ON HIS TRIAL TODAY.

Peter Swenson Has to Answer a Very Serious Charge.

ASSAULT WITH INTENT TO MURDER

That Is the Accusation Made Against Him: His Uncle the Victim.

The trial of the young Swede, Andrew Peter Swenson, on a charge of assaulting Carl Anderson with intent to murder, was resumed this morning.

The prosecution is conducted by Assistant District Attorney Howat, Attorney Corey defends.

Anderson, now deceased, was the defendant's uncle. It is set forth on the part of the prosecution that the two men met a mile way from Anderson's house, which is distant about a mile and a half from Murray, on the early morning of July 4th, and that after a few words Swenson shot his uncle through the leg, shattering it in a fearful manner, and instantly killing a dog that was standing behind him. Anderson was alone a quarter of a mile away from home at the time, but he crawled there and said his wife had shot him. Later he was brought to the city and placed in St. Mary's hospital, where his leg was amputated by Dr. Pinkerton, and subsequently he died of pneumonia. Swenson gave himself up several days after the shooting, and claimed that he had not heard of the matter until the second day after. He was stated that he was in Salt Lake at the time of the tragedy. Just before Anderson's death he made a sworn statement, setting out that Swenson was his assailant.

Dr. Pinkerton testified that Anderson died of pneumonia thirty days after the amputation of his leg.

Mrs. Anderson, widow of Carl Anderson, testified that she had known Swenson since he was a small boy in Sweden. He and Anderson were not on very good terms. Sometimes they were friends and sometimes they were enemies. They had fallen out in January of the present year over the alleged ill-treatment of Mrs. Swenson by her husband, and were never on friendly terms after that. She heard Swenson say to her husband at the time the quarrel took place, "If I did right I would shoot you, you s— of a b—." After the shooting Anderson crawled home. It was 4:30 a. m. when he reached there. He had gone out to turn water on a potato patch.

William Boggess stated that Swenson and Anderson were not good friends.

When the trial was resumed this morning the witness W. A. Boggess, called yesterday, was cross-examined by Attorney Corey. He said it was from Anderson himself that he learned deceased and Swenson were bad friends.

Emma Sundstrom, a Swede, testified through an interpreter (Bailiff Neilson) that she heard a shot fired south of her house about 3:30 on the morning that Carl Anderson was shot. Witness was in bed at the time and heard a man scream twice.

Jacob H. Griffiths, of Union, also stated that he heard a shot fired at 3:30 a.m. It was not two quite day break. The sound came from the direction of Purtlan's farm. Witness knew nothing as to what was the relation between Swenson and Anderson, whether friendly or otherwise.

George A. Mulberry testified that early on the morning of the shooting he met Swenson on the R.G.W. railroad track, about two and a half miles from the scene of the tragedy. Defendant was going towards Salt Lake. This was about 5:30. Witness asked Swenson where he was going so early in the morning, but he did not answer. The spot at which he met defendant was about two and a half miles from Swenson's house.

Fannie Lemley, of Union, was next called, but his testimony was altogether unimportant.

Hyrum Smith and Andrew Anderson, also of Union, were next examined, the latter stating that Swenson came to his house early on the Wednesday morning after the shooting of Carl Anderson, and told him that he was on Salt Lake City to hunt for work on the railroad, but that hearing he had been accused of the shooting of his uncle he had returned to give himself up. The shooting occurred on the Monday previous.

City Police Justice Great H. Smith testified to the preliminary hearing of the defendant before him and the examination of Carl Anderson, Anderson in the presence of the defendant, was asked who shot him and he replied that Andrew Peter Swenson did it, pointing to him as the man. He also said that he left his house about 3 o'clock and it was about 3:30 (just at daybreak) when he was shot, also indicating that Swenson was about thirty feet away from him when he fired. His evidence was that Anderson stated that Swenson said before shooting him, "You s—of a b—, I will kill you." Anderson believed that it was a shotgun that was used upon him.

Cross-examined, witness said what he learned was through an interpreter. Anderson testified that he and Swenson were not on good terms.

Attorney Corey—Then all the information you have on that point is that Carl Anderson, the interpreter, has told you?

Witness—Except that I understood a little from the gestures of Anderson, and a few words which could be understood.

Albert K. Eckhard said he met Carl Anderson at the hospital for the last time. He served as interpreter at the examination of Anderson before the court, and interpreted the answers correctly.

Sheriff McQueen said he was present at the preliminary examination of the defendant before Justice Smith. Carl Anderson pointed out Swenson as the man who shot him, and said it happened just about daybreak. Anderson, he believed, indicated by measurement from his bed in the hospital to the wall that he was about eighteen feet from Swenson when shot.

