DESERET EVENING NEWS.
Friday, March 13, 1896.

INDICTED FOR MURDER.

Work of the Grand Jury as to Harry Hynds for Killing Walter J. Dinwoody.

The grand jury returned an indictment against Harry Hynds for murder at 4:00 yesterday afternoon. Judge Powers asked that the jury be instructed in regard to manslaughter which his honor refused and said that they were not required to designate the degree as that would be left for the trial jury to determine. Thereon the indictment was drawn up in the usual form without designating the degree.

It is alleged that "John Hynds on March 1, 1896, unlawfully, willfully, feloniously, deliberately, premeditatedly of his malice aforethought, and with the specific intent to take the life of Walter J. Dinwoody, an human did make with a certain deadly weapon lawfully, a revolver loaded with gunpowder and leaden bullets, and did then and there, unlawfully, willfully, feloniously, deliberately, premeditatedly and of his malice aforethought, shoot and discharge said revolver at and upon the said Walter J. Dinwoody, thereby inflicting in the thorax and heart of the said Walter J. Dinwoody mortal wounds, from which wounds the said Walter J. Dinwoody languished a short time, and then, on March 1, 1896, died."

HYNDS PLEADS NOT GUILTY.

Harry Hynds was arraigned in Judge Hilton's court this morning at 10 o'clock and plead not guilty to the indictment as now charging him with murder.

The jury also returned indictments against James Hamilton for burglary on March 2, 1896; Hosea O'Connor, for assault with a deadly weapon on the person of Chong Tong, a Chinaman, on Feb. 24, 1896, and James Dillon, for burglary for stealing clothes from Egbert Frenzie, Feb. 28, 1896.

Court in Billard County.

FILLMORE, Utah, March 12.—The February session of the Fifth Judicial Court closed here Monday morning, and Judge Higgins and party left for Beaver. The expense of the session is between four and five hundred dollars. This is an interesting point with many, and will become a prominent factor in Utah politics in future. The judge appeared to meet the public demand for economy with an efficient dispatch of public business, and it will be well for the county officers to use a discriminating leniency that warrant the bringing cases before this Court, so that the people's time and money may not be wasted. In one case a convictsen was had, that of Carlos Young who, with his son George, was charged with sheep stealing from James Hatton of Petersburg. The jury were out all night and came into court Sunday morning with a verdict of guilty as to Carlos Young and not guilty as to George. On Monday morning Young was brought into court for sentence, and five years in the State Prison fell upon him as a clap of thunderbolt. Thus the beginning of the breaking up of a thriving combine who have baffled the efforts of the law in the southern part of the county for years, and giving hope that "when thieves fall out honest men get their does." Young is being held note for a few days to give evidence in other cases. A. H.

P. S. Since writing the above Officers Holbrook and Payne have arrived in town having under arrest Alonzo Abshum, George Penny and Ed Morrison, charged with grand larceny, the two latter were the chief witnesses against the Youngs in the sheep case. A. H.

Panguitch Stake Conference.

The quarterly conference of the Panguitch Stake of Zion met at Circle Valley, Piute county. The conference was called to order by Stake President J. W. Crosby Jr. There was a large attendance. Stake President Crosby gave a favorable report of the Stake. Bishop A. Miller spoke on the benefits of travel, the progress apparent in the valley and the necessity of union in temporal and spiritual affairs. Bishop D. Cameron spoke of the evils of wasting time in playing cards and other frivolous amusements. Bishop H. A. Hansen spoken the effects of our environments for good or evil, waste of energy in frivolous amusements.

On the Sabbath day Bro. Dodge spoke on education, necessity for every-day life; if not educated in the school would inevitably receive an education for evil in the street. Bro. J. W. Crosby Jr. spoke on education and M. F. Cox was what is expected, no good thing would be withheld; children should receive moral and spiritual training from parents, whose work is primary in importance. Bro. M. M. Steele explained why conference was held.

Adjourned.

GEORGE DONNE,
Stake Clerk.

TABERNACLE CHOIR CALIFORNIA EXCURSION.

All who intend visiting San Francisco, Oakland, San Jose and Sacramento with the Tabernacle choir are requested to secure berths by making immediate application to Geo. D. Pyper, director, or H. G. Whitney, manager, 20 Main street. Fare $50, including railway fare, sleeper, board and lodging. Excursion leaves Monday, April 13, return Thursday, April 23.

Buy Coal at the Yellow Front.

The Weber Coal Co.,

Sell coal by the sack, ton or carload, from the Wasatch and Uinta mines at Coalville, belonging to the Ontario Silver Mining company, also Hot Springs, Castle Gate, Pleasant Valley and Anthracite coals; prompt delivery by courteous and obliging teamsters; clean coal and full weight guaranteed. Office No. 159 S. Main street. W. J. Montgomery, Agent. Tel. No. 144.

