The Evening paper is the paper of Today, the morning paper is the paper of Yesterday.

DESERET EVENING NEWS.

5 O'clock -EDITION.-

TRUTH AND LIBERTY.

NO. 218 FRIDAY, SEPTEMBER 14, 1894, SALT LAKE CITY, UTAH. VOL. XXVII.

DAVIS DEAD!

Shot in Utah County at 11.40 Today.

HIS LAST CARRIAGE RIDE.

It Was to Dry Hollow, North of Lehi, Utah County.

HE WOULD NOT DIE HUNGRY.

Brave Death Unflinchingly—Calls His Executioners Cowards—The Closing Scene.

Special Dispatch to the News.

LEHI, Utah, Sept. 14.—Enoch Davis, the wife murderer, is dead.

The life was shot out of him at 11:40 o'clock this morning by six specially

ENOCH DAVIS from his last photo.

organized executioners. Their identity to the public is unknown.

The shooting took place in Dry Hollow, six miles north of Lehi.

Davis was conveyed to the fatal spot direct from the penitentiary, under the escort of armed U.S. officials, in a double-covered vehicle. It is seen, therefore, that the announcement of the marshals of the fact in Salt Lake yesterday that he would be brought south on a Union Pacific train this morning was only a ruse resorted to for the purpose of keeping the morbidly curious part of the public in ignorance as to the exact time and place of the execution.

It was fully expected up to last night by the majority of Provo people that the shooting would take place there. A well laid plan to deceive them was completed and carried out by Deputy United States Marshal Fowler, who caused a dummy to be erected in the jail yard, giving all the marks and appearance of a genuine covering for the men selected to execute the sentence upon the doomed man. But before the hour of midnight some of the more observant came to the conclusion that they were to be deceived and they accordingly kept a close watch on the officers stationed there.

It was only with the utmost vigilance that at 2 o'clock this morning Deputy Marshal Fowler got the executioners out of town unseen by the curious throng that kept their argus eyes upon him. The men were driven out of the city by a circuitous route in a closed carriage and pitched their tent in the foothills about a mile east of the railroads. As soon as it became daylight, they strapped an old-fashioned congress chair to a crude plank frame just thirty feet from where the executioners lay quite cover, and over this they shot several rounds of ammunition precisely in the same manner that they expected to shoot Davis. These men were specially selected and all are said to be residents of Utah county.

There was a great scramble and a flurry of excitement among them about noonday. The cause of the commotion was the sudden appearance on the brow of the hill above them of a venturesome newspaper man, who was not aware that he was so close upon them. He had not the slightest inkling of surprising them, nor did he wish to learn their identity. The agility with which they got beneath the canvas covering was remarkable. When they appeared outside again they were completely enveloped in black linen shrouds in which they presented a most sombre appearance. An extraordinary feature in connection with the employment of these men is the fact that Deputy Marshal Fowler was compelled to turn a considerable number of men away who were anxious to do the work simply for the privilege of witnessing the execution.

It was just 11 o'clock when the marshal and his men arrived with Davis. The brother of the prisoner, James, who lives at Walsburg, and two sons, Archie and Holden, aged fifteen and seventeen years respectively, had arrived from Provo a few minutes before. Attorney Warner, who defended Davis, was the first to approve them of the presence. Davis was silent but only for a moment, and from that on until the end came, he talked freely and continuously.

Warner said to him: "Davis, all the boys say is that the old man will die game. Will you do it?"

"No," he replied, "I am going to win."

"I guess not," was Warner's response.

"Yes, I know well that I will, but say, Warner, won't you catch me if I fall?"

"Certainly I will."

"And you will hold me up?"

"Yes, and stand behind you if you want me to."

"No, don't stand behind me, Warner, old fellow," said Davis with a smile that developed into low, mocking laugh. "Get in front of me."

But Warner mildly protested that his friendship did not extend that far to any client, and he turned on his heels and wondered how it was that a man could joke thus while in the very jaws of death.

A moment later Attorney Warner was at his side again and explained that he would soon pass from this stage of action, in fact that he would die within an hour.

Then with an oath that broke the awful stillness Davis said: "Do you are going to kill me within an hour are you? Even Christ gave you a meal of victuals?"

