THE HERALD.
SALT LAKE CITY, UTAH.
FRIDAY, September 26, 1890

Advertisements in this column 50cents per inseech insertion.

COUNTRY ADVERTISING.

Conference is announced for Salt Lake, October 4. The Fair begins October 6 and runs to the 10th. All railroads give cheap rates, and during those six days the population of the city will be almost doubled. Merchants and all other advertisers who desire to reach the country people in their homes are requested to read the following

AFFIDAVIT.

Salt Lake City, May 15, 1890.

We, the undersigned, being duly sworn, on oath depose and say that there were printed during the week ending Saturday, May 17, 1890, TEN THOUSAND SEVEN HUNDRED AND FIFTY-TWO Copies of the Semi-Weekly Herald; that the same were mailed and distributed to actual subscribers, and that the regular circulation of the Semi-Weekly Herald is now over Ten Thousand Seven Hundred copies per week.

ALFRED H. CAINE, Chief Clerk.
GEO. W. OGLESBY, Mailing Clerk.
OSWALD H. PATCHEL, Pressman.

Subscribed and sworn to before me this 17th day of May, A. D. 1890.

THOMAS W. SLOAN,
Notary Public.

ALL COUNTRY SUBSCRIBERS

Of the Herald visiting the city during Fair and Conference Week are invited to call at the counting rooms and receive a copy Free each day during their stay.

NO OTHER PAPER IN UTAH

Can show a country circulation to compare with that of The Herald.

— Advertise in the —

SEMI-WEEKLY

Before Conference and Fair Week and in the DAILY during that week, and you will reach the great bulk of the visiting public.

TO ADVERTISERS.

Changes for advertisements in THE SUNDAY HERALD must be handed in not later than Friday night.

LOCAL AND OTHER BRIEFS.

ZION'S Savings Bank and Trust Co. *

ALL kinds school books at Mangeits' Bros. *

THERE is a message at the Deseret telegraph office for Allen Garner.

THE light battery left Fort Douglas for Fort Riley, Kansas, yesterday.

THERE are messages at the Western Union office for J. M. Christenson, George A. Jackson and J. F. Dillingham.

W. B. BURTON, Ogden, who has been doing time in the penitentiary for grand larceny, was pardoned yesterday by Governor Thomas.

MORRISON & RILEY'S saloon at Park City, was burglarized last evening. The safe was opened with blacksmith's tools, and $100 in cash and two checks, worth $84, taken.

SAVING is the secret of wealth. Five per cent. per annum paid on savings deposits, interest compounded quarterly, at the state Bank of Utah, capital, $500,000. *

ZION'S Savings Bank an Trust Co., receives deposits on interest at 5 per cent. per annum, principal and interest on demand. W. Woodruff, president, George Q. Cannon, vice-prest. *

A FULL attendance of all members of the tabernacle choir is requested this evening at the tabernacle, to prepare for the concert to be given during conference. Hour 7:30 p. m. By order of E. Beesley, conductor. R. T. McEwan, secretary.

POSTMASTER BENTON has received advices from Washington to the effect that he will be allowed $200 per year in addition to the amount now had for mounted carrier service and $90 per year for street car fares for carriers, which will be furnished by the company for 2 cents a ride.

SERGEANT FITZMAURICE'S report of yesterday's temperature is as follows: At 5:35 a.m.—Salt Lake city, 54; Helena, 48; Fort Custer, 42; Fort Washakie, 46; Rawlins, 40. At 11 a.m.—Salt Lake city, 88; Ogden, 74; Stockton, 76; Bingham, 60; Park City, 53; Provo, 59; Alta 56; Logan, 60.

IT transpires that the three children mentioned in Thursday morning's paper, instead of being lost, were two of them, at home with their mother, and the third at the Sisters' academy, where the child had previously lived. The children had been staying at the Orphans' home, and took it into their heads to leave, "just for fun."

