

Tuesday, November 15, 1887

FRAGMENTS.

Z. B. B. will hold his monthly meeting this evening.

CHARLES BALDWIN has been commissioned as notary public.

THE BOARD of Managers of the Soldiers' Home will reach the city tomorrow.

THERE is a message at the Western Union Telegraph office for W. P. Stephens.

THIRTY to be given by the Fifteenth District School will take place next Friday evening, Nov. 13.

THE Carless Opera Company will meet for practice at Calder's music hall this evening at 7:30 o'clock.

THROUGH an omission in the changes in the Utah Central time table do not appear in to-day's issue. The new table will be published tomorrow.

JAMES CLARK, whom one of his witnesses said, "had as good a moral character as any man in Utah," was admitted to citizenship in the Third District Court this afternoon.

COLLINS, the negro soldier who murdered Frank Washington at Fort DuChesne on Oct. 1st, will arrive in this city on this afternoon's D. & R. G. W. train, in charge of an officer.

MRS. MARJIN, who now attends the court daily with her infant child, appears the most anxious of all the listeners to the proceedings in her husband's trial for killing J. H. Burton.

Those who desire to go over the Utah & Northern to any point, from this city, should leave here, to connect with the passenger train at Ogden, at 7:24 p.m. The north-bound train leaves Ogden at 10 p.m. Or they can leave here at 8:03 a.m., and take the freight train at Ogden at 1 o'clock in the afternoon.

THE passenger service on the Utah & Northern from Ogden is now simply awful. The train arrives from the north at 7:18 a.m. and leaves at 10 p.m., making it necessary for the people of Box Elder and Cache counties to travel on the railway at night. The public generally are dissatisfied with the arrangement.

LAST Saturday Peter Barston, of Clarkston, Cache County, was arrested by Deputy Marshal Whitestone, on the charge of unlawful cohabitation. As the lady who was his alleged plural wife died a few days ago, it seems that the arrest is unnecessary, and the gentleman feels that he is having considerable trouble at the present time.

Ogden Herald.

The Receiver at Work.

We learn just before going to press this afternoon that arrangements had been entered into by which the office of the General Time-Table and grounds of the Historian's office will be retained by the present occupants, who will pay a rental required by Mr. Dyer.

Marshal Dyer took formal possession of the Garde House this afternoon. He was engaged in taking an inventory of the furniture and books in the Historian's Office when the news went to press.

He also made a demand at the President's Office for all the records, books, papers, etc., belonging to the Church.

Police Court Today.

Eph. Kelly, for vagrancy, was given 25 days in jail.

John Johnson, James Cavanaugh, Ed. Wilson and James Shupe were each fined \$5 for drunkenness.

John Hyslop was assessed \$10 for having been drunk.

Ed. Wilson and James Shupe were also fined \$10 for vagrancy.

Recovered.

Wm. H. France, who was shot by Officer Pugh, at Morgan City, in the latter part of September, in self-defense, was released from the hospital in this city today, having recovered from his wound. He was at the City Hall today inquiring whether there was any charge against him for his actions, either at Morgan, or at Coalville, where he escaped from custody before going to the first named place. If there is no complaint that will require his detention in the Territory, he says he will return to his home in St. Louis.

A Choice Number.

We are pleased to announce the appearance, with its usual promptness, of the issue of the *Pacific Instructor* for the 15th of November. The contents of this issue are more than usually interesting and indeed there is no number of this excellent magazine but what is worthy the careful perusal and close attention of all Latter-day Saints. The contents of number twenty-two are as follows: The Metropolis of Japan, (illustrated); The True Brother; A Sure Way to be miserable; A Sacred History, by T. A. Sorensen; A Letter, an Oration; For Our Little Folks—The Bible and the Old Testament; A Mighty Effort—Very Hard—Questions on Church History, Tell the Good; Editorial Thoughts; Do not be Harsh, by Y. A. Sorensen; A Letter, an Oration; Cambrone's Picture; A Slave's Request, by Gosh; Topics of the Times, by the Editor; True Hospitality; Self Improvement; The Book; Think Gentily of the Erring One, words by Miss Fletcher, Music by H. A. Tuck; Building Character; "I Woulda Gie a Copper Plick," by Mary A. Barr.

