NEARING THE CLOSE.

Nephi Stocker Makes His Statement Upon the Witness Stand.

THE LEGAL ARGUMENTS TODAY.

It Is Now Certain that the Case Will Reach the Jury Some Time This Afternoon.

The argument of Counsel in the Stocker murder trial began in Judge Durfee's court-room this morning, and the case will reach the jury at a late hour this afternoon.

When the NEWS went to press yesterday afternoon Colonel Mont H. Taylor was upon the witness stand. He testified that he brought Morano's body to the city. There was no bullet hole in deceased's coat. He was searched the pockets of deceased and found a note addressed to Mr. Hitch. There was a little note to Joe Hill. The latter apparently entered the front of the hat and went out at the rear.

L. J. Tillotson corroborated Mr. Taylor's testimony in reference to the hat.

Louis Bamberger testified that he was in Kimball's saloon several days prior to the killing and saw Giuseppe Morano there. Morano was acting strangely and was mad. Finally he went out and later Stocker came in. He was told that Morano was mad at him and said he didn't know what he was mad about.

THE DEFENDANT'S STATEMENT.

Nephi Stocker, the defendant, then took the stand. He said he came to Utah five years ago and has worked in mines and on farms ever since. Last June he took Morano to work with him on a ranch in Putney's canyon. Stocker then stated that he and Morano and Tonno worked for nine or ten days. At the end of that time they quit. With regard to the new claim, he stated that Morano took away certain things and also committed certain objectionable acts at the ranch. Tonno went to Morano's and brought the tools back, but Stocker recovered it to Morano. On the following day he saw Morano again and the latter called him a — d liar. Stocker then returned to the mine and worked several days. Later he offered Morano $25 of his interest in the mine, but Morano refused to take it as eventually efforts forced a half interest if he would continue work. He then resolved to put an end to Morano's troubles, but found that somebody else had already put them up. Later Charley Mack came up to the cabin on the night and woke him up, asking him to go up to the mine with them. Morano was lovingly asleep. They went up to the mine, but it was so dark that they could not find the author, but Mack encouraged him to stay up there all night, despite the fact that he was weak from hunger and thirst. At a later date Giuseppe Morano came up and showed him a cartridge in a threatening manner, saying he would use it for somebody. The following day he went to Hill and borrowed a pistol, telling him that he wanted it to defend himself with. Subsequently, after they had passed upstairs to the cabin, Giuseppe Morano wanted him to pay for some grub that has been furnished him and said, "If you don't pay me, I will put up the hole some time." In the course of time trouble arose over the new claim. Coming down to the day of the killing, witness stated that he went up to the claim early in the morning, and as he came down to see Giuseppe Morano and another Italian near the road, but they did not speak to each other. He then went to Butler and Hill and asked them to go up and see if any stakes had been put up. They could not go just then and he went up by himself. When he reached the claim Giuseppe Morano was standing at the top near the edge. When he saw Morano he asked him what he was doing and Morano told him it was none of his business. He then called to the man in the shaft to come up and Morano threw a rock at him. He also reached for his pistol and fired shot at him. Morano then grabbed him and he struck him over the head with the gun and shot him in the back. He then went down by his cabin, returned Hill's pistol, saying that Morano had attacked him and that he had shot him. He went back on over the mountains and went to Park City. Morano did not have his coat on at the time of the struggle. Stocker also gave an illustration of the position of himself and Morano during the struggle.

Stocker was cross-examined at considerable length by Judge Judd, but his testimony remained substantially the same.

J. J. Hunt testified that Stocker and Morano came to him to get the advice about some mining business, and Attorney Hopkins testified that he would rent his office to the man.

REBUTTAL.

Witnesses were then called by the prosecution in rebuttal.

Sheriff McQueen testified that Stocker told him at Park City that Morano did not throw the rock at him, that he was coming for his hip pocket and he killed him in self-defense.

Judge Judd then stated that he desired to talk with Charles Morano before closing his case, and court adjourned until this morning to allow the prosecuting attorney an opportunity to do so.

When court re-assembled this morning Charles Morano, brother of the deceased, was recalled by the prosecution in rebuttal.

