HORSE THEFT CHARGED

Eugene Green on Trial Before Justice Nelson Under One of Three Complaints.

THAT ONE IS FOR PETIT LARCENY.

Defendant Is Found Guilty by a Jury and He Got It—Two More Complaints Against Green, Charging Grand Larceny.

Eugene Green is on trial today before Justice Nelson and the charge against him is that of petit larceny, which is alleged in the complaint to have been committed in the month of May away from a pasture belonging to W. J. Horne, in Granger, on December 1, 1898, of a horse of the value of $15, the same being the property of Sidney Clawson.

Vernon Reeves and one John Doe, whose true name was not known, were named as co-defendants in the complaint, but Miss Reeves demurred and obtained a separate trial and was acquitted, she having proved that she was merely in the company of the other two and had no hand in the alleged theft.

A venire of eight jurors was returned by the county sheriff, namely, E. E. Margetts, C. E. Rawlins, M. L. Foote, D. Mackintosh, Frank Harrington, T. F. Thomas, Joseph Jones and Edward J. C. Lewis. The first four were found to be "good men and true" and suitable in every way for the purposes of the trial, and the last four were excused.

The State was represented by Deputy County Attorney Day, Van Cott and Mr. Green had Mr. A. B. Adler as the defender of his interests.

Justice Nelson was about to issue an attachment for Frank Harrington, for having failed to show up for duty when court opened, when it came the contractor, accompanied by his "pals," which proceeded at once to hunt up the absent juror in sight. Mr. Harrington would have made a good juror, but he dog made too much noise, so both were excused from service.

Mr. Sidney Clawson was the first witness called for the prosecution and he testified that his mare had the animal mentioned in the complaint in Mr. Horne's pasture at the time it was alleged to have been taken therefrom by the defendant. Mr. Clawson said the animal belonged to his son, Sidney Leslie Clawson, who purchased it in September last. He did not know of his son, or anyone else, possessed of the right to do so, having authorized the taking away of the animal from the pasture of Mr. Horne, where he had placed it for the winter.

Mr. J. W. Horne of Granger, who is a justice of the peace, testified that he is in the habit of taking horses under contract to pasture and feed during the winter months, and among others he had Mr. Clawson's mare in charge at the time it was alleged to have been stolen by Green. On December 1 he was notified that some parties were burning the fence which surrounded his pasture. About 6 o'clock in the evening he went to where the parties were and found Green, the defendant, the young lady and a young man all of whom were apparently scavenging in a sleigh wagon. Seeing Mr. Clawson's horse standing up and tied inside the fence, Horne said: "You fellows must be up to some mischief. You had better get that animal out as soon as you can." Horne took about a dozen of the horses harnessed up outside of the fence, all ready for hitching to the wagon, stretched out in the pasture, when the girl, addressing herself to Green and "John Doe," asked: "Why don't you make him give his papers?"

"The parties then wanted to see my authority, and as I had nothing on me I had to come their way a little. I told them I was a justice of the peace and that my credentials were at home. They offered to accompany me to the house to see my papers while the young man and woman remained to take care of the rig. I took them to the house and showed him my certificate and also produced my gun, and then walked back to the wagon."

Mr. Horne further testified that when he returned to the wagon Mr. John Doe had taken the saddle from Clawson's horse, put it on one of the other horses, presumably Green's, and had "on his cable" to parts unknown. Subsequently, Mr. Horne said, he had given one of the horses over to a neighbor for safe keeping and another in lieu of money he was claimed by a Mr. Lindsay.

The prisoners, minus Mr. John Doe, were turned over to the sheriff of Davis and brought to town, where they were placed in the county jail.

Court took a recess until 2 o'clock, when Attorney Adler began a vigorous examination of Mr. Horne, during which no fact was brought out that the prosecution, if it proves what it has broken, apparently by Green for the purpose of taking out the horses from the pasture, had on other occasions been stolen from the purpose of hauling out hay which he had sold to other parties. It had not been replaced in as good a condition as it was originally, and was therefore weaker on that point.

The witness Clawson was stated to Mr. Van Cott that his name was Leslie Sidney Clawson, or Sidney Leslie Clawson, "but we use the name of Sidney for convenience." The witness was next witness for the prosecution, and he testified as to the identity of the animal in question.

James Taylor of Granger was called for the State and testified that he resided with the prisoner Green and the woman who Green and Horne went to get the letters credentials. Which Horne and Green went to the house only, otherwise Mr. John Doe, called his horse presumably to saddle when the witness saw him last. The horse John Doe got he hitched to his hip pocket and the witness disappointed him on the bridle.

It is doubtful if a verdict in the case will be reached before adjourning, as there were a number of witnesses examined after Mr. Adler concluded his cross-examination of the witness Taylor.

During the proceedings Miss Vernon Reeves occupied a chair next to the defendant and was surrounded by a large congregation of to the conduct of the defendant.

