CHARLES THIEDE.

Its Neighbors Called to Tell What They Know About Him.

TESTIMONY OF DR. J. M. BENEDICT.

The Jury Have Gone to Murray to View the Scene of the Tragedy.

The trial of Charles Thiede, on a charge of wilfully murdering his wife at Murray, was resumed before Judge Hanch and a jury in the Third district court this morning.

Judge Howat, with whom Attorney George Nye was associated, again appeared to prosecute; Messrs. Cherry and Cherry defended.

When the Court went to press yesterday Mr. Josephine Sonderhaus, was upon the witness stand. She said she had never seen Mrs. Thiede drunk.

Victoria Sonderhaus, the two-year-old daughter of the preceding witness, corroborated the testimony given by her mother. In cross-examination she said her mother told her what to say, but in answer to a question put by Judge Howat she replied that her mother told her to tell the truth.

Jacob Lauwesberg testified, through an interpreter, that he has been living at Murray, and moved into one of Thiede's houses in March of the present year. He saw Thiede and his wife quarreling on the Saturday night—the night before the woman was killed. He told Thiede to let his wife alone. Mrs. Thiede then came to his house and he told her to come in. She did so and Thiede came in too and hit her with his hand on both sides of the head and told her to go home. Mrs. Thiede then went away and Thiede went back to his saloon. The witness went with Thiede and drank a glass of beer. While they were there Mrs. Thiede knocked at the door, but Thiede told her to go back to the room.

At this point Judge Cherry stated that he had reason to believe that the interpreter (Deputy Sheriff Steele) did not fully understand the witness and hence was not reporting his answers correctly.

Judge Howat said he himself did not know anything about the matter, as he didn't understand German, but Louis Grinsky, one of the jurymen, stated to the court that several of the answers had been incorrectly given by the interpreter, and by consent of counsel, Mr. Grinsky was chosen as interpreter.

The witness Lauwesberg then testified through Mr. Grinsky that Mrs. Thiede said she was afraid to go home that night because her husband might kill her.

The court at this stage adjourned till 10 a.m. today.

The first witness called this morning was Jacob Lauwesberg, who was under cross-examination when court adjourned yesterday afternoon.

Judge Cherry asked the witness (also gave his testimony through Interpreter Grinsky) whether Mr. and Mrs. Thiede were on friendly terms while he was with them on the Monday—the day preceding the night of the murder?

Witness replied—If they had always been that way there would never have been any trouble.

"Did you ever see Mrs. Thiede with a bruised face or black eye after you went to live near the Thiedes?"

Witness said she had a black eye once after he moved there, but he did not know how she got it.

"What was the condition of Mrs. Thiede's hair when she came to your house on the Sunday night?" asked Judge Howat in re-direct examination.

"It was all in a disordered state, her comb gone down," was the reply.

Judge Cherry objected to the question, but Judge Howat said that self-pulling was one of Thiede's "admonitions" with his wife, and he therefore had a right to put the question.

He the court ruled, and an exception was noted.

"What was the condition of Mrs. Thiede as to being kind or otherwise toward her husband?"

Judge Cherry objected to this question also, but the court ruled it was admissible, and Judge Cherry again excepted.

Witness answered, She was good to Mr. Thiede.

"On the Monday after this Sunday what, if anything, did Charlie Thiede say to you about not telling of what had taken place in the house?"

"He didn't say anything about it then, but on the Tuesday (the morning after the murder) he told me not to say anything of what had happened."

"Didn't Charlie Thiede bring you a bottle of whisky on the Monday afternoon?"

"Yes, about 4 o'clock on that day—a flask which would cost about 25 cents."

"What, if anything, did Thiede say to you about drinking it?"

"He said 'There is a bottle of whisky for you, take a drink and that will fix it.'"

"Did Thiede give you whisky at any other time?"

Witness said he sometimes used to give him a drink on a Sunday morning, when he went to run down his horses or did a job of that kind for him.

To another question witness said that he had often heard Thiede and his wife quarreling at their place. How many times he could not say.

To Judge Cherry—They talked in a "mixed up" way, and he did not understand what they said to each other.

"Were they quarreling—might they not have been singing?" asked Judge Cherry.

"No, it was a sort of rowing." He could understand from their manner that it was a quarrel.

Witness denied that he was in the habit of drinking liquor, but said he might have purchased alcohol from Thiede's saloon once or twice.

