DESERET EVENING NEWS.

Published every day, except Sundays, at a price of $6.00 per year, in advance, $3.00 per year, $1.00 per month, or cents per week, payable or delivering to carrier.

EVERY SEMI-WEEKLY NEWS

Published every Tuesday and Friday. Subscription price, in advance, per year, $2.00; six months, $1.00; three months, $1; payable or delivered to

THE DESERET WEEKLY.

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TRIAL BY JUDGE.

In one of the valleys to the east of the main spur of the Cumberland I stopped at a "moonlight" of houses for the night. I was given a bed in a chamber with a window looking out on to the yard, and too, not from the window stood a large apple tree. It being summer, the window sash was raised.

It must have been about midnight when a sound at the window awoke me, and I got out of bed to see what was the matter. It did not take long to discover that some one was planning a surprise on me. A man had climbed the tree, and from a lonely branch had thrust out a plank to reach the sill of the window. It was the end of the plank dropping on the sill which aroused me.

I stood back a little to watch, and presently the fellow, whom other I could not determine, started to creep along the plank. I didn't know exactly what to do at first, but finally decided to give him a full instead of a bullet. Waiting until he was midway between the window and the tree, I gave the end of the plank a shove and down he went, yelling to attract as far from a midnight going. He had scarcely struck the ground when some one seized him. The house was alarmed, everybody turned out, and when I got down the owner of the house was standing guard over the man and saying:

"Now, thim, Jim Hivers, you an has got yerself into a powerful fixed. Yo'an has been tryin to git inter my cabin in the night time to rob the stranger, an if you an dose dance high fur it I dose' want no ner word!"

"Wouldn't a-tryin to git in," sulkily replied Jim.

"Then what was you an doin?"

"Arter apples."

"Arter apples which hasn't as big as sticks at the time o' yer. Jim, yo' is bad—bad all the way up an down. I've knowed it fur years, and I've warned that yo' would get cotched some day. The rotchin has arrive."

"Cawn't prove it agin' me," calmly observed the prisoner.

"You an jest wait! I'm gwine to the yo' up till day light and then take yo' fo' Squar Taylor."

"Jim meant to look in the winder," explained Jim, who was evidently beginning to be alarmed.

"Oh, yes! We understand! Now you an come along to the smokehouse and dose' try any tricks on me!"

Next morning he was regularly arraigned on a warrant charging him with intent to enter and rob. The examination took place in the school house, and the justice conducted it without any lawyer to bother. When Jim was asked to plead he replied:

"I jess didn't dos it, and I'll stick to my fat if yo' hang me!"

"Then I'll enter a plea of not guilty," said his honor, and he asked me to take the stand. I testified as related above, but all was not smooth sailing. When I stated that I was aroused by a noise Jim put in:

"He an dose' Jim say what sort of a noise, squar. That's no' than fifty kinds of noises, an hewn's got to come right down fast!"

When I said that looked out of the window and saw a man in the tree he interrupted with:

"Squar Taylor, is poison gwine to put that down agin' me. That's varry sorty o' mess. How does he an know it wasn't a nigger? Pin him right down, squar."

"Couldn't see no nigger, nohow," said his house. "Couldn't been nobody but you, kase you the one cotched."

When I testified to pushing the end of the plank off herself, Jim leaned done up for a minute. Then a bright idea came and he exclaimed:

"Hold he an down, squar. He saw a plank! How long was that plank? What sort o' wood? Who did it belong to? Dose' give he an no high ground over me kase he looks pears."

The owner of the house testified to having been disturbed by a strange noise, and he had just gone to the door when Jim fell from the tree.

"Where it was he?" asked Jim.

"Of cows."

"Dose' reckon it was anybody else?"

"Couldn't tin. Kase I grabbed it."

"Reckon he knew? You's on oath! What did I say?"

"Said yet an was arter apples."

"Yes that down plank, squar." Apples isn't as big as beans yet, and if I was arter apples it proves insanity. That's case for me."

When he took the stand in his own defense he was asked:

"Prisoner, what is your name?"

"What yo' drivin at, Squar Taylor? Ain't no use to mention any names an git up a great fuss in de papers. Jess go right along steady."

"Are you a resident of this village, county and state?"

