

EVENING NEWS.

Friday, March 25, 1907.

FRAGMENTS.

CLARA MORRIS in "Miss Merton" at the Theatre this evening.

BAIRD's minstrels will soon be upon us.

YESTERDAY was a lively day for newspapers in Ogden.

SHERIFF D. O. WILLEY was down from Davis County to-day.

A MINUTEMAN of moisture descended this afternoon.

JAMES T. JACKMAN, of the Montpelier, is in the city on a brief visit.

JAMES SHARP and John Sharp, Jr., will return from the south this evening.

FIFTY feet of horse was stolen from the residence of W. W. Rutter last evening.

W. F. CARROLL is still in bed as a result of his recent injuries and cannot stand; he is 74 years old.

We are again without a telegraphic report this afternoon, but the reader will readily understand that we are not to blame.

F. D. ARMOUR has come on to Denver, after spending a day in viewing the sights in Salt Lake.

CHRISTIAN RICKS, recently caught in a house of ill repute, left \$50 for his appearance and forfeited it.

ROSA SCHNEIDER was convicted in the Police Court yesterday afternoon of being an inmate of a house of ill-fame, and was sentenced to 60 days in the city jail.

AN inmate of the County Poor House escaped to-day and created quite a stir by his threatening manner. He was captured by the police and taken back to his former quarters.

THE Burton-Gardner Company are doing a big business with the combination fence, which is rapidly coming to the front as the best thing in that line in this region.

THE regular monthly meeting of the First Quorum of Elders will be held to-morrow evening at 7:30 o'clock in the west wing of the Fourteenth Ward Assembly Rooms.

THE egg-stealing which prevailed for some time and with so much success in the eastern part of the city, has apparently subsided. The presumption is that the article is now so cheap that the business no longer pays.

DIPHTHERIA seems to be gaining ground. There was one death in the Angell family, on Fourth East Street, last evening, and another one is taken; there is one new case in Mrs. Smith's, Sixteenth Ward.

YESTERDAY afternoon the result of the examination in John Barker's case was that the applicant was released from imprisonment for the fine imposed upon him. He gave bail in the sum of \$8,000 to await the result on the polygraph charge against him.

IT is said that the Nevada people favor the annexation of Utah to that State. If such an event should possibly occur, the Nevada would be started out of their wits by the substitution of honest government in place of the political corruption in which Nevada has been wallowing.

CONFERENCE RATES.—The Union Pacific Railway has announced special rates to Salt Lake City and Provo for Conference, from April 1 to 12th, inclusive. The rates will be single fare for the round trip from Market Lake, Montpelier, Echo and Park City, and intermediate stations.

THOMAS DANIELS, the watchman at the D. & R. G. W. depot, was arrested on the complaint of Frank Atkins, who says that Daniels disturbed his peace by calling him a "stinker and other vulgar names, and threatening to smash his mouth." Justice Pyper will investigate the charge.

THE Co-operative Furniture Company are compelled by their growing business to increase the capacity of their salesrooms. For this purpose the LeGrand Young building, 39 East Temple Street, is being occupied for upholstered goods, and an excellent display in this line is made. Call and learn prices before making purchases elsewhere.

WITH the compliments of the Elkhorn Valley line of railway, the News office is in receipt of a very neat and quite novel device in the way of a reporter's note book. It being nicely bound slate leaves, accompanied with a pencil, and is only 2 1/2 x 3 1/2 inches, so it fits in a vest pocket nicely. (Anything written in it can be easily erased; the covers are neatly illustrated.)

AFTER April 1st a change will be made in the passenger schedule of the Utah Central. The train leaves here in the morning, and which now goes through to Milford, will stop at Juab, making the round trip to that place in one day. The evening train from this city will make the Milford connection. This change will be a great convenience to the people in the southern part of the Territory, as considerable time is saved in a trip to Salt Lake City.

AS will be seen by notice published elsewhere in this issue, Sister Mary Astle, of the Third Ward of this city, has died. She will be kindly remembered by the Elders who have labored as missionaries in the Nottingham Conference, England, during the past quarter of a century, a large proportion of whom have been the recipients of her generous hospitality. She was one of the best of women, and her death is all the more sorrowful owing to her husband being still in England, and her children being now left without a parent's care.

