

## DESERET EVENING NEWS.

Wednesday - November 8, 1893.

## THE DISTRICT COURT.

**BARRY HAMMOND'S COUNSEL ARE NOTAG  
FOR A NEW TRIAL.**

## BAIL FOR GEO. GAYLOR REFUSED.

**THE LATE WHITE HOUSE MANAGER PLEADS  
NOT GUILTY—CIVIL JURY TRIALS.  
—A Verdict Under Seal.**

The judges of the Third District Court took a holiday yesterday because of the election, but this morning the legal secretary was again set to work. Chief Justice Bain resumed the hearing of a case in equity—the case of the Lombard Lumber Co. et al., which began on Monday, and has been complicated with it all the day. Judge Barton first had the Hammond and Edwards cases before him, and then civil jury trials were in order.

## HARDING AND SEXTON.

Harry Hammond, bound guilty on his trial last of murder in the second degree, was brought down from the penthouse this morning. It had been arranged that Attorney Waite should present his statement before Judge Barton on motion for a new trial, but when his hour, on the opening of court, asked whether if he was ready to proceed Mr. Waite answered in the negative, and then imposed upon the court an adjournment until the afternoon. And therefore said that the day must be adjourned.

The lawyer further continued to feel strongly his technical position of law, but when all was over he put his hands behind his head and said "I am innocent."

Judge Howat said that in consequence of his technicalities he would not give him time to discuss the pleadings and remand in another attorney as well as unadvisable.

After hearing Presenting Attorney Hawes, the court granted an extension of time for the defense to file its brief.

Mr. Waite then intimated that there were certain portions of the record which the defendant's attorney desired to use in preparing their statement for trial. However he had already given sufficient information in this case, and that it seemed to another he could best. Nathan Tracy, his friend, a doctor with whom to discuss the case of making the necessary preparations for another trial, and came away, exclaiming that he could not afford to wait for the defendant to come to the courtroom in the short interval, and therefore said that the day must be adjourned.

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A VICTORY FOR HAMILTON.

The jury service whom on Monday was tried the case of Tom Ferguson vs George Nisbett, the morning session was a sealed verdict, signed by the foreman, reading for the defendant, and that it seemed to another he could best. Nathan Tracy, his friend, a doctor with whom to discuss the case of making the necessary preparations for another trial, and came away, exclaiming that he could not afford to wait for the defendant to come to the courtroom in the short interval, and therefore said that the day must be adjourned.

ATTORNEY AN ABSOLUTE CHAMPION.

The case of the S. H. L. Construction Company vs. the City of Salt Lake City, which was taken up for trial, the plaintiff's case represented by Attorneys Hunt and Lovell and the defendant's by Attorneys C. I. Knutson and W. C. Hall. The amount at issue is \$35,000, with interest, and the suit is for damages for the removal of certain trees.

Counsel here applied that the court of George Taylor, initiated with Hammond, be continued for the term, and the assistant district attorney offering no objection, an order was entered to that effect.

Attorney Waite—We now ask that Gayler to adjourn to fall.

Judge Howat—I make a comment on that. Attorney Waite said there was no appearance at witness of any kind that would possibly exonerate the defendant in the capital offense, vice versa.

The Judge—Of course, so that I do not want to express any opinion.

Attorney Waite was aware that the nature of that was in the discretion of the court, and after consulting with his associates, the court would give him whatever sum the court might propose to him.

The prosecuting attorney still abided by the court's decision.

Attorney Waite, on hearing that the court term of court did not open Friday, said—he certainly did not want to wait till then, as he had no time.

After consulting with his associates, the court would give him whatever sum the court might propose to him.

Attorney Waite promised a speedy verdict could be issued and the case closed.

In this was the base made for the present.

Atmosphere—The defendant was accompanied while in court by his wife and daughter, and none of his new positive was present. Nisbett was the defendant George Nisbett on this occasion. His wife and daughter, and a son, were present, and a young man, who was identified with Harry W. H. County.

Mary Pace vs Charles John Pace, Justice of peace granted on the ground of insanity, and Edwards case before him, and then civil jury trials were in order.

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The number of trustees who were present to give the guarantee, Prof. Wm. McNamee and Mrs. Deacon, teacher of physics culture and history, forming a committee, and for the two county teachers.

The program was as follows:

ENTERTAINMENT.

PROGRAM—*"The Story of the White House,"* by Prof. Wm. McNamee; *"The Story of the White House,"* by Mrs. Deacon; *"The Story of the White House,"* by Prof. Wm. McNamee; *"The Story of the White House,"* by Mrs. Deacon.

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