As to the Southcote.

Mr. Wm. Southcote of George St., Launceston, Tasmania, wishes to hear from any or all of the following persons: Sarah Southcote, or Woodhouse, his mother; Alice Southcote, his sister, who emigrated to Utah in 1861; Mrs. Frank Bowen and Mrs. Charles Hooper, his two sisters. Both sisters were born at Mansfield, Notts, Eng. The maiden name was Keon. Any of the above named relatives wishing to hear news of Mr. Wm. Southcote can do so by writing to John Clawson, Epsom, Utah county, who visited Mr. Southcote several times during the early part of this year.

Dated Dec. 11, 1898.

Heavy Snow in Arizona.

Mesa, A. T., Dec. 10, 1898.

To the Editor:

It is just sixteen years today since I arrived on Salt River to company with my family and a large number of my relatives, and during this period we have experienced two other storms, one on Feb. 19th, 1892, and the other this day, which is the worst of all storms we have experienced during this period, amounting to about 3 inches of water. For what more of the Salt River valley with well-informed residents is disposed. The snow began to fall on Sunday night, and is still in progress, so all the fruit trees are covered with shade or have broken back. Orange trees are bent to the ground, but as yet no report of damage has reached us. Reports of damage expect several months yet, which is the case from the effect of the last frost.

The snow and rain comes in the time when most people are with their families, and all the people, apparently are happy and contented, and all children who are at school are in glee at getting to enjoy the snowball fight, and the sleigh ride the camera have been loaded in only the second time in the history of the valley. Yours truly,

JAS. HOCKEMAN.

JURY OF TWELVE IS INVALID.

Ruling of Judge Hart in the Norris Bribery Case.

Defendant Will Not be Re-Tried This Term—Supreme Court Will Now Pass on Question.

Joseph H. Morris will not be retried on the charge of bribery at the present term of court, Judge Hart ruling this morning yesterday, and that the defendant of the offense, he is free of liability was a valid one. The question will now be submitted to the Supreme court.

When the "Norris" report of the proceedings closed yesterday, Judge Lowe, counsel for the defendant, had moved for a nonsuit, contending that when Judge Hart made his statement to the jury, it was tantamount to a verdict of guilty, it ought to be whether of the opinion that the evidence in the prosecution was conclusive, it would be in opposition of the United States Constitution, the only evidence in the prosecution was for the court to dismiss the case.

Judge Hart then stated on the motion for a nonsuit, and asked the Clerk to Attorney Van Cott asked for a ruling on the jury question, and Judge Powers, withdrawing his motion for a nonsuit, he then stated that it would be injurious to the proceeding to try with a jury of twelve.

At the Lehi Sugar Factory.

Lehi Banner: The exceptionally good run of the factory is meeting the eye. There remains but a little over 1,000 tons of beets to work up and it is likely that these will all be cut before Christmas dawns. The big pile on the east of the sheds was finished on Thursday afternoon and the beets now coming into the factory are coming from the sheds. The beets in the big pile were in good condition when first placed in the factory. The tarpaulin covers were a success in protecting them, but the cows nibbed some holes and did some damage in the cutter. Sometimes it was necessary to change knives 20 times during one shift. The output surpassed the eight million mark and averaging rapidly toward nine million pounds. Considerable of this has been shipped to different parts of the east and adjoining states and the remainder is being stored in the warehouse.

Noyes is Discharged.

William Noyes, who was tried yesterday before Justice McMaster and a jury, was acquitted of the charge of violating the law by shooting darkie after sunset.

Primary Conferences.

The Primary conferences of the Salt Lake Stake of Zion will convene in the Assembly Hall on Saturday, December 17th, at 10 o'clock a. m. A full attendance of the officers is desired, and all interested are cordially invited to attend.

The children will please remember their Scripture Texts.

CAMILLA C. EVERS, Superintendent.
LYDIA A. ROBERTS,
MARY C. MORRIS,
Associates.

Federal Court Matters.

In the Federal court this morning Judge Marshall received the bond of Wells, Fargo & Co. back as a repository of funds in bankruptcy proceedings.

An order was also made discharging the bankrupt, John H. Busch from all provable debts.

In the case of Harold Oakley vs. The Associated Press, an order was made dismissing the suit, the plaintiff's judgment having been satisfied.

William and Abner Johnson were arraigned for petty larceny and on motion of counsel for the defendant, the case was dismissed, the complaint being defective.

IN RAILWAY CIRCLES.

No New Freight Rate Made During Last Twenty-four Hours.

ORE AND BULLION RATE UNCHANGED.

General Traffic Manager Evans Expecting Light Freight From the East—Expects to Get It This Evening.