PASSED AWAY.—At six o'clock last evening Brother John Bailey, the senior member of the firm of Bailey & Son, of this city, succumbed to the lingering illness from which he has long suffered, and passed peacefully away. His many friends, who have been familiar with the condition of his health during the past six months, will doubtless not be much surprised at the fact of his demise, and the grief which the news will naturally arouse will be mingled with a feeling of relief at learning that his sufferings are over.

BROTHER Bailey was the son of John and Mary Bailey, and was born Jan. 10, 1830, in Leicester, England. He emigrated to the United States in 1854, and came to Ogden in the year 1855, where he was long and widely known as a business man and quiet and unassuming citizen. He leaves a wife, one son, three daughters and quite a number of grandchildren to cherish his memory and perpetuate his good qualities.

THE funeral services over his remains will be held in the Fourth Ward meeting-house on Sunday March 27th, at 11 a. m. Friends of the family are invited to attend.

CLARA MORRIS.

HER FIRST APPEARANCE IN SALT LAKE CITY.

Although she had previously been announced to appear here, Clara Morris made her first bow to a Salt Lake audience in the Theatre last evening. The house was not crowded, in fact it was not even comfortably filled; but what was lacking in numbers was amply made up in the respectability and intelligence of those who were present, and the latter quality was frequently and unmistakably evinced in the prolonged and enthusiastic tokens of approval.

A Salt Lake audience may be exacting to some extent, and it has a right to be, because it can take and has taken its choice from all grades and styles of the histrionic fold; no place of its size in the United States can equal it in point of the great range and splendid quality of entertainments given, or of the moral and substantial support bestowed; a successful engagement here has long since been recognized as a passport to the theatrical circles anywhere, and this is as it should be, because the warping of a spurious society and the pressure of a tainted public clamor, artistically considered, fall short of the mark when aimed at this region. It is the consideration of such things that makes us regard the audience at the opening of the Morris engagement as a great compliment to the lady, as a tribute worth adding to the volume she has already gained.

"L'Article 47" is of that type of production in which none but an artist of high degree can please, much less captivate an audience; the character of "Corra" might be a source of delightful study to the one, who would consult only the base part of himself when framing a judgment as to the qualities of the mimic personage—just as, in the years long past, the same class of individuals divided their admiration of the stage, and while some "Camille" in the drama and "Traviata" in the opera, with the personal graces and comeliness of the ones who presented those parts. No such things can be said with reference to Clara Morris' admirer; she is only beautiful in that she is able to cause an intellectual man to observe her genius rather than her person, and to fasten the eyes of his soul upon the soulful work performed; the man whose animal instincts predominate will permit facial outline, physical proportions and suggestiveness of attire to form a part of his judgment as to the picture presented, but the audience at the Theatre last night did not contain many, if any, such. They went to see a word of art colored from the lavish stores of nature, and saw exactly what they went for; hence the unstrained manifestations of satisfaction.

From the first appearance of the actress till the close of the play she was perfectly in rapport with the audience. In the quiet, easy passages of the first act, she was devoid of mannerisms, meretricious artfulness, and of the usual affectations of the stage; that it could be so, and yet be acting at all; but when, in a burst of fury, unable to restrain her temper longer, she denounced her lover and repudiated him forever, there was so much of intensity and power infused into the scene that it seemed as if the woman had been changed into another being, and from that time on, power was more or less subdued as the cunning of the mortal woman or the fury of the titanic soul required; she was gentle yet earnest and even sinister in her mildness, and her rage was as the bursting of a tempest. Her acting was, particularly in the third act, like the contemplation of a perfect picture on the canvas; we know that it is an imitation, and yet so finely blended are the colors, so splendid the outlines and so well defined the distinctions, that we seem to hear the distant diapason of the breeze among the branches, the rustling of the leaves and the murmuring of the brook; and in the fourth and last act, where she becomes insane, the gradual approaches of mental derangement, the occasional brief return of sanity and the struggle between humanity and hate were so vividly portrayed as to suggest the work of the great Rachel in her palmy days, while the maniac laugh was so thrilling and unforced as to almost curdle the blood. The death scene was natural and effective, and a more highly trained audience never departed from the Theatre.

