EVENING INEWS. May 4, 1886 Tuesday - and the second

FRAGMENTS.

"CYMBELINE" at the Theatre to-

THE Rolfson-Gerrans case is set for hearing before Justice Pyper to-mor-

MRS. THURGOOD, wanted by the police on three serious charges, has not yet been found.

THE Sixth Ward Sunday evening meetings commence at 6 o'clock, instead of 6:30 as formerly announced.

"A BUNCH OF KEYS" will be played at the Theatre on the 10th and 11th insts., and Baird's minstrels appear on the 12th and 13th.

JAMES CASTLETON, of the Twentyfirst Ward, received serious injuries this morning by being thrown from a horse, his head striking a tree. He was unconscious for several hours.

LOCAL NEWS.

An Idaho Grist .-- The Eagle [Rock Register of the 1st inst. says: "Court convened on Monday last and has now got to work in earnest. Six polygamists have come up and entered a plea of guilty, and will receive their sentence in due time."

defendant, being first duly sworn, de-poses and says: I have fully and fairly stated the facts of this case to Arthur Brown, my attorney therein, who re-sides in Sait Lake City. I have been advised by him, after such statement made as aloresaid, that I have a good and mentorious defense upon the merits thereof, which advice I verily believe to be true. I have been in-formed and believe to be true, that the present panel of petit jurors sitting in this case, have been summoned on an open venire by Marshal E. A. Ireland and his deputes. I have been informed that fact appears by the records of this court. That the entire number of 200 yarors drawn in pursuance of the law of Congress was exhausted at the first term of this court this year, so that all the jurors at this term were summoned up the said open venire. In this case Marshal I reland, to wit: John W. Greenman, and that in the presence of said Marshal I. A. Ireland, the out of Marshal I. A. Ireland, the the states deputy marshal. I have been informed and has deputies in the set of the said open venire. In this case Marshal I. A. Ireland, the wit: John W. Greenman, and that in the presence of said Marshal I. A. Ireland, the wit: John W. Greenman, and that m the presence of said Marshal I. A. Ireland, the wit: John W. Greenman, and that m the presence of said Marshal I. A. Ireland, who has charge of summoning an open ve-ties of gurors for this term is directly interested in securing, and has been active in attempting to procure my conviction, and all of said jurors were selected by him and his deputies. I believe I cannot have an impartial trial before a jary thus selected by said E. A. Ireland and his deputies. T in informed and verily believe that at the parties of summoning an open ve-ring of jurors for this term is directly interested in securing, and has been active in attempting to procure my conviction, and all of said jurors were selected by him and his deputies. T believe I cannot have an impartial trial before a jary thus selected by said E. A. A Liberal Provision .- A gentleman hailing from Indiana, who was in this city a few days since, stated that there is one sectarian church building at least in the Hoosier State accessable to Latter-day Saints. His father, he says, who is a non-professor of religion, probably disgusted with the almost universal discrimination against the "Mormons" and their religion, exercised by other religious people, and the illiberal treatment accorded to their Elders when abroad, determined to do something to offset the same. A proposition being made some four or five years ago to build the Springville the year church in Perry Township, Noble

County, Indiana, he and his partner in business subscribed one-fourth of the means necessary for its erection on condition that the Latter-day Saint Elders were to be allowed to occupy it when they desired to do so. fused by the Court.

Mr. Brown next interposed a chal The Minstrels .- On Wednesday and lenge to the jury panel on the grounds Thursday, May 12th and 13th, I. W. stated in the affidavit, and for the rea Baird's Minstrel Combination, which son that because of the citcumstance gave such satisfactory entertainments set forth, the Marshal and his aid were on a former visit to Salt Lake, will applased against the defendant, and pear in the Theatre. An exchange says therefore had no right to summon of them:

urors as they did. "This is one of the troupes which at-ways perform the whole bill, and do it so well as to make one desirous of sec-ing them a second time. In the first part were many songs by different members of the company—Mr. Ernest Sinclair and Harry Nelson taking par-ticularies with the and lance-and a Mr. Critchelow took up the argumen for the defense, and quoted numerous authorities in support of his position. This morning Mr. Dickson made a short argument, claiming that so long was not deprived of

THE BRAIN TRIAL. NOTHER OF IRELAND'S "IMPARTIAL" JUNIES-IT WAS PICKED BY PARTIES INTERESTED IN THE RESULT.