In go Judd asked the witness—When you and your brother Joseph went up to Fairley's canyon at the time referred to, did you and your brother have any arms?

Witness—No, sir.

"Never at any time?"

"No, sir."

"Did your brother Joseph, at any time, take out a cartridge, show it to Stocker, and say, 'Do you see this? I am going to use it on somebody?'"

"No, sir."

"Did he have any cartridges at all?"

"No, sir; I had them all myself."

"Did you take out any?"

"No, sir."

Judge Judd announced that this completed his case, and both sides rested.

Assistant District Attorney Richards then proceeded to make the opening address to the jury on the part of the prosecution, recalling all the main facts of the case as shown from the prosecution's standpoint, and commentating upon the testimony and circumstances as he went along. He noticed that the things had now brought home satisfactorily to the accused and asked the jury to render a verdict of murder in the first degree.

Attorney F. S. Stephens followed with an earnest appeal for the defense. He began by referring to the good character which Stocker had received from a number of witnesses who had lived all a-to nearly concerning him and then proceeded to analyze carefully the evidence adduced by the prosecution, pointing out what he defined the unreasonableness of certain portions of it. Were it likely, he asked, that the deceased would have followed Mr. Hill and Mr. Butler to accompany him to the claim on the morning of the tragedy if he had then in contemplation the taking of Stocker's life? Counsel insisted that the very fact that the deceased was shot in the back in the man of deceiver showed that the wound was inflicted while the two men were grappling and struggling with each other, and that what Stocker did was in self-defense. He contended that the charge had been sustained against the witness and appealed to the jury to acquit him.

When the NEWS reporter left this afternoon Judge Judd was making the closing speech for the prosecution.

After Judge Rolich's charge, the case will go to the jury.

Funeral.

The funeral of the child of Edward and Elizabeth Barlow will take place tomorrow at 2 p. m. at the parents' residence, 616 Second street. Friends are respectfully invited.

An Octogenarian Honored.

Mr. William Dale, an aged and respectable gentleman, was given a pleasant and well planned surprise on the 29th inst. at the residence of his daughter, Mrs. Hiram Yeager, corner of Ninth East and Ninth South streets. The occasion of the day was the celebration of Mr. Dale's eighty-first birthday. There were four generations of the family present.

Political Meetings.

The Scandinavian Democrats also invite all Scandinavians to a free entertainment at Cliff's Hall, on Friday, Nov. 2, at 8 o'clock p. m. A ball will conclude the evening's exercises.

The friends of Harvey Healy are making arrangements for a meeting to be held in the Federal courtroom tomorrow evening for his special benefit.

The Republicans of the Fourth precinct will hold a meeting at Taggart's Hall in the Twenty-first ward tomorrow night beginning at 8 o'clock. The Hughes club will also meet at the same place. The speakers are Judge Goodwin, ex-Governor Thomas, Heber M. Wells and James Sharp.

Land Office.

The following filings were made in the local land office under date of Nov. 1st:

Rasmus Johnson, of Castle Dale, Emery county, homestead, west half of the southwest and southwest quarter of the southwest quarter of section 3, and the northeast quarter of the southeast quarter of section 4, township 22 south, range 6 east.

Edmund M. Carey, of Greenville, Beaver county, homestead entry of the southeast quarter of the northeast quarter of the south half of the northwest quarter of the northwest quarter of section 20, township 28 south, range 11 west.

Everlin E. Myers, of Minersville, Beaver county, homestead entry of the southwest quarter of the northeast quarter of the south half of the northwest quarter of the northwest quarter of section 20, township 28 south, range 11 west.

A DEBATE.

"Mormon" Elders and Campbellite Preachers Join Issues.

OURSBURG, ETC., Oct. 25, 1894.

Editor Deseret News:

Having had several inquiries concerning a debate that recently occurred in the Kentucky continuous, I thought it would not be amiss to write you a short account of it, that our brethren, the missionaries and inquiring friends may know of its results.