Miller & Miller, "Coal That Suits."

Everybody is Talking

About Newcomb's Electric Light Photographic Gallery, and the high grade work in platinum plates he turns out, which are a community far west of New York. The light and posing are perfect. Negatives are taken from 9 a. m. to 6 p. m. with equally splendid results. 159 S. Main. Near Auerbach's.

ANOTHER NIGHT OF IT.

The Divine Hearing Still On Before the Commissioners.

The Prosecution Closes Its Case and an Opening Is Made By the Defense.

The testimony on specification No. 5 of the charges against Chief Devine was continued before the fire and police board last night, when the prosecution finished its case, the defense got through with the examination of its first witness.

Fireman J. J. Clark was first called to the stand, and testified as to the location of the chief's private office, it being just above the office below. He stated that he could not tell under it partially easy to know when the chief retired.

J. J. Greenewalt testified that he was at the Legislative calls on the night of the fire at the Golden Rule Bazar. Chief Devine was there before 8 o'clock. A public announcement was made by Representative Curtis that a fire was in progress but Chief Devine did not leave until about fifteen minutes after the announcement, although it was made in a clear, audible tone, loud enough to be heard by every one in the room. Mr. Varian was making a speech at the time. The chief fell when a fireman called for him. He returned again in about twenty minutes, in company with Chief Frost. The witness stated that the chief had spent a great deal of his time in the Legislative halls, sometimes in company with Chief Frost and at other times with Commissioner Jennings.

To the latter statement the defense entered an objection as being immaterial and irrelevant, which objection was sustained by the commission.

C. M. Jackson testified to having seen Chief Devine at the House committee meeting during the consideration of the Sutherland bill. The chief only replied at the announcement by Mr. Curtis that a fire was in progress. He left in about ten minutes after.

Louis Hyams, minute clerk of the House of Representatives, stated that he handed a note to Chief Devine when Fireman Sylvester came after him, and on cross-examination, he made the statement that the chief didn't leave for ten minutes after Sylvester came after him. This statement, however, was based on his best recollection.

Isidore Wilch testified that the chief made no effort to leave the House until ten minutes after the announcement of fire had been made by Mr. Curtis.

Fireman Amos Morelan stated that before he was transferred to the West side department on February 5th the chief was very seldom absent headquarters. He had no particular love for the chief, but would do nothing to hurt him. His reasons for not liking the chief were mainly because he had suspended him for drunkenness.

Fireman Burns was called but his testimony was unimportant, other than that he stated that the chief was absent quite often during the period in dispute—January 7th to February 12th. Electrician Vail and Fireman Love also gave similar testimony.

Judge Powers here announced that the prosecution had finished its testimony and he asked for a reversal of the board's ruling on the second charge—conduct unbecoming to the good order, discipline and efficiency of the department. The commission had overruled it on the ground that it was not sufficiently specific, but the judge maintained that if they now saw or was led to believe that everything in the department was not working as it should be, they had a perfect right to change their opinion on the second specification.

THE DEFENSE COMMENCES.

The board took a vote on the proposition which resulted in their former action being unchanged, after which the defense opened up its side of the case by putting on the stand Fireman Ed. McCarthy.

He held the position of lieutenant on the chemical engine, and testified that on the occasion of the fire at 540 south Ninth East, the receiving operator was out of order, thus making it very difficult to know just exactly where the fire was and causing some delay in getting there. The chief arrived at the fire about half an hour after the hose wagon got there.

Witness had charge of the hose wagon which responded to the fire on Third and L streets, but when he arrived the blaze had been extinguished with a small garden hose. He knew nothing about the Lincoln school fire. As to the fire at the Golden Rule Bazar, Chief Devine told witness that if he was wanted that night he could be found at the Legislative halls. Witness did not think that the chief was absent from headquarters any more than usual, between January 7th and February 12th.

On cross-examination the witness said he came here from Coalville, and had known the chief for some time prior to coming here. About two months after arriving in town, he got on as a fireman, and after nine months' service he was promoted to a lieutenancy. Mr. McCarthy was questioned farther with regard to the fires at which he had already testified but nothing new of material was elicited.

The hearing will be resumed at 7:30 tonight.

AMUSEMENTS.

Edwin Milton Royle's New Play Mexico at the Theater.

A large and representative audience was in attendance at the Theater last night when Edwin Milton Royle's new play Mexico was given its initial performance. The creations of the Tabor Grand audiences at Denver were repeated here, not only because of a natural desire to pay a tribute of warm appreciation of home talent but because the merits of the play are such as to call for the commendation of every theater of the dramatic art. The piece author after the first production in Mexico were modified, and whatever objections there were at first only to some of the scenes and incidents, on the ground of lack of consistency, have largely been removed. The play has not yet presumably received its last finishing touches. When perfected according to the idea of the author, it will bear comparison with the most successful of modern drama.