"Jess ter'ar him, Squar Taylor, that hain't no law. That's only fooln around. Jess like a man lookin up a coon tree when the coon is somewhar else."

"What is your occupation?" continued the squire.

"Say, squar," exclaimed Jim as he arose and pounded on the desk, "this hook an coon thar somebody stole a hog. This is a case wher a nigger climbed a tree to rob somthe man in a house, an yo' gotta go 'cordin to law or I'll draw right out."

"Jim," replied the justice after some reflection, "you an wasn't that tree."

"I sos dere it."

"You an reckoned taught to that window."

"What winder? Hyer's nobody swore in which side of the house that winder was."

"And you an reckoned to rob the stranger."

"Hol Which's he an got to be robbed at? Hev'n nobody done swore he's got stuff to hev a coon's tail?"

"And you an was cotched?"

"Can't agree with you, squar. If a fellur stands still you can't cotch him. He's gwi to be on the run."

"You an has been in jail for steals-sheeps?"

"Hol That's outfin to do with this case. Who knows how many times the stranger has been in jail? Put him right up and ask him the question, squar."

The justice scratched his head, sharpened his a-compulli pen, looked from me to Jim and back in a doubtful way and finally said:

"Jim Hivers, I'm goin to let you an go free."

"Of cows."

"But be powerful careful how you go blowin yore horn around to future."

"I ain't gwine to blow."

When court was dismissed his house came over to me and said:

"Fo' he had to tel fo' to an go, kase I didn't want to upset you an."

"How do you mean?"

"Why, he an was bound to git if you an had ever been in jail for a crime."

"Well."

"I thought from your looks that you an certainly had, and perhaps in a stranger place, and I wasn't goin to let yo' git into trouble even on your."—M. Quad in Detroit Tribune.

Birds and the Statue of Liberty Light.

A few evenings ago I took the climber, with a party of naturalists, to Bedloe's island, as the electric lights at the top of the statue are known to attract multitudes of birds every spring and fall. There had been cool weather for a few days before, and millions of birds were traversing south. We obtained a permit, and went up to the topmost gallery of the statue and waited. The night had not far advanced when all the lights seemed to become full of wings, which produced a tempest of whirring sound. Then came the calls of the leaders, and they rang out so clearly that they could be heard for half a mile through the storm. The responses were fainter than the signaling cries, but they were quite definite. The object of the calls, of course, was to keep the flocks together, for, as could be seen through strong glasses, birds of a hundred species were driving along on the breast of the storm.

All that came near the statue hovered around the light in large circles, but some of them struck against the brown or stone. There were sandpipers of every kind, "peeting, peeting" as they went; golden wings and other woodpeckers, with their bold and rather hoarse cries; warblers of every kind, and their signaling ran through a wide gamut of sounds—thrushes, robins, meadow larks, nuthatchers and congregations of bobolinks that filled the air with harmony. Sometimes a huge black cloud passed along, and the glasses showed that they were blackbirds, but they did not chatter as they do on the edge of the forest.

The leaders made all the noise and preserved order. I know not how many flocks went by of bird, wood duck, black duck, merganser, curlew, snipe, plover, pewee, phoebe birds and what not, but none could mistake the kingfishers as they went, with their scolding laughter, through the dark.

We caught a score or so of the birds in nets and in our hats, and kept them till the morning, after which we released them. And all through the night bats chased and feasted upon the silly birds that gathered around the spikes of electric flame.

A large number of birds lay dead upon the grass in the morning, having struck the statue.—Harper's Weekly.

A Club of Ocean Travelers.

A number of gentlemen in India, whose business or pleasure calls them frequently to England, have formed themselves into what may be termed a travelers' co-operative association, with the object of lessening the expense of their voyages to and from the east. The subscription to this ocean club is to be 250 rupees, payable in monthly installments of ten rupees, there being no annual payment, and members will have the privilege of a free return passage once in three years, paying simply for the bare cost of their food on board. Should a member not be able to take his turn when it comes round, he can sell his passage ticket for anything he can get for it, not exceeding the total cost of membership. A steamer replete with all the latest improvements is to be built specially for the association, and it is proposed that the first journey to this country shall be made in January, 1893. The vessel is to accommodate 1,200 saloon passengers.—London Cor. Manchester Courier.

Lake Erie Drying Up.

