

# EVENING NEWS.

(Monday, April 9, 1939.)

## STAKE CONFERENCE.

Appointments for Quarterly Conferences until October, 1939.

Weber, Juab and Cassia Stakes—April 21st and 22nd, and July 21st and 22nd.

Box Elder, Tooele and Oneida Stakes—April 28th and 29th, and July 28th and 29th.

Cache and Wasatch Stakes—May 6th and 7th, and August 4th and 5th.

Bear Lake, Emery, Summit and Uintah Stakes—May 12th and 13th, and August 11th and 12th.

Snapeto, San Juan, Morgan and Bannock Stakes—May 19th and 20th, and August 18th and 19th.

Millard, San Juan and Sny Stakes—May 26th and 27th, and August 25th and 26th.

Utah Panguitch and Snowflake Stakes—June 2d and 3d, and September 1st and 2d.

Davis, Kanab and St. John's Stakes, June 9th and 10th, and September 8th and 9th.

St. George, Malad and St. Joseph Stakes—June 16th and 17th, and September 15th and 16th.

Parowan, Beaver and Maricopa Stakes—June 23d and 24th, and September 22d and 23d.

## FRAGMENTS.

Dr. CARVER is coming back to Salt Lake, and will give another exhibition of his skill with the rifle.

LOUIS OLSEN, of Ephraim, Summit County, was arrested on the 5th inst., on a charge of unlawful cohabitation.

The funeral of Mrs. Wilkinson will take place in the Fourteenth Ward Assembly Rooms tomorrow, Tuesday, at 11 a. m.

LOUIE WINDER is the name of the lady who drew the "Household" sewing machine at the Burton-Gardner Company's exhibition.

A railroad ticket has been found. The owner can have it by applying at Sandberg's Furniture Store 108 South Temple Street.

The postponed shooting exhibition by Dr. Carver, will come off on Wednesday next, at the Driving Park—the new race track.

A runaway horse made things lively on First South Street for a short time on Saturday evening. The result was a badly demolished buggy.

JOSEPH HUNTER, Lincoln Reese, Richard Smith and J. Morgan, reported to a house of ill-fame, were fined \$50 each by Justice Pyper.

Excursion parties en route to California arrive almost daily. After stopping a day in our city, the excursionists continue their journey westward.

The Third Quorum of Seventies will hold their regular monthly meeting in the Seventeenth Ward schoolhouse at 7:30 this evening. A full attendance is desired.

In the Police Court today the following were assessed the amounts named, for drunkenness: John Davis and Thomas Towell, \$5 each; Mike Fleming, Eph. Kelly and J. T. Howell, \$10 each.

The regular monthly meeting of the Third Quorum of Elders will be held on Monday evening, April 9th, in the Second Ward meeting house at 7:30 o'clock. A full and punctual attendance is requested.

THOMAS GERRARD, Priest.

Miss M. KING, of 267 Sixth East Street, was the lucky person in the competition for the \$75 Domestic sewing machine. The beans in the jar were counted on Saturday night, and numbered 12,718. Miss King's jar was 12,703.

E. M. S. BEST gave \$750 bonds before Commissioner Norrell on Saturday afternoon to keep the peace toward J. H. Edgerly. The two had quarreled, and Best called Edgerly some very ugly names, hence the appeal to the law for protection.

THE NATIONALS, of this city, and the Athletics, of Ogden, played their second game of base ball this season on Washington Square, on Saturday afternoon. The result was a victory for the Nationals, the score standing 5 to 4. This gives one game to each club. The deciding game will be played at an early date.

This morning, near the corner of First West and Second South streets, Mr. T. Winter's dray was going along loaded with two large sandstones. One of the blind wheels chanced to run immediately over where the gas main is laid, when it sank to the hub in the ground, and it was with considerable difficulty that it was got out.

YESTERDAY afternoon a gentleman was driving in a sulky near the Sixth Ward meeting house, when his animal became fractious and began kicking wildly. The driver was bruised somewhat about the legs, and it was not until the vehicle, animal and all were capsized on the ground that the horse could be induced to proceed.