THERE is much complaint from foot pedestrians of reckless driving over the crossings. "In Chicago it is customary for the drivers to slacken up when they seen a person on the crossing, but here they pay no attention to them whatever," said a lady who was nearly run over yesterday. A few "head ups" by the police would correct this reckless and dangerous habit.

THE investigation into the charges brought against Officer Sullivan, was not held yesterday. Mayor Scott and members of the committee on police were present, but Councilor Heath, who was said to be the tried High Chief Complainant, failed to grace the council chamber with his presence. The case will probably be heard on Saturday, at 2. Unless other evidence than that already before the public is adduced, Officer Sullivan bids fair to come off with colors flying.

THE tailor's strike is still on. Martin Schmidt was seen yesterday, and he said that the charge that the men did not make more than $16 a week was not so, and in proof of this he opened his books, they showing that in what are known as the three dull months of the year—December January and February—the average wages paid by him to some of the men who have gone out was $21.77 and $24.66, respectively, and one of the weeks during this time one of these same men took in $29.55. The average advance asked for by the tailors is not as large as was first stated, being from $3 to $5 a suit. At present writing neither side shows a disposition to budge an inch.

WHAT might have been a much more serious wreck, but which was bad enough in all conscience, occurred last evening on the Union Pacific road, about two blocks north of the depot. The regular 7:30 passenger train was going along at its usual speed, when, for some reason that could not be explained last night, a portion of the train was derailed and commotion followed, as a natural result. The only wonder was that several people were not killed, but so far as learned, nobody was injured. One man was pretty badly mashed and others were more or less injured. The passengers were detained but a short time, when they were sent on their way rejoicing.

A SHOCKING tragedy occurred at 624 South Fourth West street, at noon yesterday. The place is occupied by Mr. and Mrs. Westring and their child, and they have lived there three months. Mrs. Westring was a consumptive, and for several weeks has been confined to her bed. At about 12 o'clock yesterday Mr. Westring went out on an errand, leaving several neighbors at the house. Half an hour later Mrs. Westring suddenly sprang from her bed and seized a knife from the table. The persons who were present thought the woman had become suddenly insane and fled, but Mrs. Westring evidently had no designs against them, as she instantly cut her own throat and expired in a few minutes. R. J. Elles, who resides in the neighborhood, notified the police of the sad affair, and an inquest will probably be held today.

THE indications are that a new bank is shortly to be started in Logan, to be known as the First National Bank of Logan. The idea prevails that the Bank of Salt Lake is behind the scheme, but what the capital stock is to be, who is to run it, and what the other conditions surrounding it are have not yet been determined upon. Work was to be commenced on the new depot yesterday (Wednesday). Monday the contractors, Bassett & Percival, came to Logan, and the work of locating the grounds and securing men began. On Tuesday the engineers were engaged in placing the exact site of the depot. The centre of the building is square in the middle of Second street. Owing to the scarcity of men here and the high prices they demand, contractors are reported to have found it necessary to send away for men to do the work.—*Journal.*

BUGGY LAP ROBES AND DUSTERS

At cost this week. Studebaker Bros., north Main street. *

TRY JOHNSON'S WINE OF WORMWOOD for the appetite. 75c. Johnson, Pratt & Co. *

A. J. WHITE,

Real estate agent, No. 57 East Second South street, Salt Lake city. *

Go to Barratt Bro.s' for furniture. *

OUR VICTORY.

Salt Lake the Packing Centre.

THE BIG STOCK YARDS

For the Inter-Mountain Country to be Located Here.

THEY ARE AT LAST SECURED.

White & Sons' Company to at Once Erect a Packing House With a Capacity of Five Hundred Beeves a Day.

It was a hard pull, a long pull and a pull altogether.

Salt Lake City has been selected as the stock yard and packing center of the great inter-mountain country.

The victory means millions of dollars to our people.

It secures the co-operation of the railroads to build up Salt Lake as a great distributing center.

The supremacy of the metropolis has at last been recognized.

