

# THE EVENING DISPATCH.

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## THE PROSECUTION

### Offers Further Evidence in the Murder Case.

## MRS. NIELSEN AND SON

#### Give Damaging Testimony Against Mrs. Van Patton—Cross-Examination Tends to Raise a Doubt Even Under the Prosecution's Evidence—Other Business of Court.

Yesterday and last evening in addition to hearing the Van Patton case Judge Smith heard other cases and motions. Divorce was granted Emma Kinder of Oasis from her husband Charles E. Kinder on the grounds of drunkenness. Divorce was also granted Sine Larsen from her husband Paulie. Wm. G. Bleak pleaded with J. K. Booth pleaded guilty of forgery on two counts and was sentenced to three years for the first and to one year for the second. Further time was granted in the matter of preparing the proper papers, etc. in the case of G. B. Larsen vs.asmus Clawson on a motion for a new trial. Considerable argument was heard in the big Wasatch county Moulton estate case that is in a tangled condition in the probate court and apparently not in the best of hands. The judge has the matter of appointing a receiver under advisement.

**THE MURDER TRIAL.**  
Yesterday afternoon in the Van Patton murder case after Dr. Olsen, Dr. West testified to having detected the odor of laudanum at the time of the autopsy.

**MRS. NIELSEN,** wife of deceased, testified: Sunday night about 11 o'clock Mrs. Van Patton came to our home and the old gentleman let her in; I lit a lamp and asked Emma if she wanted something to eat and she said no; then she was shown to bed; she said she was in a starving condition, and the old man said he did not believe it; something was said about money. Next morning Emma and I got up and found the old man dead; Emma talked about money, and went to my husband and tried to borrow it, but the old man refused and said, "You can't get any money out of me."

All day Monday Emma and my husband were together and we all retired about 9 o'clock. Tuesday morning we arose early, and Soren got up about 9 o'clock; again the subject of money came to be talked about, and Emma asked for money on some alleged pretext; Soren would have nothing to do with giving shares and refused point blank. Emma accompanied the old man down for groceries that morning and suggested that he get something to kill the rats; Soren said he didn't want poison in the house, but she said I know something that it smells it they will all leave when they return, and among other things brought home was a box of rough on rats; I took the box and put it on a shelf in the kitchen; Soren told Emma to fix up something for the mice which she did; the old man went into the same room and got a beer bottle and said look at that beer as it smells wrong with a glass and let it set tie while he went down town; when he came back at 7 o'clock he spoke of his good health and went to the beer glass; I looked at the glass and it looked like something green was in it; Soren drank the beer and went and laid down on the lounge; he asked for some mush and milk and when I had it ready I told him to come, he said, "I have an awfully bad taste in my mouth," but he ate the mush and milk; Emma afterwards went down town for a walk; then the old man took sick and began to throw up; he vomited three or four times; Emma said away about one hour; Soren said he had not been so sick for some time; Emma then said to me "here is some liquor for you, you have been working too hard;" I then drank about half a glass of liquor; the old man continued to vomit and we helped him into the bathroom; when he went to bed he said to leave his pants on; he was very sick; I went to bed, Emma helping me about 11 o'clock; I gave him milk once that night and told Emma to take good care of the old man; got up early and found Emma

was up. The old man was so sick he could not talk; I gave him milk several times; Emma gave the old man liquor out of a glass several times to which I objected a little as he was too weak; she then said to me, "Uncle told you to give me money." I said go to him and ask for money, I did, though, give her \$1.50 and she went to a saloon and staid about an hour, coming back with two bottles of liquor; one bottle was white, the other of a light brown color; one she said was for me and we drank out of it; the other bottle was put away; she again gave Soren liquor in a glass and stirred it with a teaspoon; this she repeated several times. On Thursday morning the old man was worse; I sent for the doctor and told him to do all he could, and he would be paid; the doctor asked about laudanum, but said little about how Soren was. I asked Emma about the key to the drawer and the old man's money purse; Emma said we would find it after a while; I searched but could not find it; afterwards Emma came in and said, feeling at the same time in the old man's pockets, "Here are the keys." No laudanum was in the house at all, and I don't know of any person having brought any there. Witness told about the chickens dying from the effects of eating the vomit of the old man.

