentration of effort, may be devoted to the development of our territorial university. Toward the University of Utah our people are to be warmly congratulated; pride in the institution was established in the early days of Utah's history; it was incorporated, indeed, under the name of the University of Deseret without delay, and it has since that time, in spite of the numerous difficulties incident to pioneer efforts, and the untimely death of its founder, maintained a steady and healthful progress which inspires strong confidence for its future. Utah has need of such an institution of learning, and the church should not become the great inter-mountain center for the diffusion of knowledge in advanced and specialized branches of science, and the church should not be distant when the youth of Utah will no longer need to journey afar in search of professional instruction; but that our own state will be benefited by the establishment of such an institution, and that the people will sustain the Territorial University by their good words and works, and particularly by their patronage in sending their children and daughters to it, and that many of the students in the institution, which by law is constituted as the head of the public school system of Utah.

STATEHOOD BILLS.

PROBABILITY OF ARIZONA GOING IN FIRST.

Doubtful if the Date of Her Admission Will be Changed - Governor Hughes on the Individual Troubles in Arizona - The Allotment of Lands.

Washington, Aug. 18.—[Special.]—Should Congress at this session or at the short session of next winter, do what is very likely—that is, pass the bills admitting Arizona and New Mexico to the Union, in the form in which they have been reported back by the Senate Committee on Territories, Utah will not have the honor of being called the forty-fifth state in the Union, as Arizona will displace her and there will be a close race between Utah and New Mexico for the forty-sixth place.

Arizona's Precedence. The reason that Arizona will take precedence is that in October, 1891, a constitutional convention was called and held and the document promulgated thereby was afterwards ratified by the people of the territory. This constitution, being republican in form and in compliance with the requirements of the United States, has been ratified in the bill before Congress and Arizona became a state upon the taking effect of the act instead of waiting for the proclamation of the president. The bill fixed in the bill now before the Senate to take effect is August 1, 1895.

Neither New Mexico or Utah can be admitted until the bill is passed by the Senate on or before the beginning of December of that year, as it is necessary for the people to first ratify the constitution of the November election. The return that the President first may have a great deal to do with the question of seniority.

It is doubtful if the date of the admission of Arizona will be changed, there is no good reason why it should be. Therefore, only the arising of some unlooked for circumstance can prevent the relegation of Utah to the position of forty-seventh state, withstanding the quickness with which his enabling act was passed. It was feared for a time that the Senate committee would change the bill so as to provide for the holding of another election in Arizona, as it is freely claimed that the people are not satisfied with the document of 1891. There is no reason to believe that the committee seriously discussed the matter. It is possible that when the bill comes up in the Senate an amendment will be made to have this provision inserted in the bill.

Chairman Faulkner assured The Herald correspondent of his regret that matters should have been so pressing at the time that he was unable to make it impossible to take up the two other statehood bills, but congratulated himself that he was able to work the bill through the Senate. He is fixed in his determination to press the two bills at the beginning of the short session and make the fight that is certain to follow.

Those Indian Troubles.

Regarding certain troubles between the Mormon settlers at Tuba city and the Navajo Indians, Governor Hughes of Arizona is pressing the Indian bureau with a great deal of persistency. He appears from the statement of Governor Hughes, that some time ago a vastly intelligent specimen of an eastern commissioner was sent out to allot some lands to the Indians and with characteristic energy and vigor he made the white settlers the being one of those romancers who are always prating about the rights of Poor Lo) he told the Indians that some of the land that was then and is now occupied by Mormon settlers would be theirs. This allotment has never been confirmed by the Indian bureau, and it is not likely will be, as the rights of squatters will be recognized. Nevertheless, Navajos do not understand the intricacies of land conveyancing, and when they see the white settlers using the land that they think belongs to them, they raise trouble; and a Navajo is a bad subject to handle when he thinks any of his rights, usurped or otherwise, are being imposed on.

Appropos of Arizona and the people, Governor Hughes has always been a good friend of the Mormon people and speaks in very high terms of them. He says that there are no better class of people in his territory than these settlers. The progress and development of Maricopa, Graham and Apache counties are due to their efforts and their frugality, honesty, and industry have made them valuable to the state.

