

CLOSING OF THE MAILS

At Provo City, Utah, January 17th, 1891.
P. M. - Going South to Payson, 7:15 a. m.
P. M. - Going South to Panguitch, 8:10 a. m.

OFFICE HOURS.
Morning window opens at 9 a. m. and closes at 12:30 p. m.
Evening window opens at 8 a. m. and closes at 5:30 p. m.

LOCAL SPLUDCLES.
H. ALSPACH, dentist.
BEAUTIFUL weather.
KEEP UP the building.

BEFORE JUDGE BLACKBURN

Levi Dunham Sentenced to One Month's Imprisonment.

The Grand Jury Ignores the Indictment Against Thos. Lerwill, of Mona.

Sunday Whisky Sellers at Clear Creek Sent to the Pen.

Court resumed session at ten o'clock on Monday morning.
The case of the U. S. vs. Triphina Davis, for unlawful cohabitation, was dismissed.

Levi S. Dunham, for resisting an officer, was sentenced to one month's imprisonment and \$50 and costs.
The case of the People vs. Harvey Warner et al., was called and a jury impaneled.

In this case defendants are charged with burglary, alleged to have been committed on May 30, 1890, in Millard county, Utah, in which the store of John Kelly was entered.

Mr. Zane prosecuted and W. H. King defended.
After evidence for the prosecution had been produced, Mr. King asked His Honor to instruct the jury to return a verdict of not guilty.

The grand jury came into court and reported three indictments.
The case of the People vs. James A. Fitzgerald was called and a jury impaneled.

Jno. M. Zane prosecuted and A. G. Sutherland defended. Defendant is indicted for assault on the person of Wm. Bennett, alleged to have been committed February 11, 1891.

Wm. Bennett was the first witness called, and testified: I live in Provo; I know defendant; I had some difficulty with him on February 11, 1891; I met him that day between 11 and 12 o'clock; I tried to get past him, but he came after me; I asked him what he wanted; he called me a s--- of a b---, and I pulled my hand back as if to strike him; he pulled a gun and said, "You s--- of a b--- I'll plug you."

The grand jury here came in and reported having ignored the case of the U. S. vs. Thomas Lerwill, unlawful cohabitation.
They also submitted the following report:

The Hon. Judge Blackburn: We, the grand jury in and for the First Judicial District, respectfully submit the following report for your consideration.
We have been in session twenty-two days, having spent sixteen days in the discharge of United States business and six days in Territorial business.

We have heard eighty-four cases, forty-two cases of which were United States cases. Of these twenty indictments were found and drawn, nineteen cases ignored and three resubmitted to the next grand jury.
The Territorial Insane Asylum was inspected and found to be in good condition, but somewhat crowded.

unnecessary expense upon the territory.
Inquiries have been made of the officials in the various other counties in the district, regarding county buildings, etc., and they report the same in good condition.

They were discharged with the thanks of the court and the community, for the faithful discharge of their duties.
The Fitzgerald assault case was then resumed.

Jos. A. Elsemore testified: I live in American Fork; I saw defendant and Bennett on February 11th; Fitzgerald pulled a pistol and threatened to plug Bennett; after the pistol was lowered Bennett walked away.

To Mr. Sutherland: Fitzgerald said: "You s--- of a b---, if you cross my path I'll plug you."

G. W. Jacques: Live in Provo; know defendant and Bennett, saw them in the street on February 11th; heard Fitzgerald call Bennett a s--- of a b---, and saw him pull a pistol and threaten to club him.

To Mr. Sutherland: I did not see Bennett raise his hands to Fitzgerald. The prosecution here rested.

Jas. A. Fitzgerald, the defendant, testified: I met Bennett on the street, on February 11th; I turned and looked at him; he saw me looking and asked me what I was looking at him so suspicious for; I told him I wasn't looking at him; he said he would make me treat him like a gentleman; didn't like the word "make"; so I told him I didn't care for him; he came at me with his fist raised; so I pulled my gun and told him to stop or I would bore him.

To Mr. Zane: I pulled my gun because I was afraid Bennett had a weapon with him; I had difficulty with him before, and I had seen him pull some kind of a tomahawk and I was afraid of him.