**Cross-examined by Houtz:** Am 94 years old; came to this country forty years ago; have been divorced from Soren, and married him again. Witness went to Nevada with a soldier, named Johnson to whom she was not married, but never lived with him. She met Johnson at Fort Douglas. She denied ever having offered Ole Larsen \$1,000.00 to kill Nielsen; also denied ever having had a fight with him. Witness claimed that there was but \$50.00 found in the house after the old man's death. Emma never asked to send for a doctor, while the old man was sick; never had trouble with my husband only when he was drinking.

**JOHN NIELSEN**  
saw Mrs. Van Patton at the Ephraim Co-op on the evening of October 17th; she asked about the drug store, stating that she lived in Moroni; said she wanted liquor for a sick girl; I went to the saloon and purchased liquor for her. Next day she came to my place and asked for Mads Nielsen; she asked him to go to Nielsen's as the old man was sick and she was afraid the old lady would kill him if she was not taken away; Emma asked me at the time of the coroner's inquest whether or not there were any suspicions of her having killed Nielsen.

**THIS MORNING.**  
The courtroom was again crowded to hear the evidence in the murder trial.

**MADS NIELSEN**  
a single-minded man of middle age and step son of the deceased Nielsen knew the defendant and testified to having seen her on Tuesday the 17th of October last at the grocery store; Soren Nielsen introduced her to the old man and he was going soon to Norway. Something was said by Mrs. Van Patton about what would be done with her uncle's money; saw her again next morning at John Nielsen's; she told me her uncle was sick, and as I started back to my work she said she wanted me to do an errand for her, by going down to the drug store and getting her ten cents worth of laudanum; I got it for her in a small bottle; said she wanted it as she had the toothache and headache; saw her next at her uncle's that afternoon; the old man was in bed Mrs. Nielsen was there; Emma was in the center room; mother was sick on the 18th; had been intoxicated; Emma let me in the house and offered a chair; had liquor in a glass and was stirring it with a spoon; she offered it to the old woman; I never took any of the liquor; the old man was sick and uneasy; Emma mentioned about wanting to marry me; she may have been joking; when I was going home she wanted me to write a letter for her uncle to her brother-in-law at Spanish Fork; told me to tell him that his sister's daughter was sick here and would shortly be at Spanish Fork and to let her have \$500.00 on mining property in Park city and charge to the account of Soren Nielsen; I signed Soren Nielsen's name to the letter; I showed it to her on the 20th; she thanked me and she thanked me; she told me not to mention it to the old woman, but to go and mail it, which I did; the old man was not dead at the time; later Emma told me to hurry up as the old man was dying and the old woman was alone. I went up and found the old lady who was absent minded, and acted as though she had been drinking; James Fransen, August Anderson, C. W. Peterson and others came in; after the death, I saw Emma back of the kitchen; told her this laudanum business might come up now, and it looked suspicious about his dying so suddenly; she said there would be no trouble if I would stay on her side, as she would work it on the old woman.

On cross-examination it was developed that witness had not given this testimony before the coroner and gave a reason that he was not questioned about it, and did not think about telling it. Witness told his mother that Emma was trying to saddle the crime on her. Two weeks after Soren's death his mother told him to tell the affair of Emma's conversation when the matter came to trial.

**MRS. LARSEN**  
a clerk at the drug store on the date mentioned by Mads Nielsen sold half an ounce of laudanum to Mads. A few days before Mr. Soren Nielsen and Mrs. Van Patton came to the drug store and I bought some rough on rats.

### His Trip to Japan.

The rector of one of the up town churches announced in Sunday school that all the boys who were faithful attendants at the classes for a specified time should be taken on a stereopticon trip to Japan.

Time passed, and the period was finished. But before the promised entertainment could be announced there was a ring at the rectory door one day, and a good woman appeared, inquiring for the preacher. He was out, and she was told she must come again.

She was willing, adding that she wanted to see him about her boy's going to Japan. He had won the trip, she said, but she didn't know what clothes he would need or what preparations she might have to make.

It is to be feared, though it is not so stated, that the rector was out the next time she called too.—New York Times.

### A Whist Curiosity.

These who are fond of a "hand at whist" will be interested in the following peculiar circumstance: One evening four friends were playing a rubber at a mutual friend's house not far from Barnstable. O. D. and R. B. were partners, and E. B. and C. H. were ditto. On two occasions E. B. and C. H. won every trick, and on one occasion O. D. and R. B. held every black card, and E. B. and C. H. every red one. Cluts never trumps.—Devon and Exeter Daily Gazette.

