NEWS OF THE WEST.

How a Montana Jury Drew Lots to Reach a Verdict.

A CHINESE MERCHANT SHOT DEAD.

Mysterious Death of a Man in Colorado.—Other Short Pickings from the Exchanges.

Nevada's hay crop has been nearly exhausted and stockmen are anxious.

Ridgeway, Colo., is assured of the construction of a Welsh smelter of the Austin process.

At Trinidad, Colo., the stonework for the new West ward school establishment has been completed.

Cheyenne Wells, Colo., it is said, will start a brick yard when the frost departs.

Grand Valley, Colo., farmers, by the purchase of the Grand Valley canal, increase the value of their ranches 50 per cent.

Snow has fallen on the mountains around the San Luis valley to unusual depth. Water for irrigation will be very plentiful this year, it is stated.

At Mount Vista, Colo., the Farmers' mill is about to be started with the milder cousins. Stock is being sold there at $15 on the 100s.

On Alvarado creek, Gunnison county, Colorado, Chester Molony wrestled with a trapped mountain lion last week and barely escaped with his life.

Silver Plume, Colo., is amused by the visits of two large mountain lions which psychic power about the mine every night. Thus far they have done no damage.

Trinidad, Colo., will publish the anti-gambling ordinance next Monday and the gamblers have five days to close up the gambling halls on Trinidad's main streets.

Colorado, a few miles above Canon City, Colo., has got a little boom on. A mineral has been let for 300 tons a month of iron ore and 100 tons monthly of spelter.

Montrose, Colo., is becoming a great cattle shipping point. Last week it shipped to the eastern market twenty-five carloads containing 375 head of fat cattle.

Flora Crowley and Eaton, Colo., a party of enterprising colonists have gone to colonize rich potato lands north of Cheyenne. It means business for Wyoming.

The house of William Shaw, in Middle valley, Idaho, took fire a few days since and was destroyed with most of its contents. Mr. Shaw is a poor man, and this is a terrible loss to him.

A team carrying a party of hunters ran away at Lamar, Colo., on Monday morning. George T. Herrest was thrown violently from the wagon and alighted on his head and shoulders, causing severe injuries.

San Diego, Cal., has solved the problem of idleness and furnishes work to every able-bodied man upon her streets. Those who refuse to work and continue to beg are promptly transferred to the chain gang.

At Reno, Nev., the bay shipments to California average 250 cars a month and 2,000 dairy cows are being fed at that point, besides about 20,000 sheep and 8,000 cattle. A scarcity of hay is anticipated in Nevada.

At Fruita, in the Grand valley, Colo., the farmers raise seventy bushels of oats to the acre, thirty bushels of grass and raise sixty-five bushels of corn from volunteer growth the next year. Irrigation does it, aide an exchange.

The San Luis valley, Colo., people are sure the Rock Island road is coming in there by way of Trinidad from Liberal, Kas. The widening of the gauge of the Rio Grande over Veta pass is said to be a sign of a railroad contest.

General G. Andrade of San Francisco and parties representing French and Dutch capitalists have gone to the mouth of the Colorado river for the purpose of selecting a place where they can locate a colony of French grape-growers and wine-makers of 1000 families.

Christiana A. Cook has sued the San Francisco *Evening Post* Publishing company to recover $50,000 damages for an alleged libel. She denounces as false an article published in which she was represented as striving to deserve a detective who had visited her home in order to serve a grand jury subpoena on Mrs. M. B. Curtis.

M. C. Foster and Victor Yerba, of San Juan, have begun suit in the Court of First Instance at Santa Fe against the Mexican Land and Colonization company to gain title to possession of the great Yerba ranch in San Rafael valley, or the pastoriale. The ranch comprises 17,000 acres of fertile land.

A band of revolutionists or Tomochicos, on Tuesday afternoon attempted to raid the town of Espin, fifty miles south of Deming, N. M., and had a long fight with the Mexican police, in which three of the latter were killed and several wounded. The revolutionists' loss is not known. There is great excitement on the border.

George L. McCormick, for several years in the employ of the Haggin stables at San Francisco as a jockey, and known at that time to lean as a rider of considerable note, is dying in a critical condition in one of the hospitals there. He has been suffering for the past eight months from paralysis of the lower limbs and can never recover.

On Wednesday Frank Mihlenberg, a baker, shot and killed a Chinese merchant at Tucson, Arizona. It is the old story of "did not know it was loaded." The Chinaman brought a office to the baker, their places of business being adjacent. Mihlenberg called the Chinaman and said no more. He then raised the gun and pop-gun said, "Look out, now." The ball took effect in the Celestial's head, killing him instantly.

An opium smuggler, doing business on a big scale, has been caught at Sumas, Wash., and $15,000 worth of opium was captured. The prisoner gave the name of H. H. Davis. His four trunks were found to contain more than 1000 pounds of contraband opium. He was held for trial in $5000 bail. Carlile's method has been to pay through British Columbia as a travelling agent with four large sample trunks labeled hardware. The opium was landed six miles south of the coast and thence east to the Kalispel river, then down the Montana to a point on the Great Northern. The smugglers were sure the discovery will get a reward of $1000.

