

not more than three hours' work was done each day. Haynes made oath that the bill was correct. This was in August, 1894, the bill being for July.

Another indictment against Haynes is drawing pay for sprinkling State street, thirty days, and for sprinkler repairs and merchandise, in September, 1894, \$129.70. The same kind of fraud is alleged to have been perpetrated here.

Still another indictment is against Haynes for the work of October, 1894, \$161.15, when similar fraud is charged.

Harry Haynes and A. E. Caboon (brother of the ex-selectman) are the objects of an indictment accusing them of presenting a fraudulent claim, on October 6, 1894, for 1,000 yards of rock, \$1,720, when in fact the material furnished was dirt and soil, and not rock.

Another indictment against Caboon and Haynes is for their claim of Dec. 31, 1894, for 2,351 cubic yards of rock for State street, \$4,043.72, while the indictment says that dirt was furnished instead of rock.

A. E. Caboon is indicted separately for drawing money, \$50, as a peace officer, in November, 1894, when he did no service for the county.

A like indictment against Caboon names September as the month when the salary was fraudulently drawn.

Martin Hayken, Herman Bambrger, Joseph R. Morris and John P. Caboon are indicted for connection with the furniture contract and securing county warrants for \$54,973.85, instead of about \$20,000, which should have been the bill.

Joseph Morris is indicted for bribery, in taking \$5,000 from Martin Hayken, on the furniture scheme, in August, 1894.

Herman Bambrger is indicted for bribery for also taking from Hayken \$5,000 on the same business, in August, 1894.

### THE CARLING CASE.

The case of the People vs Frank Carling came up October 9th in the First district court. Assistant Prosecuting Attorney Thurman and John M. Hanson, prosecuting attorney of Millard county, appeared for the people and S. A. King, D. D. Houtz and J. A. Melville for the defendant.

Carling, who is a young man about 19 years of age, is charged with administering fifteen grains of strychnine to William J. Goulter, with intent to kill, on the 5th of March, this year, in the city of Fillmore, Millard county. Mr. Goulter is a widower, about 60 years old, living alone in Fillmore, and the defendant had been in the habit of helping him around his place. On the date upon which the offense is charged to have been committed Mr. Goulter discovered a peculiar taste in some milk he was drinking and shortly after became ill. He had the milk analyzed and found that it contained poison. After drinking the milk he found the following writing on a piece of ordinary note paper in his house:

"FILLMORE CITY,  
July 12th, 1894.

This is to certify that I, on July 12, 1894, gave to Frank Carling at my death, whenever that might be, my home which I am now living in, its surroundings and all co the four lots

which is joining, and all the animals which I own.

This is my wishes if not changed.

WILLIAM J. GOLTER,

FRANK CARLING."

On the back of this paper appears this writing:

"FILLMORE, Dec. 7th, 1894.

The undersigned witness to this will.

JAMES SHAIL."

This made him at once suspect young Carling, as he claims the paper was never written by him, and Carling and Shail were arrested, and after a preliminary examination, bound over to await the action of the grand jury. The grand jury indicted Carling and ignored the case against Shail.

Wednesday S. A. King, attorney for Frank Carling, addressed the court and stated that he was doubtful of the ability of the defense to present the defense they had expected, and would now withdraw the plea of not guilty, previously entered, and enter a plea of guilty. The plea was entered and Mr. King stated that Carling was now ready for sentence. Mr. King addressed the court on behalf of the defendant, calling attention to his youth; his young wife, now in a delicate condition, and the good character of their parents. Carling had also suffered from the effects of a stroke for about five years, which had the effect of weakening him mentally and physically, and that he did not fully realize the serious nature of the offense he had committed. Mr. Houtz also stated in support of Mr. King's statement, that previous to the poisoning Carling had openly tried to engage people to work on the Goulter property and acted as if it was already his own.

Prosecuting Attorney Thurman did not desire to say anything against the appeal for leniency, as he was of the opinion that young Carling had acted in such a manner as would indicate that his mental faculties were not in a normal condition; this had been commented on by the grand jury when the indictment was found.

Judge King then sentenced defendant to five years in the penitentiary, the minimum sentence provided by the statutes.

### CRUSHED TO DEATH:

At 7:45 Thursday a frightful accident occurred on North Temple street at the Union Pacific railway crossing. As a result Mr. W. L. Burton is lying dead at the morgue and Mrs. Burton is so severely injured that she may die.

Mr. and Mrs. Burton, with their two children, a boy and girl aged 9 and 3 years respectively, were returning to their home on Fourth South, between Third and Fourth East streets, in a buggy. Just as they reached the Union Pacific railway crossing on North Temple street, switch engine No. 1104 was making a switch of some box cars. The road car was loaded with coal and was out loose from the train just as the helper at the crossing saw the buggy. He signalled to the engineer to stop and told the night foreman not to draw the pin. Both did as he instructed, but the coupling pin fell short of its mark, the end only catching the link and slipping off, and the loaded car struck the vehicle with its precious human burden. It appears

that the car was seen by Mr. Burton and that he attempted to stop the horse, which was going at a good speed. The animal, however, turned up the track in the direction which the car was going and the front end of the box car caught the hind end of the buggy, bearing it down with its giant weight and throwing the occupants under the grinding wheels. By some miracle the two children were landed out of reach of the car wheels and received only some severe bruises and a shaking up.

A piercing scream rang out on the night air and soon a crowd of people were gathered at the fatal place. The sight that met their eyes was an appalling one. Mr. and Mrs. Burton were pinned under the wheels of the car with that enormous weight grinding and lacerating their bodies. Hydraulic jacks were soon procured and the car lifted from the bodier. It was about twenty minutes before the unfortunate couple were extricated from the death clutch, and then it was discovered that Mr. Burton had received many injuries, any one of which would have proved fatal. Almost every bone in the body appeared to be broken and there was a ghastly wound upon the skull which showed that one of the wheels had literally ground the head of the unfortunate man. Mr. Burton was removed to the baggage room at the Union Pacific depot, and expired within twenty minutes.

Mrs. Burton was found to have sustained many serious bruises and her left foot was crushed, making amputation necessary. It is questionable if she can survive. She was removed to St. Mary's hospital, where she will be given every tender care. Dr. Wright made the unfortunate woman as comfortable as possible before her removal from the Union Pacific hotel.

An inquest over the remains of the late W. L. Burton, who was run over and killed by a Union Pacific box car at the North Temple street crossing last Thursday evening, was called at 10 o'clock this morning by Coroner Ottenbach. A number of witnesses were examined as to the conditions at the crossing; the speed at which the car was running; as to whether or not the approach of the car could be seen by Mr. Burton, etc. The examination was continued till noon, when an adjournment was taken till 1:30.

The coroner's jury which made the investigation into the cause of the death of W. L. Burton came to the conclusion, late Saturday evening, that "due caution and care is not exercised by the Union Pacific to make its crossings safe for the use of the public," and returned a verdict to the effect that the deceased met his death by being crushed beneath the wheels of a box car on that railway.

Funeral services over the remains of the late W. L. Burton were held Sunday afternoon at St. Paul's Episcopal church. The ceremonies were attended by a very large number of friends, as well as a long line of members of the A. O. U. W., which was headed by Held's band. The interment was at Mount Olivet cemetery.

Mrs. Burton is progressing very nicely after the operation and with proper care the unfortunate lady will recover her strength. She is a very plucky woman and this furthers her chances for recovery.