"Say, Davis," again interrupted Warner, once more reminding him that his time on earth was getting very brief, "I want to tell you that you are about to be ushered into the presence of your Maker, the God that created you, in fact, that you are now standing at death's door. If you have anything more to say, now is your opportunity. The reporters are here and will take down your last words. Let your mind go back to the night, that awful night, of the murder at Vernal and then think for a moment and see if there is not some statement you would like to make that has not yet been published."

"Tell the reporters for me," he said, "that I have nothing more to give them. I could only tell them what I have told them many times before. No, sir, I have no additional statement to make beyond that. I have made up my mind to die game." Then, glancing about the surrounding country, he continued: "But say, I don't like the idea of being run into ambush. This is a regular Indian trick and it begins to look like an Indian funeral. Why should I be brought up here, and shot in this manner. I don't deceive you, that's all. It's a piece of prejudice. I am impressed with the fact that they did not want me to talk with the public and tell them what I know. The Governor has not treated me wrong—I mean he has not treated me right."

Marshal Brigham secured him that he had been taken to the secluded spot after mature deliberation, and secured him that it was better to die in the presence of a few friends and the officers of the law than before the view of a multitude. This statement seemed to temporarily satisfy him and as time was going rapidly on, the marshal politely requested the officers and newspaper men, who numbered in all about 35 or 40 men, to step back from the carriage in which Davis was seated to allow him to consult with his two sons and his brother.

They were carefully searched before they were permitted to approach him. This was a precaution taken to prevent them passing concealed weapons or poison to their hapless relative. The search resulted in finding nothing and they passed on to the carriage.

The greeting they gave him simply consisted in handshaking, and some moments elapsed before any of them spoke. Finally the silence was broken by the 15-year-old son muttering something that was inaudible to anyone but themselves. As he commenced to speak the tears started to flow and the older brother chided him for his faint-heartedness. Davis was moved himself for a moment and raised his handkerchief with his manacled hands and dried the moisture that had suddenly come to his own eyes. Then with an effort he braced up and said: "Boys, I am told that you want to see me die game. That's just the way I am going to die." By this time the crowd had surged around Davis again and the oldest son, Holden, beckoned to the marshal and said, "We want father alone, can we have it so?"

"Certainly," responded the marshal and once more the crowd fell back, but Davis insisted on Warden Stark and Dr. Witcher being present, and he subsequently him they stepped to the front. The boys were disclosed over the presence of these officials. The latter remained just long enough to quiet Davis a little and withdrew for the second time. The boys then asked a series of questions which were not plainly heard and if they got any intelligent answers they did not reach the ears of the bystanders.

Their consultation over, Marshal Brigham approached and read the death warrant to Davis, who listened attentively without moving a muscle. His only response was: "I shall die like a man, for I am a man amongst men."

His next words were to the effect that he was hungry and didn't want to die in that condition.

A sandwich was handed to him and he commenced to devour it voraciously, but stopped short before he had eaten half of it. He asked for a cup of coffee and on being informed there was none on the ground he seemed disappointed and said, "No, not coffee? They give me hot whisky. I like that better anyway."

He was given a drink of brandy, after which he was seated from his seat in the carriage by Dr. Witcher and Andrew J. Burr, who seated him to the fatal seat, back of the tent, in which he was placed at 11:35 a. m. He adjusted himself firmly in his new position and said:

"Marshal, I have only one more request to make of you and that is that you won't put a cap over my face. I want to look straight at that tent in which those cowards are hidden who are going to shoot me down like a dog."

The marshal was some distance away attending to some details and Davis repeated his request. The marshal assured him that his wish should be gratified. Dr. Witcher then performed the task of pinning a piece of white paper about four by six inches over Davis's heart. In the center of the paper was a blue circle about an inch and a half in diameter. This was intended as a target for the executioners to shoot at. Davis glanced down at it frequently and it appeared to make him nervous, and he asked for another drink of liquor. The marshal was loth to give it him, but he finally persuaded Dr. Witcher to give him another glass. But instead of getting calmer, Davis began to grow excited and irritable, and it was necessary to cover his eyes with a handkerchief.