Vitt; Lewiston precinct, Ras Yesterday afternoon the trial of United States vs. Edward Brain. chmond larnett; Anderson; Coveville precinct, John Bair; Trenton precinct, Wm. D.Good-win; Paradise precinct, Charlton M. Goldsburg; Hyrum precinct, Croyden H. Bevan; Wellsville precinct, Samuel W. Hall; Mendon precinct, Frederick Larson; Benson precinct, Edward Nelson: Newton precinct, Peter Christenson; Clarketon precinct, charged with resisting a United States officer, was called up in the Third District Court. Mr. Brown asked for a continuance of the case on the grounds set forth in the following affidavit: Edward Nelson: Newton precinc Peter Christensen; Clarkston precinc

"Edward Brain, the above-named defendant, being first duly sworn, de-poses and says: I have fully and fairly stated the facts of this case to Arthur Hyrum Peterson; Providence precinct Mark Fletcher; Miliville piccinct Lewis H. Norman; Peterborough pre-cinct, Michael Poulson.

> Favorably Impressed. - The good that might be accomplished at little

expense and trouble by the Saints in this country mailing copies of the NEWS or other representative papers to their friends is occasionally illustrated by letters received from distant readers of this journal. A resident of this Territory who recently returned from a mission to England, and who since his return subscribed for a copy of the NEWS to be sent to his relatives

ends us a letter which he has just received from his nephew to show the effect which the reading of the papers has had upon him. It reads as follows.

has had upon him. It reads as follows. "I thank you for the papers. I have received two besides the ones you have ent me, which have, I suppose, come direct from the printers. We have read them through, and I think it shameful the way your brethren are being per-person of the printers. We have read them through, and I think it shameful the way your brethren are being per-person of the printers. We have read them through, and I think it shameful the way your brethren are being per-person of the printers. We have read them through and I think it shameful the way your brethren are being per-person of the printers. There is one fea-ture very prominent among the Saints acknowledging their plural wives and in being willing to suffer the penalty the judge inflicts upon them, which we the judge inflicts upon them, which we phase will get their deserts. I also sin-erely hope they will net overcome porty, which it appears to me by your papers, they would like to do. I also inderstand that they can punish a man after he is released, if he still supports more than one wife, they can imprison him again, which if correct I whick rather a strange law if law we way call it. It is far from being jus-tice, but there is a day not far distant when all shall be judged according to this the now persecuted ones shall re-recive their reward, for I certainly think your faith is the right one. I cannot ind anything wrong about it, and I have studied all that yon have pointed out to us anu also the papers.

EDWARD BRAIN. "Subscribed and sworh to before me this 1st day of May, A. D. 1886. EDWARD B. CRITCHELOW, Notary Public." Mr. Dickson opposed the application for a continuance, which was re-

Arrival of Immigoants .- The comany of immigrants, concerning whom erable anxiety was felt in conse

uence of the reported delay through a strike on the U. P., arrived at Ogden about 7 o'clock this morning and in this city at 12 m. They were presided over by Elder Edwin T. Woolley, as-

sisted by Elders J. L. McMurrin and C. J. Stromberg. The company numbered 180 souls, including 17 Elders. The voyage across the ocean, which was made on board the S. S. Nevada,

occasions.

-Twenty-one sections of desert land are being taken up at the mouth of Big Piney, Wyoming, for an English settle-ment, and a new town will probably spring up there with the advent of the Deputy Registrars .- The Utah Commission have appointed the fol-lowing deputy registration officers: County-Logan precinct The nct, Aaro

-The site for the Wyoming Univer-sity has been fixed upon. It is to be built in the Laramie City Park, and the U. P. Company have sold 10 acres of land adjoining it for university pur-poses at \$37.50 per acre.

The treasury box taken by the Idaho stage robbers a few days ago was re-covered the following day with all its contents intact, except the \$12,700 in cash, which the robbers got away with. It is not likely that they will be caught.

-Last Wednesday Wm. Nichols, a machinist at the Ontario mill, Park City, was painfully burt in the left eye by having a piece of steel filing fly into t. The inflammation was severe, but t will nol be likely to damage his eye-

-It is feared that Roberts, the mail carrier who was fatally buried in a snow silde on Red Mountain, Colora-do, two weeks ago, was Clark Roberts, formerly of Provo, or his eldest son, who were both mail carriers in that

-The Butte Free Press says: "It is rumored that the Union Pacific in-tends building a hospital in Salt Lake City for the accommodation of the patients from the Oregon Short Line, the Utah & Northern and a portion of the main line.

-The Cassia County (Idaho) Times says: "There is a family of children in Albion consisting of four pairs of twins, aged two, four, six and eight years. The mother is strong and robust, but the father is on the de-cline '7

-Tuesday morning Wm. H. Gray, employed at the Outario mill, Park City, had the first and second fingers of his left hand "seriously injured, While raising some machinery his hand caught in the chain blocks. Amputation of the first finger may be necessary.

-A 22 ounce nugget was found in the Myrtle claim, Trail Gulch, Cour d'Alene, a few days since. It is flat in shape and carries a tittle quartz, which, however, is not estimated over an ounce. Reduced to coin the nugget will weigh, at \$16 an ounce, \$333. This is the largest piece ever found in Cœur d'Alene.

