

FROM WEDNESDAY'S DAILY, APRIL 20.

**HOW HE KILLED KIRKLAND.**

SAMUEL VINCENT RELATES HIS STORY.

The readers of the News will remember the account of the killing, on April 13th, at Castle Rock, Echo Cañon, of Thomas J. Kirkland, a tramp, by Samuel Vincent, a resident of Evanston, Wyoming. An inquest was held over the body of the dead man, and the following verdict rendered:

TERRITORY OF UTAH,  
County of Summit.

We, the jurors, in an inquest held over Thomas J. Kirkland, now lying dead before us, do hereby render our verdict, and say that deceased, Thomas J. Kirkland, came to his death by a gun shot wound received from the hands of Samuel Vincent, without felonious intent, and in self-defense.

L. PHILLIPS,  
T. A. STAGG,  
DAVID REES.

Dated April 14th, A. D. 1887, Castle Rock Station, Echo Cañon, Summit Co., Utah.

Attest my hand and seal  
[SEAL.] this, the 14th day of April,  
A. D. 1887.

THOMAS BALL,  
Justice of Peace and Acting Coroner.

Notwithstanding the conclusion of the jury that the killing was in self-defense, Mr. Vincent was held without bail on the charge of murder, and was sent to the penitentiary. Yesterday the case was under investigation by the grand jury, the accused, at his own request, giving his version of the affair.

To-day Mr. Vincent occupied a seat in the Marshal's office, awaiting the grand jury's action. He is a man of slight build, rather under the medium height, dark brown hair and beard, and gray eyes. His general appearance is that of a peaceable man ordinarily, but being of a nervous temperament, he is very excitable. When asked by a reporter to give a full account of the affair, he unhesitatingly consented, remarking that it was a bad job, and he was sorry it had happened. His version is corroborated by the testimony of the witnesses in the case, and is as follows:

My residence is at Evanston, Wyoming; my ranch is three and a half miles from town; I have lived in that part for five years. On April 12th I went from the ranch to Evanston and stayed all night. When I came back next morning, I found that my house had been broken into and robbed of a single barrel, breech-loading shotgun, a blanket and a pair of rubber boots. I stayed about the place till 11 a. m., and when walking about found some bread that had been thrown away. Examined it and found by comparing it that it was from my house. The bread was some distance from the house, and I suspected that the robber had gone west.

"My boy was with me at the time and I told him I would get the pony and ride after the robber. I did so, and when I got to the Yampa section house I asked the section boss if he had seen any tramps on the road. He said that about 7:30 a. m., he had seen one going west, and gave me his description. I asked whether the tramp had a shotgun, and the reply was that he did not see any, and thought he had not.

"I then went on to Wasatch station. There I met some sheepmen with sheep. They told me they had seen the same man described by the section boss, with a bundle. They had met him between Wasatch and Castle Rock, going west. I proceeded further, and passed the man below Castle Rock, Echo Cañon. I noticed the barrel of a gun projecting out of a sack he was carrying on his back. Mr. McMichael's house was in sight about half a mile away. He was not home and his wife asked what I wanted. I told her the man on the track was the one who had broken into and robbed my house. At this time she called my attention to him leaving the track and going down the embankment out of sight. He came back a few minutes after, and we noticed that he had fitted up the shotgun and had it in his hand. I then asked Mrs. McMichael to lend me a gun. She said she had so ammunition, and I remarked that perhaps I could scare him into giving up the things with the empty gun. She persuaded me, however, not to take it.

"I then went west to Mr. Stagg's house and asked the lady there for a gun. She asked what I wanted it for, and I told her to protect myself, as a tramp was on the track, who had stolen some things from my house. She loaned me a rifle, and I went to the track and waited for the man. I called to him and told him to drop the things he had stolen from my house. He laid the gun and blanket in the middle of the track; the boots he had on his feet. I told him to disarm himself and he said he had done so. He then walked away down the track, and I picked the things up, carrying them in my left hand, and the rifle in my right. I started down the track, he stopped and wanted to talk. I told him to walk on and said I would have him arrested when he got to Echo. He walked on a few steps further, turned around suddenly, drew a six-shooter, aimed it at me and snapped it, but it didn't go off. I dropped my shotgun and blanket, raised the rifle and fired. I felt excited and that it was my duty to protect myself. I had heard his weapon