This was done at 11:40. Five seconds later Marshal Brigham stepped to the edge of the tent and a slight move of the hand was the signal which caused the muzzles of six Winchester carbines to be thrust through as many holes in the tent.

"Make ready," was the first command he gave; and the rifles were brought to a level.

The suspense at this moment was terrible and the order to fire was awaited in breathless silence. When it came it was accompanied by a report that sounded like the discharge of but a single gun.

All eyes were riveted firmly upon Davis, who scarcely moved in his chair.

A hasty examination was made and six bullet holes were found in his clothes in the region of his heart. Four of the leaden messengers had perforated the paper, one had lately broken the edge of the circle and one had missed the paper altogether. Death was instantaneous and only the natural contractions of the muscles followed. There was not the slightest indication of a struggle.

Only one son, Holden, and his uncle, were witnesses of the execution in addition to the officers and newspaper men. Archie, the younger boy, hid himself beneath a clump of oak brush and did not come from under its cover for some minutes after the shooting. He was greatly affected and wept bitterly. He, however, saw the body unstrapped from the chair and placed in the coffin.

It was the intention of the marshal to turn the remains over to the dead man's brother and sons, but they declined to accept them and they were taken back to the penitentiary to be buried in the convicts' cemetery at that place this evening.

The watch placed upon the Provo officers by the people had been so close that they were followed into the lime mountains from all of the Utah county towns on the north. Mounted guards kept them back as well as possible, but from 200 to 300 persons covered the hillsides and witnessed the execution from a distance. Deputy Marshal Eaton, from Ogden; Chief Pratt, Capt. Donovan, police officers, Burridge, Lund and Christensen, Bacon were down from Salt Lake in addition to the gentlemen already named; while Attorney S. R. Thurman and Clerk Beasley, of the First district court, were there in an official capacity from Provo.

Davis was 36 years old and was born in Decatur county, Iowa, and came west when he was a small boy.

He had no priest or preacher present to offer words of encouragement or consolation. He protested against one to the last and declared that he was not a believer in any religion known or unknown. He was particularly denunciative in his utterances concerning a prominent Salt Lake minister and continued to address him until silenced by the officers.

AT THE PENITENTIARY.

When the bright sun first shed its rays over the valley of the Great Salt Lake this morning, Enoch Davis, for the occasion the most interesting of the penitentiary prisoners, was awake with the realization that today was his last in mortality. He had slept well, in all probability one of the effects of the liquor which was supplied as he desired. There was no question of his laboring under suppressed excitement, but in his effort to appear calm he was very successful. If a person had not known of the pending event, he would not have recognized in him any feeling except that of a little more vivacious than usual. He said he felt splendid, and there was nothing in his appearance as he dressed himself and carefully prepared his toilet to contradict the statement.

When the time for breakfast arrived—with him it was earlier than usual, for at 7 a. m. he was to start on his last ride—he sat down unconcernedly to the plain meal furnished at the prison, and ate a fairly good breakfast, finishing his third cup of coffee. When he was through it was about time to start, so he was permitted to say good-bye to his companions. In a calm, pleasant manner he shook the hands of the guards and of the trusties outside, and bade them goodbye. Then in company with the officers detailed to escort him on the way to the field of execution he took his seat in the wagon. The entire company being ready, promptly at 7 o'clock they moved out of the penitentiary yard, and turned westward along Twelfth South street toward the State Road.

A crowd of people assembled at the Union Pacific station in the hope of catching a glimpse of the condemned man as he was placed on the train, and many spectators lined the street along the railway track, to get a view of the marshal's party. But all were disappointed, for neither the marshal nor his party approached the railway track within the city limits, but went all their way southward in the vehicles in which they left the penitentiary.

STORY OF THE CRIME.

The Murderer, the Victim, Their Home and Life.

More June 5th, 1892 (the date of the murder), the name of Enoch Davis has been heard with abhorrence in every part of the Territory. There is not a city, town or village in Utah, and perhaps not a home, in which his name has not been pronounced and the heinousness of his crime read or related. More than that, the story of his terrible deed has been published in all parts of the United States. Few cases in the catalogue of modern crime have had a more peculiar interest than the one for which punishment was meted out today. Few murderers found more earnest advocates for clemency than Enoch Davis, and few there are who deserved it less.

