

DAN QUINLAN NOT GUILTY

Castigno and Harmon, Alleged Cattle Stealers, Discharged

MODESTO SICHER INDICTED.

HOW THE ORDERS FOR MACHINERY WERE OBTAINED.

Mr. Trent Says He "Stood in" with Stallman, and the Latter Was to Get Enough to Pay for a House and Lot Out of the Deal—John Beck's Application That Two Judgments Against Him Be Set Aside Denied.

The petit jurors in attendance at the Third district court were given a half holiday yesterday afternoon to enable them to attend the fair, and Judge Baruch after transacting some miscellaneous business adjourned court at 3 o'clock until this morning.

Quinlan Not Guilty. The arguments to the jury in the case of Dan Quinlan, charged with assaulting E. F. Walker with a deadly weapon, were concluded yesterday morning by Assistant District Attorney Howard, and after listening to the judge's charge the jury retired and at 1:30 o'clock returned a verdict of not guilty.

ALLEGED CATTLE THEIVES. The prosecution consented to a verdict of Not Guilty.

The case of John Castigno and George Harmon, under indictment for stealing eight steers belonging to S. S. Worthington, at Grantville, on June 24, 1892, came on for trial before Judge Baruch and a jury. Attorneys Breese and Burns appeared for Castigno and Attorney Hamilton for Harmon.

S. S. WORTHINGTON. According to the testimony of Mr. Worthington, he is a farmer residing at Grantville, and some time on the date named he was in the act of purchasing a cow from his head of stock by whom he was unable to state. Certain information which reached prosecutor later induced him to visit the butcher's establishment of Henry W. Weller at Murray, where he found five of his cattle alive in the corral and the carcasses of the other three hanging up.

Mr. Weller now testified that a man came to his place on horseback about the date named, stated that he had a bunch of cattle, some sixteen head, for sale, and asked witness to purchase them. He went to look at them on the Jordan range, some eleven miles distant from Murray. They were then in charge of another man at the back of a corral near a new brick house. Witness did not want to purchase the whole of them, but the man who first came to him seemed very anxious to get rid of the whole lot. Witness asked him his reason, remarking that some were not very fat, but he answered, "I'll tell you, my friend, I've just built this house; I've a mortgage to lift, and I must dispose of these cattle to get the money. After a deal of talk, witness offered \$12 per head for the lot, which was eventually accepted. As, however, he had only \$100 with him, the man accepted \$100, and arranged to go to Murray next day for the balance, \$60; but he did not do so and he saw nothing more of him. This man did all the business; the other had not much to say.

Witness replied "That's right" and said he knew he had a bargain. Counsel for the defense asked no question, as there was nothing in the testimony up to this time to implicate the defendant.

The prosecution had intended to call a discharged witness named Elmer E. Ritchie, but prosecuting Attorney Howard stated that he could not now be found, and without him the prosecution would not have sufficient evidence to convict. Judge Howard therefore asked that the jury be instructed to return a verdict of "not guilty," which they did, and the defendants were discharged.

DEFECTIVE INDICTMENT. One Against Attorney Ritchie Dismissed.

Assistant District Attorney Howard moved that the indictment for perjury against Elmer E. Ritchie be dismissed without prejudice, for the reason that the indictment was defective, and it was so ordered. The district attorney said the grand jury would bring in a corrected indictment, and asked the clerk to make a note of the fact that the old indictment had been dismissed before the new one was brought in.

SICHER INDICTED. Mrs. Tutis and Nowells Also Indicted for Adultery.

The grand jury came into court and reported four indictments under the territorial statutes and one under those of the United States. One of the former was against Modesto Sicher, the slayer of Giuseppe Marano, for murder in the first degree.

The indictment under the United States statutes, it is understood, is against William Nowell and Mrs. Genevieve Don Carter, for adultery.

The grand jury was granted a respite from its labors until Monday, Oct. 22. It was ordered that the parties against whom the indictments were returned be arraigned this morning.

CHARGE IGNORED. The Chinese Doctor and the White Girl Discharged.

The charge of adultery preferred against a white girl, Lucy Anderson, and Say Jim, a Chinese doctor, sent up from the police court, were ignored by the grand jury and the prisoners ordered discharged.

Svenson's Rehearing Set for Oct. 17. The motion of the prosecution for a rehearing of the case of The People vs. Andrew Peter Svensen, previously tried on the charge of assaulting Carl Anderson with intent to murder, and in which the jury failed to agree, resulted in the rehearing being set for October 17, and the witnesses for the defense were ordered subpoenaed at the expense of the territory.

The Witnesses Are Dead. On motion of Assistant District Attorney Howard, the charge of house-breaking against Thomas Hart was dismissed.

FREE SILVER MUST COME.

Short Orders by Baruch. Freed Furniture company vs. Meta Haight; referee's report confirmed.

People vs. J. B. Blazer, for assault and battery on Fred E. McGurran; continued.

People vs. Heber M. Abbott, assault and battery; continued on account of absence of an important witness.

The People vs. Roy Wright; ten days additional time allowed to prepare a bill of exceptions; ordered that the official reporter transcribe testimony at the expense of the territory.