In cross-examination, he witness was questioned as to some length from the deposition of Anderson, taken at the hospital, as to what he could remember of the answers on that occasion.

Fred W. Mitretton testified that he took the deposition of Carl Anderson in shorthand and made the translation now produced. This the prosecution offered in evidence.

Cross-examined—All of Anderson's testimony was given in Swedish and translated into English by an interpreter.

At this point the court adjourned till 2 p. m.

TO BE APPEALED.

In the case of Roy Wright, the youth who was yesterday sentenced to eighteen months' imprisonment in the penitentiary for stealing a buggy, Attorney Rossi now presented an affidavit by the defendant setting forth that he is impecunious and unable to pay the cost of a transcript of the official stenographer's notes of the trial, the same being required for an appeal to the Territorial Supreme court. Counsel therefore asked that the transcript be furnished at the expense of the Territory.

The court took time to pass upon the application.

EXTRA JURORS WANTED.

On motion of Prosecuting Attorney Howat, an order was made for the issuance of a venire for forty petit jurors, to supplement the present panel on the impanneling of a jury to try the case of Court v. Tom Ottos, charged with wife murder at Murray.

SAN JUAN CONVICTION.

The trial of Tom Otos, charged with having outlawed the tethered sheep of James W. Wilson on March 16th last, concluded after the NEWS went to press yesterday. The jury found him guilty and sentence was deferred.

SECOND JUROR MISSING.

Utah National Bank vs Isaac Sears and Thos. L. Jeremy. Application for stay of proceedings or to restrain further proceedings on execution, supplementary proceedings, till hearing can be had; set for argument this afternoon.

Michael Fitzgerald vs Chas. Carter. Defendant allowed five days additional time to answer.

Fernando Rios et al vs John F. Connor. Order to show cause why an injunction should not issue signed.

AMONG SUNDAY SCHOOLS.

Elder Goddard's Report of the Trip to Summit Stake.

SALT LAKE CITY,
Monday, Oct. 1, 1894.

Editor Deseret News:

On Monday, October 1st, we left Coalville at 9 a. m. in the midst of a snowstorm, over three inches having fallen during the night. The object of our visit was to hold a two days' annual Sunday school conference in Summit Stake of Zion. Elder Levi W. Richards and I having been appointed to that duty by the Deseret Sunday School Union board, we left Salt Lake City on Friday, Sept. 28, by U. P. R. R. at 6:15 p. m., arriving at Echo station at 9:15. Here we were met by Superintendent Branch, who drove us to Coalville, and between 10 and 11 o'clock we found ourselves comfortably housed at the Cluff hotel; it was a cold night, and in the morning (Saturday) water in the streets was frozen.

During the two days we held four conference meetings and one meeting (Sunday). We were blest with a host of good singers, some three or four choirs being present for the occasion, who sang alternately, and in concert. President Cluff attended all our meetings and spoke encouragingly on Sunday school matters, and felt assured that these annual conferences would result in great benefit to those engaged in Sunday school work. Some ten or twelve superintendents reported the condition of their schools, most of them spoke highly of the graded system which they had adopted, and all were trying to carry out the instructions they had received from the general board. Some of them spoke in the highest terms of the help they had received from those students who had taken a twenty weeks' course at the B. Y. Academy at Provo.

A number of class exercises by the children were very creditable. The remaining time was occupied at each meeting by the visiting brethren who dwell on the various points of Sunday school work which pertained to the best results, also the object and aim of the institution itself. Several questions were also propounded and answered.

Bishop Sigel John Roy on gave an interesting account of his labors in the stake. With a view of checking a growing evil of cigarette smoking by the young boys and a tendency among the larger boys of smoking, drinking, and loafing around saloons, a strong appeal was made to superintendents, teachers, parents and all in authority to set an example by the strict observance of the Word of Wisdom. About four-fifths of the entire congregation stood in their feet as a token that they would do so from that day forward. If ever the youth of Zion are rescued from those habits and consequences, that are displeasing in our heavenly Father, their parents will indulge in the same must certainly repent and reform, or become a member of the Church, the spirit of gathering to Zion recede upon her, and in company with her sons Elias, her father's sister, left her home for a sailing vessel for America. They were three months on the ocean, landing at New Orleans. They proceeded up the Mississippi river to St. Louis. Sister after reaching there her sister died of the cholera, which was raging at the time. She was then left alone to make her way towards the place of her destination, Salt Lake City, Utah, and being seasick in much fear as soon as possible, she determined, by the blessing of the Lord and her own industry, to raise means sufficient to complete her journey the following year. Being expert with the needle she earned considerable by sewing, and during her stay in St. Louis she became acquainted with Apostle John Taylor, Elder Jedediah M. Grant and Bishop Edward Hunter. In the spring of 1850 she resolved to continue her journey to Utah, and started from St. Louis by boat up the Missouri River to Council Bluffs. While traveling she was introduced to Elder D. Wesley Wooley (Elder Gibson), who was looking for some one to take charge of his little son, D. D. Wooley. Elder D. had just returned from Philadelphia with his son whose mother had died soon after Elder D. had emigrated to Utah. She agreed to take charge of his boy, and also to work for the company across the plains, over which Elder D. Wooley had charge. She arrived in Salt Lake City in October, 1850, and the following month was married to the latter. Four which unions she was blessed with eleven children, six boys and five girls, seven of whom are now living, she had twenty-seven grandchildren, twenty-four of whom are living.