-Another big fire occurred in Batte on Friday morning last. It broke out in a frame boarding house occupied by Mrs. Gordon and owned by Messrs. Curtis and Majors, and communicated to two other buildings, all of which, with their contents were consumed with their contents, were consumed, the lodgers having barely time to make their escape without securing their

-H. Duffin, C. H. Wright, Andrew Jacobson and Joseph Lewis left Bear Lake Valley a week ago last Sunday for Blackfoot, to stand trial for unlaw-ful cohabitation. Samuel Humpareys also went, as he is expected to be there for re-sentence, the supreme court having affirmed the decision of the lower court in his case. the lower court in his case.

-A painful accident befel John A. Sutton, Jr., of Paris, Idaho, a week ago Saturday. While shaking his bed clothes he accidentally dropped his pistol, which was thus discharged, the ball entering his leg just below the knee. It went in one side and passed clear through, making a very painful and serious flesh wound. The acci-dent occurred at Montpelier.

-The question of ownership of the coal lands 20 miles west of Fort Fet-terman, has been decided in favor of Wm. Nuttall and E. J. Wells. At the



good orchestral accompanament. The end men, Joe Hart and Lew Benedict, were first class; Theo. Jackson was the interlocutor, and the jokes were an impartial jury, the question of the officer being interested, or a witness in the case, was not a ground of chal-Mr. Brown followed and drew the

the interlocutor, and the jokes were new and pleasing. A very smusing operatic burlesque act concluded the bill. In the remainder of the pro-gramme everything seemed to find favor with the audience. Of course, Lew Benedict was original and funny, and the contortions of Prince Pharaoh were the best ever seen here. The bell ringers most acceptably performed their part, as did Messrs. Cline and Lovick in the cornet duets. Messrs. Mark, Kennedy, Welby, Pearl and Mc-Cann did spiendid work with the clogs, and were plainly appreciated by the audience. The entertainment was a good one and worthy the generous patronage it received." attention of the court to the fact that no denial had been made of the allegations in the affidavit, and that the prosecutor had not cited a single authority to sustain his argument. The fact that the officer selecting the jury was the injured party and the prosecuting witness made the challenge good under the common law to a jury chosen outside of the statute and under the common law. Mr. Brown held

that if the common law method of securing a jury were adopted all the Raids in Beaver County .- A week incidents thereto should be considered ago yesterday, as we are informed by and not be mixed with the statute, the Southern Utonian, Deputy Gleason, which only affected a jury empaneled accompanied by the local factotum, under the statute. Wm. Thompson, paid early visits to The court held that the fact of the the residences of W. J. Cox, George officer being interested as a wit-Hales and James Farrar, where they ness in the case did not disarrested those gentlemen on charges of qualify him from summoning a unlawful cohabitation, and served jury, and overruled the challenge. subponnes upon certain members of Cierk M. McMillan was then called their families, requiring them to apand examined as to the reasons for, pear before U.S. Commissioner Wiland method by which, the regular jury kins. Each of the accused waived an panel had become exhausted during examination and was bound over to await the action of the grand jury in had been on account of the number of the sum of \$500. Mrs. Hales was also required to furnish security for her and the issuing of additional venires appearance as a witness in the amount for that purpose. of \$300.

In answer to a question by Mr. The following day Mr. Jones, of Adamsville, was also arrested on a Brown, Mr. Dickson replied that he similar charge, and members of his did not pursue this method for the family subprenaed to appear that after-noon, but it seemed to be a case of of the open venire process. Mr. Brown's objection on this point mistaken identity, as the accused was was overruled. soon allowed to return home a free Twelve men were then called, as man. jurors, one of whom, J. B. Paxton, was compliment to that gentleman and his

The Wool Growers. - The wool ground that he had been summoned dence of the most substantial characby Captain Greenman, who was Intergrowers' convention met in the City Hall yesterday, and Mr. Joseph Hark- ested in the result of the trial. The er was elected chairman and Mr. Reed | challedge was overruled by the Court, Smoot secretary. A committee, ap- and Mr. Paxton was then peremptorily excused by the defense. The jury em pointed for the purpose, reported the following resolutions, which were paneled to try the case were as follows: adopted:

To the Honorable the Senate and House of Representatives in Congress as-

Your memorialists, the wool growers of Colorado, Wyoming, Utah and Ida-ho, in convention assembled, this 3rd day of May, 1896, in Salt Lake City, and representing a combined capital of \$25,000,000, beg leave to submit the following preamble and resolutions, and ask a careful deliberation of our cleims: and your memorialists will claims; and your memorialists will

and ask a careful deinberation of our claims; and your memorialists will ever pray: Whereas, The wool growers of Colo-rado, Wyoming, Utan and Idaho, in convention assembled, in the city of Salt Lake, this 3d day of May, 1886, representing 6,000,000 sheep and a com-bined capital of \$25,000,000 havested, and an annual yield of 36,000,000 pounds of wool; and Whereas, Sald industry has been greatly injured by the reduction of the iariff bill of May 3d, 1885, and is now threatened with total destruction by the bill presented by the committee of ways and means of the House of Rep-resentatives, which places foreign wool on the free list; therefore, be if *Hesolwed*, That we, the wool growers in convention as the tariff bill now before Congress which places wool on the free list, and ask in its place the restoration of the tariff of 1867, in its entirety, as relates to wool and woolens, by which, for the first time in the industrial history of the country, equitable relations were established between the duties on wool and those on woolen goods.