Mary Lauwesberger, wife of the last witness, who also gave her evidence through Interpreter Grinsky, testified that she was acquainted with Thiede and his wife, who were at her house on the Sunday evening prior to the tragedy.

"What happened between them while they were in there?" asked Judge Howat.

"Thiede told his wife to go home because she was drunk."

"What did Mrs. Thiede say to that?"

"She said 'No, I won't go, because you want to kill me.'"

"Was Mrs. Thiede at this time drunk or sober?"

"I didn't see her drunk at that time, and I never saw her drunk."

"When Mrs. Thiede said she wouldn't go home because Thiede wanted to kill her, what did Thiede say?"

"He slapped her right and left, told her to go home and go to bed."

"How did he hit her?"

"His hand hit her."

"Did Mrs. Thiede at any time show you her body?"

"Yes."

"When was this?"

"About the first time she came to my house—perhaps a month before she was killed."

Witness, asked further upon this, said Mrs. Thiede's face was black and blue in the forepart of the face, and there was ringing around her.

"Do you know how she got that injury?"

Witness was about to state what Mrs. Thiede told her on that occasion, but this was objected to by the court, of course, sustained the objection.

Judge Cherry cross-examined the witness, who denied that she was in the habit of drinking intoxicating liquors of any kind. She was standing near to Mr. and Mrs. Thiede during the trouble at their house on the Sunday night.

"How do you know Thiede slapped his wife hard?"

"Because I saw it."

"Did she show you any marks or bruises on her face?"

"No, I didn't see any."

Miss Minnie Noble, formerly a school teacher in Murray, said that Thiede's daughter used to attend her school. On the night on which Mrs. Thiede was murdered the little girl stayed with her all night. She had never been in before.

Cross-examined, witness said that there had been some talk of her giving little Annie Thiede lessons in painting.

To Judge Howat—There had never been any talk between myself and Mrs. Thiede as to Annie coming to my house on the Monday.

Dr. J. M. Benedict was then called. He testified that he attended the corpse of the deceased a day or so after the murder and found a large cut extending in a several way from ear to ear, and there were two slighter wounds above this injury. The large cut extended through the larynx to the bones of the neck and all the veins and arteries were severed. The windpipe was also severed. Unconsciously the wounds were inflicted from one blow, and the instrument doubtless took the victim by the hair while doing its work. It would have been almost impossible for the deceased to have uttered a sound after the injuries had been inflicted. The left thumb was nearly severed, the injury being as recent as the cutting of the throat. There were no marks on the throat like the aforementioned, caused either by a knife or fall, as the knife might have caused them. The left eye was slightly bruised, the probably occurred immediately before the cutting of the throat. The cut in the throat at the left ear was made to the right, and probably followed in a minute or two after the infliction of the injury to the throat.

In cross-examination, Dr. Benedict said when he stated that the person who put Mrs. Thiede's throat probably stood behind his victim, it was merely an opinion.

Judge Cherry—Would it not be not only possible, but probable and reasonable, that the person who inflicted the injuries held the deceased by the back of the neck or shoulder?

Witness—No, sir, I should think not. He stated further that the principal substance the throat was just above the "Adam's apple," and both the jugular veins were severed. The edges of the wound indicated that all the inferior had been caused with a sharp instrument.

Judge Cherry—I will ask you if a person receiving such injury as that were to have sat, and stood and move, would there be any possibility of saving the life?

Witness—No, not in the world, even if a surgeon stood right alongside at the time the injury was inflicted.

"What was the extent of the discoloration of the body?"

Witness—There were small spots about the size of half a dollar—four or five of them.

"All on the side?"

"No, scattered right across, in the abdominal region and over the ribs. There were several, too, upon the thighs, all about the same contrast—yellowish green discoloration."

"Of course you could not tell how those bruises occurred?"

"No."

"Could you tell how long they had been caused before death?"

"No, at any time within a week."

Judge Howat—Is it probable that if this woman resisted to the utmost of her ability that any person could have inflicted this wound by standing at her side?

"I should think not. The position I have described is my idea—that the person who attacked her stood behind. It was a strong arm that inflicted the wound and the head must have been pulled violently backward, without doubt."

Witness had known Thiede several years. He was a strong, powerful man.

"What was the actual cause of this woman's death?" pursued Judge Howat.

"Hemorrhage," answered Dr. Benedict, "coming from the wound inflicted in the throat."

Judge Cherry—Are there not a great many strong men whom you know in this part of the country, doubtless strong enough to inflict such a wound?

Witness—Thousands of them.