Probate Court.

Proceedings in the Salt Lake County Probate Court yesterday:

The decree showing that due and legal notice to creditors had been given in the matter of the estate of Don Chart, deceased, was filed.

A similar decree in the matter of the estate of Orson K. Whitney, deceased, was also filed.

The petition of E. A. Kiansch, to reopen the appointment of an administrator in the matter of the estate of Thophilus Hofer, was granted, and the hearing is to be had on the 15th, at 11 o'clock.

In the matter of Eliza D. Ashworth, an order was made for the sale of all the personal property.

In the matter of the estate of Susan D. Ritter, an order was made appointing time and place to hear petition for distribution and settlement of final account.

An order was made appointing the 20th instant, as the time to show cause why the estate of Horace K. Whitney should not be assigned for use of widow and minor children.

The marriage certificates of James Wright Schofield and Sarah Christensen, and Edward James Bourke and Annie Brook Robertson were filed for record.

A. H. MARTIN'S DEFENSE.

It will be that the Shooting of J. H. Burton was Accidental.

Up to the hour of adjournment in the Third District Court yesterday afternoon but nine jurors in the murder case against Martin were secured. The three accepted after the news went to press were W. F. Reese, Geo. Chesler and Frank Pascoe. The following were excused for various reasons, the majority having formed an unqualified opinion as to the guilt or innocence of the defendant: George Mullett, J. J. Thomas, W. T. Earl, E. Whitaker, M. C. Reese, James Hoyle, D. C. Taffs, H. Bird, J. S. Johnson, Joseph Pitts, L. Osborne, J. H. Kimball, Wm. Hilton, J. W. Mosely, John Hoagland, F. Hyde, E. Meyers, J. Sheets, J. Van Tassel, Milo Andrus, F. Jackson, A. Primel, J. H. Hardie, J. Ashman, W. L. Price, Wm. Longmore, A. Hammett, M. W. Banks, W. McMillan, S. J. Lynn, J. C. Sandberg, Z. Warmouth, W. Dillon and F. Pollock.

An open venue for twenty additional jurors was issued, and court adjourned till today.

This morning, the work of getting a jury was continued.

J. Q. Packard, who had been summoned on the opening case last evening, was excused, as his residence was in the First Judicial District.

Frank Dunford, H. H. Schaffer and F. A. Woolley were called, and all excused for having a fixed opinion as to the guilt or innocence of the defendant.

S. D. Brown, L. Ensign and John Johnson came next.

Mr. Brown had been absent from the Territory at the time and since the shooting, and had not learned enough of the case to form an opinion. He was passed.

Mr. Ensign had read of the case but had no opinion in reference to it, and was passed.

Mr. Johnson had no definite opinion and was passed.

The defense accused Mr. Johnson and Mr. Ensign.

Mr. Brown was sworn, leaving but two jurors necessary, to complete the panel. The defense had used all but one of its peremptory challenges.

John Knight and George Hawkes took their places in the box. Both had formed decided opinions as to the merits of the case, and were excused.

J. W. West and Samuel E. Baxter went down for the same reason.

Walter Davidson and F. D. Clift followed in the same path, and yet others, Ed. Raybould and Stephen Hayes were called. They also had a settled opinion and were excused.

A R. Carter and Fulton Hayt came next and Mr. Carter went down because of the knowledge he had of the facts from reading the sworn testimony of the witnesses before the committing magistrate. Mr. Hayt was accepted by both sides and was sworn.

In the attempt for the twelfth juror, W. H. H. Brown was called, having formed an opinion, was excused.

