NEW TRIAL ORDERED

Case of Thompson Versus the Southern Pacific Co.

DEFINITION OF THE WORD CUSTOM

Conclusion Reached in a Knotty Lumber Problem—Other Court Matters—Notes.

The Supreme Court handed down an opinion today in the case of Alfred H. Nelson, as administrator of the estate of Charles A. Nelson, deceased, respondent, vs. the Southern Pacific Railway company, appellant, reversing the case and remanding the cause back to the lower court with directions to grant a new trial.

The opinion is delivered by Justice Bartch and concurred in by Chief Justice Zane and District Judge Ogden Hiles.

This case is on appeal from a judgment of the lower court, and from an order overruling a motion for a new trial, but as the Supreme court has already decided that no appeal can be had on an order overruling a motion for a new trial, the appeal from the judgment only is what the court considers and passes upon.

Plaintiff brought action for $50,000 damages, against the railroad company, for the death of his brother, who he alleged was killed, in January, 1892, at Truckee, California, through being thrown over the head of a snow shed while he was on top of a car, causing him to fall between the cars and grinding him to death. Deceased was in the sheep business and was taking a load of sheep from Nevada to California. The custom was to allow persons in charge of the sheep to ride in a caboose, in order to look after them and prevent injury. Deceased had an estate in Queen and his brother was duly appointed administrator of the same.

The defendant in answering denies that it accepted deceased as a passenger on the train between the points named, and alleges that deceased came to his death by leaving the caboose and recklessly and negligently placing himself in position of imminent well known danger.

At the trial the jury found for the plaintiff in the sum of $20,000, but the court said it would not grant the motion for a new trial, unless a remittur was filed, which would reduce the amount of damages to $15,000. Plaintiff filed the remittur as suggested, whereupon the court ordered judgment for $15,000 entered and overruled the motion for a new trial, from which defendant appealed.

In reviewing the case, Justice Bartch gave attention to the argument of counsel for appellant, who claimed that certain facts were established by a preponderance of evidence, and says, "However this may be, it is but for us to reply that we have no power to determine whether the preponderance of the evidence is with the appellant or the respondent. Section 9, article 8 of the Constitution provides: "In cases at law the appellate court shall not open questions of fact anew."

"It is therefore useless to encumber the record with any evidence, in such a case, which is not necessary to the determination of the questions of law presented, because, if there is any evidence, we should have to sustain the judgment, we are powerless to determine whether such evidence preponderates, or whether, in our all the evidence, we would render the same judgment, and, if not, then substitute our judgment for that of the jury."

The court's charge to the jury, which was excepted to by counsel for the appellant, is then taken up.

The part complained of and by the appellant is the portion which reads the word "custom" is defined, the jury were told that custom or usage must be "so certain" as the business to which the rule applies will permit."

Of this point Justice Bartch says:

A custom does not depend upon whether the business in which it is claimed to exist, will permit its existence. The question is, does it actually exist? It is established as a fact.

In addition to being certain, the custom or usage must be uniform, reasonable, and no contrary in law. There are no comparative degrees as to uniformity of a custom. It is either uniform or it is no, and the charge of the court qualifying this element is erroneous, and in the case at bar, the error is material, because the portion of the paragraph in which it occurs, relates to the preceding portions of the same paragraph, wherein the court, in substance, told the jury that if they believed from the evidence that the deceased without exposing himself to any danger, could have remained in the sheep cars until the train stopped, and then could have walked to the caboose, but instead of so doing, carelessly and recklessly, in the face of known danger, attempted to return to the caboose over the top of the cars while passing through the snow sheds in a storm so severe as to tax all his energies to maintain his footing, if such climatic conditions existed, then plaintiff could not recover, unless the jury further believed from the evidence that it was a custom among sheepmen, known to the defendant and acquiesced in by it, at or prior to the time, and at or near the place of injury, to walk across the top of the cars while in motion. In other words the jury were instructed that the plaintiff was not barred from a recovery unless the deceased acted recklessly, in the face of known danger, under the conditions described, returned to the caboose over the top of the cars.