The manner in which he took the life of the woman who had helped to ease his lot to bear his burdens for more than a score of years has been many times told. During the time she had sustained the relationship of wife to Davis nine children were born to them.

Her husband was a drunkard, and before an entire estrangement developed between them she sought many times, and with great earnestness, to secure a promise from him that he would divorce himself from the demon drink. But her labors, like many other women whose fate has been linked with that of a drunkard, were in vain.

The murder had doubtless been contemplated for some time. A fortnight before the commission of the deed he threatened to kill her. She was compelled to seek safety in flight at two o'clock and found it under the protection of Sheriff Pope. A temporary truce was effected and she returned to her home. Its trouble soon followed the entry on the horrible. Of repeated quarrels, these daily becoming more violent and demonstrative. On the day preceding the murder the most serious disturbance of all had taken place. The crime was committed under cover of darkness while the sleeping two woman was asleep in the only room of the humble habitation in which the family lived. The blood as it flowed from the wounds in her head crimsoned the pillow on which she sought rest and sleep and found death.

The remainder of the story of the killing cannot be more tersely or graphically related than by a recitation of a portion of John M. Zane's well written letter to The News on that subject a few weeks ago, which ran as follows:

Two children, one a little girl of three, the other a babe, were sleeping in the bed with her. On the floor of the room in a corner, four boys, aged respectively seven, nine, eleven and fourteen years, were asleep. She was struck twice on the side of the head with a revolver, each blow crushed in the skull. Death was probably instantaneous, as any pain endured must have been. The gown she had on, the pillow, and the bed clothes showing the position in which she died were in court. The revolver with which she was killed was hanging the evening before this killing to the headboard of her bed. A letter written the very day of the killing, and not many hours before it, came out in evidence. In it the wife, writing to her sister, spoke of her husband's habits of life, her husband's conduct, and that she was in fear of her life, and that she was coming with her youngest children to her sister, to see if she could work there and support them. It was the letter of a good woman. The killing took place that night in that room where six children were sleeping. Not one of them was awakened by it. In the morning the wife was missing. The husband told the children that she had gone to see some sick neighbor and gone off. That day he had the two older boys raking up the yard (as we heard of this) and pulling the dirt in an empty potato hole by the side of the house. He turned the water down into this hole during the day. That evening about supper time he told his second son, who with his elder brother had slept at the corral, that he would tell him something that he must keep secret or it would hang him, and that whether his mother had taken poison during the night and was dead, that she had asked him to bury her three miles away in a field and he had done so, adding (the murderer's exact words): "She died like a lady and I buried her like a gentleman." The son went after this get away from the house and went over into the town to see his elder brother. He had told his brother and an officer. The father, as soon as he heard of his son's going, mounted a horse and fled. He was discovered two days later on the reservation, thirty miles from home. In the meantime the boys and the neighbors searched, and at last found the woman's body in the potato hole, fresh dirt and the ceilings of the yard were above the body. The night robe had been taken from it. It lay in a position as if thrown hurriedly in the hole. The night robe and the bed clothes were found hidden in a barrel. Davis on cross-examination admitted that he had killed his wife, had washed the blood stains from the floor, had thrown the body in the hole, had hidden the bloody clothes, had raked the yard to conceal his act, and had told the contradictory stories."

Davis when arrested was among his friends, the Indians. On being taken back to Vernal the indignation of the people knew no bounds. Lynching was freely talked of and it was only by the utmost vigilance and precaution that the officers prevented him from being lynched. He was hastily brought to Utah county, where an outraged community found it impossible to wreak vengeance upon him. His trial soon after took place, beginning in Provo, October 23rd, 1892. He was ably defended by Attorneys Warner and Kenyon. The prosecution was conducted by Attorney John M. Zane, who was at that time Assistant United States prosecuting attorney. The trial lasted four days, at the end of which time the jury returned a verdict of guilty. The sentence of death followed soon after. An appeal was taken to the Supreme court of the Territory and the judgment of the lower court was sustained. Determined not to leave a stone unturned his attorneys next carried the case to the tribunal of last resort—the Supreme Court of the United States. In that instance also the ruling was against him, and recently Judge Smith fixed today as the date of execution.

