EVENING NEWS.

Tuesday, · · May 31, 1887.

FRAGMENTS.

THE mercury went up to 98 degrees in the shade to-day.

W. ATLEE BURPEE, of the Philadelphia seed house of W. Atlee Burpee & Co., called at this office to-day.

Second Street about half past three this alternoon was the occasion of a fire alarm and considerable excitement. Damage slight.

ADELAIDE RANDALL, with the Bijou Opera Company, appear at the Theatre on Friday evening in "Girofle-

accident on Sunday last. While riding in a wagon from Eden to St. Charles, Festus, Lord Chamberlain, (Tenor) Harry Gardner the horses gave a sudden jerk which threw the seat, upon which Mr. Rich was riding, backwards, out of the wagon, where he alighted on his Shelomith, Wife of Zerubbabel, (Alto) Mrs. Agnes Thomas. shoulders, causing a dislocation. Dr C. A. Hoover replaced the boaes and the patient is doing well .- Southern Idaho Independent, May 27.

EDWARD BRAIN'S CASE.

He is Held to Await Further Investigation by the Grand Jury.

To-day the case of unlawful cohabitation against Edward Brain, was taken up before Commissioner McKay. The complaint charges the offense to have been committed subsequent to January 1, 1886, and the defendant entered a plea of not guilty. District Attorney Peters conducted this, his first case in the I hird District, for the prosecution, and Mr. Moyle defended. The defendant wanted to waive examination but this was refused.

Mrs. Mary B. Brain was the first witness. She testified that she was married to the defendant in 1852; she. lived in Salt Lake City; did not live with her husband; had not been divorced from him; had not lived with him for nearly four years; he had never been in her house since Novem. ber, 1883; she saw him ten days ago, when she sent for him; he was also there at their son's death and funeral; she still considered herself his wife; he lived at the brickyard, with his plural wife. To Mr. Moyle-My husband had a wife when I married him; she was di-

vorced from him, and is now matried

Cyrus.

Mrs. Anna Peters Braine testified-I am married to the defendant: was the grand climax at the Feist of Bial. married February 2nd, 1882; live in The lords and ladies of Babylen have the Twenty-first Ward, with my hus been summoned, and the festival is band, and have lived there since he came from prison; the Court decided I was his legal wile. The Commissioner fixed the ball at

Brain's bonds were fixed at \$200. Mr.

First Appearance of the Society John H. Burton, the Architect, Next Week. Shot Dead on the Street. On Tuesday evening of next week

ZION'S CHORAL UNION.

Zion's Choral Union will present, in THE MURDERER PLACED UNDER ARREST. the large Tabernacle in this city, the sacred cantata of "Belshazzar." The

A TERRIBLE TRAGEDY.

SHOT DOWN

piece has gone through careful pre-At one o'clock on Sunday morning, paration, under Professor George Architect John H. Burton was shot Careless, with Professors E. Beesley and Evan Stephens as assistants, and in its rendition a great chorus of 400 voices and an orehestra of thirty inwhere was received with a shudder. THE burning of a small outhouse on struments will take part. Professor Death is never welcome, but when it comes in such a shape-when a well-George Careless officiates as conductor, while Prof. J. J. Daynes will pre-

known and peaceable citizen in the side at the grand organ, the powers of prime of life is which will be displayed to their best advantage. The following soloists on the public highway in the centre of

constitute the dramatis personale. Belshazzar, King of Babylon, (Bass) John D. Spencer.

Girofla." They appear in Ogden this evening in "The Mikado." J. C. RICH, Esq., met with a painful accident on Sunday last. While riding nity. Nitocris, Queen Regent, (Soprano) Mrs. Edith Knowlton Antonia, Queen of Belshazzar, (Soprano) Miss Lizzie Thomas Child of Zerubhabel, (Soprano) Miss Edith Dinwoodey. Jewass Princess, (Soprane) Mrs. E. E. Silverwood

death. The party then (at 12 m.) re-Atalia, Lady of Belshazzar's Court, (Mezo Soprano) Miss Louie Poulton Zerlina, Lady of Belshazzar's Court, (Alto) Mrs. Vilate Young turned to the City Hall for the purpose of further pursuing the investi ration "Belshazzar" was written to por-

The court room was crowded with tray the great events of the overthrow citizens anxious to learn, if possible, of Babylon, B. C. 538. The Jews had the real cause of the shooting. been in captivity seventy years, and in The witnesses were excluded from the beautiful opening chorus, "By the the court room, and were called in rivers we weep," the daughters of singly to be interrogated. Judea lament the sad condition into A jury having been previously duly which they have been cast. At this empaneled, the witnesses were sworn time Cyrus and his forces were besiegand the inquest was proceeded with by ing Babylon, and though they had placing upon the stand. Dr. J. M. persisted with great energy for years, Benedict. He testified that he had there was no prospect of success. made an examination of the body of Within the capital Belshazzar believed John H. Burton and that it revealed, that all was secure, and as the time for A WOUND IN THE BREAST, the annual festival 11 honor of the

wo inches above and the same dis-Babylonish deities had come, he detertance to the right of the left nipple. It mined to surpass all former chiebrawas a pistol shot wound of entrance. tions, in a spirit of mockery and defl-The ball had ranged downward a little, ance to the beslegers, "who came and so much to the right that breaking as ministers of a God he would not through the lower border of the fourth serve." In the story as told in rib and opening the pericardium, it had "Belshazzar," are represented the passed directly through the right yeavenerable Prophet Daniel, whose wise tricle of the heart. counsels the king had not heeded, and