Under such a rule the defendant, in order to avoid liability in this case, would have the benefit of showing this to be less than a wanton disregard on the part of the deceased, of his own life and safety. This is not the law. It is sufficient that if the deceased, even unadvisedly, without the exercise of ordinary care and prudence, acted as a prudent, reasonable care and foresight would, under similar circumstances, exercise, did not act in a way which the proximate cause of his death, his legal representative will not be entitled to a recovery. The question is not, as to the degree of negligence on the part of the deceased, but whether he was guilty of any negligence that contributed or contributed to the injury. Nor is it necessary, to bar a recovery, that the act of negligence should have been committed in the face of known or apparent danger. It is sufficient, if the deceased was guilty of any negligence which was the proximate cause of the injury, although, at the time, the real danger of the act was not apparent to one of his age.

That the charge of the court, respecting custom and contributory negligence, was erroneous and misleading to the jury, is obvious.

Justice Bartch also says that there are portions of the court's charge with respect to contributory negligence "which are not unfavorable to appellant, but as they were not excepted to, the court cannot consider them.

It appears that the contested error of the court allowing certain questions to be answered by a witness at the trial, the point says it should have been eliminated.

STILL ANOTHER DECISION.

Case of Mader vs Taylor, Romney, Armstrong et al Affirmed.

The Supreme court also handed down an opinion today in the case of Mader vs Taylor, Romney & Armstrong, and the Salt Lake Building and Manufacturing company defendants, affirming the judgment of the court below, as to both cases at plaintiff's costs.

The opinion is written by District Judge Charles H. Hart, and is concurred in by Chief Justice Zane and Justice Bartch.

These cases being dependent upon the same facts were tried together, the findings of the court being in favor of defendants at plaintiff's costs. The appeal was taken on the denial of a motion for a new trial. The errors of the trial court in denying motion for new trial is reviewed, having been embodied by counsel for plaintiff in a bill of exceptions.

The case briefly stated is as follows: In 1891 Romney lumber dealers of this city formed an association known as the "Salt Lake Lumbermen's exchange," with W. G. Donnell as secretary. The exchange purchased the lumber and stock in trade of George Beggs & company, the consideration being $10,000, which dealer was allotted so much per cent of the stock, which was done by a special committee. The sum of $941.88, was paid down, and the notes of the dealers given for the remainder, according to the percentage allotted them. E. A. Visser gave his note for the Carey Lombard company, it having been shown that according to that company's charter it was prevented from giving or signing any notes. All other dealers were, in course of time, paid with the exception of Visser's.

Beggs & Company had turned over its notes to Secretary Donnell, and was instructed to keep a strict account of what each dealer, or member of the exchange, took from the stock in trade. Some of the dealers drew in excess of their allotment, except Carey Lombard Lumber company. Several firms paid Donnell cash, as payment for the lumber drawn in excess of their proportion. No dividend was given him as to what dividends should be made of the money. The exchange having an account at the Utah National Bank, Donnell placed it to the credit of the exchange account, aggregating some $8,067. The exchange became indebted to Taylor, Romney & Armstrong to the amount of $705, and the Salt Lake Building and Manufacturing company to excess of $835.55 which was paid by Donnell to the firm names. In these cases the plaintiff claims the above firms. The notes in the meantime had been by assignment the property of Mader, who sued the members jointly for their payment.

The court below held that the indebtedness was several and not joint and that none of the orders were liable to Beggs & Co. for anything paid them on account of the notes given by each dealer.

The knowledge which was conflicting testimony, but the court finds that the conclusions of law are correct.

Another Damage Suit.

The $10,000 damage suit of Warren M. Rose against the Salt Lake City Railroad company may be set a jury in Judge Cherry's court today. Plaintiff says that on the 11th of February, 1895, he was while driving a wagon on Fourth West and First South streets, "suddenly and rapidly ran into him, upsetting to the cutter, off his right arm and of his receiving other injuries of a personal nature.

This case was tried in 1895 resulting in a disagreement, and a motion for a new trial was granted.

Judge Cherry will make a setting of cases tomorrow morning, commencing at 10 o'clock. The case will be called on July 21st.

In the case of Christian Sayker vs Paul Blevin, the jury today found for the plaintiff in the sum of $132.50. The jury stood six to two.

In the case of Aaron Keyser vs Jackson Bolton et al, Judge Johnson rendered a decree of foreclosure of $1,700 and $100 attorneys fees, 1 day.

Judge Johnson granted a decree of divorce to Eva Tuckston, from her husband Robert Tuckston, today, also allowing her the custody of two minor children and $20 per month alimony.

Court Notes.

The $3,000 damage suit of Harris Morrocks against the City of Salt Lake went to the jury about 5 o'clock last evening, which shortly afterwards returned with a verdict for the plaintiff in the sum of $450.

