NEWS OF THE WEST.

Quite an Important Legal Decision by a California Judge.

ATTEMPT TO DESTROY A TUG.

One Boy Accidentally Shoots Another, With Fatal Consequences.—A Policeman Rebloughy a Footpad.

Says the Ephraim *Enterprise*: Mount Pleasant is having a hard time to make the raise of $25,000 for the erection of a wind mill house.

One of the richest mines in Colorado is the potato mine, says the *Denver News*. Thousands of carloads of the finest potatoes in the world have been shipped out of Colorado this year.

A huge ice gorge on the Jim river, near Huron, South Dakota, is being broken up by blasting. The water is still overspreading the lowlands, entailing much damage.

Ephraim says the *Enterprise*, is nearly depopulated as nearly two thirds of her citizens have gone to Salt Lake City to attend the dedication of the great Temple.

The *Statesman* of Boise City, Idaho, suggests to the people of San Francisco that they should do all in their power to induce the Great Northern Railway to make its terminus in the latter city.

John Wanamaker, ex-postmaster general, with a party of fourteen, passed through Yuma, Ariz., on Wednesday morning on a tour of the Pacific coast. They have made an extended trip through Mexico.

At an Easter celebration at Granger, Texas, a feud of thirty years' standing was wiped out by a shooting between Jim Beard and Jim Curtis. Both men were killed and during the shooting Dora Milkers, a Bohemian girl, was seriously wounded.

The brothers of Samuel Foley, of San Bernardino, Cal., who was run over and horribly mangled a few week's ago on the Southern Pacific Railroad, near that city, have instituted suit for damages in the sum of $10,000 against the railroad company.

Elections for local officers in all Nebraska cities and towns incorporated under the general law have been held. There was no special issue at stake anywhere, the main question being local option. In almost every place boards of trustees or councilmen favorable to license was elected.

The schooner Czar, which sailed today for Mazatlan, Mexico, with a general cargo, is a veritable floating magazine, having on board 50,000 pounds of dynamite and 1000 cases of gunpowder consigned to a Mexican firm. It is generally understood that it is intended for transshipment on some one of the Central American republics, which are laying in a supply of munitions of war.

Detective Peterson, of Denver, was robbed on Wednesday night by a unarmed man, but he made things very lively for the footpad before he finished with him. It occurred about 7 o'clock, near the corner of Nineteenth and Page streets. Peterson was strolling quietly along through the alone with his eagle eye locked for crooks when the man suddenly grabbed his watch, broke the chain and dashed down the street. Peterson, as soon as he recovered from the affront, started after him and soon had his gun in play. He fired six shots at the wily footpad and chased him over into North Denver before he caught him. The prisoner gave his name as William Ramsey.

J. M. Zion of Berkeley, Cal., was ejected from an east-bound train at Reno, Nevada, the other night. He held a regular round-trip ticket over the Central Pacific to Chicago from San Diego and return, signed and indorsed by him. The return coupon, Los Angeles to Ogden, was dishonored by the conductor of the Central Pacific Railroad, who claimed that it was a scalper's ticket. Zion refused to pay the fare to Ogden, claiming that his ticket was a regular ticket, issued directly to him at the regular office in Chicago. He was summarily ejected, and says he will commence suit for damages.

There has been but little abatement in the excitement at Baker City, Oregon, attending the attempted arrest of Tom and William McCarty, the supposed Rosslyn bank robbers, by a sheriff and detectives from Portland agency. The posse which left it has followed the fugitives four miles east to the McCarty ranch and lost sight of the house until this hour. During the night they discovered the horses of the robbers tied near by and cautiously stole up and captured them. This leaves the fugitives to make their escape on foot, and at this season of the year it will be difficult to travel through the hills.

A special from San Diego, Cal., says: A party just back from the desert reports meeting at Mountain springs, near the Mexican line, and twenty-five miles east of Campo, with a United States survey party re-establishing the line from El Paso to the Pacific, and placing stone monuments to mark it. The corps has surveyed through Texas and Arizona to that point, and are now coming along the New river region of the Colorado desert, fully one and one-quarter miles south the old line. This is an average gain from Mexico or territory a mile in width to be soon opened to settlement. The Mexican owners in this strip are to be given patents, but otherwise there is a considerable gain in new territory for entry.

John B. Lima, an aged Portuguese baker of San Francisco has committed suicide by shooting himself through the head. He had lived in a small room in the rear of the Bakers' Home for many years and had a small amount of money, which supported him until a few months ago. The landlord of the place allowed him to remain, however, but sickness and old age gradually pulled him down. When the body was removed to the morgue the following note was found in one of the pockets of the clothing he wore: "Identified—To the City Coroner: There is a clear case of suicide. Long sickness is the cause of all the trouble. John B. Lima, Bakers' Home, 834 Pacific street. N. B.—My friends are all dead; my acquaintance as good as if they also, and you know the rest. Marre 29, 1893." He had been suffering from dropsy for some time prior to his death.