The opening scene is late near Saltillo in the courtyard of Morlan Dolores, now occupied as headquarters by American troops. The scene is very realistic. The audience is then introduced to the chief dramatic personage, Major Bragg, U. S. A., and his young daughter, Lucretia; Captain Shields, U. S. A., and his servant, Hiram Carolina Jim; Mrs. Gen. Trigg, the Mexican Senora, Juvita Talamanca and Major Mendoza of the Mexican army. The presence at such a palace of the latter, except Juvita who is a prisoner of war, is not clear, but the playwright needed them for his story, and the dramatic license is generously satisfied.

Major Bragg finds out that Capt. Shields wants to marry his daughter, and jealous of her affections, exacts a promise of her not to marry until he himself shall resolve to do so. The captain consequently goes to work to arrange a romance between the major and Mrs. Trigg. Juvita loves the captain, and through a conspiracy between Mendoza and the old servant being led to believe that Shields has had designs against her honor, plans to poison him and to betray the Americans. Events now move forward to a most exciting climax. Captain Shields and Major Mendoza are sentenced to death; the mother and sweetheart of the captain are dying and the effects of the poison Juvita appears on the scene with an antidote; Major Bragg is frantic with grief, having on one hand his daughter dying, and on the other the duty of executing his old friend. But just as the command of fire is to be given, Juvita, by measured signal, summons her Mexican friends who capture the mission. The execution is interrupted and Captain Shields' innocence proven. It is no exaggeration to say that the situations during this part of the play are held spellbound for several minutes. Everybody was in breathless suspense as to the fate of Captain Shields.

In the third act the Mexican fortifications at Chapultepec over which Old Glory waves is presented in the view of the audience. This is a lovely vision. The story is rounded off by Juvita renouncing the world in order to enter into the service of the church; the blissful union of Major Bragg to Mrs. Trigg and Captain Shields to Lucretia ends the drama.

The play from the beginning to the end is full of bright dialogue and humor, and the comedy element is splendidly blended with pathos.

The company is one of the best balanced ever here for a long time. Mr. Bonner's Major Bragg was a really clever character sketch, and Mr. Royle's Captain Shields was equally well done. Mr. Henderson as Mendoza succeeded in giving prominence to a role which in itself is but small, and Ben Johnson's South Carolina Jim was admirable. Among the ladies, Madeline Merli as the Bignarita, deserves special mention for artistic work. She reflected the character in the various shadings exceeding well. Mrs. Royle as the Widow Trigg showed her talents as a comedienne to great advantage and Miss Lyons' Juvita was a very charming piece of dramatic work.

The audience showed its appreciation of the entertainment by curtain calls and enthusiastic applause. Bouquets and carnations were showered on the ladies during the play.

Mexico will be given again this evening at the Theater.

NOTES.

The Tavary Grand Opera company appears at the Theater Friday, Saturday and Saturday afternoon, March 27th and 28th. The opening night Lucia and Cavalleria Rusticana, a double bill, will be given.

A large audience in the Eleventh ward hall last night witnessed the entertainment given by the Twenty-first ward Amusement company in behalf of Zion's Musical association. They played A Charming Pair and Comedies in a spirited manner and were much applauded.

East Lynne will be played at the Grand next week.

Mr. E. H. Hazlett states that the shooting close will resume regular practice at two o'clock tomorrow, March 14th, at Calder's Music Palace.

Electric Bitters.

Electric Bitters is a medicine suited for any season, but perhaps more generally needed in the Spring, when the languid exhausted feeling prevails, when the liver is torpid and sluggish and when a tonic and alterative is felt. A proper use of this medicine has often averted long and fatal illness in this season. No medicine will more surely or speedily remove and freeing the system from the malarial poison. Headache, Indigestion, Constipation, Dizziness yield to Electric Bitters. Only fifty cents a bottle. Z. C. M. I. drug department.

Marvelous Results.

From a letter written by Rev. J. Gundersen, of Dimondale, Mich., we are permitted to make this extract: "I have no hesitation in recommending Dr. King's New Discovery, as the results were almost marvelous in the case of my wife. While I was pastor of the Baptist Church at Sioux Junction, she was brought down with pneumonia succeeding La Grippe. Terrible paroxysms of coughing would last hours with little interruption and it seemed as if she could not survive them. A friend recommended Dr. King's New Discovery; it was quick in its work and highly satisfactory in results." Trial bottles free at Z. C. M. I. drug department. Regular size 50c and $1.00.

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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, or no pay required. It is guaranteed to give perfect satisfaction or money refunded. Price 25 cents per box. For sale by Z. C. M. I. drug department.