Annie Picard filed a suit for divorce against her husband Fred Picard in the Third district court yesterday afternoon, alleging desertion and cruelty as the grounds upon which the divorce is sought. The parties were married in 1892 at New Hampshire. Mrs. Picard in addition to wanting a decree asks that her maiden name, that of Annie Walker, be restored to her.

INTEREST AROUSED.

Railway Men Considerably Troubled Over The Dispatch.

The dispatch that the Union Pacific had withdrawn from the Western Passenger Association, created some interest in railroad circles today. Some predicted that we would have a merry little rate war between here and Chicago and that Utah people could soon afford to take a fishing trip to Lake Michigan. Others maintained that the action of the U. P. was only a "bluff" to frighten the Oregon Short Line into an aggressive traffic agreement.

One gentleman says that the Union Pacific is not looking for war and does not want it.

Mr. Wattleigh, general agent of the Rio Grande Western is of the conservative class. He says that he does not anticipate any rate war. Mr. Wattleigh expected to spend a week's trip to Portland. He reports having had an enjoyable and successful trip.

OREGON SHORT LINE NOTES.

The Oregon Short Line has arranged an excursion from Ogden to Salt Lake and return next Sunday, making the price of the round trip one dollar. The special train arrives in this city at 10:30 a. m. and leaves at about 7 o'clock in the evening. The train is run to accommodate the baseball enthusiasts in the Junction city who desire to see the game to be played Sunday by the Park City and Fort Douglas teams.

The excursion to northern Utah, Idaho and Oregon, Saturday, is to be a large one, it would seem. The rates have been lowered and a slower will be attached to accommodate passengers between this city and Soda Springs. The people will leave the Union Depot Sunday evening and arrive at 9:05 Monday morning.

The Oregon Short Line people are receiving a great many inquiries regarding time of trains, etc., in connection with excursion from Salt Lake to San Francisco via Portland, from persons who intended participating in the Christian Endeavor convention. The round trip is $41.50 from Salt Lake and a great number of persons have expressed the desire of making the trip via the northern route. The excursion ends July 31st.

Monk Found Guilty.

The trial of James T. Monk, charged with criminally withholding the mining records of Big Cottonwood district, was held this afternoon in Justice McHaster's court. No testimony for the defense was offered, since the case doubtless will be appealed, and court fees are thus saved to the parties.

The case involves the constitutionality of the law making county recorders mining recorders.

No Bones Broken.

J. B. Rice of Z. C. M. I. had a runaway accident last night on Fifth South and Third West streets. Beyond a severe shaking up Mr. Rice was unhurt.

League Entertainment.

The M. I. League has arranged a free elocution and gymnasium recital for Friday, June 18. A fine program has been made out, and an interesting time is assured to all the league's friends. The invitation is extended to the general public to be present.

TAKEN TO THE HOSPITAL.

Preston J. Cannon, Son of President Cannon, Operated Upon Today For Appendicitis.

Preston J. Cannon, the sixteen-year-old son of President George Q. Cannon, was operated upon at St. Mary's hospital this afternoon for appendicitis, Dr. Richards performing the operation. The present indications are that the patient will have an early recovery.

Not until last night was it definitely determined that appendicitis was the young man's affliction, though that much was suspected early yesterday. For some days he suffered more or less with abdominal pains and on Saturday he was compelled to quit work on the farm. After that time he became more severe and a surgical operation was agreed upon and the patient removed to the hospital this morning for that purpose.

At the Lagoon.

A slight mistake was made in the News regarding the stopover rate between this city and Farmington. This rate of forty cents does not interfere with the regular twenty-five cent rate, but it gives the privilege of making a stop at Beck's Hot Springs and taking a bath; the fifteen cents extra is to pay for the bath.

The Ninth and Fifteenth wards have their excursion tomorrow.

Thieves At Work.

August Mason residing at 205 Paxton Avenue north of Roper and between Second and Fourth West streets had a buggy and harness stolen from his premises last night. Mr. Mason reported his loss at the police station this morning and the police have the case in hand.

Y. M. & Y. L. M. I. A. Conference.

The annual general conference of the Young Men's and Young Ladies Mutual Improvement Associations of the Latter-day Saints will be held in Salt Lake City, Utah, on Saturday, Sunday and Monday, July 17th, 18th and 19th, 1897.

Stake and Ward Officers and Association members are especially urged to be present, and a general invitation to attend the Conference is extended all interested in the cause of Mutual Improvement.