Judge Cherry then moved that the whole of that portion of Dr. Benedict's testimony having reference to Thiede's physical condition be stricken from the record, but the court overruled the motion and an exception was noted by the defense.

With Dr. Benedict's evidence the forenoon's testimony closed.

THE JURY GO TO MURRAY.

It was arranged yesterday that at four o'clock this afternoon the jury should be taken to Murray to visit the scene of the tragedy, but this morning the hour was changed to 2 p. m., it being understood that when the jurors returned, if any time remained, the taking of testimony should be resumed. Deputy Sheriff A. H. Dixon was detailed to accompany the jury to Murray and point out to them the various places in question, and the court, on being applied to, said that Thiede, the accused, might accompany the party if he so desired. Judge Hanch instructed the jury not to discuss the case among themselves or with others, and also directed Deputy Sheriff Steele to keep the jurors close together while away. A Hand Parade car was chartered to take the party out.

The jury will be quartered at the Templeton tonight, with a bailiff in charge of them the entire time and until the court assembles again on Monday morning. The trial will occupy the whole of next week.

The attendance of the general public in the court room this afternoon was not nearly as large as yesterday.

CITY TEACHERS MEET.

An Address On the Renaissance By Mrs. Haberley, of Ohio.

A Large Class Organized for the Study of Art—The Encyclopedia Works the Italian Painters.

Mrs. Haberley, teacher of art in the Western Female seminary of Oxford, Ohio, spoke this morning upon the subject of "The Renaissance" before the teachers of the city schools. The address was an able one, and was listened to with gentle heed.

At the close of the address, a class, which is expected will reach one hundred members, was formed for the study of art, under the direction of Mrs. Haberley. The class will meet on Tuesday evening and Saturday morning.

The course will consist of twelve lectures, and will be upon the great Italian artists.

The following is a brief extract of what the lady said:

The real quality of the Renaissance was the intellectual springing up at the end of the twelfth and the beginning of the nineteenth century. It is impossible to state just when it began. It represents the transition from the dark ages to the rise of more intellectual times. During the middle ages, wealth began to accumulate, and the way prepared for the dawn of art. The Renaissance represents a revival of past art and an unlimited improvement of the age in which it flourished. In the fifteenth century the spirit and character of the Renaissance flourished.

Art moves a practical application to all the affairs of life. He who would study the material of the Renaissance, must study those arts. Michael Angelo brought to a masterful manner a knowledge of the art of a former day. The artists of the Fifteenth century brought out with great genius the knowledge of the Renaissance to its prestige and palmy days. The Egyptian sculpture can not cope with that of the Italian. It represents an age of superstition, and has never been equaled to any extent.

Sculpture was the art par excellence of the Greeks. From the time of their cities may be found the productions of splendid talent. Above all the artists of the time in the country was Phidias. The Greek poetry is text above or exemplified in sculpture. It was necessary for the Greek to have a full knowledge of his subject. The ceremonies of Rome furnished an opportunity for renewing and placing upon firm foundation the art of the present day.

The painting of Christ in the first centuries at pictorial painting, and manifested a model for the sculptor talent in art which followed. The Crusaders opened the way for a better state of civilization. Commerce was emancipated, and flourished with a new impetus. Following this movement came a renaissance which towered above that of former times. Painting is the simplest of all arts, for it combines the intellectual and intelligence of the people of all nations.

There are many things which cannot be shown in painting; take for example the Spirit, or the Trinity. After painting of the picture of Christ, and the people were allowed to see the labor of the artist, should feel the art, as with ecstacy they viewed the beautiful production of the artist, and the place where the work was done has since been held in great veneration.

Art may live on forever and ever, through all the ages, but never again will it touch, said the speaker, the talents of the old Italian painters.

The Italian artists are grouped as follows:

From the year 1250 to 1275—Cimabue, Giotto, Taddeo Gaddi, Andrea, Orcagna, Simone Memmie.

From 1400 to 1450—Masaccio, Fra Angelico, Fra Filippo, Lippi, Filippino, Lippi, Sandro Botticelli, Andrea Mantegna, Ghirlandajo, Gozzoli, Luca, Signorelli, Giottaneljo.

From 1450 to 1500—Leonardo da Vinci, Raphael, Michael Angelo, Correggio, Fra Bartholomeo, Andrea Del Sarto, Il Sodoma, Pietro Cosimo.

Sunday School Union.

