

Friday, November 4, 1887.

FRAGMENTS.

WM. SULLIVAN is under arrest for disturbing the peace.

A SLEEVING-BUTTON has been found; the owner can get it at this office.

There is a message for A. J. Pitzer at the Western Union Telegraph office.

OLIVER CLAYTON was fined \$10 in the police court to-day for drunkenness and profanity.

The body of the late Isaac Finch was sent to New York today, going via the narrow gauge.

MARY SNEDELY was fined \$20 in the Police Court today, her offenses being drunkenness and profanity.

G. D. NERPHAM, Esq., who represents the freight interests of the U. P. in this city, goes east tomorrow.

The play books of "Ben Israel" will be on sale at the door of the Theatre, and on the inside, this evening.

H. B. BARTON, who pleaded guilty to a charge of unlawful cohabitation yesterday afternoon, will be sentenced on the 7th inst.

WORTHY NASH, of Alpine, was arrested and brought to Provo on Wednesday, upon a charge of grand larceny.

PATRICK BOYLE was arrested this afternoon for drunkenness. He finished a term of imprisonment this morning for a similar offense.

A DESERTER from Fort Douglas, named Jacobs, belonging to Company H, was arrested last evening at the Morgan smelter by Deputy Smith.

ON Monday evening Prof. C. F. Wilcox will open an evening school in the Fourteenth District schoolrooms. For branches taught, etc., see advertisement.

A PARTY of 100 excursionists will arrive from the east over the U. P. this evening. The first section of their train will be on time; the second will arrive two hours late.

The performance of the heroic drama "Ben Israel" will be an agreeable change from the feast of levity given by Nell Burgess. A full house is confidently anticipated.

The officers of the Primary Associations of the Salt Lake Stake, will hold their monthly meeting next Saturday, Nov. 5th, at 2 o'clock p.m., at No. 75 First Street. All officers are requested to attend.

MESSRS. WM. M. STEWART and D. R. ALLEN, each of whom has a first-class reputation as a teacher, will open an evening school in the Nineteenth District schoolrooms, for Monday and Thursday evenings, commencing next Monday evening. See advt.

T. G. WOODMANCY, Esq., the genial representative of the famous stove house of Wm. Rogers & Co., Cincinnati, made a pleasant call upon us this morning. Mr. Woodmancy has visited Utah so often during the last fifteen years or more that he has come to be well known here. He thinks we have the finest climate in the world.

The murder case of A. H. Martin who killed John H. Burton is set for Monday next.

The People vs. Reese Jones, who killed his brother some months ago, is set for Wednesday next.

Commissioners' Jurisdiction. The civil suit of W. H. Culmer vs. Anna Marks was before Commissioner Norrell this afternoon. The plaintiff claims \$25 damages for trespass. As the damage was committed in Juab County, the defendant raised the question of the commissioner's jurisdiction to go out of the judicial district in civil cases. It was taken under advisement till tomorrow.

The Theatre. The Theatre was crowded last night with the large and appreciative audience which turned out to the entertainment furnished by the eminent character actor Nell Burgess. If there is anything in the statement that "A merry heart doeth good as a medicine," the audience certainly ought to be satisfied with the performance. There was a good company and a leading character was fitly sustained; but the great attraction is Mr. Burgess himself, who is well known to the amusement-loving public of this city for his side-splitting impersonation of the celebrated "Widow Bedott." The piece went without a hitch from the opening to the last fall of the curtain and was constantly interrupted with the waves of the audience, which surged over the balcony, as something more than usually comical carried them away. The acrobatic performance was fine, but perhaps the most laughable part of the whole performance was the stationary circus. Mr. Burgess could have performed to another good house had he chosen to remain.

