THE JURY WILL SAY

Whether the Kaysville Murderer Was Insane and Irresponsible.

MARTIN HAYKEN IN COURT TODAY.

His Trial Set for Wednesday Next—A Postponement Wanted—Wilson Convicted—Other Items.

In the opening of the Third district court this morning, Judge King presiding, Martin Hayken pleaded not guilty to five charges of bribery, in connection with the city and county building scandal. On behalf of the defendant, Judge C. C. Dey said that Arthur Brown and Judge Henderson were associated with him in the case, and he asked that the hearing be postponed till the Hague case, in which Brown and Henderson were engaged, was finished. At that time the defendant would make an application for a continuance. Assistant District Attorney Howat wanted the application for a continuance disposed of at once. County Attorney Whittemore objected to the continuance, as the prosecution was to the expense of a thousand dollars to get witnesses here. Judge King said he would postpone the calling of the Hayken case until counsel were relieved by the close of the Hague case. Joseph R. Morris was directed to appear tomorrow, Tuesday, at 10 a.m., and plead, if he was in the city.

The case of Frank McDonald, the ex-policeman charged with assault to murder Emil Backstrom, was next called, but Judge Powers, counsel for defendant, insisted that he could not go on without the presence of Mrs. S. K. Jones as a witness. The lady is ill. Pending the securing of information as to whether she would be present, the McDonald case was deferred and the Blamires case taken up.

Nephi Blamires, the defendant, is accused of murdering his stepfather, Thomas Boynton, at Kaysville, Davis county, on the 10th of July last. The murder was committed with an ax, and was a most fatal affair.

The defense was conducted by attorneys H. S. McCallum and Elmer B. Jones. The plea set up in behalf of the prisoner is insanity. It has been generally recognized that he was partially demented, his appearance bearing out this view. Today he sat beside his attorneys, apparently an unconcerned spectator of the proceedings of the trial. The chief question to be tested will be whether or not Blamires was in such a condition of insanity as to make him irresponsible at the time the murder was committed. In the impaneling of a jury today, the views of the jurors as to whether insanity was a good defense were carefully ascertained, each juror saying that if the insanity were fully proven he should regard it as a sufficient defense.

Judge Howat stated to the court that a defendant could not be placed on trial. The defense was that the prisoner was insane at the time the crime was committed, that he was insane now, and had been so for years.

Upon this statement being corroborated by the defendant's attorneys, Judge King ordered that the question of the prisoner's insanity be tried before a jury, the hearing on the charge of murder being deferred until the other question was settled.

The jury impaneled to determine whether or not the defendant Blamires was insane was as follows: Jos. Wiley, Thos. A. Ball, J. E. Ellison, Wm. Prescott, Jonas Anderson, John H. Barlow, Henry Ball, George Proctor, Henry L. Dodd, David Barker, Samuel E. Underhill and F. X. Leavy.

The case was opened by E. B. Jones for the defendant, who stated to the jury that counsel had come prepared to show that Nephi Blamires was an irresponsible person, and had been so for years. Blamires came from England when about 13, and settled at Kaysville. As a boy he was unusually bright. He developed great musical ability, and was a favorite in the society circles of the young people. This condition existed until about 1882 or 1883. At that time there was some difficulty with parties who tried to jump his land. One of those parties, a woman, struck him over the head with a shovel. This wound was not considered dangerous, and he seemed to recover. But within a year there was a changed condition. He developed a morose, despondent disposition, which the people commented upon. In a few years he became a recluse, avoiding society. About two years after the injury he became violently in love with a young lady, who did not favor his suit, and he became depressed more than ever. In September, 1894, his mother died, and he worked about for his board and clothes. Year by year he had become more morose, and wanted no association even with his brothers and sisters. His actions were so peculiar that all who knew of him recognized his insanity. Mr. Jones promised to put Blamires on the stand to detail the horrible circumstances of the murder; and would also show that there was no provocation for the murder, as there was not the slightest offense given by Mr. Boynton, the stepfather. The night before the killing, Boynton told Blamires to turn in the irrigating water in the morning, and Blamires said he would not do it. Then Boynton told Blamires he would have to leave. Next morning Blamires got the ax, woke Boynton up, and asked him if he meant what he said about Blamires going away. Upon receiving an affirmative reply, he beat Mr. Boynton's head to pieces with the ax and then told the murdered man's son. Mr. Jones further said the defense would show that Blamires was subject to hallucinations; at one time wandering in his mind the town of Kaysville, changing its streets, etc. His mind was so disordered that all Kaysville recognized his irresponsibility, and regarded him as harmless. Mr. Jones said he did not believe much in the defense of emotional insanity, but that if there was insanity it would be shown by the general conduct of the person claimed to be insane.

