

gaged in farming and lumbering. He bore a good character among all his acquaintances being sober, industrious, truthful and peaceable. He leaves a wife and three children to mourn his unfortunate and sad departure.

In relation to the cause of the trouble he stated nothing after his testimony had been taken, except that he had no desire to injure any one with his sheep and that if they did trespass and destroy anything he would willingly pay the damages.

His father is at present in the penitentiary serving out a sentence of six months on a charge of unlawful cohabitation. His time will be up on the 25th of this month, including thirty days for the fine. Marshal Dyer had been interviewed by telephone and requested to permit him to come home to attend his son's funeral, and replied that under ordinary circumstances it would not be allowed, but under the present ones he would do all he could to obtain the permit.

The friends of Mr. Bybee express no animosity and utterly repudiate the rumors of violence, which had gained some credence on the streets. They feel it is a most unfortunate occurrence and say they were startled with surprise upon receiving information of it. Hall and Bybee slept together not more than a week ago and everything seemed friendly between them. A deposition had been taken before Justice Richard Dye which has been sworn to by the deceased. He states the trouble fairly and clearly, and Coroner Mark Hall admits that the statement is true except in one instance—that of stabbing him while on his feet.

About 7 o'clock last evening Mr. Hall was arrested on a charge of murder and placed in the county jail to await the preliminary examination.

FROM FRIDAY'S DAILY, APRIL 20, 1888.

To Witnesses.

Money has been received by the United States Marshal to pay witnesses' certificates issued since the 1st day of July, 1887. Provided, however, that all certificates must be presented by the original holders, as under the instructions of the comptroller, the marshal cannot pay those in the hands of third parties. It is hoped that parties will present their claims as speedily as possible.

Counterfeiter's Tools Found.

Yesterday afternoon some boys were up Red Butte Cañon. They chased a squirrel into some rocks, and discovered a sack containing a counterfeiter's outfit, probably the one used by Eckert to make dollars and twenty-five cent pieces. There were plaster of Paris moulds for making the coin, a spoon, and other articles used in the business. These were taken charge of by the police.

Gave Himself Up.

Walter Hoge appeared before U. S. Commissioner Brezee at Montpelier last week and gave bonds in the sum of \$1,000 for his appearance before the U. S. District Court at Blackfoot, on June 4th. We suppose that Brother Hoge gave himself up rather than have his house marauded, and his family disturbed and harassed at unseasonable hours, and subjected to insult and abuse by the minions whom Marshal Baird has seen fit to clothe with a little brief authority.—*Southern Idaho Independent.*

He is Insane.

Jos. H. Stays is still in the city jail, but it is likely that ere long he will be transferred to the insane asylum. He spends most of his time in singing or yelling. As on a former occasion, he destroys all the bedding, etc., he can get within his reach. Last night he was given a pair of blankets in which to sleep, as it was too dangerous to let him have any more. By some means unknown to the jail officials, he managed to start a fire, and wrapping himself up in the blankets, made an effort to incinerate himself. The blankets about him were burned so that they are valueless, but he suffered no serious injury.

Provo and Lehi.

The Home Dramatic Club have decided on winding up what has been a very notable season with them, by running down to Provo on Wednesday night next and presenting to the inhabitants of that place their celebrated "Confusion." They have received many pressing invitations from the leading people of Provo to visit that city. They go to Lehi Thursday evening, and Bishop Cutler, of that place, is confident that the fame of the club will fill Garfield's new hall with its capacity of 700 to the utmost. The whole company will make the trip and the hilarious play will be given precisely as rendered so many times on the Salt Lake stage. By the present arrangement of trains the company can leave here in the evening and return next morning, and the prospects are that quite a number of friends of the club will join them in their excursion.

Probate Court.

Proceedings in the Salt Lake County Probate Court:

In the matter of the estate of Samuel Stewart, deceased; order made appointing Wm. Hock, George Saxton and James Howell appraisers.

Estate of Thomas W. Stephenson, deceased; orders made of family allowance, and appointing time and place to hear petition for order of sale of real estate.

Estate of Jane Savage, deceased; proof of posting notice of time and place of hearing made; order made appointing Wm. Fuller administrator of said estate upon filing a bond in the sum of \$3000.

Estate of J. M. Williamson, deceased; order made of setting apart personal property for the use of the family.

Estate of Benjamin Howells, deceased; order made appointing time and place to hear petition for order of sale of personal property.

It Was Accidental.