Aaron Sullivan, T. W. Whitely, Henry Carrigan Edward Roche, W. E. Blenney, W. T. Barbee. C. E. Brim, S. S. Maxwell, D. C. Murphy, E. A. Whittaker W. F. Garrish. The indictment charges that on July

Cells Alsberg sufficiently accounts for 4th, 1885, while Deputy Marshal John W. Greenman was attempting to serve Mr. Morrison, in the part of the vila subpoens on the defendant's wife, lain Angelo, did some fine and Aonie Peters Brain, the defendant incareful acting, and showed something terfered, and presented a platol, told of the possibilities of such a character the deputy that if he continued in the as lago in his hands, a part in which manner he was then proceeding he. many hope to have the privilege of

would treat him as a mob seeing him ere the present engagement The allegations made by the prosecucloses. Mr. Sheridan had no chance tion are denied by the defense, who as the Duke to appear to advantage, characterize them as an effort to ter- but bore its light honors with a digalty rorize anyone who demands, as was worthy of better opportunities. The public know what Sheridan is capable done by the defendant in this case, to know by what authority a person claiming to be an officer acts before of, however, and need not be reminded that he was not seen at his best last night. Miss Alsberg created a favorapermitting him to enter his house. ble impression as Isabella, a part of The examination of witnesses was

proceeded with this afternoon. to its requirements, she gives promise of future development. It must be re-membered, in criticising her, that she Early Potatoes .- A resident of the 30th Ward who scattered a quantity of is an amateur, but one possessing both light manure or litter over a piece of

Wm. Nuttall and E. J. Wells. At the depth of 140 feet a 7% foot vein was found between well-defined sandstone walls. The vein pitches about seven degrees to the northeast. It is said that it is the best gasing and coking coal ever found in the Territory, and has been sold in Fetterman for black-smithing purposes for \$10 per ton. The surveys of both the Wyoming Central and the Wyoming, Montana and Paci-fic railways pass across this land with-in a hundred yards of the mouth of the tunnel. declared by the officers the most pleasant they had experienced in many years. On the first Sunday out the Saints held religious service in the

steerage department and or the second in the cabia, a large number on the other passengers attending upon both The journey overland was equally leasant with the exception of delays. They were first detained six hours at

-During the past week the Anaconda Review claims to have come into pos-session of another plan in regard to the third rail project from Garrison to Butte. This scheme is that the line of the Utah & Northern, north of Stuart, not including the Anaconda branch, is to pass into the hands of the Northern Pacific Railroad, which will lay its own track. A third rail will be put down from Anaconda to Butte, and the line operated independently. It will be owned in equal shares by the two companies and operated under the control of a board of directors selected from both companies. No stat ment Salamanca, New York, through failure o connect, and then 12 hours at Laramie in consequence of the brakemen striking for higher wages. When they company finally were allowed to leave there about a dozen of them happened to be away from the train and were left. Brother Woolley also stayed behind to assist them in overtaking the company. They were finally allowed to board an engine and go on. On reaching Rawfrom both companies. No statement is made with regard to the putting on of a third rail from Pocatello to Silver Bow. T. L. Kimball, the General Traf-fic Manager of the Union Pacific, has lins another stoppage occurred, the strikers at that point refusing to allow he train to proceed without orders from Laramie. After two hours' de-iay a dispatch was received from the strikers at Laramie, cousenting to the train being allowed to proceed if a conductor could be found will-ing to take it and be branded as a "scab," but on no account must a brakemah accompany the train. When the dispatch was received and read one courageous conductor stepped forth to take the train, not daunted in the least by the opprobrious epithet which the strikers applied to him. from Laramie. After two hours' dethe first term of court in the year. It a "scab," but on no account United States cases named; for trial, When the dispatch was received and

"Measure for Measure." - The audience which greeted the Lewis Morrison combination at the Theatre

last evening, was not only a flattering

the names of Morrison, Sheridan,

Davenport and the rising young star

great capacity, and though not fully up

talent and beauty. Mr. Wessells as

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presented here-certainly not for many

years-no doubt dkl much to induce the large attendance. As for the rest,

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