

Wednesday, February 29, 1888.

## FRAGMENTS.

IVINS CONK was before Justice Pyper today for drunkenness, and got off with a fine of \$5.

JOHN JOHNSON, who was sentenced to the penitentiary last Friday, for unlawful cohabitation, is quite sick.

DR. BREDEMAYER makes his fourteenth day of his last today. He is not as lively a condition as he was a few days ago.

DAVID WEAVER got drunk last night and raised quite a disturbance. For this conduct he was ushered into the presence of Justice Pyper today, and the result is that he will labor with the chain gang for the next twenty-five days.

The regular monthly meeting of the officers of the Y. M. C. A. will be held Saturday (30 inst.) at 11 a. m., at the E. S. Hall, Fourth Ward. All interested in mutual improvement are cordially invited to attend.

MARY A. FREEZE.

The funeral service over the remains of J. E. S. Russell will be held tomorrow (Thursday) at 1 o'clock p. m., from his late residence, No. 222 W. Third South Street. Friends and acquaintances are respectfully invited to attend. Mr. Russell was an old resident of the Territory.

CHAS. P. GILLETTE was arraigned in the Third District Court today on an indictment charging him with grand larceny. He is accused of stealing a \$750 mare and a \$35 saddle. He pleaded not guilty. The court appointed W. G. Lee to defend him. Peter Tongue was also arraigned, charged with incest with his daughter, Sarah Tongue. He pleaded not guilty, and Mr. Winters was directed by the court to defend him. Both of the defendants were committed to the penitentiary this afternoon, handcuffed to each other.

## THE MURDER CASE.

The Prosecution Making Things Look Very Black for Mulloy.

Yesterday afternoon the jury in the trial of Neal Mulloy, for the murder of George J. Hughes, Park City, on the first of August last, was completed as follows:

Robert Gorihaki, Samuel E. Allen, Albert Shaw, John Rydahl, F. D. Child, George B. Smith, Wm. Cron, George B. Smith, Frank Smith, A. R. Carter, F. J. Fabian, George B. Smith, George B. Smith.

Mrs. Kate Hughes, wife of the murdered man, and Dr. Edward P. LeCompte, who conducted the post-mortem examination with Dr. Childs.

Master, were the only witnesses examined yesterday afternoon. This morning Dr. Manor was the first witness. After him came James Moffatt, an eye-witness to the whole proceeding. His testimony, is substantially a statement of the whole case, and was as follows:

On the last of August, last I was living near Park City, it was Monday, election day; I was in Capt. Brennan's saloon; Neal Mulloy and George J. Hughes were in Park City on the evening of that day, at the saloon; a little after 9 p. m. I saw Mulloy there; saw Hughes a few minutes afterward; they came into the saloon separately; Mulloy had been in the saloon, and went out before Hughes came in; he returned a few minutes later, when Hughes and I were standing at the bar; Mulloy came up and said he had voted; he had scratched the ticket; he was addressing Hughes and I; Hughes said he voted the ticket whole; Mulloy said he would not be compelled to do anything he did not want to; Hughes said he would not either; Mulloy said he had been once; Hughes said, "Yes, I was, several years ago. I was met on the street by MASKED MEN,

as he would talk the matter over with Mulloy and settle it; they then went out the side door and upstairs, the crowd following. (A diagram of the building was introduced and explained to the jury). Mulloy went up stairs and to a door that leads to the higher ground at the back of the saloon; there were about 13 steps to the platform, and then the door led out; Mulloy went on the platform first and I passed Hughes and followed him; Shears went outside; Hughes stood just inside of the door, and I stood between him and Mulloy; Mulloy said "Hughes, you bet yourself, I am here," and moved outside into the open air; Hughes jumped back to the middle of the platform; Shears and I tried to keep Mulloy out, but he turned, and came back to the door, which was open; he raised his right hand, in which he held a pistol; he stepped inside and put his left hand on the door jam, pointing his right toward Hughes; the latter started to go down stairs; I heard

A PISTOL SHOT, and Mulloy said "Take that, you son of a b—!" Mulloy held the pistol in his right hand; Hughes was going downstairs, looking backward; Hughes staggered against the wall; his left breast was exposed to Mulloy's shot; he made no threats, either by language or movement; when Hughes staggered, Mulloy looked at him for a moment and then went back; Shears asked, "What have you done, Mulloy?" Mulloy warned him to stop, but he did not, and Mulloy warned him a second time, raising his pistol and saying, "If you come any closer, I have bullets in this for you too?" Shears then stopped; the next instant Hughes was lying down in the saloon, and he said he was dying; the whole transaction took place before sunset.