A rate of one single fare for the round trip from all points in Utah and Idaho has been granted by the railroads. For dates of sale and limit of tickets, see advertisements.

WILFORD WOODRUFF,
THOMAS HULL, Gen'l Supt.
Sec. Y. M. M. I. A.

ELMINA S. TAYLOR,
ANN M. CANNON, President.
Secretary, Y. L. M. I. A.

Manti Temple.

The Manti temple will close on Friday the 16th of July, and reopen on Monday the 23rd of August, 1897.

JOHN D. T. MCALLISTER,
President.

St. George Temple.

The St. George Temple will close on the 15th of July, 1897, and open Tuesday, the 3rd of August.

ST. GEORGE, Utah, June 1, 1897.
DAVID H. CANNON,
President.

Salt Lake Temple.

The Salt Lake Temple will close on Friday, July 23rd, and reopen on Monday, October 2, 1897.

LORENZO SNOW, President.

AMUSEMENTS.

Daniel Frohman's Lyceum Theater Co. presented The Mayflower at the Theater last night as the closing performance of their engagement here and leave today for San Francisco and other coast towns.

MINOR MENTION.

The Eighth Quorum of Seventy met in the vestry of the Twelfth ward meeting house tomorrow (Friday) evening at 7:30 o'clock.

Baseball Game.

Last evening the younger employes of the News played a game of baseball with the Herald men. The latter was strengthened by a number of outside players and thus handicapped they enabled to win by a score of 23 to 19 runs.

James Burt at Eden.

The inquiry, made in Wednesday evening's News, by Mrs. Ferguson, of 126 Caledonia street, Motherwell, Lanarkshire, Scotland, for James Burt and family, brought information today from Dave McNight of this city that the sentleman resided in Ogden valley. W. A. Robertson, of the Pleasant Valley coal company stopped to the news in last evening's News, saying that James Burt's address is Eden P. O., via Ogden, Utah. With the same for his son James, and Alderdice, Montana, for his son John. Mr. Burt was one of the foremen of the Union Pacific when that road was being built.

The Championship Game.

The first baseball match for the championship of the State between the Jubilee and the Park City will be called Monday next at Beck's Hot Springs. To accommodate business men the hour is set for 4 o'clock. A portion of the receipts will go to the Pioneer Jubilee fund.

A LETTER FROM CACHE.

A Sabbath Day in the Country—The Branch Prices—Better Crop Prospects.

LOGAN, Cache County,
July 16th, 1897.

To the Editor:

A Sunday in the country is something the city folks would enjoy, so I propose to give them through the News some idea how we old hoppers remember the Sabbath day to keep it holy. Being at home in Hyrum I attended Sunday school at 10 a. m. In the Primary department, which meets in the central school, is to be found 120 little tots, all well and neatly dressed, and as happy as sunshine. In the next room we find a Scandinavian meeting, where the aged were worshiping God in their native language. On the east side of the public square is a handsome three-story structure called the Hyrum Church academy. Here was found the first and second intermediate departments of the Sunday school, all meeting in separate rooms, as also the theological department. Then there is the seat behind school, where another branch of the Sunday school is held, with about 100 pupils. Then up the canyon, or rather at the mouth of it, are twenty-eight children who meet every Sunday morning. The Hyrum Sunday school's number about 550 pupils, and they have an able corps of teachers.

In the afternoon building the first and second intermediate and theological all meet. The great folding doors are thrown open and the assembly room is filled with young men and women, boys and girls, dressed in their best. They would be taken by a stranger to be the sons and daughters of wealthy people, and for real true beauty it would be difficult to make a comparison. On Sunday last, the opening exercises having been gone through and holy sacrament administered, each department filed out to the music of the organ to their own rooms. In the theological class was discussed the subject of the organization of the Church in the days of our Savior. The manner in which the young people dealt with the subject showed them to be quite familiar with the Holy Bible. All then reassembled in the large room for the closing exercises, where your humble servant and Elder James C. Allen, late of the Samoan Islands, addressed the school for a short time.

In the evening the meeting was filled in the church. There was a large congregation to greet the return of our young missionary, Elder James C. Allen, who returned on Saturday last from a three and one-half years' mission in the Samoan Islands. Elder Allen was a 19-year-old boy when he left home December 19th, 1893, he arrived in Auckland January 4th, 1894. He gave a splendid account of his mission and also spoke in the native tongue. Brother Allen had been so long on the islands that it is with some difficulty he speaks the English language. He has performed a good mission and the manner in which the people vied with each other in grasping his hand showed he was welcomed home.