Sudden Death. Shortly after six o'clock this morning a lamentable occurrence took place in the Fifth Ward of this city. A young man, Thomas Wm. Stephenson, being stricken with death. He had knifed a fire in one room, and then went outside for some wood with which to start a fire in an adjoining room. About ten minutes had elapsed when his wife, Mrs. Alice Stephenson, looked out of the window and saw him lying stretched out on his back on the ground. She ran to him and made a vain effort to arouse him from what she thought was a fainting spell. She next called in some neighbors, and her husband was taken into the house and Mr. Benedict summoned. The latter could do nothing, however, as it was evident that the space of life had fled when Mrs. Stephenson first saw her husband prostrate.

The body was carefully examined, but no bruises could be found. There was not the slightest evidence of suffering or of any struggle. He had apparently dropped and expired without making any further movement. The physician gave it as his opinion the cause of the sudden demise was with either the heat or the cold. Brother Stephenson was 29 years of age, and bore an excellent character. He was a son-in-law to Counselor Jesse West, of the Sixth Ward. He was the very picture of health, and had made no complaint of suffering of any kind. A short time ago his shoulder was dislocated in handling a refractory mule at the street car stables, where he was employed. Once since then he was raising his arm, when the shoulder was sent through out of its place, causing him to faint, and it was supposed at first that a similar occurrence had taken place. He was born in Provo, in 1858, and his parents, who now reside at Nephi, Juab County, have been notified of the death. He leaves a wife and one child.

HELD OVER.

Donald Chisholm Under Bonds for the Grand Jury.

This morning Commissioner Norrell made preliminary examination into the charge of assault with intent to murder, made against Donald Chisholm by James Kelly. The defendant was represented by J. H. Woolcott and J. A. Marshall. Mr. Woolcott, at the opening of the examination, stated that on Oct. 21st the defendant had an examination before the justice of the peace at Stockton and was discharged. The first witness today was James Kelly, who testified: I was in Ophir, Tooele County, on Wednesday, Oct. 19; I was in the saloon; I had located a mining claim, and Chisholm told me I had no right to do it; I said I had a good right to do it; he called me a liar; I said: I started for each other; I don't know who struck first; he drew his knife and struck me several times, cutting me in the forehead, on the nose, and on the cheek; at the same time George St. Clair covered me with a pistol; I got out of the saloon as fast as I could; I got up from where I had fallen, and St. Clair followed me; I received eight wounds all over my body; the wounds on my head and back were the most serious; my attorney, and Chisholm are disputing my right to the mining claim; I am a miner; Chisholm was in the saloon when I went there, and spoke to me first; he said I had no right to do it; he called me a liar; he was not an American citizen; I said he was not a citizen and he called me a liar; he struck me; I was a drinker, and he afterwards spoke to me; he spoke first; when he called me a liar I struck him; it was a pocket knife; did not see the knife in his hand when I went in; he may have been whittling; I do not know; do not know whether I was cut after I fell or not.

Isaac Bowland testified: I saw the assault in which Mr. Kelly was hurt; Chisholm was in the saloon; he was the stove, and Mr. Kelly was standing near by; a young man came in and we all took a drink and then went back to our places; Chisholm spoke first and told Kelly he had no right on the ground; they were talking a little, and Chisholm sprang up and called Kelly a liar; Kelly struck him, when Chisholm grasped him, and then Chisholm came down; Chisholm had a pocket knife and struck Kelly; George St. Clair jumped in and exclaimed that for a cent he would kill Kelly; Kelly went out and was followed by St. Clair; I watched the water, and Chisholm and I did not know but he would shoot me; St. Clair cut a cut in the hand of Chisholm; I saw Chisholm make two cuts at Kelly; he did it very quick; Kelly struck the first blow, which was not a heavy one; Chisholm handled Kelly easily; the latter got out of the saloon as soon as he could, and Chisholm went back and sat down saying, "If I had been properly paid I would have killed him."

Cross-examined—Chisholm had the name of being decent; I testified in this case at Stockton; I was in the saloon most of the time when it was; did not hear Kelly call him a liar.

