

was intended and no real danger existed.

The court further charges that you cannot find the defendant guilty from a mere preponderance of the evidence. And if after a candid and careful consideration of all the evidence you have a reasonable doubt of the defendant's guilt, you should acquit him. A bare possibility of the defendant's innocence cannot constitute a reasonable doubt. The hesitation, distrust or supposition constituting the doubt, must rest upon and be the doubt of reason.

If you find the defendant guilty, you will state the degree of the crime, and such recommendation as you deem proper. If you find him not guilty, you will say, "We, the jury, find the defendant not guilty."

The jurors wrangled with the case until about 10 o'clock, some being for acquittal and some for a verdict of manslaughter. At the time stated they came into court and asked whether they were allowed to know the limit of punishment for voluntary and involuntary manslaughter. Judge Zane's charge was read to them, and they again retired. In a few minutes they returned with a verdict of not guilty, and Hughes was discharged.

#### A PLEASANT INCIDENT.

Hon. F. S. Richards, President of the Legislative Council, was made the subject of an agreeable surprise March 12th by the officers and members of the Assembly presenting him with a beautifully carved black walnut gavel, mounted and encircled by bands of gold. The gentleman's monogram is engraved upon one side, while on the other is inscribed:

"To President F. S. Richards, by the members and officers of the Council, 1890."

The gift is all the more prized as it is entirely the result of home talent, the turning and carving having been done by a student of the manual training department of the Salt Lake Academy, under the direction of Prof. Benner, and reflects credit upon that institution. The mounting and engraving were done at H. H. Young & Company's jewelry store.

Mr. Barton presented the gift in the following language:

"Mr. President—The officers and members of the Twenty-ninth Legislative Assembly of the Territory of Utah desire to show their appreciation of your uniform kindness and courteous manner towards them extending through the session. I am charged now to tender you this gavel and ask that you will kindly accept it as a small token of the esteem in which you are held by them. And, Mr. President, whenever in the future you may chance to look upon this gavel, may it be a token of the kind feelings entertained by us for you which will extend through life, and the golden band with which it is encircled a symbol of our continuous and undying esteem."

To this Mr. Richards replied:

"It is not often that my mouth is too full for utterance, but that is true tonight. For this present I

indeed feel grateful, but for the manifestations of friendship and esteem exhibited by you tonight I am more grateful still. When you say I have performed my labors well you pay me a compliment. I have indeed tried to do my duty impartially. Whenever occasion has demanded rulings that involved party questions my only object has been to do right. Political and party feeling has not been fostered among us, and may it never be.

"Through all the years to come I shall never cease to remember the pleasant associations of the twenty-ninth Legislative Assembly of the Territory of Utah, and the courteous consideration I have received at your hands. Our relations and labors have been pleasant, and I do not forget that they were made so largely by your always willing efforts and hearty support, for we have stood together like a band of brethren. Gentlemen, I thank you for this cherished and beautiful gift. Whenever I shall look upon it, rest assured it will be with a view to strengthen and perpetuate the golden links of kindly feeling that now exist between us."

#### ISAAC JACKSON'S CASE.

On March 12, Isaac Jackson was brought in from the penitentiary, where he had been held in default of bail, to plead to two indictments, one for bigamy and the other for adultery. The latter charge was the one on which he was first arraigned, and he entered a plea of guilty. The time of the offense was stated as December 30, 1889, and the woman Mary Neal. Mr. Jackson informed the court that he was ready for sentence, as he was in the penitentiary any way.

Judge Zane asked for the particulars of the case, and assistant United States Attorney McKay stepped forward and stated that Jackson came from England last year; he was a market gardener, and while in England Mary Neal had been in his employ. He had a wife and five children. He was not a member of the "Mormon" Church. Last fall he went back to England and returned in a few weeks, Mary Neal traveling on the same vessel across the ocean. After being here a short time he married her. She said he told her he was divorced from his first wife, but he denied making that statement. Mr. McKay said Jackson was a very ignorant man, and probably did not realize what crime he was committing.

In reply to Judge Zane, Mr. Jackson said he had left his wife and family about \$250 and in the possession of a good house. The eldest child was 18. He and his wife could not get along together.

Judge Zane sentenced him to six months in the penitentiary.

On motion of Judge McKay, the indictment for bigamy was dismissed.

CHICAGO, March 14.—Francis L. Charlton today dismissed his suit begun in Judge Collins' court against the Gas Trust.

#### A CHILD CUT IN TWO.

Maggie McDonald was killed in Ogden, by being run over by a Union Pacific switch engine.

The accident occurred at 6 o'clock near the point where Twenty-eighth Street crosses the tracks. A Union Pacific regular train was pulling out east-bound. Little Maggie, who was just past six years old, had been out with her sister Katy, who is about nine years old, picking up coal. They ran to get out of the way of the regular train. The noise of the engine appeared to have distracted the attention of the little girls so that they did not notice switch engine No. 1203 backing in on another track. They ran toward it and the little one who was killed fell upon the track. The wheels ran over the body, cutting her almost in two. The cut was across just above the left shoulder, near the neck and down across the right breast and the right arm below the elbow. The older girl screamed for help and the body of the mangled child was carried to their home, which is across the tracks and just south of Twenty-eighth street. The little one was dead when she was picked up.

Yesterday an inquest was held, at which it developed that the accident was the result of negligence on the part of the railway company. The jury returned the following verdict:

#### TERRITORY OF UTAH,

Ogden Precinct, Weber County.

An inquisition holden at the home of Angus McDonald, between Twenty-eight and Twenty-ninth streets on Pacific Avenue, in Ogden precinct, Weber County, on the 10th day of March, A. D. 1890, before George W. Larkin, coroner of said county, on the body of Margaret McDonald, there lying dead, by the jurors whose names are hereto subscribed. The said jurors upon their oaths do say that the death of said child was caused by being run over by switch engine No. 1203 of the Union Pacific Railway Company, at or near the railway crossing of said company on Twenty-eighth Street in Ogden City, Utah, and that said killing was in consequence of the wilful omission and neglect of the Union Pacific Railroad Company, by reason of their not having proper regulations nor sufficient service in protecting persons necessarily having to cross the tracks in the neighborhood of street crossings, and that the persons in charge of switch engine No. 1203 were negligent in not ringing the bell of said engine on the date above mentioned at said crossing.

In testimony whereof the said jurors have hereunto set their hands the day and year aforesaid.

JOHN G. ELLIS,  
GEO. W. SNIVELY, } Jurors.  
THOS. PURDY, SR.,  
GEO. W. LARKIN,  
Coroner of Weber County.

EL PASO, Tex., March 15.—Jay Gould has selected the site for a bridge across the Rio Grande for connection of the Texas Pacific with the Mexican Central.