Black Hawk War Veterans.

There will be a reunion at Holdaway's grove, Provo, on August 22 and 23, of those who served in the Blackhawk war, the Walker war, the Tintic war, the Provo and Pleasant Grove wars, the members of the Mormon Battalion and the pioneers, who now, or did, at the time reside in Utah county. The committee in charge is as follows: J. M. Westwood, chairman, Springville; Roger Farrer, Provo; W. O. Creer, Spanish Fork; B. W. Driggs, Pleasant Grove; J. S. Page, sr., Payson; D. W. Thomas, Lehi; Francis Beardall, Springville; R. E. King and Alvin Green, American Fork; James T. Curtis, Salem; S. W. Brown, Alpine; F. C. Boyer, Springville, secretary.

TO AN OPTIMIST.

[Temple Bar.] I feel, Amanda, much surprise That you have yet escaped disaster. Although you openly despise The teaching of each sapient master; You do not take a mournful throe; And always talk in accents tearful, Nay, far from this, you often seem, Audacious maid, distinctly cheerful. Upon each hook, if only graced With striking plot and situation, You look with possibly misplaced, But quite unshared, admiration; You do not share as yet, I know, Our modern critics' sad conviction; Who write long articles to show The swift decline of modern action. You do not cultivate a cause Much advertised in largest letters, Nor seek the popular applause; By taking off your sex "letters," They charm you not, those fierce delights So dear to all our lady fighters; You care, I think, for Women's rights As little as for women writers. Although it seems extremely bold, You say, without the least misgiving, That spite of all the sage hold, Existence is still worth the living; Nor will you readily obey The dictates of the sapient sages; Which urge mankind, without delay, To turn themselves to food for fishes. No doubt such antiquated views Deserve our most sincere compassion, Still, methinks, you will refuse To need the latest mental fashion, And errors guard and minister To super opinions I'd discover. Were I some wise philosopher, Not merely your devoted lover.

FOOTBALL.

A Hot Game Between Manti and Park City.

The long-looked for game between the above teams took place at the Manti Driving park yesterday, Manti, after the first ten minutes, only playing nine men. Mr. H. A. Talbot having his collar bone broken five minutes from the start and the captain, Dr. Hasford, having the small bone in his right leg broken five minutes after the game was started, characterized by the roughest play from start to finish, Park City trying, by superior weight, to crush their plucky little opponents, but never, although so badly handicapped by the loss of their two best men, played up bravely and narrowly missed scoring on several occasions, but luck was against them. Ten minutes before the finish, from a melee in front of the Manti goal, Park City claimed a goal, the ball for an instant being on the line, and the referee allowed it. Manti kicked off under protest, every man striving his utmost, but time arrived without any alteration. The referee, on being interviewed and shown by 3 instruction to referees, which distinctly states that the whole ball shall have passed over the line before a goal shall be scored, stated that the ball was not over the line, and that he gave the decision supposing that the ball, being on the

line, was equal to being through. Manti, although only playing nine men, claim the game as a draw. Dr. E. Hasford was a tower of strength for his side, while the three remaining forwards worked like heroes. J. Braithwaite played in his usual good style at back, while everyone did all men could do.

A Sannpitches' Lament.

When the Salt Lake giants were so signally defeated we were lifted up in the pride of our hearts, and did make a great fuss over our prowess. Yes, we did say, Who are these that can stand against us? or who shall deliver our prey out of our hands? And our captain said that we did crow loudly, and did play many games in the columns of the papers, and we did wax wroth, and did bellow and paw up the ground.

And it came to pass that certain of the men of Park city did at last consent to be beaten, and we rejoiced greatly, for we had wept because there was nothing left for us to conquer. And they were as wroth as we, and most of them came from a far country, Yea, from a land of the Gentiles, named Scotland, and some of them were of mighty men and cunning, and they were mightily wroth, and they were borne from the field.

And it came to pass that we did fight with the courage of despair, with the fear of defeat before our eyes. And behold we did keep our opponents from winning a goal until half time was called.