Arriving in the city in that early day, many were the hardships and trials she had to pass through. Her first child was born in a wagon box, the cover of which formed her only shelter. After the birth of her first child she was obliged to take charge of her family (half sister) deceased unmarried, as well as her own, which charge she faithfully performed. She has lived in the Territories want between forty and fifty years, the latter by her family, and extensively mourned by a host of friends. She has died, as she lived, a Latter-day Saint, and has gone home to receive her reward. Peace to her remains.

Friends and relatives will be permitted to view the remains of the deceased between the hours of 10 a. m. and 1 p. m. tomorrow (Wednesday) at the residence, 240 north Second East, at the cemetery will not be opened after the session.

COMMERCIAL.

SALT LAKE CLEARING HOUSE.

Today's exchanges, $[illegible]; balances, $[illegible]. Same day last year, $[illegible].

TODAY'S QUOTATIONS.

New York.—Silver, 59½; lead, $2.[illegible]
London.—Silver, 29.

ORE AND BULLION.

T. R. Jones & Co. received today: Bullion, $[illegible]; ores, $[illegible]. Total, $[illegible].

Dodge & Co. received today: Hanover bullion, $[illegible]; silver ores (net) $[illegible]. Total, $[illegible].

REAL ESTATE.

Transfers filed in the office of the County Recorder of Salt Lake, October 1, 1894.

Warranty Deeds.

Frederick Kohler et ux to Emma H. Kohler, part of lots 3 and 4, block 10, plat A, Salt Lake City survey [illegible]
Charles H. Dunkley et al to Reuben Dunkley, lots 11 and 12, block 2, Dunkley addition [illegible]
Mariner Merrill Jr. Adgate to George, one to Perkins addition [illegible]
John H. Dunyon et ux to George E. Goodner, lot 10, block 2, Dunkley addition [illegible]
Louis Hyman et al to Lou Hack, part of lots 3 and 4, block 10, plat A, Salt Lake City survey [illegible]
Andrew Nelson et ux to Frank Kerr, part of lot 5, block 56, plat B, Salt Lake City survey [illegible]
J. A. J. Smith et ux to Paul Gunderson, part of lot 3, block 2, [illegible] [illegible]
Sarah Fairbanks et ux to Hyrum Beck, part of lot 3, block 3, [illegible] [illegible]
Hyrum Beck et ux to John J. H. Lee, part of lot 3, block 3, [illegible] [illegible]
Albert E. Ellis et ux to Kingsley Ellis, [illegible] [illegible]
Jane Fairbanks et ux to Paul Kerr, part of lot 3, block 3, plat B, Salt Lake City survey [illegible]
R. Hanson et ux to Ole Chrisensen, part of lot 3, block 3, plat B, Salt Lake City survey [illegible]
Daniel Spencer et ux to Joseph H. Spencer, part of lot 3, block 3, plat B, Salt Lake City survey [illegible]
Mary E. Lee et ux to Thomas H. Lee, [illegible] [illegible]
A. B. Chandler et ux to Edith M. Hodgson, part of lot 3, block 3, plat B, Salt Lake City survey [illegible]
S. A. Jackson et ux to Edward H. Hodgson, part of lot 3, block 3, plat B, Salt Lake City survey [illegible]
George E. Hodgson to Edward H. Hodgson, part of lot 3, block 3, plat B, Salt Lake City survey [illegible]
Daniel Weiler et ux to Fr. Jacob Hochstrasser, part of lot 3, block 3, plat B, Salt Lake City survey [illegible]
J. H. Crosby et al to Joseph W. Summerhays, part of lot 3, block 3, plat B, Salt Lake City survey [illegible]
Vienna Winter et al to Joseph W. Summerhays, part of lot 3, block 3, plat B, Salt Lake City survey [illegible]
Francis Armstrong et al to Daniel W. Jones, part of lot 3, block 3, plat B, Salt Lake City survey [illegible]
Union Pacific Railway Company to Frederick Kohler, lots 1 and 2, block 10, plat A, Salt Lake City survey [illegible]
Warren S. Stevens et ux to Amanda E. Stevens, one lot in Stevens addition [illegible]

BINGHAM AND PARAGUAY.