snap, and didn't know but he would try again. He fell in a sitting posture and threw his revolver down the embankment. I took the two guns and pistol and gave them to Mrs. Stagg. I told her what had happened, and that I was sorry but I was obliged to do it. She told me she had seen it all, and seen him pull a weapon on me first. I then got Mr. Daniels to help me to take the man to Castle Rock, and stayed with him until he died. At 11:50 p. m. the same day, the 13th. He was shot about 4:30 p. m. The bullet struck him in the left side, just above the hip, passed through and came out of the right side. I told the tramp when he was in the wagon that he had my boots on. He replied 'Yes, but I won't need them long.' I said, 'This wouldn't have happened if you had kept your gun down.' I stayed at Castle Rock till the sheriff came. The tramp told me his name was Thomas J. Kirkland, and that he came from Brooklyn, N. Y. He said he had been herding sheep at Carter, Wyoming, for Mr. Smith, but he had been drinking and gambling, and the boys had robbed him of his money. I also understood some letters were found in his pocket from friends in New York."

Mr. Vincent seems to feel pretty bad over the shooting. The facts of the case as testified to by all the witnesses were such that the grand jury considered the proper course was to ignore the charge.

FROM THURSDAY'S DAILY APRIL 28.

**Pardoned.**—To-day Governor West granted a pardon to George Austin, who was sentenced on Aug. 13, 1886, to two years in the penitentiary for horse stealing. The application for pardon is signed by 21 citizens, and endorsed by Mr. Dickson and Judge Zane.

**Irrigating Company.**—Secretary Hall has issued a certificate of incorporation to the Corn Creek Irrigating Company, of Kanosh, Millard County. The company proposes to operate canals, ditches, etc., in and around Kanosh. The capital stock is placed at \$19,692.50, all of which is subscribed for.

**Unsurveyed.**—There still remains unsurveyed about 9,000,000 acres of land in Colorado, 12,000,000 in Arizona, nearly 30,000,000 in California, 49,000,000 in Dakota, 7,000,000 in Florida, 44,000,000 in Idaho, 7,000,000 in Minnesota, 39,000,000 in Nevada, 74,000,000 in Montana, 31,000,000 in Utah, more than 20,000,000 in Washington Territory, and so on.

**Arraigned.**—Wm. S. Muir, of Bountiful, was arraigned in the Third District Court yesterday afternoon on the charge of unlawful cohabitation. He was given until next term to plead. This afternoon, Gordon Beckstead and Alexander Bills, of South Jordan, were arraigned on the charge of unlawful cohabitation, and pleaded not guilty.

**Shot in the Leg.**—A man was shot in the leg at a dance at Bingham Cañon on Tuesday. Bert Harrison came to the place without being invited, and when requested to leave, refused to do so, and dared anyone to put him out. He swore considerably, and in a row that followed, fired his pistol, the bullet taking effect in the leg of James Hair, a young man in no way connected with the disturbance. Harrison was arrested.

**Building at Granger.**—This afternoon we had the pleasure of a call from Elder G. B. Wallace, of Granger. He informs us that the good people of that locality, taking advantage of the favorable weather, have about completed their spring's work, their crops being mostly planted, and, with characteristic energy, they are now looking about for other work to fill up their spare time. The first thing on the docket is a new meeting house, and a delegation from that settlement were in town to-day examining similar structures here in order to get a better idea of the plan for the superstructure. So far as could be ascertained the building will be similar to that in the Fourth Ward, and will be 30 x 50 feet. The foundation is already laid and the work will be pushed to completion as soon as practicable.

**Court Notes.**—Proceedings in the Third District Court to-day:

The People vs. George Lawrence; selling liquor on Sunday; sentence set for Saturday at 10 a. m.

Sarah Phoebe Castle vs. Edward Bohen et al.; court gives judgment in favor of plaintiff for possession.

A. C. Bixen vs. Southern Pacific Railway Company; trial resumed; defendant moves for a nonsuit.

The U. S. Marshal's accounts were presented and allowed.

United States vs. Gordon Beckstead; unlawful cohabitation; arraigned and pleaded not guilty.

United States vs. Alexander Bills; unlawful cohabitation; defendant arraigned and pleaded not guilty.

United States vs. Solomon A. Wixom; unlawful cohabitation; defendant arraigned and pleaded guilty; sentenced to six months' imprisonment and fine of \$300 and costs.

The People vs. Joseph Hedges; assault to commit rape; two cases; continued for the term, as defendant is in the Territorial Insane Asylum.