Attorney Zane thinks the idea of defense was cleverly conceived and ingeniously fought. Commenting upon it he said: "A Dr. Butler, who had lived there had died a week after the killing. Some said his death was from alcohol. Others that it was suicide. Davis's disease was like. He had for some time been suspicious of Butler, and this evening was watching him. He saw Butler come to his house, saw a light struck, saw the light then go. He rushed to the house, found the door locked, burst it in, grappled his traverser, saw a man, struck at him, the blow hit his wife, but the man escaped. He said there was another below. This story was shown to be false by three facts. (1) The woman had been struck twice, as the two holes in her skull showed. (2) Some of the children had heard a sound or were awakened. (3) The prevention happened to be able to show that Dr. Butler on this evening was not at Vernal, but had gone to Salt Lake City, and had left his practice in charge of another physician."

The general verdict of public opinion among the inhabitants of Uintah county is that Davis fully deserved his tragic fate. While there are stories that his wife was unfaithful to him and to her awakened and vow, yet less as she may be—there is little crime is not in any way condoned. A well known Salt Lake business man who has frequently visited Vernal and talked freely with the people of that place regarding the murder stated to the writer last evening that it was a matter of common report that Davis placed temptation in his wife's way, and that he even lived upon the earnings of her shame.

The home life of the family, he says, was shocking and filthy in the extreme. The hovel in which they dwelt was wretched, revolting and shunned by the people of the neighborhood. Seven children, ranging from a babe in arms to a young man of seventeen, lived with their parents in one room, all herding together the animals, apparently never realizing the awfulness of their condition.

Much has been said as to Davis's knowledge concerning the location of a gold mine of fabulous richness in Uintah county, also the motives that prompted certain persons to secure an commitment of the death sentence which had been pronounced upon him. That there are individuals whose motives were memorizing the United States officers are certain. But that they were very few is also well known. The majority of those who interested themselves in his behalf did so either through sentimentalism or from a misapprehension of facts.

No one familiar with Enoch Davis doubts, says the Salt Lake gentleman above referred to, but that there are valuable gold deposits in Uintah county, the location of which were only known to the murderer. Davis was a frequent visitor to the reservation and an associate of the Indians who live upon it. They have been shown many times to extract large nuggets of virgin gold obtained from a spot the location of which they communicated to Davis, who also showed valuable pieces of the yellow metal. It is believed by some that as soon as the reservation shall have been declared open for settlement the mine will be discovered without much trouble or delay.

Columns have been written and great excitement has prevailed over the dead man's mine. In Vernal the knowing ones say that it is not the "salted fake" that has been reported and that it will yet prove itself a wealth producer—for Enoch Davis bequeaths of mysterious location. Others shake their heads and say the secret of its whereabouts will be buried with Davis. But Cass Hite has been in eastern Utah for a considerable time past and as he became a fast friend of Davis while he was himself a guest at the penitentiary, it is not unlikely that he has learned more than he care to make public. He is known to be a cautious and shrewd man, and the fact that he has been keeping very quiet of late has led his friends to believe that it is an omen of unusual significance.

THAT GOLD MINE.

A Provo Correspondent Throws More Light on the Story.

Our Provo correspondent furnishes the following additional items:

Davis was about 36 years of age; he was born in Iowa, but had lived in Utah the greater part of his life. For several years Davis had been employed as blacksmith at the Uintah Indian agency, about thirty miles from Vernal, but had moved to Vernal with his family, consisting of his wife and nine children, a short time before the tragedy. Davis was arrested at Woodside ranch, brought to Provo and indicted for murder in the first degree. On the 21st of October, 1892, he was placed on trial in the First district court in Provo, before Judge Blackburn. The trial lasted six days. A verdict of murder in the first degree was returned by the jury, and Davis was sentenced to be hanged. After listening to the sentence Davis said: "There is no chance on that, is there Judge?"