It was reported this morning that the freight managers of the trans-Missouri line got together last evening to adjust the matter of the freight rate on bullion that has been waiting for the past few weeks. General Freight Agent Horst of the Rio Grande Western said the meeting that the meeting was held and that no agreement was reached, but as to the outcome it was a matter that the Rio Grande Western had no control over. The Rio Grande Western was in the same position as the other roads represented in the Western and from this result it the east and was not responsible for the delay.

The local railway men state that there has not been a freight rate made in twenty-four hours. A leading official, however, questions the truth of the assertion but adds that he is engaged in other affairs and cannot be related between the lines and the tariff determined upon will be promulgated.

The Ore and Bullion Rate.

The ore and bullion rate situation remains unchanged. Mr. Evans, the general traffic manager of the Short Line, said this morning that there is some misunderstanding with the east and that by this evening he would know the position of the Short Line and make it the matter. The report that the Short Line had joined the Union Pacific was unfounded, and the institutions located in that direction.

The Trans-Missouri Freight association meeting in Omaha, at which the Short Line and the Union Pacific still stands in the position they have taken. The mine owners and others interested in the output of ore and bullion have been bringing great pressure upon the railroads here to maintain the rates.

Railroad Notes.

J. H. Markel, superintendent of the Union Pacific hotels, is in the city.

General Superintendent Calvin of the Short Line has again gone to the north.

E. D. Beardsley, traveling agent of the Chicago and Northwestern, left for Idaho this morning.

Superintendent Deitch of the Pacific Express company left the city last night for Portland, Oregon.

W. M. Shafer, traveling passenger agent of the U. P. & N. Northwestern, with headquarters at Denver, came in from the east this morning.

Superintendent of Cable Mason went to Ogden today at noon over the Rio Grande Western to attend the funeral of the late H. B. Schramm.

The set of stamps purchased by the Utah and Pacific were delivered this morning. Everything will be in readiness to open traffic the first of the year.

Traveling Freight Agent Anson Gaylord of the Colorado Midland came in from Idaho Falls with a train load of cattle bought from the upper Snake River country.

St. Louis, Dec. 14.—A private message from New York says that a deal by which the Missouri Pacific comes into the possession of the Chicago & Alton has just been concluded there.

Mr. James Warrack, who has been traveling freight agent of the Union Pacific for some time and who has been in the city for a few days, left today at noon for Sacramento where he will assume the duties of general agent for the road.

ANOTHER ELEVATOR NEEDED.

Complaint That the One in the County Building is Unable to Carry all the Passengers.

There is great need of another elevator in the City and County building. This has been apparent for some time past. The present lift is unable to accommodate the people who have to do business in the building. Numbers have to climb up and down the stairs in order to assist in the transaction of business, the stairs are loud and numerous. The city has an elevator shaft, but no elevator, and it is proposed to have one. Some money furnished free by the Union Light & Power Co., under the franchise granted that company, which complaints from the Legislature will convene, and then the traffic will increase more than double, and it is the hope of many that another elevator will be running before the first of the year.

DOINGS IN THE POLICE COURT

In the police court today Lee Long, a Chinaman, was found guilty of cruelty to animals and was fined $10.

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John Brown was given two hours to leave the city as a suspicious character for vagrancy. Abbie W. Allyson was more liberally dealt with by being given 24 hours in which to find a fixed abode.

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The case of William Sinnner, was further continued owing to the non-appearance of the prosecuting attorney, and the case was dismissed and Sinnner was held to the district court for commitment in the State reformatory.

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Ann Mair, charged with assaulting little Mary Pearson, was probably fortunate in escaping with the contribution she was signed today allowing attachment.

Reception to Dr. and Mrs. Millspaugh.

A reception at which to call Mrs. Millspaugh will be held at the Millspaugh home, 1 Brigham Street, December 22nd, in the afternoon and evening. Invitations to attend will be sent in a few days.

Headaches and Bowel Ailments.

Joseph Simpson, who says he is known to the entire population of Ogden, and has been in all the leading cities of the country from New York to San Francisco, is ready to testify to the efficacy of Hood's Sarsaparilla. He writes the Hood's Medicine Co. from Ogden, Utah, as follows: "I am a traveling salesman of the city representing the Ogden Tribune. I have been troubled with headaches and bowel ailments for years. There are so many remedies on the market that I was at a loss to know what to take. I finally decided to try Hood's Sarsaparilla, and I am very glad I did so. I feel like a new man. I have recommended it to many of my friends and shall do so at every opportunity."

Brown-Sent Fish.

Robert Pinkney Gerrard, Thomas Gerrard, Jr., and Miss Ella Brown are in the Chicago office Hood's Sarsaparilla. Mr. Gerrard says: "I have taken Hood's Sarsaparilla for a long time and I find it the best medicine I can take for my health. I recommend it to my friends and I shall always take it when I need a medicine. Hood's Sarsaparilla is the best medicine I know of. I have taken it for my health and I find it the best medicine I can take. I shall always take it when I need a medicine. I shall always take it when I need a medicine. I shall always take it when I need a medicine