**Birthday Surprise.**—Bishop Robt. Salmon, of Coalville, celebrated his 75th birthday on Wednesday, the 27th. There was a large gathering of Brother Salmon's family, and when the evening's enjoyment was in full swing, word came that he was wanted immediately by President Cluff. He at once responded and was ushered into a large hall filled with familiar faces and old-time friends, while tables wide and ample were groaning under the weight of abundant edibles. Brother Salmon then learned that he was the victim of a surprise. A table, had been reserved by the committee, and whose direction the surprise was worked up, for the exclusive use of the family. The surprise once over, the entertainment commenced. A breastpin and a pair of cuff buttons were presented to the veteran in whose honor the event was, accompanied by timely remarks which brought forth from the recipient a fitting response. The early hours of the evening passed in the enjoyment of the bounties spread out, and in speeches, while the later hours were enlivened with the dance.

The occasion is one of the events in Bishop Salmon's life, and it is perhaps among the most enjoyable and most honorable as showing the esteem in which he is held.

**Passing Away.**—Just before going to press this afternoon we learned that Sister, or, as she was familiarly called, Grandma Nicholson, was in the last stage of dissolution. She had been insensible since yesterday evening. The injuries she sustained last Monday afternoon, when knocked down by a runaway horse and buggy, were necessarily fatal, there having been no recovery from the shock to her system, she being in her 86th year. The latest information was to the effect that her demise was momentarily expected.

**DANIELS TO THE FRONT.**

HE "BOUNCER" A PASSENGER OVER A DISPUTE ABOUT FARE.

Last evening "Tommy" Daniels, watchman at the D. & R. G. W. depot, was arrested on a charge of assault on a man named Dodge, who made complaint before Commissioner McKay. It appears that Mr. Dodge (who was formerly connected with the Treasury Department at Washington) was in Ogden, with his wife, and wanted to come to Salt Lake. He purchased tickets over the Utah Central yesterday, and by mistake boarded the D. & R. G. W. train. He was permitted to come down on promising to pay his fare, and when he arrived at the depot in this city the matter was left in Mr. Daniels' hands for collection. The latter waited on Mr. Dodge for some three hours, who finally refused to settle the bill, as he had not been able to change the tickets he had purchased for cash. At this Mr. Daniels arrested Mr. Dodge and took him to the City Hall. The fare being paid, however, he was released, and immediately swore out a complaint against Mr. Daniels, who was arrested and placed under \$200 bonds for examination.

This morning the case was called, but Mr. Dodge failed to appear, so after waiting some time, the Commissioner discharged Mr. Daniels from custody.

**QUEEN KAPOLIANI.**

SHE WILL ARRIVE TO-MORROW, BUT CANNOT STAY OVER IN SALT LAKE.

It is now definitely settled that the Queen of the Sandwich Islands, who will reach this city to-morrow, will not stop over, but will continue her journey direct to the east. Yesterday afternoon, on the receipt of the telegram referred to in last evening's News, saying that it was not in the programme for the Queen to stop at Salt Lake, Mayor Armstrong sent the following:

Gov. C. P. Iaukea, Envoy Extraordinary to Her Majesty the Queen of the Hawaiian Islands:

In behalf of the corporation, I beg to tender to Her Majesty Queen Kapiolani and suite, the hospitality of Salt Lake City. Please advise me time of arrival and length of stay.

FRANCIS ARMSTRONG, Mayor.

At 10 p. m. the following came in reply:

SACRAMENTO, April 27, 1887.

Francis Armstrong, Mayor:

Queen Kapiolani desires me to thank you for your kind invitation, and to express her deep regret in being unable to visit your city. Will pass through Friday, 11:10 a. m. Inquire of general passenger agent, D. & R. G. Western Railway, how long he will hold train.

C. P. IAUKEA, Chamberlain.

Agreeable to the action of the City Council on Tuesday evening, Aldermen Ritter, Webster, Cope, Patrick and Pyper will meet the royal party at Ogden. They will be accompanied by a number of ladies and gentlemen from this city, who have sojourned for a time on the Islands, and by several Hawaiians who now reside in this city.

**SENT TO PRISON.**

SOLOMON A. WIXOM GETS THE FULL PENALTY.

This afternoon Solomon A. Wixom, of Butler Ward, Salt Lake County, was arraigned on an indictment charging him with unlawful cohabitation with his wife Augusta C. and Lois O. Wixom, from May 1, 1884, to April 15, 1887. In answer to the clerk's inquiry for his plea, he said, "They are my wives. I see no guilt in that."