H. J. Sheffield was the first witness. He was the brother-in-law of the prisoner, having married his sister. He had lived in Kaysville fifteen years. The prisoner was forty years of age. Mr. Sheffield then told of Blamires having been very ... in Kaysville society fifteen years ago, then told of the injury received in the blow on the head and his change of disposition consequent thereon, as had been stated by Attorney Jones. Mr. Sheffield also told of Mr. Blamire's love affair, in which the young lady did not desire his attentions, and said that Blamire's continued to grow more peculiar after that time. He thought there was a conspiracy formed against him. He would sometimes take laughing spells for two or three days at a time. He would go to storekeepers and tell them what they should keep, and how to conduct their business. Mr. Sheffield related many instances of peculiar conduct, and stated that from these he was fully convinced that Blamires was mentally deranged. On cross-examination Mr. Sheffield said the greatest change was when he could not get the young lady he wanted. While growing mentally worse Blamires also grew physically weaker.

This afternoon other witnesses for the prisoner were being examined, their evidence being substantially as outlined in Mr. Jones's opening statement, as to what they would tell outside of Blamires own recital of the murder.

NEW SUITS BEGUN.

Joseph A. Graham commenced suit today against George H. Darrow, Frank D. Darrow and Walter V. Champlin for $500 damages for certain property which he alleges the defendants wrongfully took from himself and L. S. Doane. The property consisted of picks, shovels, buckets, cooking utensils, gold-pans, ore sacks, etc.

Annie C. Ringaard wants a divorce from Jens P. Ringaard, on the ground of desertion and failure to support. The parties were married in Provo, in 1892.

Eva M. Johnson wants a divorce from Gustave O. Johnson, on the ground of cruel and inhuman treatment. The parties were married in June, 1893, and she says the cruel treatment began a week after the marriage.

NOTES.

The examination of jurors in the Blamires case developed the fact that there are some people here who believe that every person who kills another without reasonable provocation is insane. One of these was John S. Edwards; and another who approached very near that frame of mind was Calvin Reasoner. Both were challenged and excused.

Attorney C. S. Varian is engaged to assist in the prosecution of the ex-selectmen of Salt Lake county, and Martin Hayken, on the indictments for bribery in connection with the city and county building scandals.

The trial of Martin Hayken, bribery, is set for Wednesday, Nov. 20. There is some doubt about its coming on at that time, since the defendant means to make a strong fight for a continuance.

George W. Wilson was convicted on Saturday night of assault with intent to commit rape on Lillie Carney, a little girl, and is to receive sentence on Tuesday morning.

Judge King insists that the court room shall be supplied with fresh air, as he does not favor the re-breathing process that characterizes illy ventilated halls.

In the case of Eunice Adamson vs. Wm. Adamson, the defendant was ordered to pay alimony by Wednesday at 10 a.m. or go to jail.

OGDEN.

OGDEN, UTAH, - NOV. 18, 1895.

At Meeting Yesterday.

Sunday was a very fine day and a large number of people was out on the streets. Large congregations were in attendance at the various churches. At the afternoon service in the tabernacle every seat was occupied. Elder Joseph Stanford occupied the time. His subject was, Spiritual and intellectual development.

Arrested in Ogden.

Mr. Rice, the cowboy preacher, and his wife returned to Ogden and were preaching in Washington avenue on Saturday. A large crowd listened and blocked the thoroughfare. For gathering the crowd Mr. and Mrs. Rice were arrested. Justice Bagley discharged them, they promising to leave town. They went out on the westbound train to Elko, Nev.

