## EVENING MEWS.

Friday Oct. 22, 1886

## FRAGMENTS.

GEO. S. ERB was made a member of case against Bishop Bassett, and prethe grand jury yesterday afternoon,

vice W. A. Wiseman, excused. A MAN camed Bowman was put in the city jail last night on the charges of drunkenness, profanity and resisting and threatening officers. He was fined \$20.

J. H. BENNETT, general freight and passenger agent of the D. & R. G. W., was married to Sarah Ann will leave for San Francisco this afternoon, to attend a meeting of the

clerk in the D. & R. G. W. office, in this married and took to wife one Kate for money, with gloves, and would city, has presented her husband with a Smith, and then and there had her for fight to a finish. In pursuance thereof fine daughter. Mrs. Arthur is in Denver, and the newly-made papa is all anxiety to see his baby.

G. W. Atwood and Thomas Leland were arrested last night for fighting. Atwood plended guilty to the addition-al charge of drunkenness, and was fined \$5 this morning. The other charge was set for tilal this aftercharge was set for tilil this afternoon and the pactles being convicted, they were flued \$7.50 each.

Most of those who accompanied the Tabernacle choir excursion to Neph returned home last evening. The dance given in their honor at Nephl on Wednesday evening was a select and very enjoyable affair. The weather during the visit was fair, though yesterday at about 11 a.m. a heavy rain storm set in. The generous hospitality of the residents of Nephi is highly appreclated.

LOCAL NEWS.

Praising the Choir .- We are in

receipt of a communication praising the singleg of the Tabernaçle Choir of this city at the concerts given by it at Nephi, and expressing the high appreciation of the people of the visit of the concerts, we do not publish the communication referred to.

To the "Pen."-Last evening the following brethren were brought from Provo and taken to the penitentlary to serve out their terms of imprisonment for refusing to renounce their wives: Bishop J. W. Loveless, sentenced to six mobiles in the penitentiary and to pay a fine of \$300 and \$97.40 costs. John Durrant, six months' imprisonment and a fine of \$100. Hans Jensen, six months' imprisonment and a fine of \$100.

Sudden Death. - The family of against him.

the Court Instructed her that the Brother W. R. Jones, of the Fifteeuth questions were proper and must be Ward, is plunged in grief by the sudden death of his infant son last evenanswered.

Mr. Rawlins made a brief argument ing. He is absent traveling for J. H. Parry & Co., and is supposed to be in in favor of the position the witness tuted a violation of that statute. The fact that the parties intended to deceive

MRS. KATE BASSETT WILL NOT BE A WITNESS AGAINST HER HUSBAND. To-day the grand jury came into the Third District Court, after having

REFUSES TO TESTIFY.

Utah:

spent some time in considering the This morning the grand jury filed into sented the following document: the Third District Court to receive

from Chief Justice Zane instructions To the Honorable C. S. Zane, Judge of the Third District, Court, Territory of relative to the recent prize fight between McDonald and Slade, in the Your grand fury respectfully report Opera House.

The Judge in his remarks to the jury, said the paper presented by them to the Court was a statement of cer-tain facts, and the question was asked whether these facts constituted a violation of section 2,061 of the Compiled lation of section 2,061 of the Complied Laws of Utah. The substance of the facts stated to the court by the jury is that persons adver-tised in the public press and by public posters, that at a public place two men would engage in a prize fight for monar with gives and would Williams, and then and there had her for his wife. That afterwards, to wit, noon, to attend a meeting of the Transcontinental Pool Association. THE wife of Mr. W. W. Arthur, chief clerk in the D. & R. G. W. office, in this married and took to wife one Kate

his wile. That said evidence also tended to show that the defendant and the said Kate Smith went through a subsequent ceremony of marriage in the year 1886, were armed with gloves not thick

were armed with gives hot thick enough to prevent injury to each other, and seconds and a time keeper were present, with all the necessary adjuncts to a prize fight. The parties exchang-ed blows, and finally one of them ap-peared to be knocked down. He also appeared to be unable the introduction of the evidence aforeto get away, and was car-ried off, and everything appeared to said, and while said matter was so make it a real prize fight. But it turned out afterward that the contestants had

pending before your grand jury, and while the place and time of the said alleged second marriage were yet undeter-mined, the said Kate Smith was called agreed not to hurt each other. The question was asked by the grand jury whether these facts were a violation of the statute. The section reads: and presented herself as a witness on the matters aforesaid, before your "(2061.) Sec. 231 Every person who grand jury; and after being only and engages in, instigates, encourages or regularly sworn as such witness, the following interrogatories were by your grand jury severally propounded to promotes any ring or prize fight, or any other premeditated fight or contention (without deadly weapons), either as principal, aid, second, umpire, sur-geon, or otherwise, is punishable by imprisonment in the penitentlary not exceeding two years."