All honor to the enterprising citizens who have worked unceasingly for months to accomplish the great result.

Solid trains of live stock will now be rolling into the city.

Solid trains of refrigerator cars with canned meat and cured hams will course their way to Idaho, Montana and other mining states.

The territory will now supply a more valuable product than United States senators. It will furnish meat from its own packing houses to feed the miners of the great inter-mountain country to dig out the money that rules governments.

It is a grand victory, and gloriously achieved. It is a demonstration of the survival of the fittest.

THE HERALD was the first to announce the purchase of 500 acres of land in the north part of the city to be used as the site for stock yards and packing houses.

Six weeks ago J. W. Rodefer arrived in this city and quietly went to work. Little was said, but a great deal was done. The forces were unostentatiously brought together. Mr. Rodefer did not come alone, as was evidenced at the meeting last evening, when he voted the proxies of the following important railway officials and capitalists who are stockholders in the stock yards enterprise:

Thomas L. Kimball, third vice-president Union Pacific railway; D. C. Dodge, general manager Rio Grande; L. H. Cortey, superintendent Western Union telegraph; J. S. Tibbetts, general manager Union Pacific coal department; John M. Taurston, general solicitor, Union Pacific railway; N. Merriam, Union Elevator company, Omaha; G. M. Nattinger, ex-secretary of the Omaha board of trade; S. K. Dyer, San Francisco; J. H. McAlvin, C. E.; W. F Allen, manager Mutual Insurance company; Thomas Swabe, Millard hotel, Omaha; William Flemming, grocer, Omaha; S. D. Barkalow, *Railway News* agency, Omaha; E. L. Lomax, general passenger agent, Omaha; Harry P. Deuel, Union ticket agent, Omaha; B. Silloway, proprietor of Hurray hotel, and E. W. Murphy, of North Platte, Neb.

To secure the hearty co-operation of the local business men of this city Mr. Rodefer procured ninety-one of the leading merchants and capitalists as stockholders.

The incorporators met last evening in the rooms of the chamber of commerce for organization. Governor Thomas was elected chairman of the meeting.

The capital stock was placed at $250,000, divided into 2,500 shares of $100 each, though it is believed that this will soon have to be doubled.

The principal place of business and general office of the company are to be located in the city of Salt Lake, but the company has authority to establish branch offices and yards in other places in the territory.

The officers of the corporation consist of a board of fifteen directors, president, vice-president, secretary and treasurer. The offices of treasurer and secretary may be held by the same person. The president and treasurer shall be elected from the board of directors.

The annual meeting of the directors shal be held on the third Monday in January each year.

The following were recommended as a board of directors to serve until the next annual election: Colonel D. C. Dodge, Denver, Col.; John W. Rodefer, Omaha; W. P. Noble, R. C. Chambers, Francis Armstrong, J. R. Walker, J. E. Dooly, Fred Simon, M. K. Parsons, H. M. Wells, B. F. Saunders, Charles Crane, J. H. White and W. C. B. Allen.

Ample grounds for the stock yards and packing houses have been secured.

THE PACKING HOUSE.

An important part of the stock yards project is the large packing house to be erected at once by White Sons & Company, the plans of which are already prepared, with a daily capacity of slaughtering 500 beeves and 1,000 hogs.

When it is known that the "Big Four" packing houses at Omaha, the third largest in this country are but killing 2 000 cattle a day, the magnitude of the White Sons & Company plant is understood.

In connection with this enterprise it is learned that the objects of the company also contemplate the securing of various industries and manufacturing concerns, allied to the packing business, as well as others.

The project embraces a large manufacturing enterprise. The interest taken in this industry by the prominent railway officials assures for Salt Lake rates that will make this city the distributing point for all the inter-mountain territory.

The following prominent citizens are incorporators and stockholders of the stock yards:

THE STOCKHOLDERS.