Harry A. Wilcox, until lately a member of the Pinkod company, has been arrested on the charge of larceny. Two weeks ago Wilcox is said to have entered the home of Mr. L. Aronson, on Sixth street, and stolen clothing and other articles worth $200. A week ago he is alleged to have taken from the room of M. Goldman, at Sixth street, and stolen $50 worth of clothing. Wilcox was well known among the sporting men about town. He studied chemistry and singing in Germany and afterward entered the theatrical profession. He is believed to be responsible for several burglaries that have taken place lately, says the Chronicle.

John Schester, John Federman and Oscar Johnson, residents of Sterling county, Colo., have been arrested for the murder of Axel Nelson last spring. Nelson, at that time, just before he died, was charged by Johnson with stealing certain stock belonging to him. He was arrested and acquitted. Nelson then sought work elsewhere, and at twenty miles from Sterling, in blue spirits over his recent acquittal. Next morning he was found sitting in his cabin, with his knees on the ground, with all indications of having been some days dead. The coroner carry the evening before to visit a neighbor, having never reached the neighbor nor having again returned home.

It is a little singular, remarks the San Francisco Chronicle, that wherever Chris Evans (meaning the notorious outlaw and escaped convict) is, the officers of the law are not. While sheriffs and posses are toiling painfully over the snows of the mountains, Evans and Morrell are riding around in the valleys, living well and sleeping peacefully. Morrell was putting in his time in visiting the best girl. Whatever Evans is reported, on undeniable authority, to be, it is quite safe to say as to bed, but how he can be described to be in three or four places at the same time is a little puzzling. There are doubtless many people who, investing citizens in the country through which this notorious bandit and murderer ranges, but it is equally true that there must be some who have not only condoned his crime, but have extended to him sympathy and active aid. Were it not so he would not have eluded pursuit so long vigorously, nor have called complacent so long since his escape. He knows his power, and does it as he needs require.

Hereafter (says the Helena, Montana, *Independent*) juries in the district court will be specially instructed by the judges not to gamble as a verdict. The case in point is that of Hatch Wells vs. Jacob Dorby, in which the court has granted a motion or a new trial. The grounds were, so far as the records of the jury room are known, simply these: When the jury retired they found for the plaintiff, and then set about agreeing on how much should be allowed. Eleven of the jurors wrote on slips of paper the amount they thought the plaintiff should get. The agreement was that these slips should be shaken up in a hat, and the first three drawn out should be averaged up, and the average should be the verdict. The scheme was carried out; three slips were drawn from the hat, the amounts on them added together, the result divided by three and the quotient was the verdict. When these facts came to the knowledge of the losing side in the case a motion was made for a new trial, and on this showing of facts it was granted. It is the intention of the judges hereafter to instruct jurors in warm terms against interfering any matter before them to the question of chance.

Arrests of tobacco dealers in San Francisco for selling cigarettes to minors are now in the go. The police authorities seem determined to put a stop to the practice.

BEWARE OF THE GRIP

Dr. Edson fears another epidemic, and sounds the alarm.

In lung and chest pains, coughs, colds, hoarseness and pneumonia no other external remedy affords prompt relief and quick cure like

BENSON'S POROUS PLASTER.

Indorsed by over 4,000 Physicians and Chemists. Be sure to get the genuine Benson's. Sold by all Druggists everywhere. SEABURY & JOHNSON, Chemists, N. Y. City.

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should be provided with the well-known emergency medicine.

AYER'S CHERRY PECTORAL

The best remedy for all diseases of the Throat and Lungs. Prompt to act,

Sure to Cure

SUMMONS.

In the District Court in and for the Third Judicial District of Utah Territory, County of Salt Lake.

Sarah Wise, Plaintiff,
vs.
Andrew Wise, Defendant.

The People of the Territory of Utah send Greeting to Andrew Wise, Defendant:

YOU ARE HEREBY REQUIRED to appear in an action brought against you in the above named District in the County of Salt Lake, and to answer the complaint filed therein, within ten days after the service on you of this summons—if served within this county, and within twenty days otherwise (counting the day of service), or judgment by default will be taken against you according to the prayer of said complaint.

The said action is brought to obtain a decree of this Court dissolving the bonds of matrimony heretofore existing between the plaintiff and defendant on the ground of the defendant's willful desertion of the plaintiff for a period of more than one year next prior to the commencement of this action.

Attorney for Plaintiff, Salt Lake City, Utah.

Date, Dec. 1, 1893.

[SEAL] HENRY G. McMILLAN, Clerk.
By Geo. R. Lowden, Deputy Clerk.

LEGAL NOTICE.

In the Probate Court in and for Salt Lake County, Territory of Utah.