THE DOMESTIC machine awarded by Young Bros. Co. to the person who came nearest to guessing the number of beans in a jar on exhibition in their establishment during the fine art display which they recently made, was taken by Miss M. King, 267 Sixth East Street. The beans numbered 12,718, and her guess was 12,703. The guesses ranged all the way from 120 to 500,000.

BETWEEN the hours of 1 and 3 o'clock last Saturday morning, our city was visited by one of those terrific winds which, with demonic fury, spreads desolation at times in many parts of our country. From the indications, this whirlwind came from the northeast, bounding from place to place. In Richfield it completely carried away the sheds located upon the real estate of our respected fellow townsman, Isaac K. Wright, and landed the same on the land of his neighbor south. Some other damage was also noticed in the path.—Richfield Advocate, April 4th.

THE ART DRAWING.

The committee which managed the art drawing for the benefit of the family of the late Harry Brown, sculptor, of Logan, are desirous that the holders of the winning numbers should call at once at Calder's music store and take away their prizes.

HORSE THIEVES CAUGHT.

A dispatch to the St. Paul Pioneer Press, from Billings, Montana, April 8th, tells of the capture of two notorious criminals having in their possession fifty-eight head of horses, bearing thirteen well known Nevada brands. One of the men has been recognized as Tejon, a noted horse thief and murderer, for whose capture there are rewards aggregating \$5,000 in Idaho and Nevada.

## D. & R. G. W. ACCIDENT.

An Engineer and Fireman Reported Killed.

News reached this city today of an accident that occurred on the D. & R. G. W. last night to No. 10, the passenger train which left this city for the east yesterday, between Pleasant Valley Junction and Price, Emery County. It is stated that while the train was rounding a curve at a good rate of speed, the locomotive left the track and went down an embankment, killing the engineer and fireman; and that the bodies would be brought in on the 4:30 train this afternoon.

Inquiry for the full particulars was made of the D. & R. G. W. officials, but they had never even heard of the accident—so they said. It was finally ascertained, however, that an accident had occurred as described, but that only the engineer was injured, and possibly not fatally. We incline to the belief, however, that the first statement of the case is substantially correct.

## THE HOLM CASE.

The Examination Before Commissioner Norrell.

The examination into the charge of unlawful cohabitation against J. P. Holm, of this city, took place before Commissioner Norrell this afternoon.

Josephine Nelson, a child six and a half years of age, was called as a witness, and, in answer to questions by Mr. Zane, testified—*I live with Mr. and Mrs. Holm; call Mr. Holm papa because I live at his house; mamma sometimes comes to see me, but does not stay very long at a time; I sometimes go to see mamma, and the dinner there; Mr. Holm sometimes takes me to mamma's; she first took me to Mr. Holm's; she used to live at Mr. Holm's.*

Thillie Smith testified—*I live at Mr. Hollander's, Third South Street; know Mr. Holm's family; an acquaintance, who has been here; have seen her at Mr. Holm's, where she came to see her little girl, who was put at Mr. Holm's because Mrs. Nelson's husband was not here; she works and keeps herself; never saw Mr. Holm and Mrs. Nelson in company together; Mr. Holm sent me up to help her when she was sick; I did her washing one day; she has a young child; she is not called Mr. Holm's wife; never heard any one say she was; never heard her speak of her husband; Mrs. Christina Holm testified—*I am Mr. Holm's wife; have known Horacia Nelson two years; she left her little daughter with us; she was at Logan at the time she hired out at Capt. Poulson's, of Fort Douglas; Mr. Holm was not there with her; she is not Mr. Holm's wife; I never saw her husband C. M. Hansen testified that he had seen Mrs. Nelson call at Mr. Holm's three or four times; knew nothing else about the case.**

J. A. Peterson testified—*I have heard it rumored that Horacia Nelson was Mr. Holm's wife.*

The examination was in progress when we went to press.