In the evening the young people met in council session of the M. I. associations. Our large building was filled with young people, and a splendid program was given and Elder Allen gave a further account of his travels and also spoke to the young people in the Samoan tongue.

Now, Mr. Editor, how do you like that way of keeping the Sabbath day? Do where you will in any of the towns of Cache valley and northern Idaho you will find a similar proceeding to what I have described as a Sabbath day in the country. Of course there are many in each of these towns who do not observe the Sabbath day in this way, yet a majority, and very large majority too, do. The Sabbath as I have described. Still there is room for missionary labor at home, even in the country.

On Monday afternoon Mrs. Sara Young gave addressed the young ladies of Hyrum, and all who were present enjoyed her excellent address.

At last, the long drought in Cache is broken. It rained some last night, and from the cloudy appearance of the sky it looks as though we are to have a good rain. If it had come two or three weeks ago much grain on dry farms would have been saved; but it we get enough now we shall reap a better harvest than many thought for.

Good health, hard work, and a happy and contented people dwell in the rich and lovely Cache valley.

EDITOR.

LOGAN.

LOGAN, - June 14, 1897.

Religion Classes Conference.

Yesterday the religion classes of Cache Stake held their first conference. It met in the Logan Tabernacle, and was well attended. The report of the meeting showed an enrollment of over 3,300 pupils in the 67 religion classes in the Stake, and 122 teachers. Dr. Karl Maeser, Elder A. H. Lund and President George Q. Cannon made eloquent pleas for the religious training of our young. They congratulated the Cache Stake, and said it was leading all others in the matter of religion classes. Another session of the conference was held in the evening, at which Dr. Maeser drilled a class of children, to show the audience how it was proposed to conduct the class.

Attempted Suicide.

A fourteen year old son of Wm. Hughes of Franklin, attempted to take his own life a few Sabbaths ago. He had had some trouble in the evening with his brother, and was chastised for it by his father. This aggrieved the lad, and afterwards, while his father supposed he was milking the cows, he was making preparations for a leap into eternity by hanging from one of the rafters in the cow shed. He tied his hands behind him by means of a shipstuff, and jumped. When he was found a few minutes later by his father, he was in all appearance dead. His face was as black as his hat, and he was bound to strangle. He was taken into the house and about eight hours afterwards he came to and has recovered.

Violation of the Fish Law.

County Fish and Game Warden, Lewis is looking out for the game interests of this county. Yesterday, he arrested John Bass for catching trout before the season opened. Bass pleaded guilty before Justice Thomas, and was fined $5 and costs.

License to Wed.

Joseph W. Thatcher will marry Miss Julia Heath of Salt Lake City, and John W. Owen will cast his fortunes with Mary E. Halverson of Ogden at least they have taken out marriage license for the purpose.

LOGAN, UTAH, - - June 16, 1897.

A. C. of U. Trustees.

The board of trustees of the A. C. of U. have just held a session pursuant to their call of their president, W. S. McCornick.

There were present W. S. McCornick, Emily S. Richards, M. W. Merrill, D. C. Adams, J. C. Graham and Mrs. Alice Reaney. Mr. R. S. Martineau, representing the Jubilee commission appeared before the board, and asked for a subscription for the Jubilee and to have the fact advertised in the college. Fifty dollars was appropriated and ordered paid to Mr. Martineau.

Trustee Adams offered the following resolution: "Resolved, that in case of insubordination of any professor or teacher of the college, the president of the faculty is authorized to suspend such professor or teacher until the matter can be referred to the executive committee, who shall have power to act." Carried.

Prof. Foster's salary was raised to $2,000 a year and Prof. Fisher, who was paid for $1,800 a year, and who said he could not stay longer for less, was notified that the board would not grant his request.

The vacancy caused by the resignation of Prof. Shepard of the commercial department, was filled by a man from Pocatello, J. W. Ferrie, at $1,200 a year.

It was decided to pay President Tanner's expenses to visit Milwaukee and Minneapolis, to attend the association of agricultural colleges and experiment stations, and also the National Teachers' association.

Cancer Removed.

Mrs. Ex-Sheriff Kinnaride of Smithfield had a large cancer removed from her left foot.

HOTEL ARRIVALS.