Chrysanthemum Fair.

The Y. L. M. I. association of the Fifth ward is having a chrysanthemum fair, the display being very fine. It is being well patronized. It will close tomorrow evening.

Foiled by a Woman's Screams.

About 9 o'clock Saturday evening, as Mrs. Bickens and Mrs. Peacock were returning home from marketing, an attempt was made to rob them. The footpad grabbed Mrs. Peacock, while Mrs. Bickens screamed, at which the would-be robber ran away, not obtaining any booty.

LOGAN.

LOGAN, UTAH, - - NOV. 18, 1895.

Foot Ball at Logan.

The High school football team of Salt Lake and that of the Agricultural College of Utah met on the grounds on the A. C. of U. campus on Saturday afternoon, and for the first time the College team met thorough, skilled opponents. The game was divided into two thirty minute halves, the A. C. team having the south, and High school the north goal. In the first half the High School kicked off. Thatcher captured the ball and was downed and hurt, compelling him to retire. He was replaced by Nelson. In the second half the A. C. boys kicked off, and did so twice again during the last half, after goals made by Odell of the High School. The A. C. of U. boys met a Waterloo, the score standing 20 to 0 at the end of the game. The defeat will probable do them more good eventually than a victory would have done. They have the consolation of knowing that the High School boys must have feared them, as several of the strongest and best men of their team were not High School boys at all, but were chosen from among the best players of Salt Lake, and, knowing they were not outclassed physically, will have a tendency to improve their generalship and induce them to pay more attention to the fine points in the game.

The High School team were the guests of the A. C. of U. team throughout. Their railway and hotel bills were paid and, in addition, seats in the theater were provided for them to witness the production of The Tornado.

National Guard Inspection.

Inspector-General Tallock was much pleased with the Richmond militia, which he and Lieutenant Lassiter inspected on Friday morning, and with company C and several members of company D, which were inspected in the afternoon. With the exception of volley firing, the maneuvers of the Logan companies were held in the armory, on account of the wet and cold fog prevailing, and the muddy condition of the streets.

A Tramp Severely Hurt.

On Wednesday a poor tramp named Evans while stealing a ride on the U. & N. Ry. at Cannon station, was quite severely hurt. He was standing on the drawheads between the cars, to avoid the eyes of the trainmen, when one of his legs was caught between the buffers, and the flesh cut through to the bone, which was also split. He was taken as far as Cache Junction and there left until the arrival of the Cache Valley train, which brought him to Logan. He remained at the Logan depot until a late hour in the afternoon before receiving surgical attention, while the railway and county authorities were holding consultation by telegraph as to who was responsible for his care. Finally the probate judge ordered that he should be cared for at the expense of the county. Logan has no hospital, but Robert Murdock, a victim of a railway accident by which he lost both feet, admitted him to and agreed to nurse him at his own residence, and Dr. Ormsby attended to and dressed his wounds. This is a hard world for a wounded tramp.

A Returned Elder's Death.

Theodore Peterson, twenty-six years of age, returned from a mission to Denmark in August last. He had been absent from home twenty-eight months. He was taken ill in April, but served his full time. It was supposed that on his return home the balmy atmosphere would revive him; but he continued to fail, and during the past few weeks his condition was regarded as serious. He refused to consult a physician until the end, which came at an early hour on Friday morning. He is supposed to have died of consumption.

The funeral services were held in the Fourth ward meeting house yesterday at noon. Brother Nelson had the respect of the community as an exemplary Latter-day Saint. He leaves a wife, mother and other relatives to mourn his loss.

Notes.

The Cache County Agricultural society met yesterday afternoon. A general plan of the season's work was drafted, and it was decided by unanimous resolution to join the Territorial Agricultural society.

The Tornado, played by Leslie J. Carter's company last evening, was the most successful theatrical event of the season, drawing an even larger house than the Fast Mail company. Another of his companies will present The Defaulter some time during January.