Mr. Dalton dropped in a few days since and asked us to publish a correct version of the shooting of young Wm. Chadwick in the hip, at the charcoal kilns in Spanish Fork Cañon, a short time ago. It seems that some of the boys had been firing at a mark with a small pistol, and, as they thought, had discharged all the cartridges in the weapon. Young Chadwick picked up the pistol and pointing it at another lad about fourteen years of age, he said, "I'll shoot you." In some manner the pistol was discharged and the ball took effect in the hip of Chadwick, ranging downward and to the left. He went into the house and sat down on a bed, and pretty soon said to his mother that he was shot. At first he said he had done it himself, accidentally, but soon changed and accused first one and then another of the boys. The wounded boy was taken to Springville where Dr. Pike treated him, and he is now on a fair road to recovery. The boy accused of doing the shooting feels very badly over being charged with the deed, as he is entirely innocent.—*Provo American.*

The Almy Accident.

Our correspondent at Almy, Wyoming, sends the following under date of April 18:

"In your issue of 17th inst. I see an account of the accident at the Almy coal mines on the morning of the 16th inst., which in the main are true, though there are a few errors, which please allow me to correct.

"Instead of 13 men being injured, there were six, their names being as follows: Peter Boam (married), Fredrick Skinner (married), Edward Bradshaw (married), John C. Neal (single), Edwin Kirkwood (single), George Blacker (single). There were eight cars run away through a coupling hook breaking, instead of nine; they ran about 120 feet before they came to a stand. There were about thirty men on that trip in all, as that was the third mantrip that had gone down that morning, and most of the men had already gone down on the other trips. The pitch or incline of the slope is 15 degrees instead of 33 degrees.

"Those men who were left with their families are not very seriously injured and are getting along nicely.

"The government inspector had not pronounced it safe, as he had not previously inspected it."

THE STABBING CASE.

Hearing of the Murder Charge Postponed.

This morning's Ogden Standard contains the following:

The stabbing case which has created so much surprise and excitement came up before Commissioner Cross yesterday morning. Coroner Hall was brought into court at 10:20. He exhibited a number of contusions on the head received during the affray. He was charged with murder, but notwithstanding the serious charge he carried a calm mien and bore the appearance of being willing to meet the requirements of the law. He deeply deprecates the unfortunate affair and would gladly recall it, preferring according to his own words to have borne any assault rather than have been the means of the young man's death. Witnesses were waited for until 11 a. m. when Mr. Hiles, appearing for the prosecution, having consulted with defendant's counsel, J. N. Kimball, suggested that the hearing of the case be postponed until Saturday at 10 a. m. The suggestion was based upon the fact that the post mortem examination was being held that morning and that the funeral of Mr. Bybee would occur today. Witnesses being mostly friends or relatives of the deceased they would no doubt desire to attend both the examination and the funeral. Mr. Hiles also suggested that a stenographer be engaged to take the report of the proceeding. Mr. C. A. Smurthwaite being present was spoken to concerning the matter. He stated that press of business prevented his acceptance of the proffered position. Mr. D. Hamer was then requested by telephone to take the proceedings of the case. He also stated that it was impossible for him to attend.

Mr. P. E. Keeler stated he would let the court know whether he could attend or not by 12 o'clock the same day.

The case was then postponed by order of the court until the date named, and defendant was committed until that time.

Yesterday Doctors H. J. Powers and G. W. Perkins held a post mortem examination of the body of William M.

Bybee, at the house of John M. Clark, at Burch Creek. An inquest was held before Richard Dye, Justice of the Peace for Riverdale precinct. The following is the verdict of the jury:

TERRITORY OF UTAH,
Ogden Precinct,
Weber County.

An inquisition holden at the house of John M. Clark at Burch Creek in Ogden Precinct, Weber County, on the 19th day of April, 1888, before Richard Dye, Justice of the Peace in Riverdale precinct, in said County, upon the body of William M. Bybee, there lying dead, by the jurors whose names are hereto subscribed. The said jurors upon their oaths do say, that said William M. Bybee came to his death by being stabbed in the abdomen with a knife, the knife being in the hand of Mark Hall, and that it was feloniously done.

LUTHER G. PORTER, } Jurors.
ADAM RUSSELL, }
JOHN A. CHILD, }
RICHARD DYE, }
Justice of the Peace.

BREDEMAYER.

Trial of the Adultery Charge Against Him.

The taking of testimony in the trial of Dr. Wm. Bredemeyer for adultery took up the whole of yesterday afternoon, and the most of the forenoon session today in the Third District Court. This afternoon the arguments were made before the jury. The girl, Emma Batty, testified to having visited Dr. Bredemeyer's office, where she says the crime was committed. There was corroborative evidence of her having gone to the place at the time she stated.

The doctor went on the stand in his own behalf today. He admitted that the girl had come to his office, as testified to, and at his request, but said it was because her mother importuned him for money. He also admitted giving her small sums of money and some oranges on the occasions named, but says he did it out of charity.