H. W. Wiley testified that he also saw the fracas. He said they commenced to talk about the mining ground; Kelly began the conversation, I think; he afterwards called Chisholm a liar, and Chisholm applied the same epithet to him; Kelly struck the first blow and both cringed; Kelly got partly down; I did not see any cutting; saw the blood on Kelly's face, but did not know where it came from; before the fight started Chisholm said he did not want any fuss.

Donald Chisholm, the defendant, testified: I was at Ophir on October 19; I was in the saloon when Kelly came in with St. Clair; both were pretty full; St. Clair called all to take a drink; I did not want to drink and then St. Clair said: Kelly was out of humor; he commenced talking to me about other matters before we came to the disputed ground; I told him his boy was not of the ground; he did not hold the ground; he replied that he did not think I was a citizen; we talked on, and I called him a liar, and he said to strike me; I did not want a fuss; I got up and he struck me; we grappled; I made a pass at him with the hand in which my knife was; I did not intend to cut him, but I suppose I did so.

The Commissioner said the evidence showed that the defendant was not justified in his action; raised the question of the cutting was accidental was improbable in view of the fact of Mr. Kelly having no many wounds. The defendant was therefore placed under \$500 bonds.

George St. Clair was tried before a justice of the peace and a jury of twelve men at Stockton, on October 21st, for his part in the affair and was convicted of exhibiting a deadly weapon. The justice fined him \$1 and costs.

This fact, taken with Chisholm's discharge, in the light of the evidence introduced at the examination today leads to the belief that prejudice rather than the meeting out of justice was the controlling feature at the former hearing.

First District Court. At Provo, yesterday, Jim Young was admitted to citizenship. John Harwood, unlawful cohabitation; sentence, six months and cost of prosecution. Hansen C. Hansen for a similar offense was sentenced to three months' imprisonment.

The father case was expected to close last evening and arguments were to begin this morning.

Before Judge Borenman at Ogden: Roseholm, Lewis & Co. vs. J. J. Brewer and L. A. West; in this cause the clerk of the court, after computing the interest, made his report and judgment was made against the defendants in the sum of \$989.39 with interest at 10 per cent. and costs \$50.00.

J. J. Kelley et al. vs. A. J. Kershaw et al.; motion made for an order to the marshal to make a return on the order of sale in this cause, was filed and taken under examination by the court.

C. J. Corey was sworn in as bailiff. Nathan Stein vs. Geo. G. Griffith; trial continued and a verdict rendered in favor of the defendant.

J. S. Lewis et al. vs. E. A. Ireland; a jury was impaneled and sworn and a verdict for \$25.00 and costs was rendered in favor of the plaintiff.

Frank Young vs. Little F. Young; order for a decree of divorce.

In Idaho. "Amos" writes from Menan, Idaho, Oct. 31st, as follows:

Everything seems extremely quiet here just now. The "Mormon question" is having quite a resting spell, and the older feeling which was so prevalent a few months ago, and appears to be almost entirely forgotten.

Some ten months ago several of our brethren were arrested for not properly observing the Edmunds law. They were released under bonds to appear before the May term of the District Court to be held at Blackfoot, but there being no funds to prosecute that class of cases their trial was postponed to the October term, which was held at Blackfoot. Today we were four from the Menan Ward: A. Green, A. N. Stephens, C. W. Shippen and J. H. Hyington. They have all gone to Blackfoot to answer to the call.

Brother H. E. Pool has gone also to answer to a charge against him for resisting an officer, and Dudley Chase, of Louville, has come to answer to the charge of unlawful cohabitation.

M. I. A. The M. I. A. of the Twelfth Ward has organized for the season with the following officers: President, Samuel W. Jenkins; Counselor, Z. S. Derrick and Mrs. H. T. McEwan; Secretary, John Wells; Treasurer, P. H. Brooks; Programme Committee, Chas. W. Hardy, Samuel Barratt, Martha Hardy, Edna Wells, Francis Kingsbury; Organist, James Campbell; Organist, Amy Walker; Assistant Organist, Lucie Hardy; Editor Twelfth Ward Mutual Monthly Star, George D. Pyper.