D. C. Dodge,	J. W. Rodefer,
Thos. L. Kimball, et al.,	White & Sons company,
W. P. Noble,	William Burke,
John C. C. Clanfield.	P. L. Williams,
John E. Dooly,	George M. Scott,
Arthur L. Thomas,	John W. Donnellan,
Fred Simons,	Francis Armstrong.
A. L. Williams,	M. K. Parsons,
Jacob B. Blair,	C. E. Wantland,
William H. Bowen,	F. A. Mitchell,
George A. Lowe.	Charles Crane,
Fred H. Auerbach,	Sam H. Auerbach
Harvey Hardy.	W. H. H. Spafford,
W. H. Remington,	L. C. Karrick,
Frank Knox,	Heber M. Wells,
Josiah Barnett,	V. McSilbs,
H. P. Mason,	James H. Bacon,
Wendell Benson,	L. A. Benton,
John Haley,	J. M. Rickets,
W. A. Carter,	W. H. Irvine,
J. W. Pitts,	L. S. Hills,
John Sharp,	George Arbogast,
M. L. Cummings,	T. A. Davis,
S. W. Eccles,	John T. Lynch,
C. W. Lyman,	George Y. Wallace,
C. S. Mellen,	D. C. Adams,
G. S. Holmes,	Chambers & Whitney,
R. C. Whitney,	H. S. Woolley,
Spencer Clawson,	Kelsey & Gillespie,
B. F. Saunders,	Frank H. Dyer,
C. W. Bennett,	George P. Clark,
John H. Rumel, jr.,	Henry Cohn,
Ben W. Driggs, jr.,	C. F. Annett,
J. G. McAllister,	D. H. McAllister,
Wecter & Armstrong,	John A. Groesbeck,
Wm. F. Colton,	E. B. Wicks,
W. C. B. Allen,	Joe A. Jennings,
W. S. Simkins,	Hy H. Mebay,
H. M. McCartney,	O. H. Hardy,
S. T. Rigby,	Pratt Bros.,
Samuel McIntyre,	Charles Benton,
W. L. Pickard,	Joseph R. Walker,
Wm. Babcock, jr.,	M. J. Gady.
Charles Upham,	N. W. Clayton,
L. G. Hardy,	John A. Sharp,
M. B. Buford,	J. W. Young.

The Pioneer Packers.

H. Meday, manager of the G. H. Hammond company, of Omaha, is in the city stopping at the Cullen.

The "Big Four" which control the meat packing business of the country and among the wealthiest men in the west, are Armour, Hammond, Swift and Morris. Hammond was the pioneer shipping fresh meat in refrigerator cars; first introducing it, practically, in 1870. Five years later Phil Armour adopted the scheme for handling the products of this large packing houses.

"The G. H. Hammond company built the first plant at Omaha. The plants have doubled their capacity this year. We have a line of 300 refrigerator cars which go to Boston, Portland San Francisco and Pacific slope points. Omaha is the third largest packing point in the United States. Chicago standing first with Kansas city second. But Omaha is the youngest and has shown a larger proportional increase. The Omaha houses handle 10,000 hogs and about 2,000 cattle a day, which at present prices represent $1,200,000 a week, outside of the wages paid to 1,800 employees by the four houses."

"How is the hog crop?"

"Hogs in some sections of Nebraska and Kansas will be very scarce, many of them having been marketed in very bad condition, owing to the shortage of the corn crop. This year's hog crop is about two-thirds of the average, last year being about the average. The establishment of packing houses on the Missouri river has stimulated the raising of cattle in the west. The demand is getting more and more for fat cattle; rough grass cattle can only be used for canning purposes in Iowa, Missouri and Nebraska. Nebraska cattle always command a good round price, as they make very good beef. They are now raising more and more corn in the south. The Texas ranch cattle don't cut much of a figure in the dressed beef market. Hogs are about one dollar per hundred higher than last year, being worth, with us, from $4.50 to $5.