## Amusements.

Another immense audience greeted the Home Dramatic Club at the theatre on Saturday evening, there being very little standing room left. The play—"The Shaughraun"—went off even better than on Thursday evening, and that is saying considerable. The applause was heartily and enthusiastically bestowed, and the merit was almost unbounded.

The scoring of the individual characters was spoken of in the News, on Friday evening, and the only thing to add is that all showed themselves worthy of the praise bestowed on them.

This evening the Club will close its series with the comedy of "Confusion."

"The Willow Copse" drew a larger audience on Saturday evening, at the Opera House, than on the first presentation of the piece, and the performance was considerably improved, and where on Friday evening some of the characters faltered, at the next occasion they were better served for their work.

On Wednesday and Thursday evenings, the 11th and 12th, the Theatre will be occupied with "Loyal Love" and "The Lady of Lyons," by Mrs. James Brown Potter, supported by Mr. Kyle Bellow, and a strong company. Twenty-five cents has been added to the admission prices in the parquette and first circle.

Saturday night Boyce & Lane's Comedy Company and Swiss Bill Ringers give an entertainment in the Theatre.

## Probate Court.

Proceedings in the Salt Lake County Probate Court on Saturday:

In the matter of the incorporation of the Hyde & Griffin Company; order made directing the clerk to issue certificates.

Estate and guardianship of John McCullough, deceased; Morris Gardner of said minor, upon filing a bond in the sum of \$1000.

Estate of Chas. Holt, deceased; order made of publication of notice of creditors, and appointing Cyrus H. Gold, Newell Layton and John Hoskins, appraisers said estate.

Estate of Carlos N. Gillett, deceased; order made that publication of notice to creditors has been given.

Estate of Edward Hunter, deceased; order made appointing time and place for settlement of final account, and to hear petition for distribution.

## Prove Pickings.

The directors of the woolen mills have declared a dividend of \$1 per share.

The woolen mills have received this week from St. Louis, a \$10,000 order for factors the usual presentation.

Charley Jones met with a severe accident Monday morning. He was going up on the bench after stock, and just before reaching the ridge his horse fell in such a manner as to throw him, and the result was a badly mangled man. The bones above the ankle were splintered. Dr. Sims was called in, but he turned the patient over to Dr. Pike, who set the fracture and is now treating the case.—Provo American, April 5.

## Tickets Continued.

The Utah Central railroad, for the accommodation of its patrons, has kindly extended the period of conference tickets from the 12th to the 19th of this month. Notwithstanding that the tickets read on their faces, that they are good till the 12th only, they will be honored till the 19th.

Parry's Monthly Magazine.

The April number of this excellent family journal is received. Its contents, as usual, are of the most interesting character, and it is better illustrated than ever. One attractive feature of the present number is a sketch of the life of Emperor William I of Germany, accompanied with several portraits.

## GRAND JURORS.

Nine of Fifteen Secured From the Regular Panel.

At 11 o'clock this morning the April term of the Third District Court commenced in this city. The first business was the obtaining of a grand jury, and the following took their places in the box as their names were called:

109 Bryant Stringham, 117 George J. Barry, 120 John Mahstrom, 130 Wm. Parker, 132 Benj. F. Barron, 133 Henry A. Bird, 134 Reuben Gardner, 135 Edward W. Barry, 136 Walter Steed, 137 John P. Kelley, 138 Wm. H. Smith, 140 John Spencer, 142 Samuel H. Bennion.

S. H. Bennion, of Vernon, Tooele County, and John Spencer, of Bluffdale, Salt Lake County, believed in the doctrine of plural marriage and were excused.

W. H. Smith was not a believer in polygamy and was accepted.

Walter Steed, of Farmington, was excused for his belief in plural marriage.

John P. Kelley was a resident of Nevada, and was excused.

Oliver Nowell believed plural marriage to be wrong; did not know whether or not he believed in the "Mormon" Church; was baptised when he was a boy, but was never an active member; attended "Mormon" meetings sometimes, but not frequently during the past twenty years. He was accepted.

George J. Barry did not believe in plural marriage, and was accepted.

