PROVO LETTER.

Lively Tilt Between Attorneys at the Davis Trial.—Other Notes.

Special Correspondence of the News.

PROVO, Dec. 23.—Judge Blackburn yesterday morning made a ruling in the W. E. Davis murder case, permitting defendant to testify as to His belief immediately before the killing of Brock, in relation to the intention of that person. The defendant thereupon testified that he was in danger of his life or great bodily harm. Davis testified that he had never stated to Mr. Jacobs or any one else that his reason for shooting Brock was to prevent him from getting to the house and a long range gun. Grant did not have any gun at the time of the shooting.

This concluded the examination of Davis by the attorneys for the defense, and he was turned over to the baffledings of Mr. Zane. The cross-examination was very thorough, bringing to light among other things a former killing and alleged rape by Davis. There appeared to be a divergence of opinion between Mr. Davis and Mr. Grant, as to Brock leading a horse. Mr. Davis testified that he had not seen any second horse. On this point Mr. Zane asked witness a question which was objected to by Mr. Hender. son as assuming something which was not true. Mr. Zane, in his vehement manner, scored the counsel for the defense for their temerity in asserting such a thing. To the language of Zane Judge Henderson excepted as being unfair and ungentlemanly. The court took the view of Judge Henderson, and gave Mr. Zane a lecturing, which caused his face to twist and distort with anger, he attempted to interrupt the court, but was so quickly shut up.

"Go on with your questions," said the court.

Mr. Zane—If your honor please, I want to be heard.

The Court—No, sir, go on with your questions.

Mr. Zane—I will not.

The Court—You won't?

Mr. Zane—No, sir, not now.

The Court (subduing his wrath)—Very well, go on when you are ready.

Mr. Zane—It is time to adjourn, it's 12 o'clock.

The Court—Very well, the court will be adjourned till 1:30 o'clock.

Mr. Zane's face was a study. He seemed to grow angry until he almost completely lost his self control; his face was fairly distorted with rage.

When court resumed session, at his request the reporter read the testimony concerning which there was a dispute, and Mr. Zane was found to be correct. "Go on with the examination of this witness," said the court.

"I am ready to go on now," replied Mr. Zane.

After the completion of the cross examination of Mr. Davis, the defense again offered to prove uncommunicated threats by the three deceased persons concerning the life of Mr. Davis. Overruled, and exception taken.

The defense further offered to prove by the wife of defendant that Dee had borrowed defendant's revolver; and filed it so that it could not be used; but this was not communicated to defendant. Overruled and exception taken.

In rebuttal, Harry Timmons of American Fork, was called to prove the good character of Brock. Objected to by defense and objection sustained.

Albert Jacobson and Mr. Wells testified that they had searched for the iron bobbles, and had failed to find them.

Frank Grant was recalled by the defense, the objection of Mr. Zane being overruled, and the bobbles were identified as those used by Brock at the time of the homicide.

This closed the testimony of the case, and Mr. Zane commenced his argument for the prosecution.

NOTES.

The Masonic lodge of this city last night inaugurated the following officers: R. T. Davis, W. M.; A. D. Gunn, S. W.; D. C. Huntington, J. W.; Thomas Beesley, treasurer; D. R. Beebe, secretary. After the inauguration, the members of the lodge sat down to a sumptious repast at the Cosmopolitan hotel; and for a time the chink of knives and forks made the sweetest of music.

Spanish Fork district has just completed three small school houses on the outskirts, and Benjamin one.

The cold snap has been succeeded by a most decided thaw.

The first semester of the B. Y. academy closed yesterday. On January 11th the second semester begins.

The 87th anniversary of the birth of Joseph Smith is being celebrated today by the Pleasant View relief society. Picnic is served at 12 o'clock; exercises are carried out at 2; and in the evening a grand ball will be given.

The Provo Thespian club, as stated by Mr. John C. Graham, have concluded to accept the invitation of Mr. Savage to present The Octoroon at the Salt Lake Theatre for the benefit of the old folks, widows and orphans.

PROVO, Dec. 24.—The arguments of the attorneys in the W. E. Davis murder case were completed yesterday afternoon; and the case was submitted to the jury this morning. Mrs. Davis, wife of defendant, has sat throughout the trial by the side of her husband—a patient listener. She appears to be a very quiet lady and extremely fond of her husband.

NOTES.

Licenses to wed have been issued to Nephi Howe and Jane Greenwood, of American Fork, and Charles Wilson and Annie Torrel, of Payson.

A piece of scaffolding on the fire department building gave way yesterday afternoon, and William Henry, one of the laborers, was precipitated to the ground. His head was bruised, a couple of teeth were loosened, and his left side was injured. None of his hurts, however, were serious, and he will be around again in a day or two.

The two-year-old child of James Snyder, Jr., died suddenly of convulsions on Friday evening. It was well and playing a few hours before.

Superintendent Underhill, of the Provo Woolen mills, has returned from New York, where he has been for three weeks on business.

David Evans, of Ogden, was observed in the district court room yesterday.

THE FEDERATED TRADES.

Mr. Moran Complimented for His Effort in the Cause of Labor.