While Davis has been confined in the penitentiary he has succeeded in starting a mining excitement in Uintah county. It seems connected with Cass Hite, who was serving a term for killing F. Kohler at Green River, Utah, in 1891. Week 31, Hite was pardoned and left the penitentiary. Davis gave him a map and directions which, he said, would enable him to find a fabulously rich gold mine on or near the Uintah Indian reservation. Davis was in the opinion that it was on the Indian reservation, in which, of course, it could not be developed till the reservation was opened. This was a mine of wealth all the miners in Utah have heard. The story goes that he told Hite by the name of Rhodes came to Utah and discovered a very rich mine, somewhere near where the Uintah Indian agency now is. He took out a large quantity of gold—the mine was so rich that he took out a half bushel basket full of nuggets in a short time—and told President Young about his discovery. The story says that President Young asked Rhodes to keep the discovery quiet for a time, for the reason that if the people learned of it they would have their farms and cash to the diggings and the result would be disastrous. This was early in the 60's, a short time after the country where the mine was located was occupied for an Indian reservation. Rhodes died and the location of the mine has remained a mystery till Davis came forward and claimed he had been shown the mine by one of Rhodes's sons.

Davis proposed that Mr. Hite should go and locate the property and have an equal interest for making the location, one-fourth was to be given to Mr. Warner, who had so persistently and ably defended Davis without any reward, and one-fourth was to go to Davis's children. Mr. Hite has been prospecting for several months, but has not found the Rhodes mine. Davis pretended at one time to be disappointed, and sent for Mr. Warner and asked him to go and locate the mine. Mr. Warner explained that he did not wish to go on any fool's errand, and Davis finally told him he had better remain at home.

As to whether such a mine exists there is a diversity of opinion. Mr. D. M. Peck, now living in Provo, who was a companion of Rhodes in California, claims that Rhodes told him of the discovery and also promised to let him know when he made the location again. He believes that every word Rhodes told him was true, and does not believe that Rhodes told even his own boys the whereabouts of the mine. If there is such a mine it probably will be discovered when the reservation is thrown open for settlement and the prospectors admitted.

WRIT OF CERTIORARI.

The Board of Police and Fire Commissioners Required to Answer.

In the matter of the application of Wm. Gilbert, a member of the fire department, for a writ of certiorari against the Board of Police and Fire Commissioners of Salt Lake City, Judge Merritt this afternoon granted the prayer of the petitioner, the writ to issue returnable on September 20th. The substance of the complaint was given in the columns of the NEWS a few days ago, plaintiff claiming that he was discharged from further service without authority or jurisdiction.

Police Court.

Bob Jones and Bill Blake were fined $10 each for trespass in the police court this morning.

Quong Chung Yuen forfeited $20 for keeping a gambling house, and Ah Long forfeited $25 for the same offense.

Ed Carroll plead guilty to the charge of drunkenness and was assessed $5.

P. Brown and A. W. Stephenson were before Justice Shurtliff charged with having engaged in a scrap. They were called to testify in their own behalf, but it was evident their aim was to conceal the facts in the case. Their statements did not, in the mind of Justice Shurtliff, correspond with what they told the officers previously, and they were fined $5 each.

James Doran was arraigned on the charge of jail breaking, and was sentenced to 45 days' imprisonment.

H. W. McIntyre, charged with vagrancy, was given until Monday to leave the city.

The Utah Company.

Hon. W. W. Cluff was in town today, and stated that there probably would be some movements on the part of the Utah company in a few days. Mr. Cluff's associates on the executive committee, Messrs. F. J. Cannon and N. W. Clayton, have gone east on a flying visit on business for the company.

Excursion Meeting.

An executive meeting of the Workingmen's Central Republican club will be held at 8 o'clock tonight in the Wasatch block to settle up the affairs of the excursion of Aug. 11th.

Up From Bitis.

Mr. Samuel Miles, of Washington county, is in the city, after attending the Republican convention at Provo, having come on here to spend a few days. He states that the prospect for good crops is very encouraging in the Dixie county, and estimates the yield of grain to be double that of the last year. The hay crop is good, as is also the fruit crop, for which that section is particularly adapted. A large portion of the land under the new canal which has been recently taken out of the Rio Virgin is now under cultivation, and it is expected that it will prove a great blessing to the southern country.

THE DISTRICT COURT.

Judge Merritt Takes Another Turn at Naturalizing.

THE LAW AND MOTION CALENDAR.