Meetings on Wednesday evenings, commencing at 7:30.

PETER ANDERSEN KILLED.

Another Fatal Shooting Affray at Park City.

Last night a Scandinavian named Peter Andersen, aged about 30 years, was shot and instantly killed at Park City. He had been on a spree, and on going to Grant & Clark's saloon made himself offensive. Three times Richard Grant, one of the proprietors of the place, put him out. Andersen came in again with his open pocket knife in his hand, and advanced toward Grant in a threatening manner, when the latter drew a revolver; exclaiming, "Get out of here and keep out, or I'll kill you." He killed him the same time snapping the hammer. The weapon was not discharged, and Grant drew the trigger again and fired twice in rapid succession. Both of the bullets took effect near Andersen's heart, and he turned partly around and fell dead. He was standing in the doorway at the time of the shooting, and fell on to the sidewalk. Grant was arrested and is now in the custody of an officer. The deed was taken charge of by undertaker Fennimore, and an inquest set for 10 o'clock this morning. At that hour the proceedings were instituted, and the result was that the jury found that "Peter Andersen, there lying dead, came to his death from wounds inflicted by Richard Grant, with felonious intent." The examination of Grant on the charge of murder will be held before Justice F. E. James at 10 o'clock tomorrow morning.

Proceedings in the Salt Lake County Probate Court yesterday. In the matter of the estate of A. W. Taylor, deceased a decree was filed allowing final account.

In the matter of the estate and goods of William E. Hooper, minor, the petition of the guardians for the sale of real estate and the order to show cause on said application were filed.

In the matter of the estate of John K. Knab, deceased, the agreement between the administrator, Henry W. Lawrence, and the widow and heirs of said deceased, as to the latter's share in the distribution of the estate, was filed and the agreement was allowed and approved.

An order confirming the sale of real estate in the matter of the estate of John McGuire, deceased, was made.

The marriage certificate of M. S. Gunnerson and Erika Soderman, of Salt Lake City, and Charles L. Hamilton, of Ogden, and Minnie J. Taylor, of West Jordan, were filed for record.

Literary Notes. The paper entitled "A Diplomatic Episode," which Miss Olive Riley Sawar contributes to *Scribner's* for November, is a disquisition on the political history of our Government, showing how the treaty with Denmark was procured by the aid of Thomas Jefferson.

A number of remarkably fine portraits of well-known celebrities in motion, will illustrate Dr. Sargent's article in this number on the "Physical Characteristics of Celebrities."

"Babyland," splendid! "Babyland!" Mother and baby enjoy it together. It lights the mother's care and labor by giving her stories and pictures to read and talk about. Baby grows to understand them almost as soon as he understands chickens and birds and kittens. Don't let him tear it. Beautiful "Babyland" excellent! "Babyland!" Mother with baby a year or five years old, it is for you. You can get a sample copy by sending five cents to Dr. Lothrop Company, Boston.

The North American Review for November is a brilliant and interesting number. It opens with a 32-page letter from Colonel Ingersoll addressed to Mr. Mayhew, in which the "Open Letter" to the great agitator appeared in the *North American*.

The examination of witnesses in the case of William McNeil, who is charged with unlawful cohabitation, took place yesterday at 2 p.m. The complaint was read to Mr. McNeil, when he pleaded not guilty. The following witnesses were sworn and examined:

Roy H. Hildreth, a witness living at Fifth Ward, Alena Hotel, a young daughter of Anna Hoth, Ellen Smith, a young lady living at the same place, and Emma McNeil, a daughter-in-law of the defendant. The evidence given by these witnesses was evidently of an unsatisfactory character to the prosecution, for Deputy Steele asked that Robert Henderson, who was present in the court room, be sworn as a witness. Mr. Henderson was sworn and a number of questions relative to Mr. McNeil and his family relations were asked him. The case was continued until next Friday at 2 p.m. for the purpose of giving the jurors time to hear the other witnesses.

