MODESTO SICHER.

The Defense Began the Unfolding of Its Story This Morning.

WITNESSES AS TO CHARACTER.

The Accused Will Go Upon the Stand Presently and Make His Statement.

The trial of Modesto Sicher on a charge of wilfully murdering Giuseppi Morano, in Farley's canyon, was resumed before Judge Baricn and a jury in Judge Barich's court this morning, the same counsel appearing as on the two preceding days.

Giuseppi Fiabalo was recalled by the prosecution and asked one or two questions in regard to his former testimony. To Judge Judd, witness stated that when he pulled himself out of the hole at the claim by means of a rope, after Morano had been shot, he found him sitting down.

In answer to Attorney Stephens, the witness said he got out of the hole upon hearing Morano call. The trouble between the deceased and Sicher was then over.

The prosecution here rested, and witnesses for the defense were called by Attorney Stephens.

Mrs. Susan Dozier, who resides in Farley's canyon, near the waterworks, said she had known the accused for the last two years as an honest, hard-working man. He had the reputation of being a peaceable and law-abiding man.

F. C. Thompson, school keeper, of Park City, had known Sicher between three and four years and testified similarly.

Fred Lingren, a railroad man of this city, had seen a good deal of Sicher during the last two years. His reputation, he said, was good. Witness worked with him in a mine for a couple of weeks.

Angelo Bergadilo, a farmer, who resides about a mile northeast of the penitentiary, says he was acquainted with Sicher when they lived in the Tyrol (on the borders of Switzerland.) Deceased and worked for him here and he had borne a good reputation. When 17 years old Sicher came to Pennsylvania and then moved westward.

H. A. Harris, a farmer living near Emigration canyon, said Sicher had worked for him off and on for four years in the quarry. His reputation was good.

Mrs. Maria Tonnis, a Norwegian, said she had known Sicher about two and a half years and he had lived and boarded at her house. She also spoke very favorably of him.

A. Anderson gave similar evidence, he being a son of the last witness.

C. H. Dysert, a draughtsman, testified to having prepared plans of the lands of the Brooklyn, these being offered in the suit now pending. He was interrogated by Attorney Stephens in reference to the various points.

Russel L. Tracey and John F. Evans were also questioned in regard to the place.

George Tonolo said Sicher was a former patient of his in an oil mine in Farley's canyon, and which was taken up about two and a half years ago. He had seen Sicher a good deal during the last five years and knew him to be a peaceable, law abiding man. On the Thursday (or Friday) night before the tragedy witness saw Sicher went to Sidwell's saloon on West Temple street, had some beer, and Sicher afterwards went down to see Joseph and Charles Morano concerning an interest in the claim. Upon Sicher's return in about fifteen minutes they had some more beer and he and witness left for home together, between nine and ten o'clock.

In answer to Judge Judd, the witness said that Charley Morano came to the house that night after dinner had been done to the Morano.

John Dozier, of Farley's canyon, was next called. Sicher, he said, had lived near witness, in a sort of board shanty by the waterworks, for the last two years. His character had been good. On Sunday, the morning of the tragedy, witness saw Sicher about twenty minutes to twelve o'clock. Sicher requested that he would accompany him to the mine in order to be a witness that no stakes had been put in on the claim there by some partners of his. He did not know whether or not anyone else had gone on home. Witness did not, however, go up there with Sicher.

"Why didn't you?" asked Mr. Stephens.

Witness—"I said I would go up with him after I had eaten my dinner, and he went away, saying 'all right' that he would go up."

"Where did Sicher come from?" asked Judge Judd.

"I think he came down the canyon," answered witness.

To another question witness said it was a little over a mile from witness's place, where the conversation between Sicher and Mother took place, and the spot where Morano was killed.

Very slow progress was made with the trial during the afternoon and at 12:15 court took a recess till 2 p. m.

The first witness this afternoon was Sheriff M Q Sonn, recalled by the defense. He said that on the drive from Park City to Salt Lake, after Sicher's capture at the former place, he had a conversation with the accused. Mr. Stephens requested the witness to state what it was, but Judge Judd objected to it.

A private conference was then held between the court and counsel on either side, the result of which was that Attorney Stephens called the official stenographer up to the bench to take down what he said to the judge, in order that the jury might not hear what passed.

"That's all," Uno remarked Mr. Stephens, as he turned around, and Sheriff M Q Sonn stepped down.