There was considerable interest taken in a letter written by Bredemeyer while in the penitentiary, and which he intended to be his dying confession. The document was addressed to Governor West, Chief Justice Zane and C. S. Varian. It contained reference to Mrs. Bredemeyer's suit for divorce, and also a statement regarding the Batty girl coming to his office, but he denied the charge of adultery. It was alleged that the prosecution had no right to the possession of this letter, counsel for the defense saying it was akin to the Chicago anarchists, whose rooms were broken into and papers stolen therefrom. The prosecution introduced evidence that the letter was given to the Warden by Dr. Bredemeyer.

Mr. Varian went on the stand and gave his reasons why he had not alluded to the letter when informed that it was addressed to him. He said that he was not aware it contained any reference to the case on trial, and as the relations between Marshal Dyer and himself were unfriendly, he did not wish to make any request for the document. It had been entrusted to the Marshal to deliver, and if the unfriendly feeling prevented the carrying of the letter, Mr. Varian thought he would not bother about it. It was Dr. Bredemeyer's intention to have this letter read before the Governor, the Chief Justice, the Marshal, Mr. Varian and Judge Goodwin, at a time when the doctor was contemplating suicide.

An amusing instance in the course of the trial occurred when T. C. Armstrong, Sen., was on the witness stand. Mr. Varian got the witness excited, and he jumped up and began to explain his position. The attorneys tried to stop him, but in vain. The court requested him to stop, but it was no use. Finally the judge told him sharply that if he did not keep quiet and give the lawyers a chance to get a word in, he would be sent to jail. In spite of all this, however, the old gentleman had his say out before he lapsed into silence.

The arguments will probably take up the whole of the afternoon, and the case go to the jury this evening.

FROM SATURDAY'S DAILY, APRIL 21, 1888.

Plea of Guilty.

Just before adjournment of court last evening, John R. Barnes, of Kaysville, came into court, and changed his plea of not guilty to guilty, to the charge of unlawful cohabitation. He wanted till May 10th before sentence, but was only granted to April 30th.

Bredemeyer Convicted.

The arguments in the adultery case against Dr. William Bredemeyer were closed about 5 o'clock yesterday afternoon, and after receiving the instructions of the court the jury retired. They were not long in arriving at a decision, and in twenty minutes returned with a verdict of guilty. Sentence was set for May 12th.

For Polygamy.

Lozan, April 19, 1888.—Last night Hans Olsen and his alleged plural wife, of Millville, were arrested at Marsh Valley, Idaho, while en route to the Snake River country, on a charge of polygamy preferred against Olsen by his legal wife. They were arrested by Deputy Whetstone while on their pilgrimage, brought to Lozan on this morning's train and taken before

Commissioner Goodwin, temporary bonds being fixed at \$2500 for Hans Olsen and \$500 for the alleged plural wife, to appear before his honor tomorrow.—*Ogden Standard.*

Promised Improvement.

It is now expected that about the 1st of May the Union Pacific will change the time of its "flyer" from Omaha to Ogden, and also extend the run of the Omaha North Platte train from North Platte to Denver. The company has endeavored for some time to start out its limited trains at an earlier hour than noon but has been unable to get a connection with the roads from Chicago to enable it to do so. If the plan now contemplated is carried out the limited or "flyer" will leave Omaha about 8:40 in the morning and will reach Ogden and San Francisco at a more convenient hour than at present. This is the talk among the officials of the Union Pacific and the Chicago roads.

Run Over.

Yesterday afternoon a little son of J. W. Jones, who resides at No. 55 e. First South Street, was run over and had an almost remarkable escape from serious injury. Mr. Smith was going along the street with his dray, to the back of which was attached a heavy freight wagon. The Jones boy and another got on the last vehicle for a ride. Mr. Smith noticed that they were in a dangerous position, and started to get down to remove them. At that instant young Jones slipped and fell, and two wheels of the wagon passed over the body. Mr. Smith picked him up and carried him into the drug store. It was at first feared that his injuries were serious, many thought fatal, but fortunately no bones were broken and no internal injuries, as far as could be ascertained, inflicted. Today the little fellow is considerably improved, though he is quite sore in the region of the stomach, where the wheels passed over him.

FOR SECOND TERMS.

W. J. Jenkins and W. H. Tovey sent to the Penitentiary.

In the Third District Court today William J. Jenkins, of West Jordan, was called for sentence on the charge of unlawful cohabitation. Mr. Jenkins has a family of twenty persons to support, and is not in very good circumstances. About a year and a half ago he emerged from the penitentiary, where he had served six months for living with two wives. He was convicted a second time at the present term of court, the whole of the evidence on which a verdict of not guilty was found being that he had on two occasions gone to the house of his plural wife to speak to his sons, once he had swept the snow off the porch, and once he had gone on Christmas eve to see his children. The only occasion on which there was evidence that he had even spoken to his second wife was on Christmas eve, when one of the witnesses who was particularly hostile to the defendant, testified that the lady had joined in a general conversation which lasted but a few minutes, and in which Mr. Jenkins had taken part.