E. H. Parsons was in a similar frame of mind, and shared a similar fate, as did also William Stevenson and Harrison Spiers.

It is now heard of the case, but had no opinion as to its merits. The defense exhausted its last challenge on Mr. Dyer and he retired.

John Wickel had a fixed opinion, but thought he could give the defendant a fair trial. He was passed by the defense.

To the prosecution he said it would require evidence to change his opinion. He was challenged by the prosecution, and the challenge was overruled by the court.

Challenge was excused on account of his not being able to hear distinctly ordinary conversation.

J. R. B. was sworn as a taxpayer, but had some money, but no particular business; had read of the case and formed an opinion. He was excused.

W. W. Shelley had paid no taxes for several years; had a little money, but had not tried his credit, had money owing to him from those he thought likely to continue owing him. He had formed an opinion of the case and was accepted, thus completing the panel, which stands as follows:

Eber Case, T. E. Harper, George Cheshire, C. P. Mason, Fulton Hayt, Jas. W. Campbell, W. Reese, John Stillwell, W. W. Shelley, S. D. Brown.

The indictment was then read. It charges Alfred H. Martin with murder in the first degree, committed on the 20th of May, 1887, by the premeditated killing of J. H. Burton.

Mr. Rawlins made the opening statement to the jury to the effect that the prosecution proposed to show from the evidence that the defendant had shot and killed J. H. Burton, and without provocation. He then gave a brief recapitulation of the circumstances.

Shooting, telling how the defendant had stopped the deceased and compelled him to get into a stage coach, and then to McCoy's stable, where he frequently uttered a threat to "blow him around" if he did not keep his hands up, and when Burton dropped his hands carried out the threat, and tried to make out that Burton was armed.

Mr. Dickson followed Mr. Rawlins, remarking that it was unusual for the defense to state their case until after the testimony of the prosecution was in, but they would do so on this occasion.

He said that the jury might better understand the circumstances. They made no question as to the killing of Mr. Burton. The defense was that it was purely accidental, and that the defendant had no intention of shooting the deceased.

The weapon which Martin had belonged to his employer, and was well acting. It was almost a hair trigger. When the defendant left the saloon he went home, and just as he approached his house he saw a man come out of his gate and run across the road. He thought this action suspicious, and when the man came inside of the gate, he followed him, and saw him enter a house and peep in. Here he followed the man who started to run; he then followed him and caught him in a trap; he ordered the man to throw up his hands and marched him to the corner, seeing that the street was dark toward the City Hall, the defendant took this prisoner, who refused to tell his name, and he followed him to the stable, and the police telephoned to an officer who not in, and they waited at the stable.

From the strange man provoking to be, was required to hold up his hands by the defendant, who was in Martin's excitement the pistol was accidentally discharged, killing Burton.

The defense proposed to show, by respectable witnesses, that Mr. Burton's habit was to disguise himself as a foreigner, and to enter people's houses. The cause for this action on his part they could not explain, but would show it to be the fact.

At this point the Court took recess till 2 p.m.

This afternoon, at the request of Mr. Dickson, the Court instructed the jury to visit the scene of the shooting any where the events connected therewith occurred, from Busby's Alley, on Second South Street, to McCoy's stable, on First East. The jury went to the place at once, and returned while Deputy Sprague and the attorneys for both sides, and the prisoner himself, in custody of Deputy Cannon constituted a part of the company. A thorough examination of the places was made, the points of special interest being pointed out to the jury.

Returned to Utah.

This afternoon we received a call from Mr. John F. Brown, of Indianapolis. He resided in this city fifteen years ago and was connected with the bledary department of the New. He will make this Territory his home. He is agent for the New Parallel Bible, embodying both the authorized and revised versions. Mr. Brown entertained the Elders who were in Indiana with genial hospitality.