It would be unfair to judge of the support by last night's work, although it was in the main good. "L'Article 47" is essentially a one-part piece, and with that part in the hands of Clara Morris, it would take a very strong company indeed to force its way to the front.

To-night, "Miss Merton."

FIRST DISTRICT COURT.

PROGRESS OF THE LYNCHING CASE.

Provo, March 24.

The lynch case now shows that the prosecution did not prove that Fisher came to his death by hanging, etc., as alleged in the indictment.

Mrs. O'Connell, the defendant, Daniel Shields, saw him in Eureka last July 6th, in the forenoon of that day; I went to the well for water and saw him and Mr. Stanley coming down the road; old man O'Connell came down and stepped in between them with a knife in his hand and struck Shields in the back of the neck; Stanley said, "Leave that man alone," and prevented further trouble; I saw Shields again; it was about half past five; he was just after Shields and Savage came from the jail where Fisher was taken, and he asked for matches; I told him it was time for him to go to bed, and he replied that that was what he was going for; I told him he should not have gone to the jail, and he said he would not stay there if Stanley had not deputized him to go.

EXPERT TESTIMONY.

Dr. Simmons: Q. Suppose a man were taken out of jail with a rope, struck on the back and head, killed to the ground, is then dragged a quarter of a mile over a rough, rocky country, the body is cut down, and a rope found in a description as described to you, and upon examination exposes wounds in the back and in the region of the spine, and the wounds are about the size of a .38 calibre shot; effusion comes out of the wound; examination of the head discloses that the skull has been broken, and readily yields to the pressure of the hand; his body lacerated in places, pieces of sagebrush are found in his back; he has been wounded the day before by a knife wound in the neck, and another in the back; there is an abrasion over the eye; the eyeballs are sunken in; the face is natural in appearance except as to scratches; there is a blue line around the neck—can you give an opinion that such a state of facts as to the cause of the death of that man?

Answer: I can. I would consider from the facts that he died from the wounds.

Dr. Pike—The same question was given him as to Dr. Simmons. He could not give an opinion from the state of facts; thought, however, that if a rope were placed around a man's neck, and he should then be dragged 400 yards, he would not be alive at the end of the journey; thought that if there was strangulation there would be some evidence of it.

Mr. Savage, one of the defendants, was the next witness. Testified substantially as the others, that he was not a participant in the crime.

John Fisher, 16 years old, had pleaded guilty to forgery. The court gave him the same wholesome advice and said he would suspend sentence during good behavior, and would inflict due punishment on him if he did not carry out his word.

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KILLED BY HIS BROTHER.

John and Rees Jones Engage in a Drunken Quarrel.

JOHN JONES SHOT AND KILLED.

HIS BROTHER REES COMMITTED TO JAIL FOR MURDER.

About 6 o'clock on Wednesday evening a terrible tragedy was enacted in South Weber Precinct, Davis County, in which John Jones, a resident of that place, met his death at the hands of his brother, Rees Jones, who is now in the Salt Lake City jail awaiting the further action of the officers of the law in his case.

In order that the circumstances connected with the fratricide might be better understood, it will be necessary to refer to some events in the history of the parties. Rees Jones, who did the killing, is a native of Wales, and is fifty-four years of age. Thirty years ago he came to America, and during the war of the Rebellion enlisted as a soldier in the Union army. He was severely wounded, and is now drawing a pension. In 1879 he came to Utah, and settled in South Weber, a few miles south of Ogden, and about a mile from the site of Morrisville. He got some land from his brother John, and after the latter parted with it he felt somewhat dissatisfied. Some time since Rees sold a portion of this land to his brother John's son, and this further increased the bitterness on John's part.

John Jones is about three years older than his brother Rees, and is a larger and stronger man, though his hair and beard are whiter. He came to Utah about 1879, bringing with him a wife and some children by a former wife who had died in Pittsburgh, Pa. He also went to South Weber, where an older brother, William, who is credited with being one of the chief instigators of the Morrisville Rebellion, resided. A few years ago John's wife left him because of the brutal treatment he gave her, and took with her her children, the youngest of which is now about six years of age.