An Entire Week from the Marshal's Office.—Miscellaneous Items Gathered Around.

Chief Justice Merritt gave up the first hour of his time in the Third district court this morning to the naturalization of still another crowd of applicants for admission to citizenship, as follows:

George R. Kinar, Robert McLoughlin, John F. Harp, Hermann Gerwing, Claus Hoest, Geo. W. Trapfin, Walter J. Edgar, Tom C. Edgar, Carl P. N. Nielsen, Geo. T. Smith, Thos. H. Werry, Alex. Brown, Wm. Cocking, Carl F. Andersen, Robt. Alan Greenup, Wm. Campbell, Benjamin Booth, Philip Booth, Wm. Sears, John H. Hamilton.

LAW AND MOTION.

Cases on the law and motion calendar were then taken up and disposed of in the subjoined order:

In the case of Ed W Duncan vs Hy. M. Pearson et al, default was entered and decree of foreclosure granted; plfs attorney's fee.

Edward Bevan vs Adam E. Paul et al. Motion for a new trial. Transferred to foot of calendar.

M. F. Ritchie vs Peter E. Brixen. Demurrer to complaint. Withdrawn and twenty days allowed to answer.

Brighton and North Point Irrigation company vs Chas. J. Hubbard et al. Motion for a new trial and to retax costs. Placed at foot of calendar.

Ellen Everill vs John Weber. Motion for a new trial and to retax costs. Argued and submitted.

Sullivan Machinery Co. vs the Diamond Mining Co. et al. Demurrer to complaint withdrawn by consent and twenty days allowed to answer.

German-American Insurance Co. et al vs Louis Kohn. Motion for a new trial and to retax costs. Placed at foot of calendar by consent.

Utah National Bank vs John A. Groesbeck et al. Motion to strike out demurrer and motion for a receiver. Placed at foot of calendar.

M. H. Tobin vs Thos. Kane et al. Demurrer to complaint withdrawn.

Studebaker Bros. Manufacturing Co. vs R. Pinkerton. Demurrer to complaint. Placed at foot of calendar.

PROBATE.

There was not a case down for hearing on Judge Blair's list today.

MOST OF THEM AWAY.

Everything is exceedingly quiet around the U. S. Marshal's offices today, Mr. Brigham his secretary (Mr. Bailey), and several deputy marshals having gone to do duty at the execution of Enoch Davis. Clerk Dan Swan is the sad and lonely in his seat at the office.

MOTION DAY.

Tomorrow Judge Merritt will listen in the usual run of Saturday motions. The judge has been sitting in Associate Justice Harlan's division this week, his own courtroom remaining closed.

Letters to the Chamber.

The Chamber of Commerce this morning received letters from Colorado and Chicago asking for information concerning the resources and future prospects of Utah.

A letter was also received from Oklahoma in regard to the Uintah Indian reservation, desiring to know when and in what manner it would be opened for settlement.

TERRITORIAL PARAGRAPHS.

Davis County Clipper: All the district schools commenced on Monday last and the primary department has quite a number of pupils enrolled, but there are fewer in the higher grades.

The rainy weather has been very unfavorable for the work at the cannery. Tomatoes have ripened so slowly the past six days that the factory could only be kept running about half the time.

Our mills is still drilling every evening this week, preparing to take part at the Territorial Fair. Heretofore the drill has been semi-monthly.

Millard County Stock: On Monday John Bemis returned from Sevier valley where he went several weeks since to investigate the facilities of feeding sheep, but found the outlook unfavorable. Asked as to the future of the sheep industry, Mr. Bemis says the price of mutton will advance by reason of so many herds being rushed to market, that it will place the business on a profitable footing within a year or two.

Down from Cache.

John E. Carlisle, of Logan, was in Salt Lake on a flying visit today. He came down at 10:10 a. m. and returned 2:40 p. m. He reports business as picking up in the capital of Cache, and the prospects are bright. The valley has an immense crop of wheat this season, larger than ever before known, but the price is very low, though it is believed the downward limit has been about reached. Forty cents is the price now named there. As to the potato crop, this also has been large, and of good quality. It is expected that fair prices will prevail, and the tubers are expected to bring good returns to the farmers.