The Mexicans are preparing to properly celebrate the 400th anniversary of the discovery of America in the capital of that country. The Duke of Veraguas, a Spanish nobleman and descendant of Christopher Columbus, will be heartily approved of the celebration.

THE FAST TRAIN.

It is Possible the Time will be Still Further Reduced.

Thirty-six hours from Omaha to Ogden, and 24 hours and 30 minutes from Denver to Ogden, is the time now made by the Union Pacific, whose first fast train arrived in Ogden on time this morning.

It is said by eastern papers that the action of Mr. Potter in putting on a fast train to Ogden is to show the managers of the Chicago roads into a state of agitation. They say:

Several times in the past efforts have been made by officials of the Union Pacific to do what Mr. Potter is now doing, but they have permitted the roads east of the river to defeat them. Consequently the scheme had come to be looked upon as a sort of chestnut, easily squelched any time it came up. But things have changed.

Mr. Potter did not consult the Chicago managers this time, and will not permit them to destroy his plans.

Mr. Potter has decided to do it, and it is causing them much annoyance. Thursday the managers had a meeting and discussed the question of shortening their time between Chicago and the Missouri river, but they failed to reach a decision. The Chicago managers were sent to Mr. Potter begging him to postpone matters, but his answer was not calculated to give them much encouragement.

In substance he said to them: "You cannot get any pleasure out of new time, table goes into effect next Sunday. There will be no more postponement. This is a determination, and entirely independent action on the part of Mr. Potter forces the Burlington to shorten its time between Chicago and Denver, and the Rio Grande may likewise between Chicago and Ogden."

To do this there necessarily be a reduction between Chicago and the Missouri River of at least five hours. The Burlington's attitude, therefore, puts the other Chicago roads into a hole where they are also compelled to act, and when they do, to reduce their time five hours. The Burlington will find that it has not gained very much, because just as soon as the St. Paul, Rock Island & Northwestern have come down, they will be in a position to know, will make another reduction between Omaha and Ogden.

The Beliefs of the World.

We have examined a volume which is on sale in this Territory, entitled, "What the World Believes." It includes all nations, savage and civilized, and dates its history back to the earliest historical times. Probably the most interesting feature is its description of the world at the present time. It affords a wide scope to the student and is such a work as would be of much value to young people who have been born and reared in Utah, as it would give them a fair idea of the faiths of the world and enable them to compare them with that with which they have been associated from birth.

While the work was edited by George J. Hays, the writers or contributors were numerous. Included is a well written and fair statement of the religion of the Latter-day Saints. Mr. W. H. Burton has the agency for the Territory.

Monthly Y. M. M. I. A. Meeting.

To afford the officers of the Young Men's Improvement Association throughout this State, and others who are interested in the work in which they are engaged, opportunities to compare notes and discuss the best methods of conducting the exercises of the associations, it has been decided to hold monthly meetings of the organization similar to those which are held by the Sunday School Union, but on a different evening. The initial meeting will be held in the Fourteenth Ward Assembly Rooms on the evening of Thursday, the 24th inst., commencing at 7 o'clock. The monthly meeting of the State Superintendency and their aids, which was adjourned to Monday evening next, will be dispensed with in view of the other and more general meeting mentioned, and this aid, in fact, all the officers of the Association in the State, are earnestly requested to attend the latter and as many members as feel so inclined invited to do so, and to unite in making the meetings profitable and pleasurable gatherings.

Death of James Davies.

Funeral services were held in the Ninth Ward meeting-house on Sunday November 13th, over the remains of Brother James Davies, who died at Ogden on Saturday.

Davies as the name appeared in the News of Saturday. Appropriate remarks were made by Elders Marcock, Turner, J. S. Tingey, Bishop Woolley, and others.

Brother James Davies was a son of Jonathan and Susan Davies of the Grove, Bishops Froome, Herefordshire, England, whose kind hospitality can be remembered by many Elders that have traveled through that district.