On cross examination Moffatt said he and Hughes were members of the same lodge of A. O. U. W.; had not seen Mulloy before he came into court; had an argument with him about a time about election matters; about a week ago I looked at a copy of my testimony before County Judge Smith; I did not read it, because I knew what it testified to; when Mulloy and I were arguing, the keeper told Mulloy that the language he was using would not be permitted; he was talking about D. C. McLaughlin; I had drunk two or three glasses of beer; I was not drunk;

I thought at the time there were two pistol shots, but I think it was the echo, and that there was but one; I was considerably excited; I went on to the street, and shouted to Lynch Mulloy; D. C. McLaughlin stopped me; I knew what Mulloy meant when he spoke of Hughes having been compelled to do something which he did not want to do; they did not say anything further about the trampling of Murphy; I came up from Price, Canyon County, to vote.

Mr. Shears was the next witness called in the course of the trial.

Telegraph Rates.

The Deseret Telegraph Company has made its rate from Salt Lake to all parts of Sanpete County, 50 cents; and to Sevier County, 60 cents; to take effect March 1st. This will be of interest to the business public.

## CAPITOL HILL.

The Finest Site in the West for State Buildings.

As will be seen by the City Council minutes of last evening, the municipal authorities have taken a very commendable step in the way of reserving a place of ground east of Arsenal Hill for State buildings. A committee was appointed to consult with the Territorial representatives on this subject, the following gentlemen being selected—Aldermen W. W. Riter, Thos. G. Webber, W. S. McCornick, James Sharp and George D. Pyper.

Today a communication was sent to the Legislature, requesting that that body select representatives to confer with the City Council committee in respect to the movement, and Hon. L. W. Shurtliffe and Thomas Marshall were selected from the Legislative Council and Hon. Wm. H. Kimball and E. D. Hope from the House.

At 11 a. m. today, Governor West, Mayor Armstrong and the Legislative and City Council committees went up to the hill, and after careful examination selected a site for the capitol buildings and grounds, the area being about twenty acres. It will henceforth be known as Capitol Hill, and is beyond question the finest location for the purpose of any in the west. The tract of land is triangular in form, the apex pointing southward and directly facing the head of the State Road. From there the lines diverge to the east and west back to the base line. The view that is afforded of the city, lake and valley is surpassingly grand. On the site are to be located the capitol buildings, and the surrounding lands are to be arranged and a large city park in the rear, will certainly make "a thing of beauty" in the way of public grounds.

## CITY COUNCIL.

The New Members Sworn In—Land for State Buildings.

The City Council met in regular session on last evening, at 7 o'clock, Mayor Armstrong presiding.

Homer Duncan and others asked that the spill at the Corner of Seventh East and Third South streets be placed. Referred to the committee on public grounds.

Matilda Busby asked that she be allowed to purchase a certain piece of property. Not granted.

Daniel Crowler petitioned for a deed to a certain piece of property in Park City. Committee on public grounds.

L. M. Devereux was granted a free license to sell alcohol.

Christian Rix represented that some time since he petitioned the City Council for the privilege of running a water pipe from the main to his residence, but he had heard nothing of it. Referred to the committee on water works.

A communication from A. H. Winn was read. It is the same document that was published in the News of Saturday last, and was to the effect that he desired to see the public squares of the city, which he tried to jump, to the corporation.

Mr. Riter—I move that his apology be accepted.

Mr. Riter's motion was carried. The committee on fire department, to whom had been referred the annual report of the chief engineer, reported that, as it contained valuable information, they recommended that it be printed, providing the cost did not exceed \$50. Referred to the committee on public grounds.

Mr. Riter—I move that a deed be issued to Moses Bennett and Benjamin Berger. Adopted.

Frederick Heath asked for a deed for a piece of land in the city of Park City, which he alleged had been held by him for twenty years. Committee on public grounds.

Mr. Grant represented to the Council that for many years past, land had been held by the city on Arsenal Hill with the tacit understanding that at some time State capitol buildings would be erected upon it. He recommended that the city should move that in view of the recent trouble concerning the same, a committee be appointed to select and present to the Territory a site for the capitol buildings, say about thirty acres, making a resolution to that effect.

There was some discussion, some believing that twenty acres would be enough, and others that sixteen acres would be sufficient. The committee on public grounds, to whom the matter was referred, reported that the land should not be given except under certain conditions.

Mr. Riter said he did not desire that the capitol would ever be removed from its present location; still such an act could be done by the Legislature. The dedicating of the land in question would go far toward settling the question. We were very zealous and ambitious neighbors, and he thought the matter should be at once attended to.

Mr. Riter then wanted to go out, and a committee before the Legislature, and make further investigation, and report at a meeting to be held this evening.

This cleared the table of current business, when the recorder announced that he held in his hand a certificate from the Secretary of the Territory giving the names of the new municipal officers recently elected, and who had been notified to appear and take oath of office.

The Mayor—the recorder has already qualified, and if the new members will step forward, he will swear them in.

The recorder then administered the oath to the Mayor.

The councilors and aldermen then grouped in a semi-circle round the recorder's desk, and the same oath was taken by each of them.

The treasurer, auditor and assessor and collector next fell into line, and each took the same oath.

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Mr. Riter suggested that the Mayor, in making up his new standing committee, should add one to be called the committee on sewerage.

