

# ANNA MARKS IS IN LUCK

Supreme Court Decision in a Eureka Shouting Case.  
CAUSE REMANDED—NEW TRIAL ORDERED

Opinion in Case of New England Loan Company vs. Marks et al.

The Supreme Court delivered an opinion today in the case of the State of Utah against Anna Marks, reversing the judgment of the lower court, remanding the cause and granting a new trial.

Mrs. Marks is the woman who got into an altercation with Frank Marks at Eureka in May, 1897, in pulling a chair and firing a number of shots. The trouble arose over a vacant lot in the year of Mrs. Marks' residence, to which both the woman and she claimed the right of possession. The lot has been used for years prior to Mrs. Marks as a place of deposit for her coal. Mrs. Marks, however, was determined that the state of things should no longer exist and accordingly on the afternoon of the day named, she got a number of men together and began to pull the house with a view of forcing the property in. Mrs. Marks did not go to the house, but remained outside the house as fast as they were called on. When the men with others, were putting in a box, Mrs. Marks, it is alleged, came up and told them if they did not stop she would kill them. As the point was raised, she commanded the men at the point of a revolver to retreat which they did, when she fired three shots, one bullet, it was claimed, striking the post about the height of Mrs. Marks' head. Mrs. Marks was subsequently arrested and charged with the crime of making an assault upon a person with intent to commit murder. Upon trial she was found guilty of an assault with a deadly weapon with intent to do bodily harm. The court thereupon ordered a new trial, and she is to be imprisoned in the State prison at the rate of \$1 per day until the fine was paid.

The court also held that the form of the question was improper and that in impeaching the credibility of a witness the inquiry should be directed to the general reputation of the witness in the locality referred to. The word "general" the court held, means a reputation in the community, and in the judgment of the court, the question, "Do you know her reputation in that community for truthfulness and honesty?" was proper.

The court also held that the form of the question was improper and that in impeaching the credibility of a witness the inquiry should be directed to the general reputation of the witness in the locality referred to. The word "general" the court held, means a reputation in the community, and in the judgment of the court, the question, "Do you know her reputation in that community for truthfulness and honesty?" was proper.

The court also held that the form of the question was improper and that in impeaching the credibility of a witness the inquiry should be directed to the general reputation of the witness in the locality referred to. The word "general" the court held, means a reputation in the community, and in the judgment of the court, the question, "Do you know her reputation in that community for truthfulness and honesty?" was proper.

WEATHER NEWS.  
Observations Taken at Utah, Idaho, Montana and Wyoming Stations.

Weather reports showing observations at 8 a. m. today.

Salt Lake City—Barometer, 30.47; temperature, 22; minimum, 22; wind, northeast, light; rain, none.

Baker City—Barometer, 30.48; temperature, 22; minimum, 22; wind, southeast, light; rain, none.

Chester—Barometer, 30.48; temperature, 22; minimum, 22; wind, north, 22 miles an hour; rain, none.

Hayden—Barometer, 30.48; temperature, 22; minimum, 22; wind, west, 22 miles an hour; rain, none.

Helena—Barometer, 30.48; temperature, 22; minimum, 22; wind, west, 22 miles an hour; rain, none.

Idaho Falls—Barometer, 30.48; temperature, 22; minimum, 22; wind, west, 22 miles an hour; rain, none.

Wendover—Barometer, 30.48; temperature, 22; minimum, 22; wind, west, 22 miles an hour; rain, none.

General and local forecasts for 24 hours, ending 8 a. m. tomorrow.

For Utah: Fair tonight and tomorrow; stationary temperature.

For Salt Lake City and vicinity: Fair tonight and tomorrow; stationary temperature.

Observer: Weather Bureau.

Today's temperature as shown in the daily thermometer given below:

