

Utah No. 446 s., Second West Street." When the wounded boy was carried into his home, his eyes had swollen greatly and his head was badly discolored. In one of his pockets was found the weapon with which the deed was committed, a 32-calibre revolver, which was covered with blood. The shot had evidently been fired two or three hours before he was discovered, and while lying on the hillside he had probably placed the weapon where it was found.

He could converse in a perfectly rational manner, but would give no reason for his rash act. He had a reputation for being quiet and peaceable. Of late he had been somewhat discouraged, and felt that he was not making sufficient progress in his business. He stated that he had attended Dr. York's lectures on infidelity, and become convinced that there was nothing after the present existence—that all was blank, and afforded nothing to create an ambition to fight the battles of this life. He was protested with on this point, but insisted on his conversion to the theory that there was no reward hereafter for a struggle against the adversities of mortality, and this idea was doubtless the cause of his decision to end his troubles by taking his own life.

Several physicians were summoned to attend him last evening, but gave no hope. Today, Drs. Bower, Benedict and Bascom were present, and held a consultation, at which the same decision was arrived at. It was possible that he might live a day or two, but the wound is necessarily fatal. He was sinking to-day, and though still conscious and able to answer questions put to him, he had become blind, and his dissolution is apparently close at hand. He insists that he wants to die, and does not regret his action. His parents are almost distracted with grief at the sad occurrence.

FROM SATURDAY'S DAILY, MARCH 24, 1888.

\$5000 Damages.

The jury in the suit of Chas. L. Lowe vs. the *Herald*, for alleged libel, rendered a sealed verdict last evening. It was opened this morning and gave the plaintiff \$5000. From a review of the evidence it is difficult to see on what the jury based its conclusion. An appeal will be taken.

Death of Captain John Douglas.

Many of the Saints who have emigrated from these shores will learn with regret of the death of Captain John Douglas, commander of the Union Line steamship *Nevada*. He died at the New York Hospital, on the 25th of February, in the 54th year of his age. His body was brought back to this side of the Atlantic at his request, that he might be buried by the side of his wife, who died two years ago in England. Captain Douglas will be remembered by many hundreds of the Elders and Saints now in Utah, as a considerate officer and courteous gentleman.—*Millennial Star*.

The Bar Association.

The Salt Lake Bar Association held a meeting this afternoon, at which the following members were present: Ben. Sheeks, LeGrand Young, Chas. S. Varian, J. L. Rawlins, C. W. Powers, C. K. Gilchrist, H. S. Lauey, H. G. McMillan and M. M. Kalgibn. Ben. Sheeks, Esq., president of the Bar Association, presided.

On motion of Mr. Varian a committee of five were appointed to draft suitable resolutions of respect to the memory of Hon. Morrison R. Waite, late Chief Justice of the Supreme Court of the United States.

The chair named the following members of the bar as the committee: Judge J. G. Sutherland, Mr. C. W. Bennett, Mr. C. S. Varian, Mr. J. L. Rawlins, and Judge C. K. Gilchrist.

The meeting adjourned subject to the call of the president.

Third District Court.

Proceedings before Judge Zane today:

Charles L. Lowe vs. The *Herald* Company; verdict for plaintiff of \$5000; 30 days stay allowed to file notice and statement for new trial.

Edward Brain vs. Sarah Leigh et al.; motion to set aside sale granted and new sale ordered.

The Court announced at the suggestion of members of the bar that a meeting of the Bar Association would be held at 2 p. m., to take appropriate action with reference to the death of Chief Justice Morrison R. Waite, of the Supreme Court of the United States.

The People vs. Joseph Watson; burglary; 15 days allowed defendant to file motion for new trial.

Star Wagon Co. vs. Geo. Chambers; argued and submitted.

Larosa Godfrey vs. Joseph Godfrey; hearing continued to March 31, at 10 a. m.

The grand and petit jurors for the April term were drawn.

Court adjourned out of respect to Chief Justice M. R. Waite's death, till Monday, at 10 a. m.

First District Court.

PROVO, March 28.

The following sentences are set for tomorrow, all for unlawful cohabitation: Robert E. King, Fredrick Weight, Henry G. Boyle, Ledru Loveridge, George Storrs, George Farnsworth, Henry Hamilton, James Latimer, Levi

Curtis, James Higginson, Harvey H. Cluff; Joseph Luncford, Charles Monk, Joshua Adams, John Christensen, Edwin Whitney, Karl G. Maeser, Thomas R. Cutler. Also, Charles Allred, for grand larceny, and George Udall, perjury.

The jury retired in the case of the People vs. Calvert Allred and J. Justensen, grand larceny, this afternoon, and the case of the People vs. Hyrum R. Polk and Valentine Young, grand larceny, is on trial. The latter are soldiers from Uintah, and are charged with killing cattle in the mountains.

Saturday, March 24.

The following is a summary of today's doings:

The following sentences for unlawful cohabitation were passed by the Court:

Thomas Harding, 6 months and costs; Robert E. King, 6 months and costs; F. Weight, imprisoned for 60 days; Henry Stohl, 60 days \$100 and costs; George Farnsworth, \$200 fine; H. Hamilton, 6 months, \$100 and costs; L. Loveridge, 6 months, \$50 and costs; James Latimer, 6 months, \$300 and costs; Levi Curtis, 6 months, \$100 and costs; James Higginson, 6 months, James Luncford, 6 months \$50 and costs; Joshua Adams, 6 months \$100 and costs; Karl G. Maeser, 60 years of age, had a petition for leniency in his favor; \$300 and costs; Thomas R. Cutler, 6 months, \$300 and costs, new trial granted, admitted to bail with sureties of \$1500. Edward Whiting, 80 years of age, sentence suspended. H. G. Boyle, six months, \$100 and costs, case of adultery dismissed. In the case of Charles Monk sentence was postponed till April 14th; H. H. Cluff, sentenced suspended till April 14th; George Udall, sentence postponed till April 14th.

Erastus L. Gee, bigamy, three years' imprisonment.

Charles Allred et al.; sentence postponed till April 14th.

Marinda Loveridge; perjury; fine of \$50.

Joseph Clark, recently liberated from the penitentiary after serving a term for unlawful cohabitation, has been arrested on a charge of committing a similar offense.

AFTER MORE PROPERTY.

Receiver Dyer Suing for Two Pieces of Real Estate.

Frank H. Dyer, as Receiver in the suit against the Church, has commenced suit for two pieces of property which he alleges belong to the Church. This property is located on the same block as the Titling Office, and faces south, just east of the centre of the block.

The complaint was filed in the case about 5 o'clock last evening. It sets forth the authority under which the Receiver is acting, and says:

That subsequent to the taking effect of the said law approved July 1, 1892, the said corporation of the Church of Jesus Christ of Latter-day Saints, acquired real estate and property of the value of fifty thousand dollars and upwards. Said property so acquired being described as the southwesterly portion of Block eighty-seven (87), Plat A, of Salt Lake City survey, situated in the city and county of Salt Lake and Territory of Utah, beginning at the southwesterly corner of said block and running thence east twenty (20) rods, thence north twenty-five (25) rods more or less to a point twenty-five (25) feet north of the north wall of the building situated upon said block, and denominated the "Tabernacle," thence west parallel with said north wall of said "Tabernacle," and twenty-five (25) feet north thereof, twenty (20) rods to the westerly boundary line of said block; thence south on said westerly line twenty-five (25) rods more or less to the point of beginning, together with the said "Tabernacle" and "Assembly Hall" situated upon said premises, and constructed and used by said Church as houses of public worship.

That while being so possessed and the owner of the said last described property and being of the value of more than fifty thousand dollars, the said Church in violation of the said act of Congress, on the fifth day of May, 1891, purchased for the consideration of \$5,500 the following described premises and real estate, to wit: par's offlots 2 and 7, in block 83, plat A, Salt Lake City survey, bounded and described as follows: Beginning at the southeast corner of said lot 2, and running thence east five rods, thence north twenty-five rods, thence west five rods, thence south five rods to the place of beginning, situated in the county and Territory aforesaid.

That the said property last above described was then and there purchased by said Church from one Alfale Young, and the said consideration and purchase price, to wit, the said sum of \$5,500 was by the said Church paid to the said Young; but the said Church, for the purpose of concealing the fact of its acquiring the said property while it was the owner of more than \$50,000 worth of property and real estate, and with the fraudulent intent of evading the provisions of the said law, approved July 1, 1892, procured the conveyance of the said real estate and premises to be made to one Angus M. Cannon, who was then and there a member and official in said Church, and who then and there wrongfully agreed to and did accept the title and conveyance of said property for the fraudulent purpose of concealing the ownership thereof. That the said Angus M. Cannon, the grantee named in said deed, never paid any

portion of the consideration named therein, or any consideration whatever, to the said Young for the said land and premises, and was not a party to the negotiation respecting said sale and transfer. That thereupon the said Church, by its agents and officers, entered into the possession of the said premises, and ever since have and do still retain the possession thereof, and use and keep the same for the exclusive purpose of said Church; that the said Angus M. Cannon never entered into the possession of the said premises, or any part or portion thereof, and never exercised any control or dominion over the same.

The complaint also describes another piece of ground 4x12½ rods, lying contiguous to the north half of the first piece described, and joining it on the east side, and alleges that the same was purchased by the Church from Julia Y. Burton, "for a valuable consideration," and conveyed to Angus M. Cannon in the same manner as alleged regarding the piece purchased from Alfale Young.

The Receiver then goes on to state that the Church is in the possession and occupancy of the ground, and that the Church and its officers, and the said Cannon have ever since said purchases and conveyances as aforesaid, fraudulently and falsely pretended the said property was the property of the said Angus M. Cannon, while the same in truth and in fact, is the property and in the possession of the said Church. The Receiver asks that the deeds "be decreed null and void in so far as they purport to convey the title to the said Angus M. Cannon; and that the plaintiff, as Receiver—be decreed to be the owner and entitled to the possession of said premises, every parcel thereof, and that he have the possession of the same, and that the Court grant such other and further relief in the premises as may be equitable.

THE JURORS.

Drawn for the April Term.—The Box Empty.

In the Third District Court today the names of those who are wanted as grand and petit jurors for the April term were drawn. Enough were secured for the grand jury venire, but only nine names were in the box out of thirty-six wanted for petit jurors, the entire list of 200 being exhausted. This will render a recourse to the open venire necessary. The names drawn are as follows:

FOR GRAND JURORS.

166 Chas. W. Rockwood,
144 Sanford J. Hyde,
173 Henry Prosser,
153 James Ratcliffe,
149 Louis A. Snyder,
167 John Dake,
101 Hyrum Smith,
143 Philip Morgan,
113 John Strickley,
178 Saml. H. Bennion,
112 John Spencer,
103 Wm. H. Smith,
125 John F. Kelley,
174 Walter Steed,
123 M. H. Hennessy,
110 Oliver Howell,
135 Edward W. Gray,
169 George Wright,
138 Oscar Despain,
129 W. O. Williams,
179 James De Courcey,
137 James Murdoch,
118 Robert Gardner,
134 Henry N. Bird,
198 Ronj. E. Barron,
150 Wm. Parker,
151 John Mahstrom,
117 George J. Barry,
134 Patrick Fallon,
166 Bryant Stringham.

The venire was made returnable April 9th, at 11 a. m.

FOR PETIT JURORS.

170 John C. Sharp,
153 John Mella,
143 Murray Shepherd,
157 William Colbath,
195 J. L. Robertson,
177 James Spaulding,
109 George C. Harkins,
138 John E. Roueche,
144 Josiah Draper.