NEW YORK STOCKS.

Sugar	[illegible]	Pacific Mail	[illegible]
Tobacco	[illegible]	Silver A. A.	[illegible]
Chicago Gas	[illegible]	Union Pacific	[illegible]
Lead	[illegible]	Western Union	[illegible]
Distillers	[illegible]	Delaware & Hudson	[illegible]
Cordage	[illegible]	Lake Shore	[illegible]
Cordage Pref.	[illegible]	Illinois Central	[illegible]
Pacific Mail	[illegible]	Chicago & Northwestern	[illegible]
Reading	[illegible]	Chicago, Rock Island & Pacific	[illegible]
Northern Pacific	[illegible]	Texas Pacific	[illegible]
Northern Pacific Pref.	[illegible]	Denver & Rio Grande	[illegible]
Silver	[illegible]	Silver Certificates	[illegible]
Sugar	[illegible]	Sugar	[illegible]

CLAIMED $100,000

Suit by the Alma Mining Co. Against the Bullion Beck.

THE PLAINTIFFS' ALLEGATIONS

The Court at Provo Granted a Temporary Restraining Order Today.

Special to the NEWS.

PROVO, Oct. 2.—A suit was filed in the First District court at Provo today by the Alma Mining and Milling company against the Bullion-Beck and Champion Mining company and Henry M. Ryan.

The plaintiff corporation complains that on the 20th of September, 1894, they and predecessors were in possession and entitled to the possession of certain mining grounds and premises situate in Tintic mining district, in the town of Eureka, known as the Alma lode, South Star lode, the Q. U. lodes and the Lucin lode, fully described in the complaint. That on the date named, and for a long time prior thereto, the plaintiffs, their grantors and predecessors in interest, were engaged upon said ground as mining operators. That these defendants unlawfully and by force, by threatened violence and with a strong arm and great multitude of people, entered upon the said described lands while plaintiffs, their grantors and predecessors, were in possession thereof and interfered by taking valuable possession, destroying plaintiffs' property, taking up the planks and timbers around the shaft, grading upon the surface of said claims and sinking a shaft thereon, thus thus preventing plaintiffs from performing the work necessary to carry on their business.

That the defendants had since continued to unlawfully maintain possession of the premises with a large force of men and boarders with plaintiff.

After setting forth that the end line of plaintiffs' property joins the end line of defendants' property, the complaint alleges that defendants have been for some time past working on plaintiffs' ground through a drift 700 feet under the surface and have extracting large quantities of valuable and precious metal, consisting of gold, silver and lead, to the plaintiff's irreparable loss and damage.

Hence the plaintiff company ask the court for an order permitting underground surveys to be made and for a temporary order enjoining and restraining the defendants from any further interference with the operations of the plaintiffs pending the hearing of the suit. Damages are likewise claimed to the sum of $100,000.

Judge Hiatt has granted the temporary restraining order and also an order for the making of the survey, as prayed.

THEY ARE SURROUNDED.

Sheriff Burns's Murderers Cornered in the Mountains.

Market Was Wounded by Kofford, by a Shot Through Burns's Body—Expected Capture.

Special to the NEWS by Second Telegram.

PROVO, Oct. 2.—Deputy Marshal Berry returned from Mt. Pleasant today. He says yesterday a man came in from the posse in pursuit of Kofford and Mickel and reported that the officers and them surrounded in the southeastern portion of the Territory and expected to capture them. They are watching Mickel's brother who furnishes the fugitives food and ammunition, and expect to locate them through him. Mickel is badly wounded. The bullet that wounded him was fired by Kofford. It passed through Burns's body and lodged in Mickel's body over the kidneys.

OBITUARY NOTE.

MARY ANN ALGIE WOOLLEY.

