

Z. THE LADIES C.

Are Particularly Invited!

Please take the Elevator for

OUR CLOAK ROOM

TO SEE THE NEWEST STYLES OF

- 1--LADIES' JACKETS and REEFERS, Fur Trimmed and plain; all colors.
- 2--LADIES' ULSTERS, Fur Trimmed and with long English Capes, assorted.
- 3--MISSES' and CHILDREN'S Fur Trimmed Jackets, Reefers and Coats.
- 4--CHILD'S Fancy Elderdown Fur Trimmed Coats.
- 5--FINE PLUSH REEFERS and Three-quarter Sacques, Fur Trimmed and Plain.
- 6--WE HAVE a new importation of Ladies' Mackintoshes.
- 7--A GRAND LINE of stylish long Novelty Capes.
- 8--WE HAVE some fine Three-quarters Ladies' Sacques, price \$20; worth \$30.
- 9--A VERY CHOICE and Superb line of Ladies' Reversible Shawls.
- 10--WE ARE expecting daily a nice, choice stock of Matinee Waists, in Silk and Flannel; all colors.
- 11--ALL NEW FURS, Muffs, Boas and Capes, including a line of fine "FEATHER BOAS"!

JEWELRY AND WATCHES.

We want the public to know that we keep WALTHAM and ELGIN WATCHES for Gentlemen and Ladies, in all styles. Our Jewelry is Varied First-Class and Warranted.

See the fine display in our Show Windows without fail. T. C. WEBBER, Supt.



A SINGULAR AFFAIR

Juror Ruth Signs a Remarkable Affidavit,

WHICH CAUSES A SENSATION

It is Filed in the Howard Case and Causes a Freeze—Judge Zane Orders an Investigation.

Yesterday was the time fixed for the sentence of John E. Howard, who on Monday last was convicted in the Third district court of adultery. Howard did not appear, however, owing to illness, but the proceedings which followed the calling of his case were of a highly sensational and unusual character.

At 11 o'clock Prosecutor Stephens called the matter up. Messrs. Hamilton and Marsh, who appeared for the defendant, signified their willingness to proceed.

THE CASE COMES UP.

Mr. Hamilton stated that Howard was suffering from an attack of pneumonia, and he had a letter from Dr. Anderson in which the physician stated that any exposure at this time might result fatally. The attorney therefore asked that the matter go over until next week.

THE BOND INCREASED.

Mr. Stephens made no objection to this, but suggested that Howard's bond should be increased to \$1,000.

MOTION FOR A NEW TRIAL.

Mr. Hamilton then introduced a motion for a new trial on the following grounds:—Insufficiency of the evidence to justify the verdict in this case; that there was no evidence embodied in the trial to prove that the defendant had sexual intercourse with Mrs. Everett.

That the verdict is contrary to law in this, that the jury found their verdict in the evidence introduced in the trial only showing frequent visits of the defendant and such like, without any evidence whatever to prove the act of adultery.

A REMARKABLE AFFIDAVIT.

The affidavit of Mr. Ruth was as follows:—I, L. J. Ruth, being first duly sworn on my oath depose and say that I was a juror in the case of John E. Howard, and as such consented to and did render a verdict of guilty against the said Howard. I so voted because I believed, from the judge's charge to the jury, that the act of sexual intercourse need not be beyond a reasonable doubt.

JUDGE ZANE SURPRISED.

The hearing on the motion was set for Tuesday, but Judge Zane expressed surprise that a juror would make such an affidavit, and he directed the bailiff to bring Mr. Ruth into court. The juror appeared in a short time, and after he had been sworn Judge Zane said: "An affidavit has been filed here setting forth that you didn't understand that it was necessary to prove the act of sexual intercourse beyond a reasonable doubt in order to convict."

THE COURT—Who read it?

The Juror—Mr. Hamilton.

The Court—Let Mr. Hamilton be brought in here at once.

Mr. Stephens—From what I have heard it looks as though this juror had been tampered with, and it ought to be investigated.

MR. SUTTON'S VERDICT.

Mr. Sutton was sworn and testified: This matter was first mentioned to me by Mr. Marsh, I think, who wanted to know where the adultery came in. I told him that it came through the judgment of twelve good men. Afterward I met Mr. Hamilton, who wanted me to give an affidavit to help the poor man out. I said I couldn't do so without violating my oath. He said he was satisfied in his own mind, from what he had heard, that the jury didn't understand the charge of the court. As Mr. Hamilton had not been found by this time, an adjournment was taken until 2 p. m.

MR. HAMILTON EXPLAINS.

Mr. Hamilton was present when the court met in the afternoon, and he said that after the jury came in he went to his office. A little later Mr. Marsh came in and said that it had been intimated to him that the jury misunderstood the charge. He believed that the jury, under the charge, did not know that it was necessary to prove the act of sexual intercourse beyond a reasonable doubt. I told him, said Mr. Hamilton, "that if he would get affidavits to that effect your honor wouldn't let the judgment stand five minutes. Mr. Marsh came in again the next day and we discussed the matter of the sufficiency of the evidence to warrant the verdict. That afternoon Mr. Ruth came in and I stated that I had been informed that several of the jurors labored under the impression that it was not necessary, in order to convict of adultery, to establish the act of sexual intercourse beyond a reasonable doubt. He said he so understood it, and then wrote the affidavit and read it to him, and we discussed it. He said that other persons had the same understanding. I never approached Mr. Ruth in my life, if we misunderstood each other in regard to the affidavit, of course that explanation must be good.

THAT AFFIDAVIT AGAIN.

Mr. Ruth was again called to the stand,

THE FREE LANCE.