Dr. William Apperly has returned from Denver, where he has been taking a post-graduate course. Logan now has an expert masseur.

Wolves are becoming so numerous and bold at Clarkston that they enter the premises of the farmers and select the fattest and best hens for their own consumption.

The passenger train bearing the mail from the south, now arrives in Logan at 11:40 a. m. instead of at 10:40 as heretofore. The change went into effect yesterday.

A number of deer have been slain lately by Cache valley hunters, and venison is now one of the delicacies for sale at the butchers' shops.

Egg Inspection.

By holding an egg up between the eye and the light an expert can at once tell the purpose for which it is particularly adapted and promptly pronounce as to its destiny.

There is the egg which exhibits a small cloud floating in an orange sea. This egg finds its way to a humble saloon and is beaten up into a "golden fizz" to soothe the weary palate of the retired politician.

Again there is the egg which shows a galaxy of crimson stars, intimating that the industrious hen that laid it is suffering from the heat and needs rest. This egg finds its way to the quiet restaurant whither the sign, "Meals, 5 cents," beguiles the hungry wanderer.

A third egg shows a dark, solid body surrounded by vapory liquid. It abounds in the generous barrel houses, whose motto is, "An egg or a clam with every drink," and where the gay and careless reveler says, "You spoke late," when the hapless chicken squeaks at the moment of deglutition.

A fourth egg, light in weight and of a sickly green complexion, sprinkled with dark blotches, is popular at political meetings where the audience is not quite in harmony with the speaker.

But above all there is the honest, flawless, unexceptionable egg proudly laid upon fresh straw by a kind and wholesome hen. This is the legitimate egg of commerce that makes the whole world happy every morning.

BABY HUMOURS
Instantly Relieved And Speedily Cured by
Cuticura
WHEN ALL ELSE FAILS
A warm bath with CUTICURA SOAP and a single application of CUTICURA (ointment), will afford instant relief, permit rest and sleep, and point to a speedy, permanent cure of the most distressing of itching and burning skin and scaly diseases, after all other methods fail.
Sold throughout the world. British depot: F. Newbery & Sons, 1, King Edward-st., London. Potter Drug and Chem. Corp., Sole Props., Boston, U. S. A.

A DYING MAN RESCUED FROM THE GRAVE

Would Bless the Hand that Saved Him—So Thousands of Men and Women Who Have Been Cured of Diseases That Were Fast Robbing Them of Life Now Thankfully Tell How Professor Munyon's Remedies Gave Them Health and Strength.

Joseph Burbank, of 209 South Second street, St. Louis, Mo., says: "I do not believe that anyone suffered more than I from kidney and liver diseases. I also had a serious case of catarrh of the bladder. At last I became helpless and was confined to my bed. Doctors failed to help me, and I could not obtain relief. I passed gravel in small particles, and had about made up my mind to die. Finally as a last resort I began to use Munyon's Kidney and Liver Cure. I felt relieved after taking a few doses, and within a very short time was completely cured."

Munyon's Rheumatism Cure never fails to relieve in one to three hours and cures in a few days. Price 25c.

Munyon's Dyspepsia Cure is guaranteed to cure all forms of indigestion and stomach troubles. Price 25c.

Munyon's Catarrh Remedies positively cure. Price 25c each.

Munyon's Kidney Cure speedily cures pains in the back, loins and groins, and all forms of kidney disease. Price 25c.

Munyon's Vitalizer restores lost powers to weak men. Price $1.00.

A separate cure for each disease. At all druggists. 25c a bottle.

Personal letters to Prof. Munyon, 1505 Arch street, Philadelphia, Pa., answered with full medical advice for any disease without charge.

REMOVED TO THE ... ATLAS BLOCK.

Dr. A. C. Hummelbaugh,

DENTIST,

Has moved his office from the Progress block to elegant new rooms at No. ... Atlas block, ... W. Second South. His new and commodious parlors are completely equipped with all the latest appliances known to dentistry, and his office is especially arranged for the comfort of his patrons.

His instruments are of the best, and his work pure and ... The very only the best material that money can buy, and charges prices less can not be duplicated in the city.