He joined the Church when a youth, and immigrated to Utah in 1881. He was followed by his wife the same year. In 1883 she died leaving two small children. He married again, and in March, 1887, through the death of his second wife, he was again left a widower with four young children.

Brother Davies was affectionately attached to his children. He was never heard to murmur, but being under the necessity of breaking up a home and parting with his children, it is believed caused him great anxiety. These and other trying circumstances had a tendency to strengthen the symptoms which caused his death. His children are in good homes with people who will do everything possible for their welfare.

An Atmosphere of Hyperduality.

Boston, Nov. 4.—Through the cultivation of that perceptive faculty by means of which the acutely refined person is enabled to detect an impurity where another less highly organized morally would not perceive anything objectionable, the intellect of modesty has attained unusual development in the enlightened Bostonian.

Together the atmosphere of hyperduality which pervades everything in this intellectual town is of more than ordinary density in the local public library, the custodian of which is also constituted censor of the people's morals. In the process of distributing the precious volumes entrusted to his care, this pure-minded official exercises the strictest supervision over the literary folder consumed hereabouts. Only the other day a little girl of my acquaintance dropped in at the library and wrote "Tom Jones by Fielding," upon an application blank. The attendant looked hard at the title, and presently she came back and said that "the young lady was requested to speak to the gentleman in charge. The personage referred to received her with hearty condescension."

"Are you the petitioner named on this card?" he asked.

"Yes, sir," replied the maiden timidly.

"What book is it you want?"

"Tom Jones, if you please."

"That is an immoral work."

"Yes, sir."

"But you want it?"

"Yes, sir."

"To read yourself?"

"No, sir."

"Who will read it then?"

"My sister, sir."

"How old is your sister?"

"Fairly—two, I believe."

"Is she married?"

"Yes, sir."

"Very well then. You see, we cannot permit young people to take out improper books for their own perusal. Our aim is to elevate and to lower the moral standard of our youthful readers. The adults, of course, may take care of themselves."

So at length the little girl was permitted to depart, holding under her arm the book which she had been attendant had wrapped up in voluminous brown paper, to avoid offending the eyes of the virtuous passers-by on the street.

Wrong Name.

A postal card, dated Utah Penitentiary, Nov. 11th, 1887, bearing the signature of John Worwood of Nephi, runs as follows:

I see in the WEEKLY News of the 9th inst. that, in recording the business of the First District Court, my case is given as that of John Harwood. It should have been John Worwood. Please correct, and oblige.

DEATHS.

REDD.—At New Harmony, Washington County, Utah, October 11th, 1887, of cancer fever, Nancy Rebecca Redd, daughter of Nancy Redd and the late Benjamin Jones Redd, aged 1 year, 11 months and 16 days.

GARDNER.—At her home in Eureka, Juab County, at 7:40 p.m., Nov. 9, 1887, Elizabeth, beloved wife of Matthew A. Gardner, aged 69 years, 11 months and 6 days.

FEDERICK was born in Andree, Lanarkshire, Scotland, Dec. 3, 1817; joined the Church of Jesus Christ of Latter-day Saints in Andree in August, 1842, and continued a faithful member of the same till her death. She has seen many of her children's children, had a large circle of friends, and was respected everywhere.—COM.

Millennial Star please copy.

Special Notices.

For 30 years I have been troubled with catarrh—have tried a number of remedies without relief. A druggist here recommended Ely's Cream Balm. I feel like a new man. My catarrh was chronic and very bad. I make this voluntary statement that others may know of the Balm.—J. W. Mathewson, (Lawyer), Pawtucket, R. I.

We cheerfully add our testimony in favor of Ely's Cream Balm as a sure cure for cold in the head, influenza or catarrh. It is a splendid medicine, and has been used by those in the East, West, South and North. M. B. LANCHESTER, P. M., Ed. Central Alabamian.