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DR. PRICE'S CREAM BAKING POWDER
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40 YEARS THE STANDARD.

Beecham's pills are for biliousness, bilious headache, dyspepsia, heartburn, torpid liver, dizziness, sick headache, bad taste in the mouth, coated tongue, loss of appetite, sallow skin, etc., when caused by constipation; and constipation is the most frequent cause of all of them.

Go by the book. Pills not and eat a box. Book *free* at your druggist's or write B. F. Allen Co., 365 Canal Street, New York.

Accumulation more than 2,000,000 boxes.

The direct line to Kansas City, St. Louis and Atlantic seaboard, is via the Missouri Pacific Railway, from Pueblo. Through sleeping and chair cars, and all connections made in Union depots in the day time. If you are going East and care for a daylight ride through the grandest scenery of the Rocky Mountains or equal, see that your ticket reads via Missouri Pacific Railway. The fastest time and positively free to holders of regular rate tickets.

H. R. KIZER, G. P. & P. A., 21 Morian Block, Salt Lake City.

Those handsome lace and embroidered Collars for ladies just received are the nobbiest seen for many seasons and will be sold very quickly. See them. Western Shoe & Dry Goods Co., 51-53 Main Street.

Bicycle Suits for Ladies

In the latest patterns just in at F. AUERBACH & BRO.

Utah Commercial and Savings Bank general banking business; pays 5 per cent on deposits. F. Armstrong, Pres.; F. W. Mahon, Vice-Pres.; J. E. Jennings, cashier.

Reliable Electric Work.

For safe house wiring and elegant fine chandeliers, go to the Intermountain Electric Co., 45 East First South street.

Just received: Thirty-five hundred pairs of children's and misses' Shoes of the latest up-to-date style and prices. Look at them before buying elsewhere. Western Shoe & Dry Goods Co., 51-53 Main Street.

Keep your funds and other valuables, including bonds, in a safety deposit box at Zion's Savings Bank & Trust Co. Rent a box for only adequate or a few cents per month. Ladies specially invited to call and see vaults.

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When she was a Child, she cried for Castoria.
When she became a Miss, she clung to Castoria.
When she had Children, she gave them Castoria.

The most attractive line of ladies and Children's Muslin Underwear this season is found at the Western Shoe & Dry Goods Co. at popular low prices. 51-53 Main Street.

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While no physician or pharmacist can conscientiously warrant a cure, the J. C. Ayer Co. guarantee the purity, strength, and medicinal virtues of Ayer's Sarsaparilla. It was the only blood purifier admitted at the great World's Fair in Chicago, 1893.

To restore gray hair to its natural color as it grows thin and fine, or to give abundant and strong, there is no better preparation than Hall's Hair Renewer.

In the fall of 1895 a son of Mr. T. A. McFarland, a prominent merchant of Live Oak, Sutter County, California, was taken with a very heavy cold. The pains in his chest were so severe that he had spasms and was threatened with pneumonia. His father gave him several large doses of Chamberlain's Cough Remedy which broke up the cough and cured him. Mr. McFarland says he believes his children have croup so invariably gives them Chamberlain's Cough Remedy and it always cures them. He considers it the best cough remedy in the market. For sale by druggists.

"It is with pleasure I tell you that by one dose of your Chamberlain's Cough Remedy I was relieved of a very severe cold. My head was completely stopped up and I could not sleep at night. I am recommending this remedy. Chas. M. Gutzell of Reedley, Fresno County, California." A cold nearly always starts in the head and afterwards extends to the throat and lungs. By using this remedy freely as soon as the cold has been contracted it will cure the cold at once and prevent it from extending to the lungs. For sale by druggists.

How to Cure Rheumatism.

ARANDA, COOS COUNTY, OREGON, November 10, 1895.—I wish to inform you of the great good Chamberlain's Pain Balm has done my wife. She has been troubled with rheumatism of the arms and hands for six months, and has tried many remedies prescribed for that complaint but found no relief until she used this Pain Balm, one bottle of which has entirely cured her. I take pleasure in recommending it for that trouble. Yours truly, C. A. Belmont. 50 cent and $1.00 bottles for sale by druggists.

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"SUN PASTE FOR A QUICK AFTER DINNER SHINE APPLIED AND POLISHED WITH A CLOTH"
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Golf Sweaters $3.00
HOME MADE.
Don't pay $4.50 for a Golf Sweater when you can get a better one for $3.00.
Or an all Wool Sweater, of Utah Yarn at $2.00.
We have Bicycle Hose to match all Sweaters.
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Down went McGinty to the bottom of the mine. It did not hurt him much for he had on a pair of our shoes. They say his coat and hat were torn running getting such a fall. But our shoes and slippers are the best of them all.
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