And it came to pass that the whistle calling the forces again to combat was sounded, and we did grit our teeth, and did take our places in the battle. And behold the fates were against us, for a wind did blow from the region of the north, and did help our enemies. And when it was near to the going down of the sun, behold they did get on a goal.

And it came to pass that we did gather up our wounded and did depart for our homes, heavy hearted, and we did not consider the sounds of victory were pleasant to the ear. And behold we are heavy hearted, and we will not be comforted. For we mourn that we were defeated.

Land Office.

The following filings were received yesterday at the local land office: Arthur J. Parvey, of Salt Lake county, homestead entry of the northeast quarter of the northeast quarter of section 9, and the southwest quarter of the southeast quarter of section 4, township 4 south, range 1 west, Joseph Carter, of Millard county, homestead entry of the southeast quarter of the northeast quarter and the northeast quarter of section 8, and the west half of the southwest quarter of section 9, township 16 south, range 18 west.

Mask Ball Prizes.

The masked ball at the Elite pavilion last week was attended by some 200 couples, and the following award of prizes is announced: The best sustained lady character, Miss Agnes Laland, representing the R. U. The prize being a solid gold watch.

Same as Salt Lake.

Aaron Johnson of Mapleton, returned from the canyon last Monday morning, after a week's absence, and found that some person or persons had removed one of the windows from his bedroom, and taken \$35 worth of wearing apparel, mostly belonging to himself. Whether the perpetrator was a tramp or some sojourner of the county is not known.—Springville Independent.

OUR NORTHERN NEIGHBORS.

Rabbit certificates are selling in Caldwell at 80 cents on the dollar. The rabbits are quite a nuisance in Canyon county, and quite a number are being killed. Nearly every evening just before sunset men may be seen on horseback and afoot engaged in this pleasurable and profitable business. The rabbits have done considerable damage to the farmers upon the bench.—Tribune.

Howell of Spring Valley.

Howell of Spring Valley, started men with his flocks of sheep for the mountains a few days since. But when they attempted to cross the sheep over the Payette at Garden valley they were met by thirty-two settlers (six-

TAYLOR ARMSTRONG COMPANY ROMNEY 301, 303, 305 Our Stock of Lumber and Building Material is Complete in every line. MILL WORK A SPECIALTY. W. So. Temple.

NEWS FROM NEAR-BY CITIES AND TOWNS.

REPUBLICAN PROMISES AND PERFORMANCES.

Sheep Men in Idaho - A Revolting Crime at Rock Springs - Business Picking Up on the Union Pacific - A Bluff that Failed.

There is a warm spot in the heart of every Utahian for Hon. Joseph L. Rawlins. He has accomplished a great deal for this territory and the people will not allow him to retire from their service now. He will be unanimously chosen as the standard bearer of Democracy this fall and as for his election majority, which is bound to be above the 5,000 mark. The people of Utah know a good thing when they get it, and our Joe will be called upon to represent them in the United States senate for many years to come.—Ephraim Enterprise.

OUR EASTERN NEIGHBORS.

D. R. Castiday, who visited Fred Kindt's sheep ranch, on the Platte, last week, says that Mr. Kindt has the nucleus of one of the finest bred, high-grade bands of sheep in the west. He has 200 head of the same breed, and four Ramboulet ewes and four Ramboulet bucks, which were World's Fair prize winners. The weight of the bucks runs from 250 to 300 pounds, and they are a good quality of long and rather coarse wool. They are heavy shearers, one of them producing a 27-pound fleece this year. The Merino ewes are of the same breed as those on the range, but are much better bred and have more wrinkles. They are small, but by crossing them with the Ramboulet a good, all-round mutton and wool sheep is the result.—Rawlins Republican.

On Saturday Sheriff Whitmore took into custody, on warrants issued by Justice of the Peace Patterson, Mike Twardoski and John Went, both Poles. The warrants were sworn out by John Pensick, stable boss of the U. P. mines, and charge went with having committed rape upon the person of complainant's stepdaughter, Catharine Pensick, aged 12 years, and Twardoski with assault with intent to commit rape upon the same child. The defendants were unable to give bonds to appear in Justice's court to answer the complaints and the sheriff took them to the county jail.