This was the substance of the case made against him when he came before Judge Zane today, that functionary inquired whether he had any promise to make to the effect that he would obey the law in the future. Mr. Jenkins replied that he had not broken the law since his incarceration, but the Court remarked that the jury had found him guilty, and sentenced him to the full term of imprisonment—six months in the penitentiary—and to pay a fine of \$50 and costs. The fine was assessed after the Court had inquired as to the defendant's ability to pay it, and had received an answer to the effect that he had not means enough. This has the effect of extending the imprisonment 30 days longer than the term.

Wm. H. Tovey, of the Twentieth Ward of this city was also called for sentence. Mr. Tovey was only released last August for a similar offense, having served six months in prison. The testimony in his case showed that he had gone to the plural wife's home in the evening, remaining there from a few minutes to an hour. His business was the instructing of his children, and providing wood and carrying water for the use of his plural wife. The lady is a cripple and is unable to do these chores.

Mr. Tovey, in reply to the court, said he had not violated the law as he understood it, and had no means with which to pay a fine. The court, however, in addition to the full term of six months, inflicted a fine of \$50 and costs. Both were taken to the Penitentiary this afternoon.

SEVERE ACCIDENT.

A Lady Thrown from a Wagon and Badly Injured.

Mrs. Max. Parker, who lives about one and a half miles from the town of Circleville, east of Beaver, was returning home about 3 o'clock Tuesday morning from a social gathering held in Circleville. He had his wife and a two-year-old child with him in his buggy. The night was dark and it seems that as the team was jogging along one wheel of the vehicle struck a rock, throwing Mrs. Parker, who

held the child, out of her seat. As she went out of the buggy she threw the little one, which by the way was not injured in the least.

From the injuries received it is evident that as she fell she must have turned around, for the wheel seems to have struck her just by the eye and grazed the left temple. The skin was peeled off the whole left side of the face and the cartilage of the ear so badly cut and mutilated that that organ had to be entirely cut away. As soon as possible Mr. Parker got his wife comfortably fixed in the wagon and came to Beaver, calling on Dr. Christlan, who made examinations and dressed the wound.

The doctor found the skin of the left side of the face peeled off and rolled around the ear, or what there was left of it. He also found three rents in the scalp extending nearly to the crown. These were sewed up and the rest of the mutilated skin was cut away. The doctor describes it as being the most appalling sight he has seen, and says that though the lady is so terribly injured, she may survive.—*Southern Usonian, April 20.*

LONDON, April 20.—Advices from the Philippine Islands say that the town of San Fernando in the province of Pampanga has been partly burned. The damage is placed at \$1,000,000.

LEGAL NOTICE.

In the Probate Court of the County of Salt Lake, Territory of Utah.

In the Matter of the Estate of Thomas W. Stephenson, deceased.

Order to show cause why Order of Sale of Real Estate should not be made.

LICE N. STEPHENSON, THE ADMINISTRATRIX of the Estate of Thomas W. Stephenson, deceased, having filed her petition herein, duly verified, praying for an order of sale of the real estate of said decedent, for the purposes therein set forth, it is therefore ordered by the Judge of said Court, that all persons interested in the estate of said decedent, appear before the said Probate Court, on Monday, the 25th day of May, 1888, at 11 o'clock in the forenoon of said day, at the Court Room of said Probate Court, at the County Court House, in the City and County of Salt Lake, Utah Territory, to show cause why an order should not be granted to the said administratrix, to sell so much of the real estate of the said decedent at private sale as shall be necessary, and that a copy of this order be published at least four successive weeks in the DESERET WEEKLY NEWS, a newspaper printed and published in said City and County.

Dated April 19th, 1888.
[SEAL.] ELIAS A. SMITH,
Probate Judge.

TERRITORY OF UTAH,
COUNTY OF SALT LAKE. ss.
I, John C. Cutler, Clerk of the Probate Court in and for the County of Salt Lake, in the Territory of Utah, do hereby certify that the foregoing is a full, true and correct copy of order appointing time and place to hear petition for order of sale of real estate in the matter of the estate of Thomas W. Stephenson, deceased, as appears of record in my office.

In witness whereof, I have hereunto set my hand and affixed the seal of [SEAL.] said Court, this 19th day of April, A. D. 1888.

JOHN C. CUTLER,
Probate Clerk.

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