The Court: Was your pistol loaded? Witness: It was.
To Mr. Zane: Bennett used to be a deputy marshal, and he also was a confidence man, and I think a confidence man is capable of any deed.

Mr. Zane: Were you ever in court before? The witness, after some hesitation, admitted that he had been.
This concluded the testimony.

The case was then argued and submitted to the jury.
The case of the People vs. J. W. Coburn et al. was called and a jury impaneled.

Defendant is indicted with having sold liquor on a Sunday in last September at Clear Creek, Utah.
Some difficulty was experienced in obtaining a jury and a special venire was issued.

The jury in the case of the People vs. Jas. A. Fitzgerald returned a verdict of not guilty.
An order for six more jurors was made for the rest of the term.

The case of the People vs. J. W. Coburn et al. was then continued. Jno. M. Zane prosecuted and J. W. N. Whitecotton defended.

Henry Weldon: I live at Clear Creek; I know defendants; they carry on a general merchandising business in connection with a saloon. I remember the day that Mulberry killed a man. I saw Mulberry that day; he was in defendant's store; I saw some drinking going on at the bar; I took a drink myself; did not pay for it; don't know whether it was charged to me or not; Sanford, Simmons and Mulberry were in the saloon; I was drunk that day myself; got drunk in P. V. Junction; came from P. V. on the passenger; I got the drink in the afternoon at the saloon. I did not see Coburn; he wasn't in Clear Creek at that time; don't think there is any name over the door, but O Coburn is supposed to be the owner of the premises.

To Mr. Whitecotton: I did not see anyone pay money for the liquor; don't see who gave Mulberry the drink; don't know who passed the liquor around.

Nathan Simmons testified: I live at Payson; was in Clear Creek on the day Mulberry killed a man; it was on a Sunday; I was in Coburn's store that day; Mahon was in charge of the store; I could see the bar and men drinking there; did not see money paid for the liquor; Mulberry was drunk; did not notice whether Weldon was drunk or not.

To Mr. Whitecotton: did not see money passed for the liquor; don't know what the men were drinking; drugs were kept in the store.

Wm. Rawlings: I live in Clear Creek; remember the day Mulberry killed a man; I left Clear Creek in the morning, and got back about eight o'clock; did not see any drinking in the saloon that day.

To Mr. Whitecotton: Coburn keeps drugs in the store.
Wm. Taylor: I live at Clear Creek; was there on the day Mulberry killed a man; was in Coburn's store; did not see any drinking going on; did not get a drink myself.

This concluded the evidence for the prosecution.
Mr. Whitecotton moved that the case be dismissed, on the ground that no evidence had been produced showing that a sale of liquor had been made.

The Court overruled the motion and held that as liquor was disposed of it did not matter whether money had been paid for it or not.
Mr. Whitecotton moved that Mr. Coburn be dismissed from the case as

it was proven he was in Colorado. The motion was overruled and court adjourned until 9:30 Tuesday morning.

TUESDAY.
James McPherson was arraigned on a charge of murder in the first degree. Through his attorney, A. G. Sutherland, he entered a plea of not guilty, with the privilege of withdrawing said plea if so desired.

The case of the People vs. John W. Coburn was then continued.
J. W. Coburn was the first witness for the defense. He testified: I am one of the defendants in this case; on September 7, 1890, I was in the Henry mountains, Colorado; Mr. Mahon is my clerk in the store; I have always instructed him not to sell any liquor on Sunday.

To Mr. Zane: I have been in business since May, 1890; I went to Henry mountains in August and returned about eight or ten days after the shooting at Clear Creek; never saw drinking in the saloon on any Sunday; men have bought liquor on Saturday and came and drank it on Sunday; they would sit behind the bar; the barroom is about 20x40 feet; there is no partition; the store is kept open on Sundays.

To Mr. Whitecotton: The man I referred to that drank on the Sunday, came in and walked behind the bar and said, "I left some beer here last night; I guess I'll take some of it now."

Mr. Simmons was recalled by the prosecution, and testified that on the previous Sundays the bar had been running.