Mary Ann Algie Woolley, whose death was reported in Monday evening's NEWS, was wife of the late Elmer D. Woolley, Bishop of the Tabernacle ward, Salt Lake City. She was born at Chipping Sodbury, Gloucestershire, England, March 6, 1824. She was the daughter of Henry Algie and Sarah White. The latter family embraced the gospel of Jesus Christ in the early days of the Church. She was baptized by Elder David Welch. She was the eldest of seven children, five girls and two boys. Three of her sisters died in Nauvoo. Soon after becoming a member of the Church, the spirit of gathering to Zion rested upon her, and in company with her aged father, her father's sister, and her brother she emigrated in a sailing vessel for America. They were three months on the ocean, landing at New Orleans. They proceeded up the Mississippi river to St. Louis. Soon after reaching there her sister died of the cholera, which was raging at the time. She was then left alone to make her way towards the place of her destination, Salt Lake City, Utah, and being seasick in much fear as soon as possible, she determined, by the blessing of the Lord and her own industry, to raise means sufficient to complete her journey the following year. Being expert with the needle she earned considerable by sewing, and during her stay in St. Louis she became acquainted with Apostle John Taylor, Elder Jedediah M. Grant and Bishop Edward Hunter. In the spring of 1850 she resolved to continue her journey to Utah, and started from St. Louis by boat up the Missouri River to Council Bluffs. While traveling she was introduced to Elder D. Wesley (by Elder Gibson), who was looking for some one to take charge of his little son, D. D. Woolley. Elder D. had just returned from Philadelphia with his son whose mother had died soon after Elder D. had emigrated to Utah. She agreed to take charge of his boy, and also to work for the company across the plains, over which Elder D. Woolley had charge. She arrived in Salt Lake City in October, 1850, and the following month was married to the latter. Four which unions she was blessed with eleven children, six boys and five girls, seven of whom are now living. She had twenty-seven grandchildren, twenty-four of whom are living.

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MEN'S SUITS Made to order from Provo Cloth $15.00
AT
JOHN C. CUTLER & BROS., AGENTS PROVO WOOLEN MILLS,
50 Main Street, Salt Lake City.

JAMES SPENCE & BATEMAN CO.,
(Successors to David James & Co. and Spence-Rybalov Co.)
Plumbers, Tinners, Gas and Steam Fitters.
We carry a complete line of Gas and Gasoline Stoves and Ranges, Gasoline and Oil Stoves, Tinware, Granite Ironware and House Furnishing Goods.
NO. 67 MAIN STREET.

Dr. Price's Cream Baking Powder
World's Fair Highest Medal and Diploma.

The Perfume of Violets
The perfume of the fair, the glow of the rose, and the flush of Hebe combine in Pompeian's Woodtone Powder.

NOTICE OF SALE UNDER TRUST DEED.

WHEREAS MARINA THOMSON [illegible] and Family Supplies Generally in this sale, all at Cut Prices, as we are determined to close them before January stocktaking. We don't want to have it a few weeks before then when people have been supplied, but the Knife goes in at the very commencement of the season. You'll all want fuel for your money this fall. It will be given you at our

Reliable Establishment.

This is a bid for your business, and the One Hundred Thousand Dollars worth of goods we expect to move between now and Christmas will save to the customer only Thirty-five Thousand Dollars.

REMEMBER the Three Great Specialties,

SILKS.
SHOES
CLOAKS.

R. K. THOMAS.

CHURCH BLANKS
Printed and for Sale at
THE DESERET NEWS OFFICE,
SALT LAKE CITY.

R. K. THOMAS,
26, 28, 30, 32, East First South Street,
Salt Lake City.

Special September Announcemnnt.

WE ARE NOT LOOKING FOR PROFITS,
WHAT WE WANT IS VOLUME OF BUSINESS.

We shall offer some Tremendous Bargains to effect this object. We shall show a thousand or two

JACKETS,
CAPES AND
WRAPS,

At about one half their value, ranging from Ten to Ten Dollars. We don't want a Wrap left by November First. We want increased room for our Dry Goods Department, so we will close out our Entire Stock of

LADIES,' MEN'S AND CHILDREN'S SHOES.

You'll all want Shoes for winter, and now is the time to get about two pairs for the price of one. You should call early, and avoid the rush, but call early. Mail orders can be filled by giving sizes.

SILKS.

About Ten Thousand Dollars worth of silk to things on our counters, at prices that all can afford a Silk Dress. We are showing about Two Hundred Pieces

New Dress · Goods,

Which will sell at not much more than half of last fall's prices. We shall offer Fifty Thousand Dollars worth of

RIBBONS,
LACES,
HOSIERY,
GLOVES,
TOWELS,
SHAWLS,
FASCINATORS,
UNDERWEAR,
SHIRTS,
TIES,
WINDSORS
HANDKERCHIEFS.

And Family Supplies Generally in this sale, all at Cut Prices, as we are determined to close them before January stocktaking. We don't want to have it a few weeks before then when people have been supplied, but the Knife goes in at the very commencement of the season. You'll all want fuel for your money this fall. It will be given you at our

R. K. THOMAS.