We, of course, are averse to anything akin to debates, but there is, as you know, a time to answer and not answer, and when men of a different religious belief continually honor us for a peaceable religious character for the sake of gaining some far vantage of the truth of the everlasting Gospel as contained in the Bible, we cannot always resist the temptation of accepting challenges, especially when we are merely subjected to by in case of line and sinkers, and the people whom we are making to any other way to resist.

During the summer it transpired that two of our Elders were holding meeting in one of the rural districts of Kentucky, at the close of which they were approached by a number of leading Campbell members and asked if they would be willing to meet one of their preachers in a friendly discussion of the various principles of the Gospel, to which question they answered affirmatively.

Accordingly our missionaries began at once to look about for a man with sufficient temerity to meet a "Mormon" Elder in open discussion. After a long time they found one in the person of Rev. Ben Jeffers, who, it is said, was selected because of his reputation of handling his religious opponents in surprising out a quick manner. Articles of agreement were made at details were drawn up and signed by the contending parties, and the question began to be mooted.

The question was: "According to the testimony of the Old and New Testament Scriptures the Church which is the Church of Jesus Christ of Latter-day Saints is the Church of Christ, taking the Articles of Faith as our criterion of what we teach." Elder F. C. Johnson, of Arizona, was selected to be present on behalf of the latter-day saints, and he, in our opinion, presented the Scriptural principles of the Gospel, making a perceptible impression on the large congregation present.

The Rev. Mr. Jeffers followed and repeatedly acknowledged that he had nothing to say in defense of his cause, and that he was forbidden to believe to the line; and consequently nothing was left for him to say. But after a while he would get to the salt, pepper and vinegar, he said. He proceeded to attack the battle of the Council, and he spoke of how he had heard a relic of our men with a "cheap clerk" and how he wanted a church permanent, etc. He was repeatedly called to order by the moders on account of his disposition to depart from the subject he had undertaken.

It is worthy of mention that at the start the sympathies of the people were against us, not on the obnoxious advantage, which we had to early disclaim, but when, as in the Spirit of Truth, John 7:24 show it behoved upon his revilers opponent to repent to assume and be baptized by an authorized servant of God, the sentiment of many in the congregation seemed to veer that, and the effort on Mr. Jeffers was manifest. Those desirous to be the end of the debate he did not exhibit the bargain spirit of the day to use, and seemed as soon to smile. He was serious indeed, and sometimes thought his predecessor that we would not have the salt, pepper and vinegar but sufficiently enough.

At the commencement, our opponent appeared quite the worse for wear, but we have not to stay right with us and follow us in all our discussions, and after two days had been maintained by the debate, he plead sickness and refused to continue further. Noticed in thinking the age that he was urged to continue said a day longer, he persistently refused, and then gave out an appointment for the following day, on which occasion, we are informed, he refused to continue the debate in the people, against us by rehearsing the Mountain Meadow massacre, the old Work and Spanking story, and the rest of the fabulous so freely circulated concerning the Latter-day Saints.

They have adherents present all the way from Indiana. One of these, a Rev. Mr. James, arose at the close of the discussion and declared that he knew the Book of Mormon was false and he has been hoping it for thirty years. Such was the Christian spirit manifested by these modern divines who so evident demonstrated in defending the servants of God that they made friends for the very cause they were so vigorously fighting.

The Elders in this part of the vineyard are enjoying good health and kind to a man.

Your co-worker in the cause of truth,
ARCHIBALD BRYAN.

PROVO.

PROVO, UTAH, Nov. 1, 1894.

First District Court.

After the jury in the case of C. A. Mott vs J. W. Allred had received their instructions, Sidney Warner and J. E. Bishop were examined and acquitted as petit jurors for one term, having been subpoenaed on a special venire.

A jury was empaneled in the case of W. F. Ernenbrock vs John T. Sullivan et al. George Sutherland appeared for plaintiff and E. D. R. Thompson and E. A. Wedgwood for defendants. The suit is brought to recover $620 of some "12" rain and other property taken from the Wind Ridge mine in Eureka early in May of this year, and $50 for damage to property, by breaking into the mine. The mine is owned by Mr. Ernenbrock, and was leased to Hyrum D. Jones and James J. Jones. The lease provided that when it expired the improvements placed upon the property should belong to Mr. Ernenbrock. The lease left the property in December, 1893, and Mr. Ernenbrock took possession. Defendants took the property under an execution issued on a judgment in favor of the Salt Lake Hardware Co. and against Jones and Johnson. The principal question involved was whether the property taken by virtue of the execution is such property as would be considered improvements, in law and under the provisions of the case, as there is but little disagreement as to the facts.

