

W. Leonard, at Fort Douglas, on June 12th, 1893, was resumed February 13, in Chief Justice Merritt's court. The prosecution is represented by Assistant District Attorney Howat; Attorneys C. S. Varian and Richard W. Young appear for the defendant.

It was nearly four o'clock yesterday afternoon when a jury had been secured, as follows: Robert Watters, A. B. Porter, R. T. Venable, David Pack, John Duncan, H. A. Ferguson, Geo. S. Bailey, P. J. Johnson, A. C. Boyle, John Lees, Willard Allen and John Burt.

Mr. Robt. Smith, of Payson, says the Richfield Advocate, whose troupe performed here last week, showed us several ancient coins which he had collected; one was a copper coin as big as a nickel, but quite thin, which came from South America, and said to be used by the Nephites; on one side was a face very much of a Jewish caste, on the other side was a troop of horses; also a coin made of lead and silver with a face very much resembling that on the former coin, with some inscriptions on reverse side. The latter was found in Bingham canyon, Salt Lake county. How it came there is a question, but it is probable that it was made from Bingham bullion many, many years ago.

There was an accident on the track of the Salt Lake City railway on Second South street Sunday afternoon that resulted in the killing of a horse and the severe shaking up of an employee of the Salt Lake City Brewing company.

The man was riding in a road cart, and when between Sixth and Seventh East attempted to drive the animal across the track in front of a rapidly approaching car. The poor beast, however, simply got his fore feet over the rail when it was struck by the car and knocked to the ground. An instant later the horse was dead. Death is believed to have been due to an electric shock. The driver sustained a number of scalp wounds and was considerably shaken up besides.

In the Third district court James B. Fishleigh has filed a damage suit in the round sum of \$10,000, making as defendants John L. Snow, Henry Mason, Chief of Police Pratt, Captain J. J. Donovan, et al. The suit arises out of the recent arrest of Fishleigh at the Union Pacific depot, when about to take the evening train for Ogden. He alleges unlawful arrest and also that he was treated in a brutal manner while under detention in a cell at the city jail. Plaintiff says his arrest was the result of false and malicious statements made to the police. He was discharged from custody by the police justice the following day on motion of the prosecution. Fishleigh is an attorney by profession and hails from Minnesota.

A private telegram received at the President's Office in this city Tuesday morning conveys the comforting intelligence that the steamship Duddeldam, bound from New York to Rotterdam, and which sailed on February 1st with a number of Utah Elders on board bound for the continent on missions, had passed the Isle of Wight yesterday. A second dispatch, received late Tuesday afternoon, brought the further intelligence that the good

ship had reached her port in safety to day.

The Elders on board were William McEwan, A. Owen Woodruff, C. D. Schettler, J. M. Weiler and R. Gygi, of Salt Lake City, C. D. Hahn of West Jordan, and Geo. C. Naegle and wife of Mexico.

Readers of the NEWS will remember the published statement a short time since to the effect that Mr. Thomas Cahoon, a well known Ogden resident, had committed suicide by taking morphine. Mr. Cahoon, however, did not die at that time, though he was dangerously near death's door. He was addicted to the morphine habit and it was claimed by his friends that he had accidentally swallowed an overdose.

February 7 he was found in his bed at his home in an unconscious condition. A physician was summoned and endeavored to resuscitate him but was unable to do so. He was well known in Ogden and had many friends.

His death, it is claimed, was caused by an overdose of morphine.

The commissioner of the land office has handed down an interesting opinion, especially to the mining fraternity. Several years ago Wm. H. Hooper, Wm. Jennings and Lafayette Granger owned a mining claim in Ophir district. The two former made application for a patent, while Granger did not want one, and to prevent it refused to make his affidavit of citizenship. Affidavits of Granger's citizenship were made by parties knowing him. The matter was dragged along until both Hooper and Jennings are dead, and now the commissioner has notified the register and receiver of the land office to call on Granger for an affidavit of citizenship or that his interest in the property will be ignored and a patent issued to Jennings and Hooper. The property involved is the Magnolia East and West claims.

Prof. Hugo Munsterberg, of Freiburg University, Germany, has been visiting the Utah University this week, with a view of studying higher education in the Territory. The distinguished gentleman has been granted a leave of absence for a period of three years, during which time he will prepare by request from German authorities a report of the system of higher education in the United States. In the meantime, he is acting as professor of psychology in Harvard University. Prof. Munsterberg is considered very high authority on this subject, and is a noted author. It is said that his laboratory at Harvard is the most perfectly equipped in the world for experimental psychology. A year was consumed in making the apparatus, much of it being of entirely new design.

The fire loss on the Brigham City Mercantile and Manufacturing association was amicably settled this week by Mr. Salinger of Oakland, Cal., who represented the Insurance Combine, and H. W. Naisbitt Esq., of this city, who acted for the insured. Mr. Alex. Cohn of this city was umpire on disputed estimates, and cleverly decided between the appraisers.

The fire was an unusually favorable one. It originated in the cellar of a new building, and there was no draught, or most likely the loss would

have been a very serious one. As it was, a compromise was concluded by the acceptance of \$3,280 on stock and \$440 assessed by M. F. Foulger of Ogden on the premises; a wonderful escape.

Mr. St. Clair, the "combine's" adjuster, and Mr. Goddard of Ogden, representing the Home company, seemed equally satisfied with the appraisers and the insured parties.

Hon. L. J. Nuttall, of this city, returned a day or two ago from an extended visit among the Mormon colonies in Mexico. He enjoyed his experiences with the people and had the best of health. He saw much that caused him to believe that there was a bright and prosperous future before the people who had left this and the surrounding country to make their homes in that section.

He stopped over in Southern California on the way home and while in Los Angeles enjoyed the novel and pleasing experience of eating oranges plucked by himself from the trees on the big plantation of Hon. James Jack, his old Salt Lake friend and associate.

He also spent some time in San Francisco and while there of course visited the Midwinter Fair, which was then in a much more chaotic condition than at the present. He looked for the Utah exhibit, but looked in vain. No one there that he met had so much as heard of a display being made by this Territory.

It was not until 8 o'clock on Saturday night that the jury into whose hands was entrusted the fate of George Gaylor returned into court, after being out since 10:20 a. m. When asked if they had agreed upon a verdict the foreman stated they had not, and that he saw no chance of their doing so. The jurors were polled by Clerk McMillan, at the request of Judge Merritt, and each one confessed that an agreement was out of the question. Consequently they were discharged.

The jury stood, at the finish, seven for acquittal and five for a conviction.

When court opened this morning Judge Powers made an application that the defendant be admitted to bail, and this was not opposed by the prosecution; but Judge Howat desired that the court would make the amount of bail "adequate to the offense charged."

Judge Howat said that a bond of \$4,000 would be acceptable to the prosecution, and at that sum the court fixed it.

It transpired Feb. 13 that the recent arrest of ex-Detective Joe O'Brien by the police on a charge of vagrancy will probably be ventilated in the district court and that City Marshal Pratt and aids will be made defendants in a case for heavy damages.

O'Brien claims that his arrest was as plain a violation of law as was ever committed by a police officer in taking a prisoner into custody. Joe says he doesn't pretend to be a very good man, but that when it comes to comparing records with some of the policemen, who he claims have conspired to injure him, he is prepared to publicly prove that he will not be placed at a disadvantage. He says that he has employed Judge Powers as his attorney and that he will file suit for damages