Deputy Sheriff Ab Dyer, who accompanied Sheriff McQuinn to Park City, was next asked whether Sicher gave any reason for running away after the shooting, and witness said he did not.

E. F. Hill, who resides in a cabin in Farley's canyon, near the waterworks station, of which he was part owner, testified that he had been acquainted with Sicher for the last two years and had seen him almost daily. His reputation was good.

Then Attorney Stephens questioned witness as to a conversation he had with Charles Morano in reference to the location of a claim, in Farley's canyon, some four weeks prior to the shooting, but Judge Judd objected to this as irrelevant, saying that the declarations of Charley Morano could not bind the prosecution in any way.

The court sustained the objection and an exception was noted by the defense.

Witness, continuing, said that some three or four weeks before the tragedy, about noon one day, he saw the two Moranos at Sicher's cabin. On that occasion they were armed. "I noticed," said the witness, "as though they had pistols, both Winchester and sporting combined." He was near enough to observe this, and he also saw the Moranos there with loaded arms on two other occasions.

"Did Sicher after one of these occasions from a pistol from you?" asked counsel.

"Yes, sir, he did," replied Mr. Hill, who, by request, proceeded to take the weapon out of the U. S. Marshal's office.

"How many cartridges were in it the last?"

"I think, to the best of my recollection, there were three or four."

Witness further stated that on the morning of the killing Sicher wanted him to come to my house to the claim for his relative at the waterworks prevented me from going. The reason that Sicher asked him was that he should go up and see that his (Sicher's) claim was stolen and "something to law," as the Moranos, he said, were trying to jump him. When he left Sicher he could not go with him it was somewhere between 9 and 10 o'clock, and witness believed he went up the canyon. When he came back later he returned the pistol.

Juror Judd asked to be examined. Sicher Mother narrowed the pistol, about four weeks before the killing, what did he say he wanted it for?

"He didn't state to me—only he said he wanted something for protection."

Sicher lived just opposite from witness's house, and with the exception of about one week, defendant slept there during the entire four weeks prior to the tragedy.

Witness was positive that Charlie Morano was armed on each of the occasions referred to.

"But could you say that Joe (Giuseppi) Morano had arms on either of those occasions that you saw him there?"

"It seems to me he did on the first occasion."

"Can you say he had any?"

"I would not swear."

Witness further said that when he lent the pistol to Sicher three or four cartridges were loaded. When returned there were one or two cartridges left in it.

Counsel Matt G. Taylor was next called to the stand and was testifying when the News reporter left.

AN ADVERTISING MEDIUM,

And Not a Confidence Game as Reported.

In last evening's News appeared a paragraph under the heading, "A Confidence Game," in which it was stated, in effect, that a swindle was being worked in this city, by the use of "bogus blanks, and endorsements by the Women's Christian Temperance Union," which game consisted of obtaining subscriptions to mythical books, and collecting $2.50 from each subscriber, "who never again saw the agent." An attorney named Fox and the alleged book vendor (the latter, from whom they were obtained by a News reporter).

This morning Mrs. N. H. Tibbals and Mrs. E. S. Shepard, president and secretary, respectively, of the W. C. T. U., called at the office and explained that a local printing house was publishing a monthly pamphlet, containing the history of the W. C. T. U. and an account of its work, interspersed with advertisements, which pamphlet was designed to publish an extension, and to send to the Unions throughout the state having spaces to fill were sold at $2.50 each. The agent whom Attorney Fox supposed was defrauding book buyers was in reality an advertising solicitor, employed by the printing house referred to, in a legitimate way.

There was nothing in the News's article which in the most remote way intimated that the W. C. T. U. were in collusion with the wrong-doers, and this explanation is cheerfully made in justice to all concerned.

It is proper to add here that there are facts connected with this matter which indicate the possibility that exactly the kind of a swindle said to have been worked by Attorney Fox, is being worked in this city, and that it has no connection with the advertising enterprise referred to. While looking in Chief Platt, Capitol Director and a News reporter, Mr. Fox expressed the opinion that the W. C. T. U. could not possibly be connected with the swindle, and the girl in the hat that it might serve to cover up a confidence game.

From Tennessee.