DOWN GOES THE PRICES ON OUR PANTS

Being overloaded with Fine Imported Trouserings we desire to reduce our stock and turn them into cash, quick! We also have a large number of ends of Suitings, all of them Fall Goods, which we desire to get into ready cash at once, making altogether about three hundred extra pantings on our hands, on which we will take orders until November 5th, at the following prices:

$14.00 Pants at $9.75, French and English goods.

$13.50 Pants at $9.50, French and English goods.

$11.75 Pants at $8.00, French and English goods.

$10.25 Pants at $7.50, French and English goods.

$9.50 Pants at $7.00, French and English goods.

$8.75 Pants at $6.50, Scotch and American goods.

$6.00 Pants at $4.25, Scotch and American goods.

$5.25 Pants at $4.00, Scotch and American goods.

If you will call and examine these goods you will see you can well afford to buy them. We also have a few Suitings that have not sold as well as we expected, which we have marked down from $24.00 to $20.00, from $22.50 to $18.00, and from $20.00 to $17.50.

All the above goods were marked at very close prices to begin with, so the Mark Down makes them Snaps that are seldom offered by any Merchant Tailor.

These offerings will positively not last after November 5th.

D. L. ROSS,
Merchant Tailor.
41 West Second South St.

IT HAS BEEN INDORSED

By the medical profession that wine, especially in summer, is the most healthy beverage, providing it is obtained in a pure state, and that is what

We Offer You for One Month Only:

CLARET, 50 cents.
ZINFUNDEL, 25 cents.
BURGUNDY, $1.25.
HOCH, very fine vintage, 75 cents.
REISLING, $1.00.
GUDEDEL, $1.25, at

UTAH LIQUOR CO.
167 Main Street.

SALT LAKE CITY BREWING CO.

We are again in the lead against all competition, with our Extra Pale Premium Lager Beer, Half and Half, and Extra Fine X X X Stout Porter. In any quantity, in kegs or bottles.
Telephone 17.

JACOB MORITZ,
Gen'l. Manager.

TRY WRIGLEY'S JUICY FRUIT CHEWING GUM,

The Finest Flavored Gum on earth. Clark, Eldredge & Co., Salt Lake City, Jones Scowcroft & Sons Co., Ogden, sole agents.

The Very Best $1.00 Corset.

Made in white and French drab, with sateen stripe, also in black sateen.

No Brass Eyelets.

Sizes, 18 to 30.

$1.00

Equal in fit and quality to any imported corset, lasting twice the money.

Made by Chicago Corset Co.

For Sale by Walker Bros. and Pyper & Cohn Dry Goods Co. Salt Lake City.

The WAGENER BREWING CO.

Established in 1864. Incorporated in 1886.

BREWERY AND PARK, AT EMIGRATION or PIONEER CANYON

Family Trade Solicited.

Principal Office, No. 44 East First South St. Telephone 149.

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THE DESERET NEWS OFFICE
SALT LAKE CITY.

Stake Reports	50c per doz
Ward Reports	25c "
Relief Society Reports	25c "
Primary Association Reports	25c "
Y. L. M. I. A. Reports	25c "
Y. M. M. I. A. Reports	25c "
Elders' Certificates	25c "

Bishops' Recommends, books of 50, 50c; of 100, 75c.

Primary Association Roll and Record Books, $1.00.

Y. L. M. I. A. Roll and Record Books, $1.00.

Ward Records, 1 qr., $6.00; 2 qr., $8.00; 4 qr., $12.00.

High Priests' Records made to order.
Seventies' Records made to order.

WE KNOW OF NOTHING THAT CAN COMPARE WITH THE

GRAEFENBERG CHILDREN'S PANACEA

For curing all complaints to which children are subject. Every mother should use it. BEST WORM MEDICINE and tonic for weak children.

Sold by Druggists, and Wholesale and Retail by Z. C. M. I., Salt Lake City.

Graefenberg Company.
111 Chambers St., N. Y.