Mr. J. T. Wamelink had occasion to visit the building inspector's office in the city hall, and as one or two of the officials are, like him, fond of hunting, the conversation naturally turned to that subject.

In speaking of the state of the water in the marshes, Mr. Wamelink said that within a few years the level of Lake Erie had been reduced two feet. Mr. Wamelink expressed the opinion that the permanent lowering of the water level was due to the constant increase in the channel at Niagara falls, which permitted a greater volume of water to roll over the falls. He was of the opinion that, in order to preserve the proper stage of water in the harbors of the lake, it would yet become necessary for engineers to raise the level of the Niagara river. Inspector Moore stated that it would be necessary to dump large boulders into the stream in order to accomplish that result.—Cleveland Leader and Herald.

Seventh Pig Had Seven Legs.

Friday night last a sow belonging to C. W. P. Howell gave birth to a litter of seven pigs. In this there is nothing very remarkable, but that the seventh one should have seven well formed legs is somewhat strange, to say the least. The pig is still alive and doing well.—Live Oak (Fla.) Farmer.

A sign-painter friend makes a tolerably observative remark to the effect that some things than painter predicts "Everybody notices it just as soon as a fellow makes a sign. But they never pay any attention to his bollocks."

The Parnellites in Ireland declare that the ends of Parnell shall go marching on the coat of John Brown. The paper they are establishing in Dublin predicates war to the death still to the enemies of their lost leader. God save old Ireland!

Parnell declared he never knew but one Irishman who could keep a secret.

THIEVING ON TRAINS.

PEOPLE WHO CROSS THE BROOKLYN BRIDGE FOR PROFIT.

One Man Who Is Well Known and Is Frequently Mentioned—His Specialty Is Umbrellas—Record of One Day's Carnival—Odd Things Left Behind.

A well dressed woman got into a bridge car carrying a gold headed umbrella. A moment later a fairly well attired man came in, walking carelessly, and set down beside her. Had a careful observer noticed him when he entered he would have seen him throw a quick glance at the umbrella before sitting down.

The train rumbled across. The ball gazed at the bay, and watching intently moving craft for into a dreamy state of observation. When the grate called, "Brooklyn, all out!" the lady got up, and the man got up too, but still in her seat, and walked out, leaving the umbrella. The man beside her had taken across with his eyes closed, as if intigued.

When she had got out his hand fell quickly on the umbrella, and he was making off with it when the guard collared him. The fellow looked astonished at finding the umbrella in his hand, muttered something about "picking it up unconsciously," shook off the guard's hand and plunged into the crowd.

"That is the fifth time in a month I have caught that fellow taking lost articles," said the technician to a reporter. "The bridge trains are a paradise for such as he. There is a more valuable museum collection of lost articles gathered on those trains than in any place in Brooklyn, I'll warrant."

HOW LOST ARTICLES ARE KEPT.

The number of missing articles became so numerous, and so many claims were made by pretended owners, that several years ago a system of checks was put into use. Now anything found in the cars by porters is taken by them to the train dispatcher's office, where he makes a report of the article, giving the train on which it was found and other details. This is entered in a book of blanks having stubs. The trainman then gets a receipt for what he has turned in. When the caller comes for what he has lost he must thoroughly identify the article before he can get it. The stub of the trainman's receipt keeps thus a perpetual record of everything found.

These stub books are filed away and are never destroyed. A glance through them reveals a bewildering variety of lost goods. The stubs of 1889 are especially prolific in curious cases. Here are some of the things recorded: Pumpkins, diagram, two boxes of cigar pocketbook containing fifty-two doll a white apron, spool of cotton, pair rubbers, a picture, a waistcoat, a tea spoon, some strangles, several remnants, piece of sheet iron, three satan dishes and a horsewhip.

On one Saturday the record for various articles reached. That day the guards gathered up these things:

Three pairs of stockings, a lady's veil, a roll of sheet music, a teaspoon, a bottle of wines, gentleman's kid gloves, eyeglasses, porter's badge, a hatch, a gun sumer, a cranberry mold.

OUR MONTH'S HAUL.