The following were then called: 145 Philip Morgan, 146 Hiram Smith, 147 John A. Snyder, 148 James Hatfield, 149 Henry Prosser, 150 Chas. W. Rockwood.

Sanford J. Hyde was out of the Territory; Oliver Despain and John Slickie were out of the district, and were not served; James De Courcy was sick and Patrick Fallon had a broken leg; they were excused. These, with M. H. Hennessey, George Wright and W. O. Williams, had failed to respond to the call.

Charles W. Rockwood and James Hatfield were excused for believing plural marriage to be right.

Philip Morgan, Henry Prosser, L. A. Snyder, John Duke and Hyrum Smith were unbelievers, and were accepted.

Mr. Morgan was subsequently excused owing to the illness of his wife.

This gave out nine out of fifteen jurors, and an open venire for eight names was issued from which to secure the remaining six members of the grand jury, returnable at 10 a. m. tomorrow.

## CRIMINAL CALENDAR.

Cases Set for Trial During the April Term.

The following cases were today set for trial in the Third District Court on the dates named:

MONDAY, APRIL 16. United States vs. William Jenkins; unlawful cohabitation.

United States vs. Wm. H. Tovey; unlawful cohabitation.

United States vs. George C. Watts; unlawful cohabitation.

United States vs. Hannah Brightmore; selling liquor without procuring government license.

TUESDAY, APRIL 17. United States vs. John Squires; unlawful cohabitation.

United States vs. Wm. S. Muir; adultery.

United States vs. Lucy Darke; fornication.

WEDNESDAY, APRIL 18. United States vs. Wm. Brown; unlawful cohabitation.

United States vs. John R. Barnes; unlawful cohabitation.

United States vs. L. Robinson and Lizzie Purman; fornication.

United States vs. William Bredey; adultery.

THURSDAY, APRIL 19. United States vs. Peter Tong and Sarah Tong; incest.

United States vs. George B. Leonard; four indictments; making false returns as postmaster.

FRIDAY, APRIL 20. United States vs. Alexander Brown; adultery.

United States vs. Sarah Wengear; fornication.

The People vs. Mollie Thompson; grand larceny.

The People vs. Charles Gillette; grand larceny.

THE PEOPLE vs. H. Wilson; grand larceny.

The People vs. H. Wilson and George Harmon; grand larceny.

MONDAY, APRIL 23. The People vs. A. J. Jung, alias "Little Charlie," and A. Gee, alias "Old Jake;" murder in the first degree.

The People vs. Wm. J. Allen; grand larceny.

TUESDAY, APRIL 24. The People vs. Bridget Sweeney; unlawful adulteration of poison.

The People Wm. L. Robinson; assault with deadly weapon.

WEDNESDAY, APRIL 25. The People vs. John T. Sweeney; murder in the first degree.

The People vs. Richard Grant; manslaughter.

THURSDAY, APRIL 26. The People vs. H. F. Friend and N. W. Osborne; forgery.

United States vs. John Q. Cannon; adultery.

United States vs. Harrison Severe; adultery.

United States vs. Lizzie Orr; fornication.

FRIDAY, APRIL 27. The People vs. Joseph Brush; two indictments; assault with deadly weapon.

## Postal Irregularities.

We again call the attention of the authorities to irregularities in mail matters at Montpelier. On Tuesday morning the carrier came to Paris with but very little mail, owing to the fact that two large sacks of paper mail were at the railroad station in Montpelier, when he left, and the postmaster did not seem to have energy enough to get it taken from the depot across the street to his office.

Ever since Delegate Dabols got the chairmans of the congressional committee of the Republican party appointed as postmaster over there, there has been nothing but trouble. The thing is likely to soon become an intolerable nuisance.—Southern Idaho Independent.

## Nevada Notes.

The smallpox scourge in Virginia City will not down, and yesterday added two more to its list of victims—Robert Mutty and Thomas Goodwin, the latter a miner employed at the Chollar. Both men were removed to the pest-house and the usual precautions taken.