The fact of a mare having three colts within the space of six weeks was not the only peculiar thing connected with the trial of last Friday.

Peculiar Oath. which he administered to the two ex-convicts, Henderson and McNeil, Snow. Astoria has been considerable comment concerning it, we give it as our reporter's verbatim:

Hold up your hand. You hereby swear that you will truthfully answer all the questions put to you by the court, and that you will not hold up your hand please—that you will tell all that you may know regarding the case under your observation, or whether you have heard anything from any other source, which would lead you to believe that such a thing as transcribing your minds, it is probable, that after a mare had had two colts, she could not have a third or even more subsequent, and it would be possible for the last one to be born alive, and to live in a good, healthy condition, or any other items bearing on this case which would tend to the case of justice or enlighten the understanding of these gentlemen in helping the jury to arrive at a proper verdict. You get my meaning?—*Logan Journal*, Nov. 2.

Fire at Ogden. At 9 o'clock last night at Ogden, a building owned by James Horrocks, and occupied by Mrs. Ingram as a boarding house was discovered to be on fire. The fire department was called out and soon had the flames under control. The loss is nearly \$1,000, fully insured.

Troops for Chicago. Tomorrow morning Companies F and K, Sixth Infantry, will leave this city for Chicago, to be there on Nov. 11, at the time of the execution of the condemned anarchists. They will go via the Union Pacific, and at 8 a.m. tomorrow their train, consisting of three emigrant sleepers, one Pullman and three baggage cars, will leave the Utah Central depot.

Accidentally Shot. Yesterday John Burns, a barber, and a young man named Arnold were out hunting. They went down the Jordan River, and when about half a mile below Pettit's they got down in the grass to avoid being seen by the game. The two young men were but a few feet apart, and Arnold, in raising the hammer of his weapon, let it slip, causing the charge to explode. Mr. Burns was lying in front of him and a portion of the load struck him under the left shoulder blade, making a large and painful, though not necessarily fatal, wound. He was brought to the city and received the necessary attendance from Dr. Benedict. The shooting was purely accidental.

Christening Settlements. At a meeting of prominent gentlemen interested in the new settlements now being formed in Salt River Valley, Arizona, held at Healy's Ranch on the 22d ult., for the purpose of naming a number of new locations, the following places were christened: Declaration, on Flat Creek; Independence, on Straw Creek; Cleveland, on Cedar Creek; Liberty, on Birch Creek. The above are on the east side of the valley. On the west side, the following places were named: Seventy Six, on Jack Knife Creek; Freedom, one mile south of Tin Cup Creek.

From the names selected for the prospective cities it would seem that the gentlemen composing the christening assembly were a highly patriotic body.

Bound Over.

At the close of the examination yesterday afternoon, Mr. Anna Marks, Isaac Reese and P. T. Cook were required by Commissioner Norrell to give \$500 bail pending the investigation of the charge of riot against them.

The Forgery Case. The testimony in the trial of N. E. Osborne, of Wichita, Kansas, on the charge of forgery, was closed at noon today, and counsel were making the arguments this afternoon. The defendant Osborne was on the witness stand, and denied having forged the Rev. John Murphy's signature.

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Special Notices.

TO VISITORS AND OTHERS. For one week we will sell Furniture at Flat Cost, but charge for packing.

PHOTOGRAPHS. Newcomb makes the finest in Salt Lake City. Monday, Tuesday, Wednesday, Thursday, Friday, Saturday, Sunday, 10 a.m. to 4 p.m. We have a heavy stock of Boots. DUKFORD.

CONFERENCE. Go to Newcomb's for the best photographs. West of Opera House. Cabinet only \$3.00 to \$4.00 per dozen.