Yesterday afternoon Elder H. L. Hunter, who his home is in Oakley, Cassia county, Idaho, reached this city, on his return from a mission to Middle Tennessee. He departed on his mission, from this city, Sept. 21, 1892, and hence was absent over two years. He labored during the whole of that time in the state named. The work is progressing very favorably in middle Tennessee, where was the scene of Elder Hunter's labors, elevations being frequently made in new baptisms.

At Kansas City Elder Hunter fell in with President Eliza S. Kimball, of the Southern States mission, who was returning home with the remains of Elder Carter, of Morgan county, who died in South Carolina. Elder Hunter will spend some time in this city before proceeding to his home. He is in good health and spirits.

Reception and Banquet.

The News acknowledges, with thanks, the receipt of an invitation to be present at a reception, banquet and call to be tendered Governor West, commander-in-chief, and visiting officers of the National Guard of Utah at Logan on the evening of November 2, by companies F and M. The affair is the dance in Captains Wilcox and Irvin and Lieutenants Lawson, Cable, Newcomer and Evans. The reception and banquet will take place at Hank's hotel and the ball at the Theatre Opera House.

SWENSON'S SENTENCE.

Judge Barich Orders Him to be Imprisoned for Two Years.

The Defendant Was Convicted of Shooting at His Uncle, Carl Anderson, Near Murray.

This was the day set for passing sentence upon the defendant, Andrew Peter Swenson, convicted last week in the Third district court of shooting a his uncle, Carl Anderson, near Murray, with intent to do bodily harm. Attorney Corey had given notice of his intention to move for a new trial, to this morning he informed the court that he should not proceed with the matter further.

Judge Barich then requested the defendant to stand up and Attorney Corey said a few words in mitigation of punishment. He stated that Swenson had a young wife, having been married something like two years, and she and the five months old babe were now entirely dependent. This was the case, therefore, he hoped thought, which justified some consideration at the court's hands.

Judge Barich remarked, however, that he thought it was a case calling for the maximum penalty prescribed by law—two years in the penitentiary, and said he considered this sentence for the class of crime.

Judge Barich, in passing sentence, commented upon the gravity of the defendant's crime, and said it was in fact of his (Swenson's) that he did not now stand convicted of murder. He endorsed the remark of the assistant district attorney that the punishment was altogether inadequate for the act of crime. While the court had sympathy for the defendant's young wife and babe, he had a duty to perform to the public. The sentence would be two years in the penitentiary.

Swenson appeared to feel his position keenly and shed tears. His wife also cried bitterly both before and after the pronouncement of sentence. They took an affectionate farewell before the defendant's removal to prison.

The First Unitarian.

Articles of incorporation of the "First Unitarian Society of Salt Lake City" were filed with County Clerk Merry this morning. It is set forth that "the purpose for which the society is formed is not pecuniary profit, but religious and moral instruction and study."

The trustees are as follows: Walter Alley, Nat. H. Brigham, Elmer B. Jones, Henry W. Lawrence, Eugene Lewis, S. J. Lyon, V. M. C. Sims, Charles S. Varian, and C. A. Whitney.

A long list of names of members follows.

Judge Blair indisposed.

There has been no session of the probate court today, Judge Blair being confined to his room with a severe cold. Matters set down for hearing may have therefore gone over. The judge's many friends wish to see him well again and back at his post.

The Debate.

Mr. Paul Hammer, treasurer of the Salt Lake Tribune, is been busy all day informing a good assorted crowd that the reserved seats for the joint debate between Judge Powers and Judge Goodwin would not be on sale until tomorrow (Thursday) morning at 10 o'clock. The general sale would be at 25 cents, reserved seats 50 cents. As the indications are that there will be standing room only, everybody desiring to hear the debate should early and get a reserved seat.

Political Meeting.

In the Barnes school house tonight at 8 street, Messrs. Orson F. Whitney and F. S. Richards, Democratic candidates to the Constitutional Convention from the Fourth precinct, will speak to their constituents. Mr. M. S. Woolley is also expected to make a brief address. Judge Powers will preside.

Matrimonial.

The county clerk today issued marriage licenses to Walter Best, 23, of Mill Creek, and Nellie Cash, 21, of Salt Lake City, to Charles Lee Hodgkins, 25, and Hattie A. Lawson, both of this city.

TO SEE SUGAR MADE.

Visit of a Large Party to the Sugar Factory at Lehi.