In one stretch from Sept. 12 to Nov. 23, 200 articles were reported. That was the rainy season, and forgetful umbrellas swelled the list. But taking the year around umbrellas have the questionable distinction of being the offenses overlooked. Pocketbooks, however, stagger to say, are not far behind. A count of fifty-six stubs selected at random gave this tally:

Umbrellas	28	Coins	7
Pocketbooks	17	Keys	3
Packages	7	Waiter's jacket	1

On an average three articles are found a day. This makes nearly a hundred a month. Some months have long ago found this out, and travel across often each day and run chance of picking up something of value. Even if they fail the low car fare does not leave them much out of pocket. The guards have "spotted" a number of these characters and watch them closely. They cannot be driven away by fear of arrest, for they know very well that it is no easy thing to make a charge of size" and against them.

The trainmen have decided that the three classes most guilty of forgetting are strangers to the city, absorbed in everything but themselves, unmarried women, and gentlemen who have been "out with the boys." Anybody who has studied human nature "all will understand why the trainm are so decided."—New York World.

William the Conqueror Liked Oysters.

In Denmark and the northern parts of our island kitchen middens of the Stone age yield oyster shells, and Professor Forbes allowed to pity "the enthusiastic oyster eater, who can hardly gaze upon the abundantly distributed remains of the apparently well fed and elegantly shaped oysters of our Eocene formation without chasing 'a pearly tear away.'"

We cannot believe that oysters ever went out of fashion with our ancestors. "Outre" scenes in Anglo-Saxon and see is in connected with "oat," a knot, a scale. William the Conqueror is said to have esteemed the English oyster very highly, and it figures in the menu of many mediæval feasts, especially in Lent.—London Saturday Review.

The Washerwoman's Revenge.

Mr. De Sharp (musingly)—I inadvertently sent my cuff buttons to the wash last week. Did you find them?

Washerwoman—Sure, Or saw a couple in th' tub, but I haven'e time t' be around for loose cuff buttons, an Oi threw them away.

Mr. De Sharp (in horrified accents)—Threw them away! Those buttons were pure gold.

Washerwoman—Moy! moy! That's too bad. Oi never thought a young man wot was always bathin down a great washerwoman's prices cud afford to wear gold.—New York Weekly.

Let us hope the story is true that an English tourist has succeeded in making artificial gold. The substitute is not quite the same, however, but a counterfeit which will take the place of gold in all industrial uses. It can be hammered and drawn equally with gold and wears and keeps its color. There will be a boom in gold lined pocketbooks cuts when it enters on the market.

DR. LESLIE'S SPECIAL PRESCRIPTION

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Bridge Medicine Co.:

GENTS—Two of the 100 received. I shall be glad to send you a testimonial for the Dr. Leslie's Special Prescription. Proved, proof of what I have said to you in the past, that people can make money, secure strong and lasting friends, and do good to humanity by honestly and fairly advertising a meritorious medicine, as I can, I can't testify. Already we were able to supply the demand in the city, and now we can do it in the state, and we shall soon be able to supply the world. Go on, gentlemen, as to the suggestion of your Special Prescription. Yours truly,

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Price 75 Cents.

SOLD BY ALL DRUGGISTS.

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RAILROADS.

Rio Grande Western Railway.

STANDARD GAUGE.

CURRENT TIME TABLE.

In Effect Sunday, November 1, 1891.

SOUTH AND EASTBOUND.	No. 4.	No. 2.	No. 6.
Lv Ogden	6.15 p m	9.00 a m	7.00 p m
Lv Salt Lake	6.55 p m	9.40 a m	7.40 p m
Ar Provo	8.15 p m	11.00 a m	9.00 p m
Lv Provo	8.25 p m	11.10 a m	9.10 p m
Ar Price	11.40 p m	2.25 p m	12.25 a m
Lv Price	11.50 p m	2.35 p m	12.35 a m
Ar Thistle	1.50 a m	4.35 p m	3.35 a m
Lv Thistle	2.00 a m	4.45 p m	3.45 a m
Ar Manti		7.20 p m	
Lv Manti		7.30 p m	
Ar Gunnison		9.05 p m	
Lv Gunnison		9.15 p m	
Ar Grand Junct'n		12.15 a m	
Lv Grand Junct'n		12.25 a m	
Ar Dolores		2.40 a m	
Lv Dolores		2.50 a m	
Ar Rico		4.15 a m	
Lv Rico		4.25 a m	
Ar Stoner		7.30 a m	
Lv Stoner		7.40 a m	
Ar Dolores		10.40 a m	
Lv Dolores		10.50 a m	
Ar Vance		12.15 p m	
Lv Vance		12.25 p m	
Ar Grand Junct'n		2.15 p m	
Lv Grand Junct'n		2.25 p m	
Ar Cisco		4.15 p m	
Lv Cisco		4.25 p m	
Ar Thistle	7.25 a m	7.25 a m	11.15 p m
Lv Thistle	7.35 a m	7.35 a m	11.25 p m
Ar Provo	10.15 a m	10.15 a m	1.45 a m
Lv Provo	10.25 a m	10.25 a m	1.55 a m
Ar Salt Lake	11.05 a m	11.05 a m	2.35 a m
Lv Salt Lake	11.15 a m	11.15 a m	2.45 a m
Ar Ogden	1.40 p m	1.40 p m	5.10 a m