### Bay State Etiquette.

Wingate—It must be a queer kind of etiquette they teach at that boarding school Miss Flyte has just graduated from.

Walker—Why so?  
Wingate—Oh, nothing. Only I kissed her in the hallway in the dark the other night, and she said "Thanks!"

### WHAT DO YOU take medicine for? Because you want to get well, or keep well, of course. Remember Hood's Sarsaparilla Cures

### A Simple Fire Escape.

A simple, easily procured, inexpensive and practical means of escape from upper stories may be found in a stout duck sack and a strong manilla rope. The sack should be deep and wide enough to hold several persons and have a rope well bound around the top to which the rope ball is attached. If no appliance be provided to hold a stout sail across the window on the inside, then several wraps must be taken around some article of furniture, wife and children dumped into the sack, the husband paying out the rope and letting them down. The sack is then drawn up, when the remaining occupant goes into the sack with the slack end of the rope, and paying it out lets himself down. Rope and sack will pass unharmed past considerable sheets of flame from windows below, and if occasionally treated to a strong solution of alum water, or even strong brine, are of difficult ignition. The deep sack dispels the feeling of fear in not beholding the dizzy height and also protects from flame in passing windows. Every window should be provided with a small bottle; said bottle to be inserted and which should be ever ready if needed. A cool head could thus let down, in many cases, numerous loads, and for that matter there may be rope enough to allow all the paying out and pulling up to be done by some one on the ground. Private instructions should be in every room, and each occupant should be made familiar with the working.—Pittsburg Dispatch.

### Variety Necessary.

The man who thinks a newspaper should be made up exclusively of reading matter suited to his particular whims and prejudices is pretty hard to please. He forgets that there are others interested in subjects which he deems obnoxious. All kinds of people read newspapers, and there must be variety in the kinds of news published.—Franklin (N. Y.) News.

### Dr. Price's Cream Baking Powder

World's Fair Highest Award. Physiological Effect of Muscle.

The results of numerous experiments made with scientific care by a Russian physician to determine what, if any, are the physiological effects produced by music are thus summarized: An influence on the circulation of blood is noticed, the pressure sometimes rising and sometimes falling, though the action of musical tones and pipes both on animals and men expresses itself for the most part by increased frequency of the beats of the heart; the variations in the circulation consequent upon musical sounds coincide with changes in the breathing, though they may also be observed quite independently of it; the variations in the blood pressure are dependent on the pitch and loudness of the sound and on tone color; in these variations of the blood pressure also the peculiarities of the individuals, whether men or lower animals, are plainly apparent, and even nationality, in the case of man, is claimed to exhibit some effect.—New York Tribune.

**Dr. Price's Cream Baking Powder**  
World's Fair Highest Medal and Diploma.

Highest of all in Leavening Power.—Latest U. S. Gov't Report.

## Royal Baking Powder

ABSOLUTELY PURE

### THE GENTEEL POOR.

"OH, THE PITY OF IT!" ONE EXCLAIMS WHEN CONSIDERING THEM.

Straining to Maintain a Position Beyond Their Means—An Anecdote About People Who Manage to Get Along and Get Along by Managing.

Do you know that there is a class of people who suffer and of whom the world never hears? I mean those whom we are apt to call the genteel poor. They are always with us. In my life I have listened to a great many queer stories about them, and they are really to be pitied. They are, many of them, single women of uncertain age, who are obliged to live on infinitesimal incomes and with an amount of style. They can't bring their ideas down to the level of their fortunes. They have always been used to certain things, and they must have or at least appear to have them. They can live only in a particular part of town, no matter if the rent consumes the biggest part of their funds, and they must do other things in just proportion. How do they do it? Why, with an amount of ingenuity that would be valuable in a better cause.

They "manage." That is the word. The genteel poor "manage" to get along and get along by "managing."

Take a case that I happen to know about. They were a pair of sisters who rented apartments.

I am not afraid to assert that they lived on samples. They went from one grocer to another and collected, little by little, almost all the things they needed for their meager ménage.

Sample cans of soup furnished their table at many a midday meal. Their cracker jar was a wonderful mixture of different brands. They did so like a variety, they said. Their bonbon dish was replenished in a way that seemed little short of stealing. They would make peevish calls at various confectioners and at each take a bit of candy from the piles that were exposed to view. Hidden in a bag, or in a muff if it was winter, the aggregate of this booty when taken home formed quite a listful and helped out at their afternoon receptions, which, in accordance with their ideas of hospitality and the traditions of their family, they always gave during the season.