Venire returnable April 16th, at 10 a. m.

Samuel Fenton Dead.

Samuel Fenton, Esq., of this city, died at 2:15 this afternoon, of old age. He was born at Brown's Mills, New Jersey, October 29th, 1810. He spent 40 years in the service of the Pennsylvania Railroad Company, and was one of the oldest conductors in the United States. For the past four years he has resided in this city, with his children. Notice of the funeral service in this city will be given hereafter.

FROM MONDAY'S DAILY, MAR. 26, 1888.

Released.

This morning J. H. Ridges, of the Nineteenth Ward of this city, was released from the penitentiary. He has served a six months' term for living with two wives, and 30 days additional for the fine imposed upon him.

Alex. Burt Sentenced.

Alexander Burt, of this city, was called foretense in the Third District Court today on a conviction of unlawful cohabitation. Judge Zane asked—"Mr. Burt, what have you to say as to whether you will obey the law in the future?"

Mr. Burt—I have nothing to say, your honor.

Court—Well, you will be sentenced to imprisonment in the penitentiary

for the term of six months and pay the costs of prosecution; you will stand committed till the costs are paid.

Plea of Not Guilty.

John W. Hess, of Davis County, was arraigned in the Third District Court this morning on a charge of unlawful cohabitation, and pleaded not guilty. The indictment against him is a relic of the barbarous Dickson segregation regime, and contains three counts, one each for the years 1884, 1885, and 1886.

Sudden Death.

On Saturday evening last Mrs. Elizabeth Garbett, wife of Samuel G. Garbett, was in the enjoyment of her usual health, and engaged in the performance of her household duties. During the evening, however, she was attacked with inflammation of the bowels, and died at about 4:30 yesterday afternoon. She leaves a husband and two children, one aged sixteen months and the other three weeks. Her sudden demise was a great shock. She was not quite twenty-two years old, was the daughter of Robert and Sarah Mitchell, and was a native of Dalry, Ayrshire, Scotland. Funeral at 12 m. tomorrow, in the Fifth Ward meeting-house. Friends of the family invited.

Reported Collision.

A smash-up was reported to have occurred in the snow sheds on Piedmont Hill, Wyoming, last Friday. Two freight trains, Nos. 20 and 21, Conductors O'Hara and Spencer, were coming up the hills at that place in opposite directions. One of them reached the summit before the other and began descending through the snowsheds when a collision took place. One of the trains was pulled by two engines. No one was hurt, which is almost a miracle, as the three engines were demolished. No information as to the cause of the accident or upon whom the responsibility will be shouldered could be ascertained.—*Ogden Standard*.

Another Damage Suit.

The suit of Alfred Lambourne vs. Thomas F. Mulloy and Samuel Paul, was taken up for trial today, before a jury, in the Third District Court. Mr. Lambourne asks for \$5000 damages from Mulloy & Paul, for injuries received on the night of the 18th of June, 1887. After a performance at the Theatre on that date, the plaintiff, with quite a number of others, started home along the east side of the Theatre. Near the stage door they encountered Mulloy & Paul's transfer wagon, drawn up across the sidewalk. After some complaint on the part of the pedestrians, the wagon was drawn away, and several persons passed on. Mr. Lambourne made an effort to get through, but the wagon coming back suddenly he was caught between it and a post close to the building, and badly squeezed. For the injuries thus sustained he asks damages. The defendant's claim that they were not responsible for the accident. Sheeks & Rawlins are attorneys for the plaintiff and Arthur Brown for the defense.

These Warnock Notes.