Rees has been living by himself in a small house on his farm. On Tuesday he went to Ogden and drew his pension money, \$24. He loaded up with whisky, and took a supply along to his home. On Wednesday afternoon the dispute between the two brothers was revived. The whisky was brought out and drunk as a covenant of peace, but it had an opposite effect. Rees went out of his cabin to get some provisions, and on his return found John in a terribly angry mood. He made a desperate attack on Rees, throwing him on the bed, and to the floor, with his head jammed between the wall and the floor-board. There John stamped on Rees' head until it was beaten to an almost unrecognizable mass.

Rees managed to get away from his assailant, and John mounted his horse and started off to his son's house. Rees tried to get on a horse and follow him, but he was too drunk to hold the animal, and it got away. He then loaded his shotgun with No. 4 shot and started out. Half an hour afterwards, when about 60 yards from the brow of the hill leading down into Morrisville, and half a mile from his cabin, he met his brother John returning for a bridge, on horseback.

Rees looked up and called out, "Now, John, don't you, I've got you; you've got to die!" John, who was still drunk, replied, "All right, Rees," and continued to ride forward. When he was about 15 feet distant, Rees leveled his gun and fired, the lead striking John in the breast, the greater part going to the right side. The wounded man fell to the ground, and Rees continued on his way.

John Jones, Jr., was coming up the hill, about 150 yards from where the shooting took place. He heard the report of the gun, but was too far away to hear anything that was said, and the brow of the hill prevented his seeing anything that was going on. He hurried forward past his father's house, where his father lay on the road, unconscious. Rees went on and told his relatives what he had done, then found the justice of the peace, Parley E. Prophet, to whom he surrendered himself.

The wounded man lived about 20 minutes after he was shot, but was unconscious the entire time. His body was taken to his son's house, where an inquest was held, and a verdict rendered in accordance with the above facts. An examination showed that 48 wounds had been made in his breast by the shot, eight of which were necessarily fatal.

The slayer had a preliminary examination at 5 p. m. yesterday; County Prosecuting Attorney Joseph Barton conducting the case for the people. The result was that Justice Prophet ordered the defendant committed to the custody of the sheriff of Davis County, D. O. Willey, who took him to Farmington last night, reaching there at about 11 o'clock, and brought him on to Salt Lake City.

The dead man was about five feet nine inches in height, and is described as being a well-developed man, and when under the influence of liquor was especially disagreeable.

The slayer is about five feet six inches in height, and will not weigh over 160 pounds. His hair and beard are gray, but have been black. He has lost one eye, and the other is a light gray, while the general expression of his face indicates that he is an exceedingly passionate man, though ordinarily he has been considered an unassuming person. The bruises on his head and body, inflicted by his brother, give him a repulsive appearance. Both eyes are "blackened," and his whole face cut and bruised horribly.

The story as told above is that given by Rees Jones, he being the only living witness to the principal facts stated. It has been asserted that the prisoner is a "Mormon," and that one cause of the quarrel was that John was not, and that religion was the subject under dispute. This statement is utterly false, as Rees Jones is not and never has been a "Mormon" since he came to America, in 1857. Before that date he was a member of the Methodist church, and he has no information of his history except as to his birth.

The funeral of the dead man was set for this afternoon, from his son's home in South Weber.

Court Notes.—Proceedings in the Third District Court to-day: Frederick Crowton vs. John T. Lynch; jury gave a verdict for defendant.

John W. Snell vs. Edward Senor; motion for judgment upon the pleadings overruled.

Edward A. Austin vs. Tribune Publishing Company; continued for the term, with costs upon defendant.

J. W. Snell vs. Edward Senor; jury gave a verdict for the plaintiff.

William Holmes was admitted to citizenship.

David B. Snell vs. Harvey Hardy et al.; on trial before a jury.

The accounts of the U. S. Marshall, relative to the postoffice were presented by the District Attorney and allowed.

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