

it was intended that a majority voting on an amendment should be sufficient.

The decision carries two other amendments with it. One of these does away with the office of district attorney, substituting county attorneys. The other segregates the offices of probate judge and county school superintendent.

Secretary Rognon continues to receive letters from Pioneers, who relate many interesting incidents of Pioneer life. Among the most recent is one from George W. Brown, of Charleston, Wasatch county, who states that he drove Dr. Richards's team and that he was the first man to plow a furrow in Utah. The ox teams were sent ahead and camped all night on Mill Creek. The next day they drove to where the Temple block now is, and George A. Smith and Dr. Richards both felt that was the place to stop. E. A. Smith said when he arrived on the spot he could hardly get his horse along. The writer then relates that they formed a corral of their wagons and after holding a short meeting a contest was held to see who should plow the first furrow, and that he was the one to win, plowing two furrows before the others were ready to begin work. He states that ten acres were plowed that day by the company, the first furrow being made on what is now East Temple street.

Superintendent James Hagan of the Gladstone mine was seriously stabbed in the abdomen at Mercur Thursday afternoon by M. L. Gilligan, formerly employed as cook by the owners of the mine. It appears that operations ceased on the Gladstone property in July last. At that time some money was still coming to Gilligan. Hagan, however, had become responsible for the bills of the erstwhile cook. This week the Gladstone company paid up and Hagan retained Gilligan's money and paid the bills which he had guaranteed.

Gilligan became furious over the proceeding and peremptorily demanded the money due him. Gilligan grew very abusive and was slapped in the face by Hagan. The enraged cook drew a knife from his pocket and plunged it into Hagan's abdomen, inflicting a very painful and dangerous wound which was dressed by Drs. Castleman and Brant. Information received today is to the effect that he is progressing favorably and will recover. Gilligan was arrested and thrown into jail.

On Monday evening the News received a call from Elder Peter Le Cheminant of Pleasant Green, Salt Lake county, who returned on Dec. 7 from a mission to Great Britain. Elder Le Cheminant left home November 16, 1895, and on arrival at Liverpool was assigned to labor in the Cheltenham conference. During his travels there he was about three months on the Channel islands. He was well received by the people, and enjoyed his labors. Last spring he had a spell of illness, from which he recovered; about two months ago he was taken down again and his lungs were so seriously affected that he was unable to engage in missionary duties. For about five weeks he was confined to the house. In this

condition the presidency of the mission deemed it advisable for him to return home at once, and he was so instructed and was released. Since arriving home he has improved somewhat to the mountain air, but his lungs are yet severely affected. He hopes soon to regain his usual health. He reports the work in the Cheltenham conference as progressing favorably, the Elders there working energetically.

Sisters Zina D. H. Young, Mary A. P. Hyde, E. B. Wells and Annie Taylor Hyde went via D. & R. G. train to Mt. Pleasant to attend the Relief Society and Y. L. M. I. A. conference of Sanpete Stake held in the meeting house at that place on the 11th and 12th—Friday and Saturday of last week. The meetings, morning, afternoon and evening, were well attended, Mrs. M. A. P. Hyde presiding. President Peterson of the Stake presidency was present at all the meetings and addressed the sisters. Bishops and other brethren were also in attendance. The reports of presidents and officers from all parts of the county were excellent, and the subjects treated upon by the visiting sisters included home industries, especially sericulture, faith, charity, integrity to the truth and spiritual gifts and blessings, also the reading of Church works, sustaining of home literature, and Sister Zina gave some very interesting reminiscences of early days in the Church in Kirtland, Missouri and Nauvoo.

The sisters also visited Spring City and attended the Sabbath school there Sunday morning and Sisters Young and Wells addressed the children for a short time. Sister Wells returned home Sunday evening. Sister Young stopped at Springville to visit her brother, Oliver B. Huntington, and Sister M. A. Hyde and Annie Hyde remained in Sanpete and will hold meetings at Spring City and Ephraim before returning home.

SCHOFIELD, Dec. 11th, 1896.—Wm. C. Reese shot his brother Evan on Wednesday evening the 9th inst. The ball from a 32-caliber pistol entered the front and left side of the head, striking the skull bone and coming out on the same side about four inches from the place of entrance. Dr. J. W. Smith was called and dressed the wound. It appears to be not so very serious as at first thought. He bled very freely, but was able to appear in court next day. He refused to prosecute the brother who did the shooting, after the arrest was made. William has a family and Evan boards with him. He and the lady of the house were the only witnesses. They say they were having a friendly scuffle for the gun when it was accidentally discharged, but the neighbors say whisky and a family row did it.

The mines have been working good for a couple of weeks, and the railroad boys are worked nearly to death.

Wm. Palmer, the oldest hand on the road, is laid up with a lame back, but hopes to be able to get out again in a few days.

Coal Mine Inspector T. Lloyd is visiting the mines here this week.

Frank F. Strang, 21, and Minthia Palmer, 18, both of Scofield, have taken out a marriage license.

Two deaths have occurred at Win-

ter Quarters since our last writing, one a four-months-old baby of Mr. and Mrs. J. J. Bearson, and the other an infant baby of Mr. and Mrs. Joseph Richards.

Mr. James P. Johnson, who was injured by the train while working on the yard at the Winter Quarters mine about six weeks ago is still unable to work, and having a wife and six small children it comes pretty hard on him. Mr. Johnson's back was injured and he thinks it will be a long time yet before he can work.

#### MORMON BOY.

Chief Justice Zane handed down an opinion in the Supreme Court Dec. 10 in the case of the State against George Bates, appellant. The judgment of the lower court is affirmed, and the opinion is concurred in by Associate Justices Miner and Bartch.

Bates was tried on an indictment charging him with the murder of John Nordquist by striking him upon the head with a pole of wood. He was tried before Judge Street in Tooele county on April 7, 1896, and convicted by a jury of eight men. The latter fact is assigned as error in the trial, the defendant contending for a trial by a jury consisting of twelve citizens, alleging that the trial by the lesser jury was contrary to section 7 of article 1 of the State Constitution, which declares that "no person shall be deprived of life, liberty or property without due process of law."

In Sec. 10 of the State Constitution it says: "In courts of general jurisdiction, except in capital cases, a jury shall consist of eight jurors." Also in article 6 of the Federal Constitution it is stipulated that "in all criminal prosecutions the accused shall enjoy the right to \* \* \* a trial by an impartial jury of the State and district wherein the crime shall have been committed."

On the jury question Chief Justice Zane says: "To hold that the authors of the State Constitution intended by the use of the phrase 'due process of law' to require a jury of twelve jurors in all cases, would be to say in effect, that they intended to create a repugnancy in that instrument. The rules of construction of constitutional law, as well as statute law, requires that both sections shall be allowed to stand and effect be given to each. We are of the opinion that they can both stand together, and that no conflict was intended."

No error is found in the rulings of the lower court and the judgment is therefore affirmed.

From different parts of the city have recently come reports of small thievings which are very aggravating to the officers and the parties whose property has been molested. The officers of the law have been on the lookout and have made discoveries which would be a revelation to the public of which they little dream, were all the facts stated. It has been found that small gangs of boys anywhere from 12 to 20 years of age infest the city and carry on a regular piracy. Some of these crowds have a regular organization and all members therein are bound by the most blood-curdling oaths that have ever come to light. The officers say the boys belong to that class which are fond of perusing the pages of "blood and thunder"