Evidence was introduced by the plaintiff to show the cost of the property taken. The defense also introduced evidence in regard to the value of the property, and claiming that they had damaged the mine by entering it.

Judge King instructed the jury that the property belonged to Mr. Ernenbrock, and the question to be decided was the value of the property. A verdict for plaintiff was returned awarding him $250.10 damages.

George T. Holladay, indicted with Lorenzo Hines and J. T. Caldwell, for obtaining money under false pretenses, by causing an excavation from the Deseret mine in Uintah county and representing the mine to be valuable for the purpose of defrauding H. F. Henderson and others, pleaded not guilty. He gave a bond in the sum of $2,000.

The jury in the case of Mott vs. Allred brought in a verdict for plaintiff, awarding him $75. Thirty days' stay was granted to prepare a statement on motion for a new trial.

The case of the People vs. Maitland Dunn and Tom Morgan came up for trial this morning. Prosecuting Attorney Thurman appeared for the people, and S. A. King for defendants. Defendants are accused of assaulting Jefferson Pulmole, on the 19th of June, this year, with intent to take his life. The evidence showed that a party of sheep herders, of which Pulmole was engaged in shearing sheep in Snake valley, Millard county, at the time of the assault. After the assault the parties escaped into Nevada and were brought back by Sheriff Avery of Millard county, who made a 300 mile trip after the fugitives. Tom Morgan is an Indian.

Prosecuting Attorney Thurman made a statement of the case. Dunn and Pulmole had engaged in a quarrel in regard to some remarks Dunn claimed Pulmole had made about him. At the close of the quarrel Dunn assaulted Pulmole and inflicted serious wounds upon him. The prosecution claimed that the prisoners had acted the assault, in collusion in the guilt of the crime with which they were charged.

In the case of V. L. Thomas et al vs. F. K. Morris, trustee, M. M. Rollins applied for an order directing the clerk to pay him the costs in the case. Mr. Warner opposed the motion on the ground that the money belongs to V. L. Thomas. The court took the question under advisement.

The case of Sabel Carpenter vs. Jesse Bloom was dismissed without prejudice, on plaintiff's motion.

In the case of Sarah J. Vincent vs. John G. Vincent, a decree was entered on motion of plaintiff's attorneys.

The case of H. W. Hawley vs. Carey Bros. & Co. was reset for November 19th.

The case of Carey Bros. & Co. vs. J. S. Black was reset for November 19th.

Notes.

A lot of gentlemen carried off coins and committed other acts of vaudeville last night.

D. H. Peery Jr. was seen around the court room this morning.

The R. G. W. Train train was derailed last evening, the other side of Spanish Fork. Two cows were killed at the time. After shoving 2 south to get the train back on the track, everything went along smoothly till the train reached a point near Goshen, where four horses were run into and killed. No further accident occurred. The dense darkness prevented the engineer from seeing the animals.

President Penrose of the Joan Stake was visiting Provo today.

COMMERCIAL.

SALT LAKE CLEARING HOUSE.

Today's monthly house exchanges amounted to $210,034. Same day last year, $154,004.

TODAY'S QUOTATIONS.

New York.—Silver, 59 1-8 bid, $5.00.
London.—Silver, 29 1-16d.

ORE AND BULLION.

McCornick & Co. received today: Bullion, $5,200; silver and lead ores, $3,500. Total, $8,850.

Wells, Fargo & Co. received today: Copper, $4,504.

T. R. Jones & Co. received today: Bullion, $2,300; ores, $12,000. Total, $15,300.

REAL ESTATE.

Transfers filed in the office of the County Recorder of Salt Lake County, Utah, November 1, 1894:

[illegible]

STOCKS AND MARKETS.

NEW YORK STOCKS.