This morning a large party of prominent citizens took a south-bound R. G. W. train, on a trip to the Utah sugar factory. The party included President Wilford Woodruff, George Q. Cannon and Joseph F. Smith; Elias Morris president, and H. G. Whitney secretary and treasurer of the Utah Sugar company, and the following directors of the company: Spencer Clawson, L. G. Hardy, George M. Cannon, Francis Armstrong, James Jack, Henry J. Grant, John Beck and William B. Preston.

Accompanying the party, as invited guests, were a number of wholesale merchants of this city who handle the product, and also several bankers. Not all the gentlemen of the party were accompanied by ladies.

On arrival at the factory, the party were cordially received by Manager Cutler, after which they went into the fields where the beets were being dug, and saw them taken from the ground, trimmed of their tops and loaded into wagons. The party saw the beets fresh from the ground, dumped into the sheds, and followed them through the whole process of being manufactured into sugar, going through the factory for the purpose. All were very much pleased at what they saw, and a number of the honorary gentlemen present asked that they had no idea of the vastness of the concern, and praised the enterprise in unbounded terms.

After witnessing the process of manufacturing the beets into sugar, which their eyes, the party sat down to lunch in the company's boarding house, Manager Cutler sending the bill of fare. Immediately after lunch the party boarded a train which arrived in this city at 1:30.

The output for the thirty days that have elapsed in the season's run is 1,700,000 pounds. Since it became generally understood that a refinery did was on foot to crush this great Utah industry, the officers of the sugar company have received from all over the Territory the most earnest assurance of the support of both merchants and people. An expression of the feeling of the retail merchants of Ogden has been received, which is to the effect that they will handle Utah sugar only, and from wholesale dealers in this city, and merchants of other cities in the Territory, assurance have been communicated to the sugar company that its product will be given the preference over the imported.

In this connection it may be proper to say that all rumors to the effect that the sugar factory is about to quit taking beets from the farmers, or confiscate prices reducing the price of them, are unfounded. The beets are received from the farmers and paid for in pursuance of written contracts between them and the Utah Sugar company, and the latter will live up to these contracts strictly.

Land Office.

The following filings were made in the local land office under date of Oct. 31:

Margaret A. Pierce, of Adamsville, Beaver county, final proof, homestead, southeast quarter of the northwest quarter of section 30, township 29 south, range 8 west.

James E. McKnight, of Minersville, Beaver county, final proof, homestead, south half of the northeast quarter, and the southwest quarter of the northeast quarter of the southeast quarter of section 10, township 30 south, range 8 west.

OGDEN.

OGDEN, UTAH, - OCT. 31, 1894.

Opium Den Raided.

The police on Monday night raided an opium den on Twenty-fourth street. While Officers Silvey and Pender watched the house two white men and a white woman entered. After waiting a sufficient time the officers burst into the room and arrested the white men and women. The Chinaman made good his escape. They will have a hearing before Justice Bagley.

U. P. Officials.

S. H. H. Clark, receiver of the U. P., E. Dickinson, general manager of the U. P., with other officials, arrived yesterday afternoon from the north. While here a committee of Ogden citizens waited upon them to use their influence to have reinstated employes discharged during the late strike.

Serious Accident.

T. Ferris, son of Bishop Ferris of Eden, met with a serious accident. He is located at Promontory and while out riding, some thirty-five miles from the railway, he was thrown from his horse and the animal fell upon him. He was brought to Ogden. Dr. Gordon attended him and found that his left arm was broken at the elbow and that the limb was dislocated.

A World's Tribute.

America Leads the Nations in the March of Progress.

Among the wonders of the World's Columbian Fair the grandest was the exhibit of American products. The Exhibition was, in this respect, an object lesson of the greatness and glory of the Republic. Among the exhibits from the United States no article of its class stood so high as

Dr. Price's Cream Baking Powder.

The Chief Chemist of the Agricultural Department at Washington, backed by an intelligent jury at the Exposition, found it strongest in leavening power, positive in its purity and beyond comparison in uniform excellence.

Received Highest Award At the World's Fair.

The award is a matter of official record.

Nothing could settle so decisively the immeasurable superiority of Dr. Price's over all other powders as the great honor bestowed at Chicago.

COMMERCIAL

SALT LAKE CLEARING HOUSE.

Today's clearings from exchanges amounted to $193,749. Same day last week, $180,554. Monthly clearings, $5,09[illegible]. Same month last year, $3,417,782.

TODAY'S QUOTATIONS.