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

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

DON'T FORGET IT. That at Newcomb's gallery, west of Opera House, you can get cabinet photographs for \$3.00 and \$4.00 per dozen.

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

HAVE YOU SEEN DUNFORDS \$2.50 Shoe for Ladies and Gents?

SEVERAL LOTS. Of Ladies' and Child's Closets at half price at F. AUERBACH & BRO.'S One Price Store.

The Customers who wish to purchase jewelry, watches, clocks cannot do better than to patronize their friends by calling on C. C. Amussen, 60 and 61 Main Street, where they can get the best and cheapest.

DRIED FRUIT. We pay the highest market prices for all kinds of DRIED FRUIT. Of Raisins, Apples, etc., for them in any part of the city. BARNES & DAVIS.

HAVE YOU SEEN DUNFORDS \$3.00 Shoe for Ladies and Gents, in four widths, French and London toe? If you have not, it will pay you to try. They are the best in the city. Sold by

Babbie That are fretful, peevish, cross, or troubled with Windy Colic, Teething Pains, or Stomach Disorders, can be relieved at once by using Acker's Baby Soother. It contains no Opium or Morphine, hence is safe. Price 25 cents. Sold by

BROWN'S COUGH BALM. And Croup are invaluable in every family for Coughs, Colds and Sore Throat.

BROWN'S ANEMIA SALVE. Is every box well known. Cuts Burns, Bruises, Old Sores, Fles and Sore Eyes. No cure no pay.

BROWN'S NERVOUS PAIN EXPELLER. Has no equal. Stands alone as the Great Blood Purifier and cure for Rheumatism. All Wholesale Drug-Gists sell Brown's Family Medicines. Z. C. M. I. Drug Store, General Agents.

The Ninth Volume of the Contributor commences with the November number, and will present to its readers a variety of ORIGINAL HOME LITERATURE unsurpassed by any previous volume. The leading historical series will be a carefully prepared *History of the Xanthos Legion*, by Lieut. Richard W. Young, U. S. A. This military history of our people will include an account of the origin of the Legion, its services in Navaho, in the early days of Utah, during the Echo Canyon War, and the Indian troubles; its famous battles and drills, collisions with Federal authorities, disbandment and final recall of its charter by act of Congress. Numerous and costly engravings of its conspicuous officers will adorn the volume. In addition to which we have had an elegant portrait made of LIEUT. GENL. JOSEPH SMITH, mentioned on his favorite horse "Joe Duncan." This drawing by Mr. John Hafen, is twenty by twenty-five inches and will be beautifully engraved. It is designed to accompany the volume as a memento of the Legion.

The aim of the Contributor has always been to encourage and improve our Home Literature. The new volume will contain matter from the pens of many old friends, including Presidents Wilford Woodruff, Joseph F. Smith, Moses Thatcher, F. M. Lyman, Geo. Reynolds, O. F. Whitney, B. H. Roberts, J. M. Tanner, J. B. Talmage, Emmeline B. Wells, A. J. Crocheron, M. M. Johnson (Ruby Lamont), and others, besides introducing the names of a large number of new writers.

The usual Prizes and Souvenir Medal will be given for a Christmas Story and Poem, and also a Prize for the best Serial Story based upon incidents in the Book of Mormon.

The Association Intelligence Department, under the immediate direction of the General Officers of the Y. M. M. I. A. will receive particular attention, and be made as useful as possible to the Associations. Officers are requested to contribute to this department.

Every endeavor will be made to make the Ninth a superior volume, and we cordially hope for its favorable reception by the young men and women of Zion, in whose interests it is especially published and all of whom are invited to write for its columns.

Subscription, per year, \$3.00. Subscribers paying \$2.50 in advance will receive a copy of the engraving of Lieut. Genl. Joseph Smith, and may have their volumes bound at the end of the year FREE. Back Volumes for sale \$2.50 each.

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