Question 1.-Did you go through a marriage ceremony at Logan, la this Territory, with William E. Bassett, prior to your marriage with him in Salt Lake City? Question 2.-Did you, at any time in It would seem that every person who

engaged in, instigated, encouraged or 1884, go through any ceremony of mar-riage with the detendant; Wm. E. Baspromoted any prire light or contest, was liable to indictment and punishment sett, in the Te nple at Logan? Question 3 —Have you gone through a marriage ceremony with Mr. Basset! at any other place in the Territory of Utab, except in the city of Sait Lake? Mr Be question was, whether this was a were stated. The statute was not made to apply to street brawls, but to prevent the evils attending prize fights. Question 4.-Were you not mar- One of these evils was the assembling ried to him in the year 1884, and have of large crowds of disorderly persons. Choir to that place. Having already you not since said marriage lived with A turbulent crowd were usually pres-given an account of the excursion and Uiab?

To all of which questions the said witness made no answer, but declined and refused to answer them or either on such occasions is that and refused to answer them or either parties are dissatisfied with what goes on, and as a result broils and fights will occur, and such conduct is injuri-Wherefore your grand jury pray the

consideration of the Court in the premises, whether said questions, or either of them, are competent and ous to the public welfare and the good order of society. Where a fight was advertised and a fraud practiced which proper to be answered, and that such deceived the audience, it was all the action may be taken by the Court as the law and the premises will warrant. more liable to create a broil and bring Grand Jury rooms, at Salt Lake City, Utab, October 22, 1886 about a general disturbance. It did not appear in this case that the parties expected that their fraud would be found out; but the deception only made RICHARD MACKINTOSH,

Foreman. it worse. Another injury of such pro-ceedings was the effect of the had ex-The ground on which Mrs. Bassett refuses to testify is that she is the legal wife of the defendant, and under

committed against her

CORPUS.

OF SEGREGATION.

Lorenzo Snow for a writ of Habeas

Your petitioner also shows that such

Corpus.

ample upon society, especially the younger class. Older ones might avoid it, but the younger ones might be en-couraged in engaging in this class of the law cannot be compelled to testify

from the Provo Mills, Wholecontests, as tests of strength and persale or Retail, by sonal courage. These trials of physi-cal strength and courage lead to fighting, and encourage that spirit, and are prohibited by the law. The Court charged that the facts stated consti-

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ings.



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**BLANKETS & FLANNELS** JNO. C. CUTLER & BRO. Are also offered at VERY LOW PRICES. A very Large Stock

WE CARRY A FULL STOCK OF Dress Goods, Trimmings, Notions, Ladies' and Misses' Cloaks, Seal Plush Sacques and

Wraps, Shawls, Flannels, Blankets, Men's and

THAT PRIZE FIGHT. Judge Zane says it was a Violation of the Law, Notwithstanding It was a Fraud. But Where are the Principals?

away, and was car-

Summit County. Telegrams have had taken, and further action in the matter was deferred until 10 a.m. tofailed to reach him. If his whereabouts is known to any of our readers morrow

they will perform an act of kindness In reference to this question, the by sending word to him to return home Territorial Supreme Court, in overat once. We sympathize with the be culing the action of the First District reaved. Court in the Barnard White case, on July 1st, said:

Civil Suit .- To-day C. M. Gilber-"The court was clearly in error in son instituted a suit in Justice Pyper's ruling that the witness should court against Edmund Wilkes, for \$9). The plaintiff claims that some time ago, he bought from the defendant a leged offense of cohabitation, there lot of wood, at Bingham Cañon, for was no crime wh ch might possibly, although we do 565. He received an order for it, and sold the wood to dnotker party. When the order given by the defendant was time the relationship of husband and wife commences, the principle of expresented, the men in charge of the wood refused to honor it, so the plainclusion applies to its full extent whentiff commenced this suit, as he says, to eventhe interests of either are directly get his money back, and \$25 for the ex- | concerned." pense he has gone to. PETITION FOR HABEAS

Narrow Escape From a Bear .-Under date of the 19th inst. John IEPORTANT ACTION LOOKING TO A TEST Clark of Upton, Summit County sends us the following account of a thrilling incident:

In the Third (District Court to-day On Friday, Oct 15th a Mr. Conrad and William Staley, both of Upton, were out for a hunt, and came across a Lorenzo Snow, now undergoing imbear. Having a dog with them, they sent it after the bear. Two boys, aged prisonment in the Utah Penitentiary on a conviction of unlawful cohabita-12 and 16 years, were likewise out on a hunt, and seeing a bear coming towards tion, the offense having been segrethem, which proved to be the one gated into three counts in the indictchased by the dog, they started to run. The bear gained upon them. The younger boy fell flown screaming. The older boy named E. Staley, seeing no ment

On seeing the document Judge Zane asked what the object of the proceedchance of escape, turned and fired a bruin. Fortunately the shot took ef ing was, and was answered to the effect that the design was to test the fect in the beat's brain, killing it instantly. It weighed over 400 pounds. legality of segregating indictments Judge Zane stated that as Mr. Varian

Church Musical Society. - We was not present the court would take learn that measures are being no action in the matter until to-mortaken looking to the early, estabrow morning at ten o'clock, when it will lishment of a musical society, to be come up. The proceedings then will depend upon Mr. Varian's attitude, or composed of members of the Church. The members of this society are to be upon his line of opposition, should he thoroughly trained in classical and oppose the granting of the application. sacred music, oratorios, etc., and it Following is the text of the petition:

the design to constitute a In the District Court of the Third Judicial District, Territory of Utah, Salt Lake County. thorough organization for advancement in music of the character referresi to a the matter of the application of Tae movement has the approval of the authorities of this Stake, and will no doubt be heartily encouraged and pa-The petition of Lorenzo Snow retropized; it will be under the direction spectfully shows: That he is now a prisoner confined in custody of Frank of Prof. George Careless. A further II. Dyer, United States Marshal in and for the Territory of Utah, in the peni-tentiary of said Territory at the coun-ty of Sait Lake in said Territory, for a announcement of the time and place at which the society will be organized will be made as soon as pending arsupposed criminal offense against the United States, to-wit: Unlawful corangements to that end are completed. This will enable the brethren and sishabitation. ters of this vicinity, who are interested in musical pursuits, to unite with this conductment is by virtue of the judgment, warrant, and proceedings officeproposed society, and we may expect to ord, including three indictments against your petitioner, his arraign-ments thereon, and pleas thereto resee cordiai encouragement extended to it from all classes of the community.

spectively, as well as demurrers to such pleas, decisions thereof, and ver-"After Dark."-The Home Dramdiets of the jury, being the record of said matters in the District Court of atle Club has always been successful the First sudicial District of the Territory of Utah, copies of all of which are hereto annexed and in the past, that there is little reason to expect anything else on Monday and marked respectively, exhibits A, B, C, D, E, F, G, II; I, J, K, L, M, N, O and P. And your petitioner further shows Tuesday nights. It has made a name particularly for sparing neither pains nor expense to put its pieces on apthat under said judgment, a copy of which is marked exhibit "P" and in execution thereof he has been imprispropriately, and the outlay it has gone to for "After Dark" is the heaviest since "Saratoga" and oned in the pentientiary for more than six months to wit: continuously since the 12th day of March, A. D., 1886, and "The Banker's Daughter." Two new scenes have been painted by Alfred has paid \$300 in satisfaction of the fine Lambourne, the well known local art- a djudged against him and all the costs ist, and will form the principal sets | awarded and assessed against him on

piece. "Blackfrier's Bridge" has been painted from photographic de-signs, and will be as correct as it can be portrayed on the stage. The ment acainst your petilioner home for the total for the total for the total for the states in this in the state of the states in this in the state of th

the public, lustcad of ergaging in a light, only tended further to create

disorder, and under such circum-stances parties might be seriously in-The only Norwegian dealor in Salt Lake City, is the only place in town where you can get the genuine Nor-way and Holland herring. Norway anchovies and spilt codfish. A full assortment of first-class groceries at lowort prices. Produce taken is or Jured, as they often are when they do engage in prize fights. At the conclusion of the Judge's In-

structions, the grand jurors filed out of the court room. Whether the parties half block east of Methodist Church half block east of Methodist Church. engaged in the fight will be indicted or not, remains to be seen. The two prin-

frightened.