At last night's meeting of the Federated Trades council, Hon. P. J. Moran attended in response to an invitation. He was welcomed by President Woodburn, who introduced him to the federation. Vice President Smith also complimented Mr. Moran for the earnest stand he had always taken in behalf of labor. Mr. Moran expressed his appreciation of this, and promised to care for the interests of his fellow-workmen in the future as he had endeavored to in the past.

The committee appointed to solicit subscriptions for the benefit of the Homestead sufferers reported that $289.50 had been collected and forwarded, and that a further sum would be sent as soon as gathered.

The subscribers to the Homestead fund are: Locomotive engineers, $100; retail clerks, $50; painters, $10; moulders, $21.50; bakers, $5; P. J. Moran, $25; Sam Levy, $10.

The action of Mr. James in refusing to pay to the Brewers' union its share of the receipts of the Labor Day celebration was discussed generally.

It was decided to give an entertainment for the benefit of the Homestead fund and a committee was appointed to prepare for it, in conjunction with a like committee from unions not affiliated with the Federated Trades. On motion the secretary was instructed to notify all unions not represented in the committee as named to appoint a representative.

The state of trade in the various industries was announced by the representatives.

Judgments Entered.

The following judgments have been entered in the Third District court:

Zion's Savings Bank and Trust company vs. Daniel W. McAllister et al.; judgment for plaintiffs for $2112 and costs.

Margaret E. Bourk vs. William Yates et al.; judgment for sale and partition in favor of the plaintiff.

North American Savings, Loan and Building company vs. Carl E. Neilsen et al.; judgment for plaintiff for $1808.83, and $1795 (in cases.)

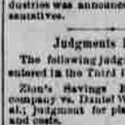
L. C. Crossman vs. William Turner; judgment in favor of plaintiff for delivery of deed to certain property.

Elijah A. Whittaker vs. James E. Fulton; decree of foreclosure in favor of plaintiff for $1121.25 and costs.

Wells, Fargo & Co. vs. Frederick A. Mitchell; decree of foreclosure for plaintiff for $543.

Butler Bros. vs. D. Alexander & Co.; judgment for plaintiff by default for $124 and costs.

A. L. Smith et al. vs. Marion M. Rawlings; decree in favor of defendant for $1600 and costs.



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THE difference in price between the PUTNAM NAIL and cheaper brands amounts to one cent on each horseshoe.

Are you willing to use the cheap cold-rolled and sheared nails, with all their manifest disadvantages, in order to save that one cent?

The opinion of their manufacturers is against them. The nail proper distinguishes the true and excuses it to form in aspect, so that after the point is sheared and the nail is driven into the foot it is extremely liable to split, and rob a valuable horse, the foot he wears your money.

Now this is how you can save the two or three hundred dollars you would have to pay for a good horse, but you would not save your nails.

Use the Putnam Nail.

It is Hot-Forged from the best Swedish iron rods, while at a welding heat, by the action of Hammers alone, and then Hammer-Pointed.

Thus, the old hand process is followed, which was but forging nails under hammers, and hammer-pointing them by the sheer, cold, without any clipping or shearing whatever.

AND THE NAIL CANNOT SPLIT.

Set it will cost you one cent more for each horseshoe!

The shoe will stay on longer and your reputation will be thereby increased.

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NOTICE OF MARSHAL'S SALE.

NOTICE IS HEREBY GIVEN THAT pursuant to a decree of the Third Judicial District Court of Utah Territory, and an order of said Commander, dated the 22nd day of December, A. D. 1892, in an action wherein Albert Hooper et al. were plaintiffs and John W. Young et al. were defendants, I, the undersigned, duly appointed and qualified Marshal of said Territory, as the special agent appointed in the said decree and order of said Commander referred to and made a part of the decree, A. W. Ellis, Commander, in the United Order, for cash, on Monday, the 26th day of January, A. D. 1893, at 11 o'clock a. m., at the front door of the County Court House, in the said City, Salt Lake County, Utah Territory, all the following described property or parcels of land to wit:

FIRST.

Twenty and eleven-one one hundredths (20 11-100) acres of land in section twenty-one (21) and twenty (20) township one (1) south of range one east, Salt Lake meridian, surveyed in Lehi and Young Ward, in John W. Young and Lehi Ward Canal, bounded as follows: Beginning at a point one (1) rod north of the center of said section twenty-one (21), and one (1) rod west of the north and south center line of said section, thence north one (1) rod, thence west one (1) rod, thence south one (1) rod, thence east one (1) rod to the place of beginning, thence northerly three and three-tenths (3.3) rods, thence south ten (10) rods, thence west one (1) rod, thence south three (3) rods, thence east one (1) rod, thence south ten (10) rods, thence west one (1) rod, thence south ten (10) rods, thence east one (1) rod, thence south three (3) rods, thence west one (1) rod, thence south ten (10) rods, thence east one (1) rod, thence south three (3) rods, thence west one (1) rod, thence south ten (10) rods, thence east one (1) rod, thence south three (3) rods, thence west one (1) rod, thence south ten (10) rods, thence east one (1) rod to the place of beginning, containing one (1) acre and one-tenth (1.1) rods, more or less.

Also—Beginning one (1) rod north of the northeast corner of the northeast quarter of section twenty (20), township one (1) south of range one (1) east, Salt Lake meridian, thence south twenty (20) rods, thence west one (1) rod, thence south twenty (20) rods, thence west one (1) rod, thence south twenty (20) rods, thence west one (1) rod