Stocks.	Nov 1, noon.		Nov 1, noon.
Adams Express	[illegible]	Pacific Mail	[illegible]
Am. Express	[illegible]	Denver & R. G.	[illegible]
Canadian Pacific	[illegible]	Do pfd	[illegible]
Canada Southern	[illegible]	Reading	[illegible]
Chicago Gas	[illegible]	Do 1st pfd	[illegible]
Chesapeake & Ohio	[illegible]	Do 2d pfd	[illegible]
Chicago & Alton	[illegible]	Rock Island	[illegible]
C., B. & Q.	[illegible]	St. Paul	[illegible]
C., C., C. & I.	[illegible]	Do pfd	[illegible]
Delaware & Hudson	[illegible]	Southern Railway	[illegible]
Delaware, L. & W.	[illegible]	Do pfd	[illegible]
Denver & R. G.	[illegible]	Texas Pacific	[illegible]
Erie	[illegible]	Union Pacific	[illegible]
Do pfd	[illegible]	Wabash	[illegible]
Illinois Central	[illegible]	Do pfd	[illegible]
Lake Shore	[illegible]	Western Union	[illegible]
Louisville & Nashville	[illegible]	Sugar	[illegible]
Manhattan Consol	[illegible]		
Michigan Central	[illegible]		
Mobile & Ohio	[illegible]		
Missouri Pacific	[illegible]		
N. Y. Central	[illegible]		
N. Y., C. & St. L.	[illegible]		
N. Y., L. E. & W.	[illegible]		
Do pfd	[illegible]		
Norfolk & Western	[illegible]		
Do pfd	[illegible]		
Northern Pacific	[illegible]		
Do pfd	[illegible]		
Ontario & Western	[illegible]		
Oregon Nav.	[illegible]		
Oregon Imp.	[illegible]		
Pacific Mail	[illegible]		
Pullman Palace	[illegible]		
Silver, per fine oz	[illegible]		

CHICAGO MARKET.

CHICAGO, ILL., Nov. 1.

[illegible]

Dr. Price's Cream Baking Powder
World's Fair Highest Medal and Diploma.

Big stock of World's Fair goods just arrived, at 211 Main St.
M. WEBBER,
WARREN CAUL.

M. Epps, wholesale and retail cutlery, 257 Main Street.

DR. ROOT
Has moved his office to the Mercantile block, corner Third South and Main.

South Sandy Ritchen
Is the only place in the city for fine Caramels, Chocolates, Boston Cream, Nougat and all kinds of fancy candies. Cream, at 25c a pound, former price 40c. All kinds of Taffy 15c a pound, former price 25c.
Th. W. Flint South St., E. Keith, proprietor.

Gold Dust Washing Powder
is every woman's friend. Ask your grocer for it. Sold in large packages. Free from chemicals. Made only by
THE N. K. FAIRBANK COMPANY,
St. Louis, Chicago, New York, Boston, Philadelphia.

SALT LAKE EQUITABLE CO-OP.
Going out of the Clothing and Shoe Business. Come and get Bargains. Hurry up!
CORNER FIRST SOUTH and RICHARDS STREET.

The Perfume of Violets
The purity of the lily, the glow of the rose, and the fresh of Hotel combined in Pinkham's Sachet Powder.

Time and Money
MONEY
Rapid to Order. No Commission Charged. Money Immediately Special Accounts.
Daniel L. Tracey, 41 Com. Blk.

Wells, Fargo & Co.'s
BANK.
SALT LAKE CITY, - UTAH.
Established 1852.
Every [illegible] Exchange, Gold Dust, Gold Coin, Bullion and Bonds bought and sold. Drafts on the principal cities of the United States and Europe. Interest allowed on Time Deposits. Collections made on favorable terms. Money loaned on approved securities. Bonds and Stocks bought and sold on commission. Safes in vaults of this bank for rent, from $5 per month upwards. Boxes free to customers of bank. Parcels, Trunks and Valises for rent, from 25 cents upwards. Drafts on London, Sterling Exchange, Gold Coin, Bankers' Sterling Exchange, Gold Coin, Bankers' Sterling Exchange, Gold Coin, Bankers'