THE REV. DR. T. DE WITT TALMAGE

LECTURED IN THE SALT LAKE

THEATRE A FEW WEEKS AGO, HIS AUDIENCE CONSISTED OF ABOUT FIVE HUNDRED, A FAIR PROPORTION OF WHICH WAS D. H. OR, IN THE ABBREVIATED LANGUAGE OF BILLY FLORENCE IN THE "MIGHTY DOLLAR,"

N. G., from a financial point of view. This, too, after considerable placarding and advertising from all the evangelized pulpits of the city. We recur to this matter because Frank G. Carpenter, the noted correspondent, in an interview with Dr. Talmage, published in to-day's Herald, quotes him as saying that he could make a thousand dollars a day the year round lecturing, and that he has now \$100,000 offered him for a series of talks. We suggest that either the divine or the correspondent must be mistaken about the figure mentioned, and we know the correspondent is not. Whatever success Talmage may have in his Brooklyn tabernacle as a preacher, he would find it extremely difficult to clear one-fourth of the sum he claims for the rustling of his tongue. It is more likely that he brings for newspaper consumption in the manner of the late lamented P. T. Barnum and other showmen. He probably expects to go lecturing some day soon.

THE MASONIC LINE.

Mr. Sutton was recalled and stated: I was approached by those parties who have been referred to. Mr. Hamilton told me that he was to see a new trial, and I replied that I could do nothing for him. I was present when the man referred to by Mr. Nelson approached him. The man said he was a Mason, and he had a proposition to make. I told him that I was a lawyer and had been practicing seventeen years. I had no connection with the case whatever, but was discussing it after the trial with a man named Whittaker, who said that it took three ballots to arrive at a verdict. I did not know the man, and I stated to Mr. Whittaker, "Now I have got you," or "That is all I want to know."

COURT HAILED UP.

J. W. Corey, an attorney who was only admitted on Friday, and was not identified by Juror Sutton as the man who had approached Juror Nelson, was then called and testified: I am a lawyer and have been practicing seventeen years. I had no connection with the case whatever, but was discussing it after the trial with a man named Whittaker, who said that it took three ballots to arrive at a verdict. I did not know the man, and I stated to Mr. Whittaker, "Now I have got you," or "That is all I want to know."

HAMILTON OFFERS TO TESTIFY.

This ended the testimony, and Attorney Hamilton said that although he had made his statement, he was willing to make the same statement under oath.

JUDGE ZANE'S REMARKS.

Judge Zane replied that that would not be necessary, and then said: Counsel and other persons must understand that they cannot bring any influence to bear upon a jury before or after a verdict is rendered. Mr. Corey can hardly understand why you talked as you did to Mr. Nelson. It looks like intimidation. If you are not careful how you go around these jurors, you may have your name

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and get yourself into trouble besides. The jury is a great science, and pettifoggers who choose to go around following up jurors cannot appear in this court. I will allow it to pass this time, but you must be very careful.

COURT SCOURGED.

Mr. Corey—I would like to say—The Court—I don't want to hear anything more from you. The statement of Mr. Ruth, taken together with that of Mr. Hamilton, explains the matter somewhat. There was probably a misunderstanding. Attorneys must be very careful when approaching a juror after a verdict. Trial by jury is one of the most important rights that the citizen has. Liberty and the right to property depend largely upon it, and jurors

MUST NOT BE TAMPERED WITH.

The system must be kept pure. Counsel can appear before the jury in making arguments, but it must end there. Mr. Hamilton stated that in view of what had transpired, he would withdraw from the motion for a new trial. Mr. Ruth's affidavit and rest upon the other grounds.

IT GADENS A SCRAP.

After the court adjourned at noon Lawyer Marsh intimated to Juror Sutton that he had not told the truth on the witness stand. "Do you mean to call me a liar?" inquired the juror indignantly. The attorney admitted that such was the idea he intended to convey. "Smash went the juror's fist on the lawyer's ear, and a few minutes later he found himself in Commissioner Norrell's court charged with assault and battery. He pleaded guilty and was fined \$5 and costs, amounting to about \$14.

LATER IN THE DAY HOWARD'S SURETIES WENT

before Commissioner Greenman and gave a bond for \$1,500.

THE CASE OF JUDGE FRISHER, WHO SUPERFERED THIRTY YEARS.

SLEM, Or., April 10. I hereby certify that I have been troubled with a disease of the stomach and kidneys for the last thirty years, and that after using four boxes of the Oregon Kidney Tea I have found great benefit and relief from it. A. H. FRIER, Late County Judge of Polk County.

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Just Received, Five Styles of Three-Piece Suits. Fine Dress. Very Nobby. Ages 8 to 15 years. Short Pants.

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Elegant Stock of Overcoats, Any Shade, made up in the Latest Styles—Short Box Coat, Medium Long Fur-trimmed Coats, Extra Long Coats.

HATS. HATS. HATS.

Soft and Stiff, Latest Block. Big stock of Children's Hats just received. Silk Hats, Full Block.

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15 and 17 West Second South. Morlan Block

SALESMAN, J. COTLER, AL CRABBE, BOY SELLIVAN.

New Goods Received This Week.

Pure Maple Sugar.

Pure Canada Maple Syrup.

SWIFT'S CELEBRATED HAMS, B. BACON AND LARD.

French Peas and Mushrooms in Glass.

Huckin's Canned Soups.

ITALIAN MACCARONI AND BEAR LAKE CHEESE

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BLUE LABEL TOMATO KETCHUP.

HARDY, YOUNG CO.,

28 and 30 Main Street.

ELIAS MORRIS

HAS A HANDSOME LINE OF

Wood, Iron and Slate Mantles,

FLOOR AND ART TILES.

Call and see the finest display in this line in the West.

No. 21 W. South Temple Street.

WATSON BROS.,

Mantels and Grates of All Kinds.

Largest