The officers and teachers of the Sunday schools of this Stake will find their regular union meeting Monday evening, Oct. 15, at 7:30 o'clock. The Mill Creek Sunday school will furnish the musical exercises. Prof. Philip Maycock, of the Stake Academy, will, as part of his case, will give an illustration of his of Book of Mormon instruction.

J. H. PARRY, Sec'y.

105th Quorum.

The 105th quorum of Seventies will hold its regular quorum meeting next Monday night at 7:30 in the meeting house Sugar House ward. Lesson Section III Part II of Roberts' Outlines of Ecclesiastical History. A full attendance is requested.

The Students' Society.

The students of the Latter-day Saints' college met at the college building, at No. 222 West First North street, on Friday evening, October 12, and organized a society for the coming school year.

Instructor Woodbury made a few remarks on the aims and benefits of the Students' society, after which the following officers were elected: Carl Badger, president; Miss Alice Rich and Alfred Primmer, vice presidents; Miss Julia Howe, secretary, and Wm. Anderson, assistant secretary. Wm. Anderson and Lewis Iverson were elected corresponding reporters, after which the meeting adjourned for one week.

The public are cordially invited to attend its sessions.

Land Office.

The following filings were made in the local land office under date of Oct. 12th:

Dagobert Lobez, of Salt Lake City, homestead entry of the southwest quarter of section 11, township 2 south, range 2 west.

Dagobert Lobez, of Salt Lake City, desert entry of lot 1, and the northeast quarter of the northwest quarter of section 19, township 2 south, range 1 west.

Hector S. Gentry, of Price, Carbon county, homestead entry of the south half of the southeast quarter of section 23, and the north half of the northeast quarter of section 26, township 14 south, range 3 east.

Tethlow M. Hunt, of St. George, Washington county, the southwest quarter of the southeast quarter of section 32, township 42 south, range 14 west.

Wm. A. Lowry, of Ephraim, Sanpete county, desert entry of the south west quarter of the southeast quarter of section 3, township 17 south, range 3 east.

No Third Ward Meeting.

The regular Sunday evening services in the Third ward meeting house tomorrow night, Oct. 14th, will be dispensed with on account of repairs going on in the building.

Today's Probate Court.

Estate of D. F. Allen, deceased. Hearing on petition for sale of real estate, and order made confirming sale.

TERRITORIAL PARAGRAPHS.

Ephraim Enterprise—The bear-teasing was at Zeth Sumsp of Chester, has met with a very severe accident. He was playing on a stone stack which he fell to the ground, breaking his right bone. Dr. Clements, of this city, was immediately summoned to attend to the child, which rapidly recovering.

Marti Jensen, Junius Fielding is making preparations for running two mains between Manti and the Eleanors coal mine. This coal mine some present is delivered at $2.50 per ton.

Prices harvesting is now the order of the day. Many wagon loads of the tubers are brought from the fields daily and loaded into cars for shipment East, in just way in the cellars for winter use. A match factory would be an addition to the home industry interests of our county and would consume the surplus product.

OGDEN.

OGDEN, UTAH, - OCT. 13, 1894.

Mr. Love and Her Children.

Mrs. Love, wife of Robert Henry Love, in the employ of the Salt Lake Street Car Company, came from Salt Lake to Ogden on the midnight train in search of her two children, which she was given away to a lady from Wells, Nevada, named Mrs. McCarty. Her tale was a most pitiful one. She said that through domestic trouble she had been reduced to poverty and she was. Mrs. McCarty was visiting Salt Lake and heard of Mrs. Love's distress. Being desirous of adopting some children she visited her and pleaded with her mother to let her children go, one a boy of six months and the other a girl of six years. Not being able to provide for them as she desired to, and thinking it best for her children, she consented to their going. Mrs. McCarty with the two children left Salt Lake at 2:40 for Ogden. Mrs. Love accompanied them to the depot. Yesterday had the train left then she mother was stricken with remorse, and she determined to do what she could to recover them.

Thursday at midnight she came to Ogden, but Mrs. McCarty and children had left on the afternoon train for Wells. Not having any money, Mrs. Wells could not follow her little ones. The police could not render her any assistance, she was directed to apply to the railroad officials. Kind-hearted people of Ogden probably will assist her to get her little ones back again.

Notes.

At the residence of Charles F. Middleton, Mr. James Middleton and Miss Lucy Chenowell were united in marriage. James Middleton, father of the groom, performed the ceremony.

H. L. Armstrong has returned from a successful business trip to Oregon and Idaho, having during his absence shipped upwards of 800 cars of cattle to Omaha.