Charles Burns and his sister, Mrs. Pellymonter, residents of Montpelier, in traveling in a buggy from their home to Downsville to attend the funeral of their sister, Mary Burns, went over the ridge. The lady was engaged with slight bruises, but Charles Burns was dangerously injured about the head. One horse was killed outright and the other badly hurt and the wagon destroyed.

## MORRISON R. WAITE.

The Territorial Supreme Court's Tribute to His Memory.

In the Territorial Supreme Court on Saturday afternoon,

JUDGE CHAS. W. BENNETT arose and made the following remarks:

May it please the Court, at the request of a committee of the Bar Association of this city, I become my duty formally now, to announce to this court the death of Hon. Morrison R. Waite, late Chief Justice of the Supreme Court of the United States.

The Chief Justice died on the 23d day of last month, at his well known residence certainly to his memory that notice of his demise be taken by this Court.

For that purpose I am here.

I have no extended speech to make, but this will suggest itself to each member of every lawyer and each member of this bench especially, that in the career, official and otherwise, of the late Chief Justice we have an admirable illustration of the possibilities which our laws and system of government afford to a young man born under the stars and stripes. As we all know, the late Chief Justice sprang from a poor family of good stock, his hereditary was good principle and thorough Americanism. By dint of labor, and often at great sacrifice, he rose to this rank. Chief Justice of the greatest court in this land.

For that purpose I am here.

It has, therefore, seemed proper to the members of the bar, and I have the greatest honor to read to you members of this court, that this notice be taken of the death of this great man, and that the record of his life be spread upon the records of this court, with such order as this court may choose to make.

Resolved, that in the death of Honorable Morrison R. Waite, late Chief Justice of the Supreme Court of the United States, we have lost a great and good man, a worthy and brave-minded citizen, a learned and upright lawyer, a dignified and able Chief Justice, and a distinguished member of the highest court of this country.

That from his early life, by dint of good ability, earnest industry and thoroughness, he will stand out as a great and noble figure in the history of our country, and that his name will be a source of inspiration and pride to all who are true to the principles of our government.

I move that the resolution be spread upon the journals of this court.

MR. C. S. VARIAN Addressed the Court as follows:

May it please the Court, I had hoped that some older member of the bar would have been present upon this occasion to second the motion made by my brother, Bennett.

It seemed appropriate and fitting, however, that I, in my place as associate, should bear some additional testimony upon the subject upon which he has expressed himself.

Chief Justice Waite came to his high and exalted place comparatively unknown to me. I say comparatively unknown, for it is not true that within the borders of the great State of Ohio he was unknown. Always a lawyer, with some of the characteristics of a politician, his proclivities had not carried him into the wider fields of political life and of his native state, thus bringing him a reputation national in its character, and it was only, I believe, upon the occasion of his being called by President Grant, on behalf of the United States, to act in his capacity as a solicitor general, that he came to the attention of the people of this country.

When he was first called to fill the station of Chief Justice, and after his coming to this country, it seems to me that it fell upon the profession and the country at large as you might say, one of those great men who are born to lead, and who are called to lead by the people.

In his judicial life he exemplified in a great degree, it seems to me, and I understand it is so accorded to him by the profession at large, all those characteristics which go to make a great lawyer, and which go to make a great judge. He was a man of great force, of great energy, of great courage, of great faith, of great hope, of great love, of great devotion, of great loyalty, of great patriotism, of great humanity, of great kindness, of great gentleness, of great modesty, of great simplicity, of great purity, of great integrity, of great honor, of great courage, of great faith, of great hope, of great love, of great devotion, of great loyalty, of great patriotism, of great humanity, of great kindness, of great gentleness, of great modesty, of great simplicity, of great purity, of great integrity, of great honor, of great courage, of great faith, of great hope, of great love, of great devotion, of great loyalty, of great patriotism, of great humanity, of great kindness, of great gentleness, of great modesty, of great simplicity, of great purity, of great integrity, of great honor, of great courage, of great faith, of great hope, of great love, of great devotion, of great loyalty, of great patriotism, of great 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