CONSUMPTION

To the Editor—Please inform your readers that I have a positive remedy for the above named disease. By its timely use thousands of hopeless cases have been permanently cured. I shall be glad to send two bottles of my remedy free to any of your readers who have consumption if they will send me their express and post office address. T. A. Slocum, M.C., 183 Pearl St., New York.

Make Your Wants Known

ONLY 5c A LINE.

By Advertising in the NEWS.

IT WILL PAY YOU TO DO IT.

R. K. THOMAS,

23 to 32 East First South St.

THE UP-TO-DATE RETAIL HOUSE

Of the State of Utah.

Modern Merchandising Means Making Moderate Margins.

THIS KIND OF SELLING FROM NOW 'TIL AFTER CHRISTMAS.

Jackets.

In addition to the largest and lowest marked stock of Jackets and Capes in the city, we have a few lines of last season's goods to close. They'll keep you just as warm as new goods.

A $7.25 Jacket for $4.75.

A $9.75 Jacket for $5.75.

Yes, that's right.

$4.75 instead of $7.25.

$5.75 instead of $9.75.

Jackets.

CAPES

People come to us for their Capes and Jackets because, as they say, we are lower on these goods than any other house. Of course we are. We know how to buy these goods, and are satisfied with a moderate profit.

FROM NOW 'TIL AFTER CHRISTMAS.

CAPES

Dress Goods.

"R. K. Thomas for Dress Goods." Has become a household expression, which speaks volumes. From now 'til Christmas we are going to offer some rare bargains in this department.

Shoes.

Yes, we know how to buy Shoes—bought before the advance in leather. You'll get the benefit of our shrewdness. From now 'til after Christmas we'll place before you the best Shoe for the money you ever bought in your life.

Underwear.

We've had to duplicate and re-duplicate our fall purchases on Women's and Children's Underwear. That tells the story better than anything else—we are headquarters for these goods. Will continue our small margin selling 'til after Christmas.

Handkerchiefs.

We always have been, are now and always will be headquarters for Handkerchiefs.

Our usual grand display from now 'til after Christmas.

Gloves.

We have the best 75 cent Kid Glove in the market. Come to us for Gloves.

Remnants of DRESS GOODS.
Remnants of OUTINGS.
Remnants of TOWELINGS.
Remnants of TABLE LINENS.
Remnants of SILKS.
Remnants of BUTTONS.
Remnants of FLANNELS.

Silks.

500 pieces of Black Silks, assorted weaves, in lengths suitable for a waist, skirt, or a full dress. So that all may have a fine dress, we have marked these goods just two-thirds their value. Don't miss it.

Blankets & Comforts.

The cold, chilly nights of December, January and February, you need not be cold. We sell Blankets as low as 75 cents a pair. We sell a good Comfort for $1.25.

We sell Blankets and Comforts.

Men's Goods.

Our 75 cent wool ribbed Shirts and Drawers are the best things ever offered for the money. Ask to see them.

We carry a complete line of Men's Furnishings, but remember this:

There's no fancy prices on them.

Babies' Bonnets.

We were successful in securing another big drive in these goods. So we can sell you Babies' Bonnets at just half what they are usually sold for elsewhere.

A splendid line of Boys' and Girls' Caps for winter, just arrived.

Remnants of SHOES.
Remnants of SHEETINGS.
Remnants of LININGS.
Remnants of TRIMMINGS.
Remnants of LACES.
Remnants of EMBROIDERY.
Remnants of Everything.

Wrappers.

Our superior buying ability has made it possible for you to buy these goods cheaper than you can make them up.

$1.25 Wrappers for 75c.

$1.50 Wrappers for 90c.

$2.25 Wrappers for $2.00.

Our Wrappers are cut full.

The prices are cut short.

Wrappers.

SHAWLS

What is nicer than a good warm Shawl.

Fashion's fancy brings us many new warmers, but the shawl, the old faithful, holds its own.

Just ask to see

Our $2.25 Shawl.

Our $3.25 Shawl.

Our $5.00 Shawl.

Our $7.50 Shawl.

HAVE ONE.

SHAWLS

R. K. THOMAS