For the relief and cure of the in cipals were arrested and released on flammation and congestion called "a the small boud of \$500 each, and it is cold in the head" there is more potency in Ely's Cream Baim than in anything generally understood they have left eise it is possible to prescribe. This for other parts. In connection with preparation has for years rast been not determine the point, make her a this matter the following section, for cold in the head, catarrh and hay competent witness under our statute. following the one quoted by fever. Used in the initial stages of the Judge from the Complied Laws, of these complaints Cream Balm premay be of interest to those who wit-nessed the binnedrome. vents any serious development of the symptoms, while almost numberless nessed the hippodrome : cases are on record of radical cures of (2662.) "Sec. 232. Every person chronic catarrh and hay fever after all

villully present as a spectator at any ight or contention mentioned in the other modes of treatment have prove of no avail. preceding section, is guilty of a mis-demeanor."

A "DEMOCRATIC" NOMINEE. WM. M. FERRY, OF PARK CITY, SE-

LECTED WHEN R. N. BASKIN

Wolcott, of Ophir.

ation

ritory

and the "Mormon" people.

orough, and were carried:

Bucklen's Arnica Salve.

BOOKS

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DECLINES. THE BEST SALVE in the world for Cuts, Bruises, Sores, Ulcers, Salt Rheum, Fever Sores, Tetter, Chapped Hands, Chilblains, Corns, and all Skin Eruptions, and positively cures Piles, The members of the "Democratic" Territorial Central Committee met in Hall & Marshall's office last evening. There were present J. B. Rosborough, or no pay required. It is guaranteed to give perfect satisfaction, or money refunded. Price 25 cents per box. FOR SALE at Z. C. M. I. Drug chairman, Parley L. Williams and Wm. C. Hall, of Salt Lake; J. W. McNutt

and E. A. McDaniel, of Ogden; Wm. Store Fe ry and R. I. Waddell, of Park City; The Wonderful Healing Properties

H. S. Krigbaum, of Corinne, and J. H. of Darbys Prophylactic Fluid.

Wherever a preventing, healing, R. I. Waddell, W. M. Ferry and P. P. cleansing and deodorizing injection or Williams made speeches, and in the wash is required use Darbys Prophyusual venomous style denounced Hon. lactic with the Fluid. Any inflame: surface, external or internal, treated with the Fluid will be quickly relieved. It has effected cures that has resisted the best module will John T. Caine, Delegate to Congress, A proposition to call a general couthe best medical skill. vention of Democrats to make a nom-

Don't Experiment.

ination for Delegate to Congress was You cannot afford to waste time in opposed on the ground that "Morexperimenting when your lungs are in mons" would attend and control it. danger. Consumption always seems at first, only a cold. Do not permit any dealer to impose upon you with some cheap imitation of Dr. King's New Discovery for Consumption, Coughs and Colds, but be sure you get the genuine Because he can make more prolit he may tell you he has something just as good, or just the same. Don't be deceived, but insist upon getting Dr. King's New Dis-covery, which is guarant ed to give re-hief in all Threat, Lung and Chest af-fections. Trial Bottles Free at Z. C. M. I. Drug Store. langer. Consumption always seems R. N. Baskin, who figured as the 'Liberal'' delegate at. Washington during the last session of Congress, endeavoring to secure unrepublicau legislation, was then placed in nomin-The following resolutions were in-

troduced by the chairman, J. B. Ros-WHEREAS, The name of John T. Caine, Delegate to Congress from Utab, has beretofore been placed on the Democratic Congressional Committee,

## COAL! COAL! COAL!

while he is in no sense a Democrat: Resolved, That I: is the sense of the Democrats of Utab, that said Came Weber, Rock Spring, Pleasant Val-ley and Red Canyon-All the Coais sold occupies that position under false prein the Salt Lake market. Our Weber is from the celebrated Grass Creek mines and we are mining better coal than ever before. No other Weber enses, and that the fact is a reproach to that committee, and a discredit to the Democratic party. Resulted, Furth r, That, as a protest against said discreditable fraud, a sound and reliable Democrat should be selected to receive the support of Democratic to receive the support of

way Company. A. J. GUNNELL, Agent. Democrats at the ensuing election for Delegate to Congress from Utah Ter-

Office, Wasatch Corner

Resolved, That in view of the brief ime to lapse before such election, this committee suggests and nominates Those Complaining of Sore Throat or Hoarseness should use BROWN'S BRONGUIAL TROCHES. The effect is Judge R. N. Baskin as an acceptable Democrat, and ask in his behalf the extraordinary, particularly when used by singers and speakers for clearing co-operation and support of all voters in the Territory who concur with the the voice. cusons which prompt this action.

Mr. Baskin's nomination was unani-DISEASE IMPOSSIBLE. Yes; utterly "impossible " when all malarial poisons are driven out of the mously endorsed by the nine members



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WHOLESALE BUYERS will do well to inspect our Immense Stock and Honest Prices before purchasing elsewhere.

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