PROVO.

PROVO, UTAH, - SEPT. 18, 1894.

FIRST DISTRICT COURT.

The W. E. Davis Case—Other Legal Business.

Yesterday morning at 10 o'clock the September term of the First district court commenced, with Hon. W. H. King on the bench. A large number of attorneys were present, including Assistant Prosecuting Attorneys Howat and Thurman.

The following named, subpœnaed as petit jurors for the term on an open venire, were called by the clerk, and were examined as to their statutory qualifications by Mr. Thurman. They were all found eligible and accepted: A. E. Bowker was excused on account of business engagements.

PETIT JURORS.

Omar Wilkins, J. H. Allen, Jerry Cluff, John C. Rowe, Robert Skelton, Rowland C. Brown, Lorenzo Wilkins, Provo; Wm. Bennett, Harrington; A. E. Bowker, Murray; N. C. Rasmussen, Salina; D. C. Huntington, Springville; Wm. Potter, David B. Stephens, Holden; David J. Thurman, Lehi; C. F. Christensen, Kamas; Alma Robertson, Fillmore; A. L. Hoyt, Jesse Cluff, Provo; W. G. C. Harrison, Moroni; G. W. Tripp, Cedar; George Bailey, Smithville; Ben A. Rich, Hinckley; G. W. Cropper, Deseret; Neil Gardner, Rockerville; John Peterson, Heber; Hartman Reuder, Brown's Park; George Pickup, Ashley; Joseph H. Gardner, Naples; John G. Davis, Vernal.

The first case called was the People vs W. E. Davis charged with the murder of Charles Brock at Westwater, August 24, 1892. Prosecuting Attorney Howat prosecutes and Judge Henderson and George Sutherland cefendant. This is the second time the case has been tried; the first trial was before Judge Blackburn in the spring of 1893, and a verdict of guilty was rendered. A motion for a new trial was granted. At the time the murder is alleged to have been committed Mr. Davis was living at Westwater with his family, some distance from his home. Three men, Brock, Dussel and Mosier were living in Westwater. Davis claims that on the morning of the 24th he discovered the someone had shoen a hive of bees from his place; he tracked the thieves to Brock's cabin, and in the morning of the 25th he, and a young man by the name of Grant, went to Brock's cabin for the purpose of having a talk with the suspected bee purchasers. When Davis and Grant arrived near the cabin Grant remained some distance away and Davis went to the cabin. Mosier and Dussel were there, and when Davis began to talk to them they became very abusive and one of them fired a shot at Davis. Thereupon Davis shot both of the men. Then Davis and Grant started towards home; on their way they met Brock, who was on horseback. Brock refused to listen to Davis, and rode towards him and attempted to strike him with a pair of pinkin knives. The result was that Davis shot him. Davis telegraphed to Grand Junction for three coffins, and gave himself up to the officers. He was indicted for the murder of the three men; but he has not been tried for killing Dussel and Mosier, as the prosecution considered the Brock case stronger than the other two, on account of Grant being an eyewitness, which he was not to the killing of Dussel and Mosier.

Judge King received a telegram calling him to Salt Lake City, so court adjourned without empaneling a jury.

CRIMINAL CALENDAR.

The following criminal cases were set for trial:

United States vs Joshua Bennett, adultery, Sept. 24th.

United States vs Samuel Porter, embezzlement, Oct. 2nd.

United States vs H. G. White, adultery, Sept. 24th.

United States vs A. M. Holder, Sept. 24th.

The People vs John Palmer, assault with a deadly weapon, Sept. 25th.

The People vs Jos. Patterson et al, appeal.

The People vs Geo. H. Clark, appeal, Sept. 25th.

The People vs Chas. E. Darvey, grand larceny, Sept. 26th.

The People vs John Golding, appeal, Sept. 26th.

The People vs Peter Greenhalgh, forgery, September 28.

The People vs Alonk Jennings et al, September 28.

The People vs George Loft et al, riot, September 27.

The People vs J. C. Ortice et al, appeal, September 28.

The People vs H. S. McCarrie, appeal, September 27.

The People vs Samuel T. Vickers, defaulting water, September 28.

CASES FILED.

The following new cases have been filed:

John Knighten, of Salina, has commenced suit against Christian Petersen and T. P. Peterson to recover $580.28 on a promissory note, with interest from February 5, 1894. J. R. Weaver and A. D. Cash are attorneys for plaintiff.

Papers on appeal from Justice Watts's court of Eureka have been filed by H. G. Wilson, defendant. The defendant was found guilty, November 1, of swearing a false bastard within the fire limits of Eureka and fined $50, an appeals from the decision of five justices. L. C. Brown is attorney for Mr. Wilson and C. H. Thackston for Eureka city.

Joseph Chamberlain, of Provo, has commenced suit in the First district court against Aaron Gay, Moses Riley and Warren E. Davis, to recover $423, interest and attorney's fees on a promissory note. S. K. King is attorney for plaintiff.

NEW CITIZENS.

The following aliens were admitted to citizenship: Thomas A. Hoare, Josh stalling, Wm. H. Robbins, Ephraim; James Bosher, Hans B. Jensen, J. P. Jensen, John E. Jones, Julius Jensen, Provo; John F. Anderson, Lake View; Wm. Nell, Heber; Heber Robertson, R. C. Robertson, Pleasant Grove; Soren Mark, H. H. Haines, Lake View; Davis F. Dyad, Nephi; George Goode, Lake View; Charles Hansen, Vineyard; Thomas Larsen, Pleasant Grove.

OTHER BUSINESS.

The case of the United States vs Hyrum Dewsnip, adultery, was stricken from the calendar. It was found that the case had been dismissed by Judge Blackburn two years ago.

The case of the People vs Ah Sing was continued for the term.

A decree of foreclosure was granted in the case of Margaret Davis vs Sarah H. Hardy for $5,567.50, $100 attorney's fees and costs of court.

Provo Savings Bank vs John Morrison et al; judgment for $50.

W. E. Chamberlin vs W. Cox et al; decree of foreclosure for $422.28 and $100 attorney's fees.

Joseph E. Chamberlin vs W. Cox et al; judgment for $1,175.80.

H. S. Martin vs C. W. Smith et al; judgment for $6,584.28, $224.55 attorney's fee and costs.

Rachel Clark vs W. C. Curtis et al; judgment as prayed for and $50 attorney's fee.

Mary Glover vs Thomas Wright; judgment as prayed for and $25 attorney's fee.

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ESTATES.

Heirs and others having an estate to settle should consult Chas. W. Stayner. He has had an experience of over twenty-five years as attorney for estates. Wills drafted and estates settled. Office McCornick-Richards Building, Salt Lake City.

LAND CASES.

Persons having land contracts, or whose patents are delayed, should consult Chas. W. Stayner. He has just returned from Washington, where he has been conducting a successful practice in the General Land Office. Congressional work attended to. Office McCornick-Richards Building, Salt Lake City.

Correspondence solicited. Send stamped envelope for reply.

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