On Tuesday the preliminary examination of Twardoski took place before Justice Patterson and he was held in the sum of \$750 to await the action of the district court. On Wednesday a preliminary examination resulted in the justice holding him in the sum of \$1000 to appear at the next term of the district court. Neither of the men were able to furnish bonds and were taken back to jail. What makes the charge against Went more heinous is that he is the brother of the girl's mother.—Rock Springs Miner.

Thirty-five crews are now running into Green River. This looks like old times and it is predicted that in a few weeks business will be as heavy along the line of the Union Pacific as it has been in many years. There is every prospect that there will be a revival of business on the theory that you cannot long keep the American people idle. Let us hope that all predictions of this kind are true in every way and that good times will prevail once more.—Cheyenne Sun.

Charlie Miller has been looking for some one to bet \$100 aside with that not a Democrat on the state ticket would be elected this year. He struck Commissioner Linscott this morning

tried to work the bluff. Linscott called it at once and offered to put the money up at once. Miller remarked, "Well, I will have to see Gramm." When Miller came back from the rolling mill he said: "They will cover your money between 12 and 1 o'clock." Mr. Linscott waited until 3 o'clock this afternoon but no one showed up. Charlie Peterson got more backers or a new bluff. We understand they are trying to get twenty men to form a pool to put up the \$100.—Boomerang.

EXCURSION VIA UNION PACIFIC.

Wednesday, August 22d.

On above date the Union Pacific will sell excursion tickets to following points at the lowest rates ever given from Salt Lake city:

Table listing excursion routes and prices: Farmington \$1.50, Kayeville \$1.50, Layton \$1.50, Syracuse Junction \$1.00, Hooper \$1.25, Ogden \$1.50, Heber \$1.50, Hot Springs \$1.50, Willard \$1.75, Uintah \$1.50, Peterson \$1.50, Wabser \$2.00, Croymen \$2.25, Echo \$2.50, Coalville \$2.50, Waship \$2.50, Park City \$2.50, Evanston \$4.00, Green River \$4.00, Rock Springs \$4.00, Toole \$1.20, Terminus \$1.50, Cedar Fort \$1.75, Fairfield \$2.00, Rush Valley \$2.50, Eureka \$3.00, Silver City \$3.75, Mammoth \$4.00, Lovelock \$4.00, Bingham Junct \$4.50, Sandy \$5.00, Draper \$7.00, Lehi Junction \$1.20, Lehi \$1.25, American Fork \$1.35, Pleasant Grove \$1.35, Lake View \$1.50, Provo \$1.50, Springville \$2.00, Spanish Fork \$2.00, Payson \$2.00, Santaquin \$2.00, Mona \$2.00, Nephi \$3.00, Juab \$3.25, Lemington \$4.00, Oasias \$4.00, Clear Lake \$4.25, Black Rock \$4.50, Smith's Ranch \$4.75, Milford \$5.00, Frisco \$5.50. Limit on tickets sold to Willard, Croymen, Nephi and all points intermediate will be ten days; limit on tickets to all other points will be fifteen days. Tickets will be good on all regular trains on date of sale. CITY TICKET OFFICE, 201 MAIN STREET.

Hot Springs baths, 52 West 34 South.

The Salt Lake Collegiate Institute.

Begins its twentieth year, September 4. All grades from primary to academic. For a limited number of boys. For circular and particulars address Robert J. Coskey, Salt Lake city. Swallows fly low before a rain because the insects they pursue are then near the ground to escape the moisture of the upper air.

WE REALIZE That we must realize on our stock of Tan Goods very quickly or else carry them over. We realize that you don't care to pay as much for a Tan Shoe as you did at the first of the season. Yet wish just as stylish High grade goods. We will close out all our \$5.00 Tan Shoes. Also odd styles in Patent Leather. Calf Goods, at \$3.65. Styles the Latest. Materials the Best. Finest of Finish. Best of Workmanship. In fact, all the requisites of a fine Shoe at the price of a cheap one. See our window. Yours Shoely, HIRSCHMAN'S, The Shoe People.