"I don't see why they can't make a success of stock yards here, if they are run in a conservative way. Here is a big town and a good distributing point. I know there is an enormous amount of stuff used here. The packing business is an art; you cannot pick up a butcher and make a packer out of him. I should think they could do a great deal on sheep here. There is one thing that should always be borne in mind, that the country is increasing in extent every year. When we first started in Omaha we had difficulty in getting corn-fed cattle at Omaha, and had to get them from Kansas City. Now the farmers find it to their interest to feed the corn and send it to market on four feet."

Railroad to the Cannel Coal.

B. W. Driggs, attorney, on Wednesday made out the papers for the transfer of $500,000 stock on the Cannel coal deposit in Cache Valley. He says that the syndicate now in control will build a railroad at once. This coal has been coked at the Eagle foundry and pronounced the best coking coal in the west. The price paid for the valuable coal land is understood to have been $50,000.

Real Estate Exchange.

At yesterday's call there was the cheering intelligence of more buyers in the market. Many of the members wanted houses, but houses are scarce as hen's teeth and the many thousands of new dwellings do not seem to lessen the famine.

Real Estate and Business Notes.

J. M. Nelson is selling lots as usual.

Colonel Lett was chasing a big commission yesterday.

W. F. Dieter is expected to arrive in this city to day from Denver.

The Tabor opera house scheme has relaxed in its intensity.

The Kelsey-Gillespie business block is to built from the foundation up.

Beck, Stephan & Kennedy have started three houses in Temple View addition.

Several syndicates are being formed in Europe to make investments in Salt Lake.

Carroll & Kern, architects, have the plans for a three-house terrance on the Cañon road to be built by Cleghorn & Van Dyke.

Pratt Bros. report the real estate outlook as quite encouraging. They made a good sale Tuesday and had a customer yesterday after a piece of property that if sold would figue up quite handsomely in the transfers.

The Sales Made Yesterday.

Mela E. and George W. Steele to Frank Anderson, lots 1 and 2, block 1, Fairfield addition	$600
William Thompson and wife to Hyrum Thompson, part of lot 5, block 28, plat A	1
Atwell L. Burr and wife to C. L. Fletcher, lots 1, 2, 3, 4, 47, 48, plat I, Salt Lake Park	900
Nephi S. Timpson and wife to Sarah Ann Daft, part of block 51, plat C	1,000
E. G. Matthews to J. G. Adair, lots 32 and 33, block 2, subdivision of block 102, plat C	600
J. E. Langford and wife to D. Flanders, lots 3 and 4, block 2, subdivison of block 102, plat C	416
J. G. Armstrong et al. to Kate W. Green, lot 13, block 1, Park Beale add	450
R. L. Walker to Adolph Morthander, lots 6, 7 and 8, block 13, Draper survey	218
George M. Cannon and wife to Bagley Harris, lot 37, block 3, Forest Dale	225
H. M. Bacon to Frank W. Ross, lots 1, 2, 3, 4, 5, 14, 15, block 46, ten acre plat A	32,000
J. E. Langford and wife to Daniel Ryan, lots 1 and 2, block 2, subdivision of block 102, plat C	483
H. E. Parry to G. E. Emery, lot 4, block 3, Rural subdivision	650
Edwin W. Senior and wife to Aladir Holbander, lots 1s and 21, Garden City plat A	100
Lewis P. Kelsey et al. to Frank H. Dyer, one-fourth interest in lots 15 and 16, block 4, five-acre plat A, Big Field	3,750
John J. Daly and wife to Frank H. Dyer, one-fourth interest in lots 2, 3 and 4, block 3, five-acre plat A Big Field	1
E. D. Jones et ux to Paul Swanson, lots 60 and 63, Liberty Park addition	800
S. B. Westerfield to W. S. Crismon, half of lots 1 and 2, block 1, plat J, on South Temple, between U and V streets	5,000
Peter A Peterson and wife to Thomas C. Aldrich et al., part of section 15, township 1 south, range 2 west	1
W. S. Crismon et al. to S. B. Westerfield, one third interest of lots 1, 2, 3 and 4, block 118, plat B, on South Temple, between U and V streets	5,000
Ralph Zarcky and wife to Mrs. Minnie Callaway, lot 6, block 14, plat A, Big Field survey	12 000
George W. and Christina Hedger to William Helme, part of lot 5, block 37, plat B	700
George M. Scott et al., trustees, to G. F. Putnam, part of lot 2, block 73, plat A	2,500
John Raab et al. to James K. Johnston, lots 3 and 4, block 2, plat C, Cummings' subdivision	650
William Allison to William J. Dean, part of lot 15, block 1, five-acre plat A, Big Field survey	1,400
Total	$ 64,245