Angostura Bitters were prepared by Dr. J. G. B. Siegert for his private use. Their reputation is such today that they are used by the public as the best of all remedies. Beware of counterfeits. Ask your grocer or druggist for the genuine article, manufactured by Dr. J. G. B. Siegert & Sons.

Coughs and Colds. Those who are suffering from Coughs, Colds, Sore Throats, Whooping Cough, and BRONCHIAL TROCHES. Sold only in boxes.

A Good Cook Wanted. Good wages. Apply, 629 Brigham St.

NARROW GAUGE TIRES: We want Twenty Thousand Narrow Gauge Tires. For contracts apply at the Ogden Railway Company.

At Night Always have Soother at hand. It is the only safe medicine yet made that will remove all Catarrhs. It contains no Opium or Morphine, but gives the child natural ease from pain. Price 25 cents. Sold by

E. C. M. I. Drug Dept.

COUNTY RECORDERS: Requiring Marriage License Records in printed form, convenient for filing up without much writing, or in any other kind of Records or books, can obtain them on short notice and reasonable terms at the DEPARTMENT NEWS OFFICE, Salt Lake City.

GO TO JOHN C. CUTLER & BRO., AGENTS, PROVO WOOLEN MILLS.

Finneys, Shawls, Linseys, Yarns, Repellants, Jeans, Cassimeres, Tweeds, Blankets, Hose, etc.

Men's Suits Made to Order from Provo Cloths.

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BROWN'S COUGH BALM and Tar Troches are invaluable in every family for Coughs, Colds and Sore Throats.

BROWN'S ANTIMONY SALVE is every box warranted for Cuts, Burns, Bruises, Old Sores, Piles and Sore Eyes. No cure no pay.

BROWN'S BALSAM OF PINE is no equal. Stands alone as the Great Balm for Cuts and Bruises, for Rheumatism. All Wholesale Druggists sell Brown's Family Medicines.

Z. M. I. Drug Store, General Agents.

SEVERAL LOTS of Ladies' and Child's Cloaks at half price at F. AUERBACH & BRO's.

SAM LEVY, Manufacturer of Fine Havana Cigars 171 & 173 A. Main Street.

Down Quilts and Bed Comforts Cheap at DINWODEY'S.

BEFORE BUYING Elsewhere, call at F. Auerbach & Bro's one price store. You are sure to save time and money.

SILKS, SATINS, Velvets and Plushes at special bargain prices at the established one price store of F. AUERBACH & BRO.

BARGAIN SALE. Of Blankets, Quilts, Shawls, Table Cloths and 100 other articles at F. AUERBACH & BRO's One Price Store.

"DANIEL'S DREAM." No. 1, a Cartoon with a local application, is for sale at the book and news stores.

OLD And reliable Medicines are the best to depend upon. Ackers' Blood Purifier has been prescribed for years for all Impurities of the Blood. In every form of Scrofula, Syphilis or Venereal Disease it is invaluable. For Rheumatism, has no equal.

For Sale at Z. C. M. I. Drug Store.

DRIED FRUIT. We pay the highest market prices for all kinds of DRIED FRUIT. Our terms will call for them in all parts of the city.

BARNES & DAVIS.

CHURCH BLANKS As follows: at the DEPARTMENT NEWS OFFICE, Salt Lake City.

Table Reports, 100, per doz.

Ward Reports, 250, "

Relief Society Reports, 250, "

Primary Association Reports, 250, "

Y. L. M. I. A. Reports, 250, "

Y. M. M. I. A. Reports, 250, "

Elders' Certificates, 250, "

Bishops' Recommendations, Books of 50, 200, 100, 250, "

Primary Association Roll and Record Books, 750, "

Y. L. M. I. Association Roll and Record Books, 150, "

Ward Records, 1 q. \$8.00; 2 q. \$12.00; 4 q. \$22.00, "

Elders' Records, 500, "

High Priests' Records, Made to Order, 500, "

Sevens' " " " " " "

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