This concluded the evidence and after argument the case was submitted to the jury.
Stanley Field, a 14-year old boy, was arraigned on a charge of house-breaking, and pleaded guilty to the charge.

He was sent to the Reform School until legally released. His Honor regretted having to pass such sentence, but the statute required it.

The case of the People vs. William Taylor, John Nelsen, Lars Anstrom Johnston, Henry Boyle and Frank Halliday, was called and a jury impaneled.

Jno. M. Zane prosecuted and A. G. Sutherland defended.
Defendants were indicted for riot, alleged to have been committed at a dance in Santaquin on February 17, 1891.

The jury in the case of the People vs. J. W. Coburn and J. Mahon returned with a verdict of guilty as charged. They were sentenced to one month imprisonment and fined \$50 each and costs.

Harvey Warner pleaded not guilty to the charge of house-breaking.
The case of riot was continued.

Wm. Jarvis was the first witness for the prosecution. He testified: I was in Santaquin on February 17, 1891; was walking along the street when the defendants abused me, without my interfering with them; I came back to the dance and the same defendants abused me again; they called me a s--- of a b---, and one of them struck me; I went outside and got followed; got knocked down and had four of my ribs broken; I was otherwise cut and bruised; was sick for weeks afterwards.

Court took a recess until two o'clock.
The case of the People vs. William Taylor et al. was continued. Other witnesses were examined, and the prosecution testified that a great row and noise and fight were carried on at the night in question.

The evidence for the defense was to the effect that Jarvis was the chief offender, and the fight was caused by him. Each of the five defendants testified that they had not made a s--- of a b---, and that they were engaged in making a row or fight at the dance. They admitted that each had a hand in the fight, but each was fighting separately and for himself.

After argument the case was submitted to the jury, who returned a verdict of not guilty to the charge of riot.
Court adjourned until ten o'clock this morning.

WEDNESDAY.
Court resumed session at 10 o'clock.
The case of United States vs. John Baker, injuring mail bag at Richfield was called. Owing to the absence of two witnesses for the defense, Mr. King asked that the case be continued until to-morrow. Mr. Zane asked a continuance of the case for the term which was granted.

Mr. King asked for some disposition of the case of United States vs. John C. Graham for unlawful cohabitation. The case had been on the docket for four or five years.

The Court asked if this was not the same case in which Mr. David Evans made affidavit to the effect that Graham had kept the plural wife out of the way of the Court.
Mr. King answered that the affidavit was made on more information.

Mr. Zane informed the Court that he was willing to renew the affidavit if necessary.
Mr. King asked permission to file a negative affidavit. Granted.

Mr. Houtz argued a demurrer in the case of J. Iren Hansen, forger. The demurrer was sustained and the case dismissed.

ANDERSON the photographer has taken Mr. Jos. Madsen as a partner. The public will remember that Mr. Madsen has been in the business for years, and is one of the oldest and most experienced photographers in the Territory. And is acknowledged to be one of the best retouchers in the country.

Notice of Sale.
Notice is hereby given, that I, John O. Thomas, of Spanish Fork City, Utah, have this day sold, transferred and delivered to Geo. C. Thomas, of Spanish Fork City, Utah, all my cattle, together with my cattle brand.

SPANISH FORK.

Indications of Much Damage From High Water.

Prof. Koch's Discovery Applied to One of the City Councilmen.

Bench Land Owners Incensed Over the Damage Caused by Loose Animals.

SPANISH FORK has regained her wonted condition of health, and everybody feels happier.
JOHN S. THOMAS has been re-appointed Superintendent for one year for the Young Men's Co-op. It was a wise move.

It will take another week before all the ditches will be cleaned out ready to carry water. In the meanwhile scores of men are at work on them.

Horses and cattle are being gathered up from all around and driven on to the bench lands, much to the annoyance of the land owners there and an injury to their property.

COUNTY ASSESSOR HALL, of Springville, has spent considerable time here in rectifying errors in the valuation and quantity of property to the apparent satisfaction of the people. Mr. Hall is approachable and just, and consequently has the confidence of the masses.

The immense deposits of snow in the mountains denote very high water in the near future, and if indications are not misleading some of the low lands will be submerged, roads will be flooded and bridges washed away. Now is the time to take necessary precautions.