In the Matter of the Estate of John Rees, Deceased.

NOTICE IS HEREBY GIVEN THAT Sarah Rees, executrix of the estate of John Rees, deceased, has presented her final account and report of her administration of said estate to the undersigned, and has also filed her petition for the distribution of said estate and payment of her commissions and attorney's fees, and that the hearing of said account, report and petition has been fixed by said court for the 6th day of February, 1894, at 10 o'clock a. m. of said day, at the court room of said court, in the City and County of Salt Lake, Territory of Utah, when and where any person interested may appear and file his exceptions in writing to said account, report and petition.

Dated January 8th, 1894.

H. S. HARRIS,
Clerk of the Probate Court.

By J. P. Jarvis, Deputy Clerk.
E. M. Hardy, Attorney.

SUMMONS ON CROSS COMPLAINT.

In the District Court in and for the Third Judicial District of Utah Territory, County of Salt Lake.

Myron Scribner, Plaintiff,
vs.
John A. Groesbeck, Alice D. Groesbeck, William Groesbeck, Kimball C. Groesbeck, Wilmot D. Groesbeck, Edith Groesbeck, Joseph M. Morris, Harry C. Spence, H. S. Harris, The National Bank of Republic, Jesse Talbot and Sarah Talbot, Defendants.

The People of the Territory of Utah send Greeting: To John A. Groesbeck, Alice D. Groesbeck, William Groesbeck, Kimball C. Groesbeck, Wilmot D. Groesbeck, Edith Groesbeck, Joseph M. Morris, Harry C. Spence, H. S. Harris, The National Bank of Republic, Jesse Talbot and Sarah Talbot, Defendants:

YOU ARE HEREBY REQUIRED to appear in an action brought against you in the above named District in the County of Salt Lake, and to answer the cross complaint filed therein, within twenty days after the service on you of this summons—if served within this county, and within twenty days otherwise (counting the day of service), or judgment by default will be taken against you according to the prayer of said cross complaint.

The said action is for the foreclosure of a certain mortgage executed by Myron H. Scribner, John A. Groesbeck, to the order of Myron H. Scribner, on the 1st day of March, 1890, for the sum of $1,000 with interest thereon at the rate of 10 per cent per annum, which said mortgage was duly recorded in the office of the County Recorder of said County, on the 1st day of March, 1890, in Book 21 of Mortgages, page 1, and was duly assigned by said Myron H. Scribner to the plaintiff herein, and which said mortgage was given to secure the payment of said sum and interest, and which said mortgage and said note and mortgage were duly assigned to the said plaintiff herein, and which said mortgage and said note and mortgage are now owned by said plaintiff, and which said mortgage covers the following described real estate situate in Salt Lake County, Utah, to wit: [illegible] and for a decree of this Court that said premises may be sold to satisfy said mortgage, and for a decree of this Court that said defendants herein have no right, title or interest in said premises, or any part thereof, and for costs of suit herein.

Dated January 6th, 1894.

[SEAL] HENRY G. McMILLAN, Clerk.
By Geo. R. Lowden, Deputy Clerk.

Dickson & Dickson, Attorneys for Plaintiff.

NOTICE TO CREDITORS.

Estate of Orlando C. Marsh, deceased.

NOTICE IS HEREBY GIVEN BY THE undersigned, executrix of the estate of Orlando C. Marsh, deceased, to the creditors of, and all persons having claims against the said deceased, to exhibit them to the undersigned executrix, at the office of Henry G. McMillan, in the Dooly Block, Salt Lake City, Utah, Territory of Utah, the same being the place for transacting the business of said estate in said County of Salt Lake, within four months from the date hereof.

Dated Salt Lake City, Utah, this 5th day of December, A. D. 1893.

ELIZABETH C. MARSH,
Executrix of the Estate of Orlando C. Marsh, Deceased.

Henry G. McMillan, Attorney.

NOTICE TO CREDITORS.

Estate of George Hunter, deceased.

NOTICE IS HEREBY GIVEN BY THE undersigned, administrator of the estate of George Hunter, deceased, to the creditors of, and all persons having claims against the said deceased, to exhibit them to the undersigned administrator, at the office of Henry G. McMillan, in the Dooly Block, Salt Lake City, Utah, Territory of Utah, the same being the place for transacting the business of said estate in said County of Salt Lake, within four months from the date hereof.

Dated January 6th, 1894.

WILLIAM D. WALLACE,
Administrator of the estate of George Hunter, deceased.

Henry G. McMillan, Attorney.

MARSHAL'S SALE.

PURSUANT TO AN ORDER AND Decree of foreclosure of court and sale to me directed in the First Judicial District in and for the Territory of Utah, in the cause of Mary E. Dwyer, plaintiff, vs. Ellen Dwyer, Mary Ann Dwyer, Thomas Dwyer, Jr., Thomas Dwyer, Sr., Mary Dwyer, Thomas Dwyer, Jr., Mary Dwyer,