Court—You have lived with them?

Mr. Wixom—Yes, sir.

Court—Then you plead guilty?

Mr. Wixom—Well, you may call it so.

Court—How long have you been married to them?

Mr. Wixom—Eleven years.

Court—Do you propose hereafter to obey the law or to violate it?

Mr. Wixom—I propose to live as I always have done.

Court—And you have lived with your wives?

Mr. Wixom—Yes, sir.

Court—Then you must take the consequences.

Mr. Wixom—Yes, sir, I expect to.

Court—Well, you will be sentenced to six months in the penitentiary and pay a fine of \$300 and the costs of prosecution, and stand committed till fine and costs are paid.

Brother Wixom was taken to the penitentiary this afternoon.

FROM FRIDAY'S DAILY APRIL 29.

**Broke His Arm.**—To-day Robert Averitt, of the Sixteenth Ward, was working on the Utah Central gravel train at Wood's Cross, when he tripped and fell from the car, breaking his right arm above the elbow. It was attended to by Dr. H. J. Richards.

**Three Indictments.**—To-day Constable Charles Crow and his son A. H. Crow were arrested on three indictments, each charging the defendants with having committed the offense of battery. It is understood the prosecution grew out of the service of a civil process on a Mrs. Oswald. The defendants were required to give \$200 bail on each of two indictments, and \$100 on the third, or \$500 security each, to await trial in the Third District Court.

**Reached New York.**—The following dispatch was received from New York to-day, announcing the arrival of the Nevada with the first company of Salts on board:

"One hundred and ninety-four emigrants landed this morning, in charge of D. P. Callister. All going south of Spanish Fork and north of Ogden travel by the Union Pacific in charge of Elder Goehind. The others, about one-half, go over the Denver route. The company leaves to-day. All well."

**Seriously Ill.**—Bishop Samuel A. Woolley, of the Ninth Ward of this city, has been suffering from sciatica for a number of weeks past, but with his characteristic energy kept about attending to the duties of his calling until he grew so much worse that he could no longer do so, and he is now confined to his bed. It is hoped, however, that with the careful attention he is receiving and the faith of his many friends exerted in his behalf he will soon recover and again enjoy his usual health.

**Indicted.**—To-day J. F. Gibbons and W. F. Allen, who were held by Commissioner McKay to await the action of the grand jury on the charge of stealing goods from a D. & R. G. car, were arraigned in the Third District Court, and took till Monday to plead to an indictment for grand larceny. F. B. Hammond, the third party named in the indictment, has not been arrested. The value of the goods alleged to be stolen was \$58.12. Mr. Critchlow is counsel for the defendants.

Charles Wilson, who was arrested at Lewington, Utah, for stealing a horse belonging to C. J. Nelson from Taylorsville, on March 31st, was arraigned on an indictment for grand larceny. He pleaded not guilty. G. R. Maxwell will defend him.

**Court Notes.**—To-day's proceedings in the Third District Court:

United States vs. May White; adultery; set for May 6th.

The People vs. Charles Wilson; grand larceny; defendant arraigned and pleaded not guilty.

The People vs. J. H. Gibbons, W. F. Allen and F. S. Hammond; grand larceny; defendants Gibbons and Allen arraigned and allowed till Monday to plead.

R. G. McNiece vs. Pacific Express Company; jury give a verdict for plaintiff.

The People vs. George Geatz; grand larceny; defendant admitted to bail in the sum of \$500.

David Powell was admitted to citizenship.

Solomon Brisacher vs. Frank H. Dyer; on trial before a jury.

**Joseph Parry Held.**—About 7 o'clock last night, Deputies Franks and Cannon made a trip to Brighton and arrested Joseph Parry on a charge of unlawful cohabitation, a complaint against him having been made by Deputy Franks. Mr. Parry could not secure bondsmen, so he was taken to the penitentiary for the night.

To-day he was brought before Commissioner McKay and a preliminary examination held.

Mrs. Nellie Parry was the first witness, and testified—I am married to the defendant; Mrs. Jane Parry is also married to him; we were both married on the same day, eight years ago, in Salt Lake City; I was married second; my husband had no wife then, his former wife being dead.

Mr. Parry was held to await the grand jury's action, his bail being fixed at \$1,000 and that of each of the witnesses at \$200.