Judge Zane today rendered a decision in two suits of the Star Wagon Company vs. George Chambers, where the instruments sued on were what are generally known as the "Warnock notes." On several occasions the true inwardness of the business connected with the notes has been ventilated through the News. Quite a number of people did business with R. Warnock when he was a dealer in agricultural implements, and many gave promissory notes in payment for his merchandise. Later these notes were paid, but the unscrupulous were satisfied with a receipt for the amounts from Warnock and failed to obtain the notes. After Warnock failed in business, suits were commenced by the Johnson Harvester Company, and others whom Warnock had represented, against parties alleged to be owing them, and it was then first discovered that Warnock had transferred the notes to the companies, and had not credited the amounts paid on them, for which he had receipted. Several parties were compelled to pay twice, but soon the matter got into the district court, and now the Chief Justice has held that the notes were not negotiable instruments. This effectually squelches all efforts to collect a second time on notes that were given to Warnock.

Mrs. Iverson Dead.

On Friday evening Sister Eveline W. Iverson was brought to this city to receive surgical attention by the removal of a tumor which was afflicting her. Our correspondent at Pleasant Grove sends the following regarding the case:

"Mrs. Eveline Walker Iverson, came in from Ashley Fork, Uintah County, on Monday, via the D. & R. G. W. The journey to Price Station was made by team—125 miles—five days being consumed on the road. Mrs. Iverson is suffering from tumor of the abdomen. Last Spring the lady underwent an operation in Salt Lake City and a large tumor was removed successfully. She recovered so far that she accompanied her husband to Uintah County last fall where they made a home. This winter she was attacked with the same affliction and has been steadily growing worse until it was thought best to bring her back to her former home

for treatment. Doctor Pike visited the patient on Thursday and advised her relatives to have her removed to Salt Lake for further treatment. A second operation will be performed as the only hope of prolonging her life. The present growth is on the opposite side from the one removed last year. Sister Iverson is a great sufferer. She has been married but one year and nine months."

The attending physicians decided that she was too weak to allow of the operation being performed at the present time, and resorted to "tapping," in the hope that it would prolong her life and enable her to regain sufficient strength to have the tumor removed. The great suffering she has been called on to endure was too much for her, however, and yesterday she passed from this life. Her remains will be taken to Pleasant Grove, Utah County, where her parents reside, and where the funeral will be held. She was 26 years of age on the 29th of December last, and was highly respected by all who knew her."

The Chicago News says: To their intimate friends Messrs. Booth and Barrett confide that it is their intention to build and maintain in New York a theatre that shall be to this country what the Comedie Francaise is to Paris and what the Lyceum is to London. Mr. Booth made an effort to get hold of the Academy of Music, but he was too late. He hopes to secure, within the year, a desirable site on Broadway at a reasonable price.

We have several times alluded to the precarious conditions which environ the powers behind the throne of the German empire. In this connection it is a significant fact that the Emperor Frederick, Prince Bismarck and Von Moltke, the principal pillars of the state, were all so ill as to be unable to attend the funeral of the Great Kaiser on the 16th. It is a melancholy spectacle to see this sudden collapse at the head of one of the foremost empires of the world.

A dispatch from London, of the 17th inst., gives an account of a remarkable instance of vitality. The facts developed at an inquest held over the body of an aged and wealthy woolen mill owner of Macclesfield, Warwickshire, were that he left a saloon to walk home, a distance of four miles, during a heavy snow storm a few nights ago. In attempting to scale a fence in a lonely and unfrequented portion of the road, he caught his foot between the top rail and the wire and was suspended with his head in a ditch four feet deep in snow. He hung in this position eighteen hours, during which time, in his frantic efforts to release himself, he tore away the brushwood, turf, and a large part of the bank of the ditch. At the end of the eighteen hours he was accidentally discovered, and, notwithstanding the fact that for the entire period his head had been buried deep in the snow, he was still alive. He was quickly carried home, but despite strenuous efforts to restore him to consciousness he expired a few hours later. Prominent physicians say that his grasp on vitality was unprecedented in the annals of medical jurisprudence, and account for it on the hypothesis that the rush of blood to the brain, which would naturally have taken place under the circumstances and caused instant death, was held back by the temperature of the snow, which acted as a refrigerator upon the blood vessels of the brain.

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