At the suggestion of Mr. Clark, the rules of the old Council were adopted by the new body, to be used until such time as it was seen fit to make a change.

Mr. Pyper offered a resolution that the city surveyor be authorized to immediately survey the property held by the city on Arsenal Hill, and lay the same out into streets.

Mr. Riter objected. He thought the ground surrounding the spot proposed to be given as a site for the capitol buildings should be laid off into a park. It was the only place where the inhabitants of the northern portion of the city would in a few years time be able to find breathing room.

Mr. Pyper thought it was nearly time the city knew just what property it possessed.

After more discussion, the resolution was tabled, and on motion of Mr. Riter, it was adopted as a sense of the Council that the new members assume the seats of their predecessors.

Adjourning until this evening at 7 o'clock.

## THE CHURCH SUITS.

The Testimony Now Being Taken Before the Examiner.

The process of taking testimony in the suits of the government against the Church, has dragged slowly on, each day being occupied in the examination of witnesses before Judge E. T. Sprague.

Yesterday was the second day. Last President Angus M. Cannon was the witness stand. The subject of the testimony was the same as that of the first day, and the same witnesses were called.

Le Grand Young asked a question. When you were on the witness stand yesterday, a question was asked you in regard to the minutes of a meeting contained in a certain book belonging to the corporation of this stake of Zion, are you willing to answer the question?

Mr. Cannon—I will say that I have read the minutes and am willing to answer the question.

P. L. Williams—Have you that book this morning?

C.—I have. (He gets it from a satchel.)

W.—Will you open at the first meeting of which you spoke, in relation to the controversy?

C.—(Pointing to the minutes.) These are the minutes. Mr. Carson put in my hands.

W.—I wish you would state whether that was the first meeting of the directors called, relative to the personal property you spoke of yesterday?

C.—I think these are the minutes of the first meeting which was held March 28th, 1887, at 10 a. m.

The attorney then submitted a long list of unimportant questions to the witness relative to the meeting held by the board of directors of the Salt Lake Stake corporation, the amount of property being \$8,000.00, which was donated to complete the Temple by the Trustees in Trust.

The minutes of the different meetings held by the corporation were read by Williams and taken as evidence by the plaintiff.

Mr. Sheeks objected to these minutes being read by Mr. Williams, as he might make an error and thought a certified copy would be better.

Mr. Williams—At the present meeting did you see Bishop Preston presiding?

C.—Cannon—No, sir.

W.—Have you that original agreement which I have just read?

C.—I think the second one is the correct one.

W.—Does this record of the proceedings of those meetings contain an account of all that was done at those meetings respectively?

C.—So far as I can judge, and as far as my memory serves me, it contains a correct account of all that was done at the several meetings.

W.—Did Wm. B. Preston sign this agreement with his own hand?

C.—Yes, sir.

W.—When and where, with reference to that meeting, did he sign it?

C.—Immediately at the meeting, in the room where the meeting was held. I think we submitted this resolution to know if the board would approve of it, which they did.

W.—When did you receive the list of property first?

C.—I could not state exactly.

W.—You reported to the directors that you had received 1,081 shares of Deseret Telegraph Co. stock, is that correct?

C.—Yes, sir; it was transferred to the Church Association.

W.—Does the Church Association still hold the stock?

C.—Objection was raised by Mr. Sheeks, but Mr. Cannon answered.

C.—I don't know. I don't know that there is any income from it.

W.—Where did you get the stock?

C.—From the Trustees in Trust, and I think James Jack delivered the certificate, but I would not be positive, nor do I remember the day.

W.—What is the par value of this stock, or what is its market value?

C.—I don't know.

W.—Is it included in the personal property?

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COOK WANTED.

A GOOD, PLAIN COOK. APPLY TO J. C. M. I. DRUG STORE, 103 W. 3rd South Temple Street.

CURE FOR SICK HEADACHE.

Z. C. M. I. Drug Store have Free Samples of Dr. J. C. M. I. Headache Cure, which removes Pimples in the Face; relieves Headaches, and improves Digestion. Only one for a dose. 25 cents a box.

DR. BOONAN-KO

In his new discovery for consumption, cough, croup, whooping cough, and all the pulmonary troubles, he has discovered a medicine which is acknowledged by all to be simply marvellous. It is exceedingly pleasant to the taste, perfect in its action, and does not sicken. In all cases of Consumption, Cough, Croup, Whooping Cough, Croup, Bronchitis, and all the pulmonary troubles, it is a sure cure. Dr. Boonan-Ko's Cough and Lung Syrup is sold at 50 cents by Z. C. M. I. Drug Store.

CURE FOR PILES.

Itching Piles are known by moisture, itching, pain, and a very disagreeable feeling after getting up in the morning. It is caused by the blood, and is a sure cure. Dr. Boonan-Ko's Pile Remedy, which acts directly upon the blood, and removes the cause, is a sure cure. It is sold at 50 cents by Z. C. M. I. Drug Store.

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