Walker—Mrs. Charles Bright, Eldorado, Kan.; Miss Mary Dole, Little Rock, Ark.; Charles Bright and son, Silver Bow, Mont.; Frank Hall, Mercur; D. E. Houts, Provo; E. J. Kearns, Gunnison, Utah; A. J. Moore, Cripple Creek.

Templeton—Joseph Hallman, New York; W. N. Fung, Emma Hume, San Francisco; Gus Hoffstadt, Chicago; C. A. Ingalls, Boston; J. W. Bailey, Lawrence, Kansas; Kittie C. Williams, Bremen, Idaho; J. M. Murdock, wife and children, Johnstown, Pa.

STOCKS AND BARGAINS.

The Busy Bazar.

NEW YORK, June 17.—International shares were slightly lower at the opening of the market today in sympathy with London. The remainder of the market was dull and the industrials showing improvement generally, opened off a fraction and lost in the early transactions.

Rumors against the market were denied and on light purchases some hardening of prices occurred. The Hawaiian support occasion the industrials rather beneficial influence on the railway shares, which were in demand in the afternoon, sugar was the chief feature and colored coin to $4.85 on the purchases of the American Sugar company. Heavy purchasing orders also it would expand a material advance.

Money on call nominally at 60 pct, per cent, prime mercantile paper, 4@5 pct. Sterling exchange firm, with actual business in bankers bills at $4.87@4.87 for demand, and $4.86@4.86 for sixty days. Posted rates are $4.88@4.89 and $4.87@4.87. Commercial bills, $4.85@4.85. Silver certificates, 89@90c. Bar silver, 89c. Mexican dollars, 67c.

Bonds—Government, firm. New is regist., $1.08½; coupon, $1.08½ to registered, $1.10½; do coupon, $1.10½; do registered, $1.12½; do coupon, $1.12½; do 4s registered, $1.12½; do coupon, $1.12½; do 5s registered, $1.12½; do coupon, $1.12½; Pacific 6s of 1895, $1.01½.

Chicago Barley.

Chicago, June 17, close.

Wheat—June, 67½; July 68½.
Corn—June, 31½; July 31½.
Oats—June 19; July 19½.
Pork—June, $8.37; July, $8.42½.
Lard—June, $4.07; July, $4.15.
Short ribs—June, $4.07; July, $4.15.
Barley—Cash No. 2, 31½@32c.
Rye—Cash 31; July 32½.
Timothy seed—$2.75; August 2.95.
Clover seed—Cash, $7.50; July, $7.50.
Pork—No. 1 spring, 66@67c; No. 2 spring, 66@67c; No. 3 spring, 64@65c; No. 2 red, 67½@68c; No. 3 red, 64@66c; No. 2 corn, 31@31½c; No. 3, 30@30½c; No. 2 oats, 19@19½c; No. 3 Northern spring, 64@67c.
Cash corn—No. 2, 31@31½c.
Cash oats—No. 2, 19@19½c.

Chicago Live Stock.

Chicago, June 17.

Estimated receipts, hogs today 35,000; left over, 1,500. Fairly active. Prices lower.

Cattle—Receipts, 2,000; steady.
Hogs, 10,000; 10@15c lower.
Sheep, 15,000; 10@15c lower.
Cattle—Receipts 15,000; quiet and steady.
Sheep—
Receipts, 25,000; 10@15c lower.
Corn and barley, $1.00@1.10.
Sheep, 15,000; 10@15c lower.
Stockers and feeders, $2.00@3.00.
Cattle—Receipts, 20,000; steady.
Native sheep, $2.25@4.25.
Western, $2.25@4.25.
Lambs, $3.25@5.40.

San Francisco Wheat Market.

San Francisco, June 17.

Close: Wheat inactive; Dec. $1.09½ May, $1.12½.

DEATHS.

WALLACE—At Grangeville, Salt Lake county, Utah, of dropsy, Malinda Kimo Crowell Wallace, wife of Henry A. Wallace, December 1, 1826, in Lee county, Iowa; she was baptized into the Church of Jesus Christ of Latter-day Saints January, 1843, and emigrated to Nauvoo the same year, and afterwards to Salt Lake City, reaching the valley Sept. 26, 1847.

Funeral services will be held at her meeting house Saturday, June 19, 1897, at 11 o'clock a. m. Friends of the family are respectfully invited to attend.

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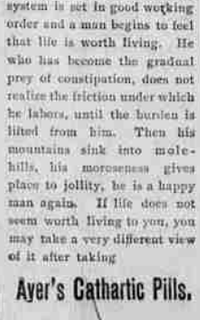

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