A diabolical attempt has been made to blow up with dynamite the tug Samson and Mexico, which does the work of the Fishermen's wharf, near the foot of Union street, San Francisco. That the attempt failed was no fault of the fiendish perpetrators of the outrage. There is no positive clue as to who the guilty persons are. The only solution as to who the instigators of such an act could be lies in the present sailor troubles over the employing of union and non-union crews on coasting vessels. The material used in the attempt to destroy the tug was a stick of Hercules No. 1 powder or dynamite, to which had been inserted sixteen fuse caps all of which was attached to a coil fuse and placed on top of the high pressure cylinder in the engine room and lighted. The fuse burned very slowly evidently, and the cylinder being warm—as the steam is kept up in the boilers all night—caused part of the compound to fuse in melt, and the burning coil went out. The preparations were discovered by the engineer, who had been asleep on the boat all night and in blissful ignorance of what was going on aboard.

John D. Stockdale, boy of 15, was shot and killed by Maurice Baxter at Denver, on Wednesday night. The shooting was entirely accidental. The two boys spent the evening together in Stockdale's house and about 10 o'clock Baxter started to go home. Stockdale accompanied him as far as the porch for the purpose of examining a revolver belonging to Baxter, which he wished to purchase. Standing out in front of the house Baxter handed the revolver to his companion and Stockdale examined it and presently nonchalantly placed the trigger at full cock, and when he handed it back to Baxter the muzzle pointed directly at the stomach. In taking hold of the gun Baxter gently caught hold of the trigger and the hammer fell and a bullet was sent flying into his friend's bowels. He did not know that he had shot him until Stockdale cried out, "I am shot." This was his only utterance. Baxter hardly had time to help him into the house before he expired. Baxter was notified the police, but no proceedings will be taken against him. The dead boy's parents live in Scott county, Iowa. In Denver he lived with his aunt.

Judge Garter, of San Francisco, has rendered an important decision, giving judgment for the defendant in the suit of Hattie Hume against the Pacific Mutual Insurance company. The action was to recover $10,000 on a policy insuring the life of Dr. W. H. A. Hughes against persons injured or death by accident. Hughes died during the life of the policy, and the plaintiff, as his beneficiary, sued for the insurance, claiming that Hughes's death resulted from one of the accidental causes against which he was insured. It was admitted in the trial that death was caused by the inhalation of anæsthetics. The deceased was a physician in active practice at the time of his death. He took the anæsthetic to relieve the pain attending certain rectal troubles from which he had long suffered. He had often before taken the drug for the same purpose. At the time he died in the complaint he was found in his bed dying. The sheet had been drawn up so that it covered his face. His hands were holding to the nose a handkerchief saturated with chloroform, the fluid so used for finger grasping the yellow of the nose to hold the cloth in place. It was the opinion that Hughes took too much for the first time. On the contrary he claimed was inadvertently an accident resulting from the use of an excessive quantity of chloroform, given by an inexperienced administrator. The defendant corporation refused payment of the insurance, claiming a breach of certain conditions under which the policy was issued. The most important question submitted to Judge Garter for decision was as to whether or not, in the meaning of the law, chloroform is a poison. The court holds that it is, under a decision of the Supreme court which declares "a poison is any substance which, when applied to the body internally or in any way introduced into the system, without killing immediately, but in its own inherent qualities, is capable of destroying life." It is plain, said Judge Garter, from evidence in such a case, that the parties must have had in contemplation when it was agreed that the policy should not cover death from "taking poison." It makes no difference whether a person should take the drug with the intention of committing suicide or not. Death resulting from the unintentional taking of any medicine is declared to be not so much an accidental death as though it had been caused by the wrecking of a train or cars. Judge Garter also considers that the company is exempted from responsibility because the deceased took the chloroform by way of medical treatment. This was a risk and one from which the company has expressly withdrawn its insurance.

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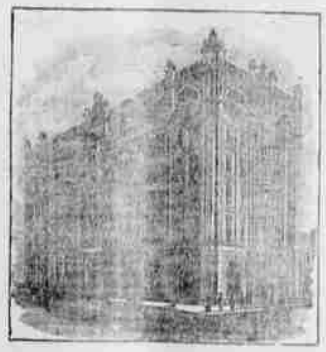
Deposits 1874,	11,676.72	Deposits 1884,	138,110.64
Deposits 1875,	18,149.70	Deposits 1885,	142,789.12
Deposits 1876,	19,148.92	Deposits 1886,	195,005.88
Deposits 1877,	21,058.84	Deposits 1887,	267,531.50
Deposits 1878,	26,612.71	Deposits 1888,	428,464.70
Deposits 1879,	42,763.56	Deposits 1889,	626,790.52
Deposits 1880,	60,071.01	Deposits 1890,	874,281.07
Deposits 1881,	90,457.39	Deposits 1891,	791,621.11
Deposits 1882,	133,078.06	Deposits 1892,	873,104.54

Deposits January 6th, 1893, $1,208,260.42.



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