The doctor being about the size of Zerubbabel, the Jewish governor, the the deceased, here put on the coat and into the latter being in communication with vest perforated by the bullet and in-

The various scenes are presented. with appropriate words and music, to the grand climax at the Feast of Bial. the coat indicated the direction of but nothing of importance in addition begun. The king, in defiance to the power of God, which had been mani-The Commissioner fixed the ball at fested in the days of Nebuchadnezzar, be instantaneous. There were no powder marks on the coat, for even creatly concerned over what had taken the silver vessels which his father the smell of powder upon that gar-

Luke R. Golightly's testimony was similar to that of the preceding wit-nesses except that he said that when Martin ordered Burton to keep his hands up the last time he said, "I won't hold them up any longer. You shoot." Then Martin fired. Burton's hands were down by his side. Martin was excited, but Burton was apparent-ly caim. Saw only one pistol like the one in court. Thought he heard Mar-tin say something about looking into a window. Martin walked rapidly away. John Gray's testimony was the same Architect John H. Burton was shot dead on First East Street by Alfred H. Martin. The intelligence spread like wildfare through the city, and every-where was received with a shudder.

in the air to scare Burton. Chas. Evans' testimony was similar except that Martin said he would "fill him (Burton)

FULL OF BULLET HOLES."

Burton groaned just before he fell, and Martin said, "You've been looking in the window." Burton then said, "I was looking in a window up here, and Martin began to pick a quarrel." Bur-ton had held up his hands fully ten minutes. He only used one offensive a populous city like this, it sends a thrill of horror through the commu-

remark. Officer Joseph S. Barlow being inter-rogated about Martin, said he knew him by sight-arrested him just north As soon as practicable after the arrest of the man who did the shooting, Coroner Taylor was notified and at of the livery stable on First East Street. H was running north slowly. He said "Come down here and the boys a.m. on Sunday proceeded to inquire into the facts in the case. A jury was summoned who, in company with will tell you the threats he made.' Witness searched him and found a hottle of medicine, a bottle of ale and that pistol (pointing to the weapon in oroner Taylor and Dr. J.M. Benedict, isited the residence of the deceased in the Eighteenth Ward of this city, court) on his person. It was a nickle-plated bull-dog, with two chambers empty. It was just as winess found where a careful examination of the body was made, the clothing inspected, it on Martin, except that it then smelt of freshly burned powder. Witness examined Burton when he went back and an incision made in the breast in order to determine the exact course of the ball which was the cause of but found no weapon on him.

THE VERDICT.

This concluded the examination, and the jury returned the following verdict without leaving the room :

Territory of Utah, County of Salt Lake.

An inquisition holden at the City Hall, in the Fifth Precinct of Salt Lake Hall, in the Fifth Precinct of Salt Lake City, on the 29th day of May, 1887, be-fore Georg+ J. Taylor, coroner of said county, upon the body of John H. Bur-ton, there lying dead, by the jurors whose names are hereanto subscribed. The said jurors on their oaths do say, from the evidence presented, that he died at aboat one o'clock a. m., Sunday, May 29th, 1887, on First East Street, between Second and Third South streets, from the effects of a guashot wound inflicted by a pistol in the hands of Alfred H. Martin, and they further find that the shooting was done wilfully, deliberately, malicious-iy, and with premeditation and malice y, and with premeditation and malice forethought.

In testimony whereof, the said erors have hereunto set their bands the day and year first above written. I. M. BARRATT,

3	T. C. PATTEN, JETER CLINTON,	
GROEGE J.	Jurors.	
unonun o.	Coroner.	

To-day a preliminary examination

CHARGE OF MURDER serted a lead pencil is order to show against Martin was commenced before the jury more clearly the course of the ball. He further testified that the dust on the back of the left shoulder of Woods defending. dust on the back of the left shoulder of Several witaesses were examined.

Barton's fall. The hemorrhage was light. Death from such a wound would he instantaneous Theorem The defendant, as he sat in court



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vie objected to the amount, when Mr. Peters remarked that there would probably be something else, and the Commissioner said that in all cases of second prosecution the ball would be increased Later, when Gen. H. S. Eldredge ap-

peared to qualify as surety for Mr. Brais, he called attention to the fact that the accused had once served n of revelry ceases: King Belshazzar's term in the Peritentiary, that he had countenance is changed, "the joints of never shown an inclination to avoid the his loins were loosed, and his knees issue, and that, under the circumstances, it was not at all likely he would smote one against another." The try to get away. It was therefore ab-surd to put on such heavy bail, and looked more like an affront to crowd him than simply to secure his appear ance for trial

The Commissioner finally reduced the ball to \$1,500, which was given.