Citizens have subscribed $400 per month to employ Mr. Morgan to solicit the removal of factories to Ogden. The following was a committee appointed to look after the locals and receive reports from Mr. Morgan: E. J. Kiesel, Mayor Brough, Father Chrisnahan, W. J. Shearp, Judge Patton, James Wetherspoon and Don Maguire.

PROVO.

PROVO, UTAH, - OCT. 13, 1894.

Matrimonial Troubles.

Albert Revel was arrested by Marshal Knight Thursday evening on a complaint entered by James Bennett for disturbing the peace. It appears that Revel had come to Mr. Bennett's house, where Mrs. Revel, who is a niece of Mr. Bennett, is stopping. Mr. Revel wanted his wife to go with him, and she declined. Revel refused to go unless she came with him, and he quite a scene ensued. Mr. Bennett requested him to leave, as it was late in the evening, and as Revel refused, Marshal Knight was sent for. He tried to persuade Revel to leave but the latter insisted that he would not go unless his wife came with him. At last he succeeded in persuading the man to go, and he was taken to Judge Woolgreen's. It became was that he believed the certain Frank Fielding, who was also stopping at Mr Bennett's house, and as (defendant's) wife was petitioning for her to get a divorce from him and that they intended to marry. A fine of $5 was imposed.

First District Court.

Dennis Mackerel and George Penny were placed on trial for stealing a calf, the property of Thos. W. Ross and Jacob Hopkins in October, 1893.

George Hopkins entered a plea of not guilty to an indictment charging robbery.

Don C. Snow, of Provo, was arraigned on a charge an unlawful cohabitation. He took until today to plead.

The Fish and Game Law.

Fish and Game Commissioner Nawell has filed complaints in Justice Wedgeworth's court against Hyrum James, Perry Swinson and Walter Smith, charged with killing game between the hours of sunset and sunrise, and Nick Hansen and Jack Doe Alvarez for killing game.

DIVORCE.

Complaint in Div. filed October 12, '94. Wilson, plaintiff, vs. E. E. and Emery Wilson, defendants; suit for divorce.

COMMERCIAL.

SALT LAKE CLEARING HOUSE.

Today's clearings house exchanges amounted to $525,[illegible]. Same day last year, $[illegible]. Week's clearings, $[illegible]. Same week last year, $[illegible].

TODAY'S QUOTATIONS.

New York—Silver, 69c bid, $3.[illegible]. London—Silver, 37 1-16d.

SILVER BULLION.

McCornick & Co. received today: Silver bar bought, $7,100; Hecla mining, $1,100; gold bar, $5,000. Total, $13,200.

T. R. Jones & Co. received today: Bullion, $8,000; silver, $1,700. Total, $9,700.

Wells, Fargo & Co. received today: Peru bullion, $2,500.

REAL ESTATE.

[illegible]

STOCKS AND BANKERS.

NEW YORK STOCKS.

New York, Oct. 13, noon.

[illegible]

CHICAGO GRAIN.

Chicago, Ill., Oct. 13.

Wheat—Steady; cash Oct., [illegible]; Nov. [illegible]; Dec. [illegible]; May, [illegible].

Corn—Lower; cash Oct. [illegible]; Nov. [illegible]; Dec. [illegible]; May [illegible].

Oats—Lower; cash Oct. [illegible]; Nov. [illegible]; Dec. [illegible]; May [illegible].

Pork—Steady; cash Oct. [illegible]; Nov. [illegible]; Dec. [illegible]; May [illegible].

Lard—Steady; cash Oct. [illegible]; Nov. [illegible]; Dec. [illegible]; May [illegible].

Short ribs—Steady; cash Oct. [illegible]; Nov. [illegible]; Dec. [illegible]; May [illegible].

Cattle—Steady; [illegible].

Hogs—Firm; [illegible].

SUMMONS.

In the District Court of the Third Judicial District of Utah Territory, County of Salt Lake.

Joseph Hutchinson, plaintiff, vs. Daniel Hutchinson, Andrew Hutchinson, Mary Hutchinson, Ann Hutchinson, Sarah Hutchinson, Lydia Hutchinson, Rachel Hutchinson, Hannah Hutchinson, Ruth Hutchinson, Lydia Hutchinson, Sarah Hutchinson, Mary Hutchinson, Ann Hutchinson, Sarah Hutchinson, Lydia Hutchinson, Rachel Hutchinson, Hannah Hutchinson, Ruth Hutchinson, defendants.

[illegible]

[illegible]

[illegible]