A QUESTION OF VERACITY. Motions to Set Aside Judgments Against John Beck Overruled.

John Beck by his attorneys, Rawlins & Critchlow, made application before Chief Justice Merritt, that judgments entered against him in favor of T. A. Wadley for \$1,100, including interest, and in favor of J. F. Johnson for \$1,200, also including interest, be set aside on the ground that he had not been served with summonses. Attorneys Jones & Schroeder appeared for Wadley and Johnson, and both cases were heard together.

John Beck swore that he had never received service in either case. Matilda Beck was called as a witness for the defendant, and testified that she had seen the summons in her father's desk. A. E. Hyde also testified that he had seen the summons. Chief Justice Merritt, Deputy Marshals, Timmony took the stand and swore that he had made service in both cases, and A. Miner said he was present when Timmony served the summons in the Johnson case.

It appeared to be a question of veracity of the witnesses. His honor, after due consideration, overruled the motion and the court took the judgment for five days.

Short Orders by Judge Merritt. H. S. Margolis et al. vs. Hardy Young et al.; order made allowing plaintiff's bill and complaint.

R. K. Block & Co. vs. M. Lochwitz; order made granting plaintiff leave to amend complaint by changing title or name of defendant to M. Lochwitz alias Adolph Lochwitz.

Sarah Crane vs. S. W. Darke et al.; five days additional time granted plaintiff to amend complaint.

THE TRENT DEPOSITIONS. Says He Stood in with Stallman, of the Copper Company.

The taking of the depositions of Mr. Trent in the case of Fraser & Chalmers vs. L. C. Trent was resumed yesterday morning before Justice Harvey.

Mr. Trent was questioned as to what claim he had to a commission on the order for machinery given to Fraser & Chalmers by the Copper works company.

The witness replying said he negotiated the deal and was enabled to put it through because he stood in with Stallman.

Question—What did you do with reference to standing in with Mr. Stallman?

Answer—We used to go out to dinner together and drink beer and eat weller and some kraut, and burn around together and smoke cigars and drink wine, and discuss the copper plant and how to make money out of it. I don't know as we did anything else.

Q—That is all you had in your mind then when you stated yesterday that you did stand in with Stallman?

A—That is all I had in my mind to continue the friendly relations we had before on behalf of myself and the firm to secure the contract.

Q—Is that the only standing in which you did stand in with Stallman?

A—We arranged a plan by which Fraser & Chalmers might secure the contract for the machinery for the copper plant.

Mr. Dickson: Tell it all.

A—Well Stallman told me that he wanted me to go to Chicago with him and look after his interest, and he wanted me to tell Fraser & Chalmers that he should do everything he could that they should get the contract, and would give them every advantage that he could give them by way of his position.

Q—And try to get them to accede to it?

FRUITS OF MONOMETALLISM

The White Metal Working Its Own Salvation.

WHAT A GREAT NEW YORK HOUSE HAS TO SAY.

In Its Market Letter The Institution Ddelves Into the Great Question and Deplores the Fact That Eastern People and Editorial Writers Ignore the True Situation.

Silver heaven is working its own salvation and the east is daily nearing the sounding up point. This is evidenced by the sentiments expressed in the following recently issued market letter of Watson & Gibson, New York, financial authorities.

New York, Wednesday, Sept. 25, 1894. Dear Sir:—The silver question is getting into politics again, and the Ohio Democratic state platform declares in favor of free coinage, and the party in Nebraska will likewise approve of this doctrine today.

The Republican party in Minnesota, while Colorado and other western states favor it, the Democrats in certain southern states are also strongly committed to this economic policy. With wheat and cotton every few days breaking their record for lowest known quotations, it may be assumed that the west and south will unite on the silver question and in accordance with their interests and views.

THE CAUSE OF LOW PRICES. For the two great staples of the west, as well as for the general fall in prices during the past twenty years, may be at least wholly due to the silver question, but much of it is certainly attributable to the demonetization of silver.

The tremendous hoarding of gold by the United States, the substitution of gold for silver by Germany and Austria, and the concurrent refusal of these nations to let a monetary contraction of commerce increase by additions of silver as previously, to meet the natural growth of trade and other western states, in part for the destructive effect of silver demonetization on prices of commodities and machinery.

The second reason is, perhaps, the most powerful, and that is the complete break up of the great nations which have been the gold-exporting nations which have been the great users of surplus manufactured goods and the chief buyers and consumers of these surplus products of European countries.

TRADE HAS BEEN RUINED by the falling and fluctuating exchange, which made all such business a pure gamble.

Trade between remote countries must be done on time contracts. Goods meant for China, Japan or Peru or Brazil or Mexico must be ordered in England, France or Germany long ahead of their receipt at the consuming ports, and prices must be agreed upon at the time they are ordered.

THE THIRD REASON is none the less serious and influential, and that is the premium put on domestic production by a constant increasing tariff, and the natural tax put on all imports into these silver standard countries, of greater value than the standard countries, supplemented by the accompanying tariff barriers erected by silver using nations.