Court Notes.

Proceedings in the Third District tation, the death-knell 'of the Court to-day F.A. Cornell vs.Wm.H. Remington demarrer to complaint overruled; 20 Belshazzar, and the liberation of the days to answer.

William Tiedman and Wm. H. Wilson were admitted to citizenship. A. W. Moore vs. M. H. Lipman; dismissed for want of prosecution.

Return of the Remains.

Andrew and Albert Kimball left right. this city on Sunday morning via the the Denver & Rio Grande Western, to meet the remains of their brother, Elder Jeremiah H. Kimball, who had met with a fatal accident while en route for his field as a missionary. Owing to a washout on the A. T. & S. F. the remains were forwarded to this city via the U. P. and U. C., arriving last evening. Of course the two brothers were disappointed in not meeting them.

Some further particulars have been learned relative to the probable cause of death. On the evening of the day Station, where the train stops for supper. The fall seems to have been occasioned by vertigo, or some similar derangement of the vital functions. He had another similar attack and fall, at or near Grand Junction, Colorado, and fatal fall from the train. It is be was seized with an attack similar

to-morrow, Wednesday, at 2 o'clock.

The Tabernacle Choir, to the

Nebuchadnezzar had taken out of the have stood several, perhaps ten feet, Temple which was in Jerusalem." From these vessels toasts are drunk to the gods of gold, of silver, of iron, of stone. The carousal is at its Burton was a studious, honorable gentleman with whom he was intiinstely acquainted. Mott J. Ferguson, deceased's wife's cause of the great change is apparent in the mysterious handwriting on the wall. The learned of the Chaldeans are called, but none can read the in-

scription. At last Daniel, almost for-LONG WALKS IN THE NIGHT. gotten at the court of the impious for his health, sometimes till a late king, is brought at the queen's suggeshour. Had known him in one instance tion, and proclaims the interpre-

out till 2 a.m. great kingdom. Then follows the overthrow of the city, the death of ent Jews by King Cyrus, who has marched with his army by way of the river going west along the south side of gates. These events are related in Second South Street, between First song and melody with thrilling effect, and Second East streets, when he met a man who turned in at a side gate and the piece closes with the grand

chorus in which the Jews give praise near Busby's alley, opposite the Thirteenth Ward schoolhouse. He for their deliverance to God, who lays the tyrant low and ever defends the the wrong way in entering. He then

"Storm Beaten."

The first and second production, of this play here, being direction. Witness went to his room the matinee and evening performarces of yesteriay, drew out very large audiences, the lower parts of the house being crowded on both occasions. The attractiveness of the piece consists mainly in the prominence given to virtue and the reward following duty well performed, with

streets,

ment, coasequently the assailant must inches in height, sandy complexioned and of slender build. He was formerl distant. The ball was a large one and it did not pass through the body. There has no doubt that the monod in Second South Street. His wife was There was no doubt that the wound in also in court to-day, and watched the question was the cause of death. Mr. proceedings with great anxiety.

THE MURDERED MAN

was about thirty years of age, and born and reared ia, this city. He was an architect by profession, and it was customary for him, when studying out brother, testified that Mrs. Burton problems or designs, to walk about in (wife of deceased) told him that, Mr. the night for several hours at a time. Burton went out last night between 9 aud 10 o'clock. Mr. Ferguson added take a walk up the caffon. This be that he knew it was his habit to take did, and was seen returning a couple of hours afterward. From that time nothing is known of him until hesppeared near the corner of Second South and First East streets. From Mrs. Burton was too ill to be pres-int. H. Christophersen stated that about o'clock, or a little earlier, he was what can be understood by his remark light in the saloon after midnight. looked in, and was in that position when Martin came out and went east. That he then went along in the same direction, unconsciously following Martin, until Busby's lane was reached, when he was turned on and compelled Thirteenth Ward schoolhouse. He at the point of a pistel to go to the was excited and first pulled the gate stables where he met his death.

So far as can be ascertained from the evidence obtainable, it is probable turned, facing the street, and that seemed to be waiting for another

A COLD-BLOODED MURDER man who was coming along about has been committed, as in all the cirone hundred feet distant, in the same | cuinstances connected with the event now known, there is not one justifying the crime. The claim of the defend-aut that he was being followed does about 200 feet from this gate, About dive minutes later he heard a pistol not furnish an excuse, for the shot apparently from the direction of these men, but paid no attention to it. About ten minutes later he heard an-other shot-this was after he had re- defendant might have been laboring to

From the fact that the maiden names of the wives of both Burton and Martin is Ferguson, a rumor gained ground that there was a family lead at the bottom of it all. But the two Ferguson families are in no way re-lated to each other, and no feud or quarrel of any kind existed between the men, who were strangers to one another.

Concluded to Marry.

On Thursday last Dr. Ch. van Meyer The defendant was taken to Ogden, and probably in the hope of patching

woman he is alleged to have wronged The date and nature of the ceremony is set forth in the following certificate,



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