EDGEWOOD LOTS ON THIRD EAST—Best opportunity ever yet offered. Two blocks from electric cars; $300 each, $12.50 per month. W. E. Hubbard, 150 Main.

EDGEWOOD—The cream of the addition property. Lots $300 each, $12.50 per month. Selling rapidly and to parties that will build at once. W. E. Hubbard, 150 Main.

EDGEWOOD—Just put upon the market. Lots $300 each, $12.50 per month. Do not fail to see them. Only a few to be sold at above terms. W. E. Hubbard, 150 Main. *

WHAT WILL IT BE?

A Question to be Answered This Morning at 9.

THE EVIDENCE OF YESTERDAY.

The Case Sent to the Jury at 10:30 Last Evening —The Strong Arguments Made on Both Sides.

The Wyman murder trial was resumed in the Third district court yesterday morning. There was the usual large attendance of witnesses, and the proceedings were watched with close attention.

Mrs. Duke was recalled and testified that Wyman's reputation for peace and quiet was good, and previous to this affair she had never known of his having had any trouble with anyone.

John McVicker testified that he had known the defendant for several years and his reputation for peace and quiet was excellent. He had never heard him use bad language of any kind.

S. J. Pollock testified that he had known Wyman for eight or ten years and his reputation for peace and quiet was good.

THE DEFENDANT' STORY.

Charles M. Wyman, the defendant, then took the stand. He testified: I am thirty years of age and was born in Cleveland, Ohio, where I was educated. In 1876, I accompanied my mother to California, and remained six months. I then returned to Cleveland, and in eight months our family removed to California, and stayed there about a year. I then returned to Cleveland and commenced the study of law. A year later I came to Salt Lake. In February, 1885, I was admitted to practice at Denver, where I went from this city. I then went to Rico, Colorado, and became probate judge of the county. In 1888 I returned to this city and opened a law office, and at one time was the bailiff in charge of the law office of this court. I afterwards went out to Ophir, where I prospected and did some legal business. Just previous to the killing of Kelly I was engaged in prosecuting a charge of perjury against McAffee, in which Mr. Condon defended. On the day of the trial, Condon asked me to show him the location of certain points which were referred to in the trial. I did so, and while we were walking he said there were two factions in Ophir. I said I did not know of this. I also stated that Kelly had been a good friend to me. The case referred to was concluded in the afternoon, and the defendant, who was a brother-in-law of Kelly, was held to await the action of the grand jury. In the evening I was looking for Mr. Condon to say good bye, and I met Mr. McTierney, who asked me to go to the hotel. I walked up there, but seeing Kelly and McAffee there, I went back to my room. In a short time I went back to the saloon, a distance of about one hundred and fifty feet. There was quite a crowd in there and I walked to the rear of the place. Mr. Condon, who, as I expected, was there, soon came up to me and asked me to take a drink. I told him I did not drink, but finally consented to take a glass of cider, while we were standing at the bar. Kelly came up to us, and addressing me said: "Charley Wyman, I want to tell you what I think of you in the presence of this man." I said nothing, and he asked: "Have I always been a friend of yours?" I replied that he had. Then he said, "Didn't I keep you from starving on Lion hill last winter?" I replied, "No, sir;" and he then said, "You are a contemptible little puppy and a dirty little s— of a b——." He stepped back a step, while I turned around and went outside. In going out I passed Mr. Condon, but did not speak to him. I did not say "No s— of a b—— can talk to me like that." I left the saloon before Condon did, and went to my cabin in search of some weapon. I picked up the rifle and returned to the saloon. I stood with one foot on the threshold, the but of the gun on a line with my hip, and the muzzle elevated towards the ceiling. When I looked in I saw Kelly standing directly in front of me, about fourteen feet distant. I said, "Jim Kelly, you have got to apologise for calling me a s— of a b——. Take it back." I at once saw a movement of the crowd towards me and the next instant the gun was struck out of my hands. When the gun was hit it was discharged. It all appeared to be one act. I thought that some one had shot at me and had shot the gun out of my hands. I did not see Kelly fall. At no time did I aim the gun at Kelly. When I stood in the doorway it was elevated so that the bullet would have gone into the ceiling. I was very careful not to aim it at Kelly. When I got the gun I proposed to frighten Kelly into withdrawing the remark he had made. I had no thought of shooting Kelly. I was greatly excited. I supposed that when I appeared with the gun, Kelly would instantly withdraw the remark he had made.