**THE BINGHAM SHOOTING.**

ROBINSON ARRESTED AND HELD ON TWO CHARGES.

At examination was held at Bingham yesterday into the charge against Wm.

L. Robinson (not Harrison) for assault with intent to murder James Hair. The result was that Robinson was held to await the grand jury's action, his bail being fixed at \$2,500, in default of which he was committed to the custody of the sheriff.

On his arrival in this city, Robinson was arrested on another charge of assault to murder James Johnson, committed at the same time and place as the first-mentioned offense. All of the witnesses not being present, Commissioner McKay fixed his bail on the second charge at \$500.

The shooting took place at about 2 a. m., on Wednesday morning, at the Odd Fellows' hall. Robinson intruded into the room and dared anyone to put him out. He also applied an opprobrious epithet to Mr. James Johnson, and when the latter stepped forward, Robinson drew his pistol and fired. Mr. Johnson caught the barrel of the weapon just in time to save himself, and the bullet struck Mr. Hair, who was walking across the room, in the calf of the leg.

**UNPROVOKED SHOOTING.**

JOE BUSSIERE SHOT BY JACK ROWAN AT BUTTE.

One of the most causeless and unprovoked shooting affrays ever chronicled took place last night on West Park Street, in front of the Branch Mint Saloon, a few doors west of the Lizzie Building. Jack Rowan, a miner, Canadian by birth, about 35 years of age, who has been drinking heavily for several days, entered the above saloon about 10 o'clock. Pete Martin, the barkeeper, whom he already owed for some drinks, immediately ordered him out, telling him he didn't want his custom. Rowan turned surlily and walked out. Standing in the doorway he invited the barkeeper to come outside and he would give him something. Pete turned and picked up a police whistle and walked to the door with it. Rowan retreated a few paces on the sidewalk towards the curb. Joe Bussiere, the general delivery clerk of H. L. Frank, a most estimable, good-natured man, was standing near the doorway in the saloon in line with Pete and Jack Rowan. Pete blew the whistle and the next instant Rowan drew a murderous 45-calibre pistol more like a small rifle than a pistol and fired at Pete. The ball passed between Pete's right arm and side, just grazing the skin under the arm, and struck Bussiere to the right of the small of the back passing through his bowels and coming out close to the navel. It then buried itself in the wall at the north side of the saloon near the counter. The wounded man was at once assisted to a sofa, and friends went and informed his wife of what had occurred. A stretcher was procured and he was tenderly conveyed to his house where a physician attended him. The wound is a very ugly one. When the doctor arrived the bowels protruded and the unfortunate man exhibited nausea and other signs of the fatal character of the wound. It was the physician's opinion that Bussiere could not survive the effects of it. He has a wife and three children dependent upon him.

Jack Rowan, after committing the deed, walked coolly westward and was overtaken by officers Jordan and Buckley, who placed him under arrest. —Butte Miner, 26.

**THEY ABIDE BY THE LAW.**

THE UTAH COMMISSION REFUSE TO JOIN THE CONSPIRATORS.

Ever since Messrs. Dickson, Bennett, Hollister, Dooley and others waited on the Utah Commission in an attempt to get the latter to change their instructions to registrars to conform with the "Loyal League" desire, the reply of the Commission has been eagerly looked for, though no change was anticipated from the stand taken by Judge Carlton in his letter to Messrs. Baskin and Dooley. Yesterday afternoon the following letter was sent to the committee:

OFFICE OF THE UTAH COMMISSION,  
SALT LAKE CITY, April 23, 1887.

Hon. C. W. Bennett:

DEAR SIR: In response to a request by a committee of gentlemen that called on this Commission several days ago, in reference to a change of the form of the registration oath which has been furnished to the registration officers throughout the Territory, we would respectfully say that we are not convinced of the propriety, or necessity, of making such change, for a number of reasons, among others:

First—Because we are satisfied that the oath furnished by us is in accordance with the law.

Second—The modifications proposed by you, if equivalent to the language employed by the act of Congress, are unnecessary; and if not in accordance with said act,

THEY ARE ILLEGAL.

The law is one declaring the political disfranchisement of the citizen under certain conditions. We hardly need add that such laws, as a rule, are viewed critically and construed strictly by the courts, in favor of political manhood.

Third—The request comes at such a late day (the registration beginning May 2d), and so long after the printed forms of affidavits to the number of 35,000 have been distributed over the