I used to wonder how they felt when they knelt on Sundays before that gorgeous shrine which they affected and gave the response to that solemn admonition, "Thou shalt not steal," but I fancy they thought it was perfectly legitimate.

They always dressed in black, and I am sure I don't know how they "managed" their wardrobes. I suppose the bargain counters helped them out, and I fancy their gowns were sometimes made by a very swell dressmaker whom years ago they employed as a seamstress and introduced to their wealthy friends. By this the woman was enabled to get a footing, and no doubt gratitude prompted her to give them some help in the reconstruction of their wardrobes.

But this was long ago. I wonder if the younger sister, who now occupies a position as the wife of a wealthy man, is aware that I know all about the gown she wore when she met the man who emancipated her from the thralldom of petty economy. I doubt it, but I do, and I am going to tell you.

The two women had been invited to a dinner given by a swell friend. The elder could not go on account of ill health, but the younger must, and there by no means had been exhausted, and there was no money for a costume. At last, in despair, the younger woman opened a trunk filled with clothing from the rectory—their childhood's home.

She had it! Within its depths there was the black silk robe that her father had worn. It was heavy and of beautiful texture. Its ample folds would make a short skirt and part of a waist.

While in a quandary as to what would fill out the deficiency she saw beneath the velvet pall that had covered her father's coffin. It had been the last loving tribute of a sick parishioner. Here were the train and another part of the waist. Did no thought of its association with the dead man or remembrance of the solemn service return to her, you ask? Not a bit of it. Beneath it, crumpled up in many creases, was the crape that had draped the altar. Behold what a costume was evolved! A long train of velvet over a skirt of heavy black silk trimmed with folds of crape, whose shimmer

quickness served to make still whiter the neck displayed beneath the décolleté corsage. She was elegant indeed, and at the dinner she played her cards so well that she captured an extremely eligible bachelor, and her struggles were over.

But think of it! I know you'll say, "Oh, the pity of it!" You have often heard the saying: "God help the rich. The poor can beg." I say the Lord's poor will be taken care of, but pity, oh, pity, the genteel poor!—Boston Herald.

### A Real Swell.

The tramp had called at a house where there had been a party the night before and had been given a very good meal at the kitchen table, with the lady of the house superintending the feast. She was a good hearted woman, and thinking the wanderer might appreciate a dainty she had added a dish of ice cream to the menu. She put a spoon beside it, and in a minute or two he was ready for it and she stood by to note his enjoyment.

"I beg your pardon, m'm," he said as he picked up the spoon, "will you be kind enough to give me a fork to eat this cream with?" and the good woman almost collapsed.—Detroit Free Press.

### His Planets.

A young gentleman was passing an examination in physics. He was asked, "What planets were known to the ancients?"

"Well, sir," he responded, "there were Venus and Jupiter, and"—after a pause—"I think the earth, but I am not quite certain."—London Punch.

### The Fountain Pen.

Joe—These fountain pen makers will never be affected by the income tax.

Bob—Why not? Some of them are rich.

Joe—Because they never make enough ink come to be taxed.—Detroit Free Press.

In his story of the last moments of Lincoln, Horatio King relates that Stanton, when the attending physician, with his finger on the great martyr's pulse, announced that the end had come, said with deep feeling, "He now belongs to the ages."

A Boston paper states that a Chicago grocer sells soap every tenth cake of which contains in its center a gold dollar, and that the citizens of Chicago are in consequence getting to look tolerably clean.

The centurion, as the name implies, was the commander of a hundred men in the Roman army.



### KNOWLEDGE

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Its excellence is due to its presenting in the form most acceptable and pleasant to the taste, the refreshing and truly beneficial properties of a perfect laxative; effectually cleansing the system, dispelling colds, headaches and fever, and permanently curing constipation. It has given satisfaction to millions and met with the approval of the medical profession, because it acts on the Kidneys, Liver and Bowels without weakening them and it is perfectly free from every objectionable substance.

Syrup of Figs is for sale by all druggists in 50c and \$1 bottles, but it is manufactured by the California Fig Syrup Co. only, whose name is printed on every package, also the name, Syrup of Figs, and being well informed, you will not accept any substitute if offered.

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