An error appeared in the last issue of THE DISPATCH in which it was stated that the West Field Irrigating Co. was plaintiff and Spanish Fork City defendant in a suit now pending between the above parties. It should read: Spanish Fork City, plaintiff, vs. West Field Irrigating Co., defendant.

In a previous issue the stock of the Co-operative store was made to read \$35,000, whereas it should have been \$45,000.

SINCE the discovery of the tubercle bacillus by Prof. Koch, considerable attention has been paid here by prominent investigators as to the kind of a microbe that has caused such a general stampede here in the legislative circles. The last report is founded upon an analytical examination of the body of one of our City Councilmen, who has but recently recovered from a severe attack. The report is too voluminous to be inserted in full. Here is one of the essential parts:

"I found a microscopic incision right over the jugular vein into which the hideous trypaenon cruetus (the name of the microbe) poured in his poisonous hydrophobic spore-like juice. The first sensation felt is that of a crawling feeling, followed by a burning sensation with a disposition of revulsion. Sudden movements of the limbs quickly follow, accompanied by an uncontrollable tendency to press the thumb nails together with considerable force as if trying to press the life blood of the intruding microbe through its nostrils. In short the disease is identical with that of the third Egyptian plague. 'What remedy would you recommend?' was asked the analyst. Said he: 'I would build a new jail and have it entirely separate from the City Jail. In it I would have microbe proof walls and doors into which the weary tramp could not get any communication with his natural associates to his content or otherwise. I would have a separate pond of water between the prison and the halls of law and equity where the solons could meet and deliberate without fear of intrusion.' Satisfied with the explanation and suggestion, your correspondent sought other news and the Professor left to superintend an excavation close by.

Attention, Horse Owners.
I have at my stable the great World's Prize Winner.
Vermont (22503) 11517.

He was first prize winner at the Universal Exposition of 1889. He is 4 years old and was born at Paris, France, and has the gold medal of honor from the Minister of Agriculture. His weight is 2020 lbs. He can trot a mile in 4 minutes. Terms, \$15 single leap; \$25 a season. Also

Montrose 5962.
Weight 1090 lbs. This horse is also a prize winner. He is a standard bred trotter; sired by "Porcion," he by "Planet," sire of "Dame Winnie," dam of "Palo," the fastest trotting stallion in the world in one race winning the fastest three consecutive heats ever won in a race by any trotter in the world. "Montrose's" dam, "Hosabel," by "Idol," the by "Membrillo Chief," a colt bred by "Idol, Jr.," 12, sire of "Miss Russell," dam of "Maud S.," (2:08 1/2). Terms: \$25 for the season.

Prince Joe.
The coach bred trotter; sire, "Black Prince," he by "Dietator," sire of "Jay Eye See" (2:10); dam, a fine Morgan mare. This coach bred trotting stallion can trot faster than any French coach stallion in Utah, and also better bred for trotting; he has trotted a mile in 2:40, and paced a mile in 2:30. Terms, \$10 a leap; \$15 for the season.

I have at my stable other stallions, from \$5 to \$8 for the season.
Simon.
Who has always took the highest price at the Salt Lake Fair for the last two years, is at Salt Lake with "Sutton" and "Simon."

Mares sent from a distance will be pastured one month free of cost, if bred to "Vernouth," "Montrose" or "Prince Joe."

RASMUS NIELSEN, Spanish Fork.

THE PROVO COMMERCIAL & SAVINGS BANK.
Capital, \$75,000.
PROVO CITY, UTAH.
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BEN R. ELDRIDGE, Vice-President.
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E. H. ELDRIDGE, Asst. Cashier.
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L. S. HILLS, E. HOLBROOK,
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E. H. ELDRIDGE.

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Selling Out.

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General Merchandise
And all kinds of Utah Produce.
A Complete Line of
Builders' Hardware
Constantly on Hand
The Largest and Best Stock of Shoes
IN THE COUNTY.
AT ROCK BOTTOM PRICES.
They are having their Semi-Annual Clearance Sale Now.
Call and See Them.
STEPHEN L. CHIPMAN, Supt.

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