New York.—Silver, 6[illegible] cent, $5.50.
London.—Silver, [illegible]

ORE AND BULLION.

McCornick & Co., received today: Bullion, $5,[illegible]; silver and gold ores, $9,100. Total, $14,1[illegible].

Wells, Fargo & Co. received today: Ores, bullion, $4,[illegible].

T. R. Jones & Co., received today: Bullion, $3,220; ores, $2,[illegible]. Total, $12,[illegible].

REAL ESTATE.

Transfers filed in the office of Co. Clerk Merry of Salt Lake City, Utah, Oct. 30, 1894.

Warranty Deeds.

A. W. Gauer et ux to W. A. Gauer, part of lots 1 and 2, block 3, Gauer's and Salt Lake addition. 1,[illegible]

George A. Fox et ux to Verona A. Fox, part lot 3, block 6, plat D, Salt Lake City survey. [illegible]

Annie Lee Hammond to Warren Monroe Hammond, the western half of lot 3, block 10, Salt Lake City survey. W. R. S. C. L. [illegible]

STOCKS AND MARKETS.

NEW YORK STOCKS.

Sugar	[illegible]	Pacific Mail	[illegible]
Chicago Gas	[illegible]	Denver & R. G.	[illegible]
Tobacco	[illegible]	Reading	[illegible]
Cotton Oil	[illegible]	Lead	[illegible]
Distillers	[illegible]	Rock Island	[illegible]
Lead	[illegible]	Lackawanna	[illegible]
Louisville Gas	[illegible]	Western Union	[illegible]
Leather	[illegible]	Leather	[illegible]
Leather, preferred	[illegible]	Texas Pacific	[illegible]
Northwestern	[illegible]	Union Pacific	[illegible]
Northwestern, preferred	[illegible]	Pacific Express	[illegible]
Sugar	[illegible]	Adams Express	[illegible]
Sugar, preferred	[illegible]	Sugar	[illegible]
Cal. Southern	[illegible]		
Cal. Southern, pf.	[illegible]		
Norfolk Western	[illegible]		
Norfolk Western, pf.	[illegible]		

CHICAGO MARKET.

Wheat—Oct. [illegible]; Nov. [illegible]; Dec. [illegible]; May [illegible].
Corn—Oct. [illegible]; Nov. [illegible]; Dec. [illegible]; May [illegible].
Oats—Oct. [illegible]; Nov. [illegible]; Dec. [illegible]; May [illegible].
Pork—Oct. [illegible]; Nov. [illegible]; Jan. [illegible].
Lard—Oct. [illegible]; Nov. [illegible]; Jan. [illegible].
Short ribs—Oct. [illegible]; Nov. [illegible]; Jan. [illegible].
Flour—Nov. [illegible]; Dec. [illegible].
Barley—Nov. [illegible]; Dec. [illegible].
Flaxseed—[illegible].
Timothy—[illegible].

DRAPER.

Winnie—In this city, Oct. 30, 1894, of consumption, Jane E. Wright, aged 37 years. Funeral services will be held Thursday, at 2 p. m. in Cottonwood ward meeting house. Friends of the family are respectfully invited to attend.

Funeral was a resident of Salt Lake City for the past 12 years.

Barnum—In the Twenty-first ward of this city, October 30, 1894, Frank, infant son of Joseph and Ellen Barnum, aged 1 year and 3 months. Funeral services will be held at the residence of the parents, Edward James, son of Edward and Ellen Jones, aged three years, twelve months and thirteen days.

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

Big stock of World's Fair goods just arrived, at 211 State St.
M. WEBBER,
WARREN PAUL.

Nothing is so delicious as a good cup of tea. If you drink the Pride of Japan, (Tea Tea) you will be convinced that it is the best. Take no substitute.

The Perfume of Violets
The purity of the sky, the glow of the rose, and the flush of Hebe combine in Pozzoni's medicated Powder.

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 Two to Ten Dollars. We don't want a Wrap left by November First. We want increased room for our Dry Goods Department, so 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 get your feet nicely fitted, but call early. Mail orders can be filled by giving sizes.

SILKS.

About Ten Thousand Dollars worth will be thrown on our counters, at prices that all can afford a Silk Dress. We are showing about Five 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 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 less 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 fully Thirty-five Thousand Dollars.

REMEMBER the Three Great Specialties,

SILKS,
SHOES,
CLOAKS.

R. K. THOMAS.