THE AMERICAN FARMER. Whose gold coin, obtained in Liverpool, was worth no more than the foreign gold found his cereal in competition with the wheat from Russia, India and the Argentine, and a constant increasing tariff for their British gold coin an increasing number of silver coins or paper notes sent to him.

REVENUE TARIFF DUTIES. Were levied on foreign goods, thus intensifying the natural embargo placed on the production of domestic goods.

When weak, weary and worn out, food and exercise is just the medicine to restore your strength and give you a good appetite.

To Glenwood Springs and Return. The Rio Grande Western railway, in connection with the "Midland" "Santa Fe" route, is now selling tickets from all points in Utah to Colorado's famous bathing resort, Glenwood Springs, and return for only \$16.50.

Awarded Highest Honors—World's Fair. The only Pure Cream of Tartar Powder—No Ammonia; No Alum. Used in Millions of Homes—40 Years the Standard.

FREE SILVER MUST COME. The White Metal Working Its Own Salvation. FRUITS OF MONOMETALLISM. WHAT A GREAT NEW YORK HOUSE HAS TO SAY.

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FIRST DISTRICT COURT.

Business Transacted Before Judge Smith as Preceded Yesterday.

Provo, Oct. 4.—The first case called this morning in the First District court was that of Rush Benson vs. Newel Knight. The suit is brought by Martha E. Benson, guardian ad litem of Rush Benson. Plaintiff alleges that Marshal Knight placed him in a cell in the city jail on the 24th of July, 1894; that two men, James Walters and John O'Brian, were in the same cell in a drunken condition and that they assaulted and beat plaintiff. He asks for damages in the sum of \$2,500 for the beating he received.

The attorney for the defendant objected to any evidence being taken for the reason that the complaint did not state facts sufficient to constitute a cause for action. The complaint did not allege that defendant had any knowledge of Walters and O'Brian being of a vicious disposition; that the defendant was not cognizant of the acts of the men above named; that he had no means to connect defendant with it.

The attorneys for the plaintiff claim that the imprisonment was wrong in this, that the plaintiff was placed in the same apartment with the two intoxicated men. On this ground they proposed to recover.

Judge Smith ruled that the action could not be maintained because, as usually, the plaintiff is independent, voluntary agents for which the marshal could not be responsible. If a man committed any crime for which he was subject to arrest he must put up with the consequences.

In the case of The People vs. William Eastwood, under indictment for selling liquor without a license, on motion of the prosecuting attorney the case was dismissed. It appears that Eastwood was indicted on three counts, two cases; Wednesday, October 10. P. J. Kelsell & Co. vs. H. F. Gear et al.; October 10.

Chris Rasmussen et al. vs. Garry S. Gates et al.; Thursday, the 11th. Bullion-Beck and Champion Mining company vs. John Beck et al.; October 15.

Isaac Wolf vs. J. E. Bamberger; set for October 15; three counts. R. W. Davidson vs. F. C. Rookledge et al.; October 15.

Goe F. Howell vs. Walter Moore; dismissed at plaintiff's cost. W. W. Rivers et al. vs. H. F. Johnson et al.; October 15.

John B. Milner vs. George W. Jacques; October 15. Central Building company vs. A. Small et al.; continued.

Dennis Sullivan vs. Henry Rohl; October 15. W. L. Elywood vs. E. Molinist et al.; October 15.

P. W. C. Hathenbrook vs. Thomas Fowler, sheriff, et al.; October 15. J. E. Lee vs. Continental Insurance company; October 15.

S. G. Sly vs. Jacob Muntz; October 15. William Harrison vs. P. W. C. Hathenbrook et al.; October 15.

Philip B. Cook vs. Bullion-Beck Mining company; October 30. William P. Ercanback vs. John T. Sullivan; October 30.

Central Utah Wool company vs. Robert Ord et al.; October 30, 1894. Esther Coffin vs. Louis Garf; October 31.

Benjamin Bachman, administrator, vs. Mary C. Dyer; October 31. Peter A. Jensen vs. William Nelson; October 31.

William A. Lewis vs. James L. Hales; November 1. Eureka City vs. Woolf Marks et al.; November 1.

Benjamin Bachman, administrator, vs. Martha Pemberton; November 2. Joseph Pergosio vs. Jacob Baum; November 2.

At 2:30 p. m. the grand jurors filed into court and made their first report, having found nine indictments, six territorial cases and three United States. They ignored the following:

The People vs. Wallace Hammond; charged with housebreaking. The People vs. James Whittaker; charged with grand larceny. The People vs. Mortland Dun and Alexander Doutrix; charged with burglary.

United States vs. William Bromley. United States vs. W. D. Robinson. Lulu Laubender brought suit for divorce today against Johann Laubender.



Mrs. Annie W. Jordan

Of 165 Tremont St., Boston, was in very poor health, from bad circulation of the blood, having rashes of blood to the head, numb spells, and chills, and the physician said the veins were almost bursting all over her body. A colic with a double runner brought on neuralgia of the liver, causing great suffering. She could not take the doctor's medicine, so took Hood's Sarsaparilla.

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LEAVE SALT LAKE. No. 2—For Bingham, Provo, Grand Junction and all points east, 8:05 a. m.

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