WEST AND NORTHBOUND.	No. 5.	No. 1.	No. 3.
Lv Ogden	7.30 a m	2.00 p m	10.00 p m
Lv Junction	8.45 a m	3.15 p m	
Lv Tacoma	8.55 a m	3.25 p m	
Lv Garfield	9.05 a m	3.35 p m	
Lv Lake Point	9.15 a m	3.45 p m	
Lv Grant's	9.25 a m	3.55 p m	
Lv Stockton	9.35 a m	4.05 p m	
Lv Clifton	9.45 a m	4.15 p m	
Lv Dividend	9.55 a m	4.25 p m	
Lv Jacob's	10.05 a m	4.35 p m	
Lv Eureka	10.15 a m	4.45 p m	
Lv Silver City	10.25 a m	4.55 p m	
Lv Delta	11.15 a m	5.45 p m	
Lv Lynndyl	11.35 a m	6.05 p m	
Lv Juab	11.55 a m	6.25 p m	
Lv Nephi	12.15 p m	6.45 p m	
Lv Levan	12.35 p m	7.05 p m	
Lv Chester	12.45 p m	7.15 p m	
Lv Gunnison	1.05 p m	7.35 p m	
Lv Manti	1.25 p m	7.55 p m	
Lv Thistle	4.25 p m	10.55 p m	11.15 p m
Lv Provo	6.15 p m	12.45 a m	1.45 a m
Lv Provo	6.25 p m	12.55 a m	1.55 a m
Lv Salt Lake	7.05 p m	1.35 a m	2.35 a m
Lv Salt Lake	7.15 p m	1.45 a m	2.45 a m
Ar Ogden	8.40 p m	3.10 a m	5.10 a m

TO CAL SERVICE.

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Leave Salt Lake 10 a m; arriving arrive Salt Lake 5.00 p m.

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Utah Central Railway

TIME TABLE.

In Effect April 1st, 1891.

Passenger Trains will Run Daily, between Salt Lake and Park City, as Follows:

SALT LAKE CITY.

Train 1 leaves 4th South & Main St. at 8.00 a.m.
" 3 " " " 2.00 p.m.
" 5 leaves " " 5.30 p.m.
" 7 " " " 8.00 p.m.

PARK CITY.

Train 2 arrives at Park City 10.30 a.m.
" 4 " " " 5.00 p.m.
" 6 " " " 8.30 p.m.
" 8 " " " 11.00 p.m.

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A Warning

To Horse-Owners.

The Spill Nail in this State seriously harmed the horse-farm which it was recently taken to Worcester, Mass. One period of the nail came out in the proper place for standing, and so deceived the blacksmith who fitted the horse. The other point went in the direction shown in the diagram, piercing the tender part of the foot called the "quick," from which the horse was made quite lame for one nearly the whole.

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The Putnam Nail

CANNOT SPLIT, SLIVER OR BREAK.

It is the only Hot-Pressed and Machine-Pointed Horseshoe Nail in the World made by machinery to precisely the same standard as the old-fashioned hand-made nail.

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Putnam Nail Co., Neponset, Boston, Mass.

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$5. $4. $3. $2.50 $2. $2.25 and $2.00 Workingman's shoes. $2.50 Boys' Shoes. $2.50, $2.00 and $1.75 Ladies' Shoes.

CAUTION.—Look for the name and the price on the bottom of each shoe.

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