To Mr. Critchlow—I have lived principally in the west since 1879. I did not go into the hotel on the night of this trouble, because I saw Kelly in there and feared he might make an assault upon me I am positive that Kelly called me a s— of a b—— in the saloon. I never told Condon, after the shooting, that if he had stopped me when I passed him on the porch the thing would not have occurred. My motive in leaving the place was to get out of the saloon. I don't know at what instant I got the motive to get the gun. My only intention was to frighten Kelly, but I did not consider whether it would be safe or not for me to draw the gun unless I intended to shoot. I had no doubt but that he would apologize. I had no idea as to what I would do if Kelly didn't retract. As soon as I left the door, I turned back and looked in, and then discovered that Kelly was hit. Just when the shot was fired, I saw a man named Parmenter rushing towards me, and I did not see Kelly at that moment.

To Judge Powers—I do not remember cocking the gun at all on the night of the shooting. A few evenings before that a boy was in my place fooling with the weapon and I made him put it up.

THE INSANITY DODGE.

Harry Wyman testified—I reside in this city, am an attorney at law, and a brother of the defendant. My mother died in an insane asylum near Cleveland.

H. W. Lawrence testified that he had known the defendant in a general way four or five years. His reputation for peace and quiet, prior to this agair, was good.

Adjourned until 2 p.m.

ALMY AS AN EXPERT.

Upon re-assembling in the afternoon T. J. Almy was called as an expert on fire arms. He testified—In my opinion it would be impossible for a man to aim a gun at an object, fire the gun and drop it at the same time.

Mr. Dickson then offered in evidence the testimony given by Thomas Gaffany at the coroner's inquest. The prosecution made no objection and the testimony was substantially as follows: I was in the saloon on the night of the shooting. Kelly and Tolman had a quarrel and a few minutes after I saw Wyman come to the door with a gun. I struck it with my hand and felt it go off.

T. F. Marlow was recalled by the prosecution and testified—I did not say I saw Gaffany strike the gun which Wyman held, but immediately after the shooting I heard him say that he struck the gun. I heard him repeat the statement in Stockton the next day. He also said that if he hadn't struck the gun it would not have gone off.

Mr. Tyrrill was recalled and testified—I was not present when Gaffany testified before the grand jury.

James McTierney was called by the prosecution and testified—I was in Ophir at the time Kelly was killed. I was at the hotel when Condon came in.

Mr. Dickson objected to this witness testifying to what Condon said to him in the hotel, and the objection was sustained.

J. F. Jack testified that he acted as clerk of the grand jury for the December term 1889, when the Wyman case was investigated. He had no recollection of the testimony independent of the record, which was written by him.

John T. Lynch testified that he was foreman of the grand jury during the December term 1889, when the Wyman case was under investigation.

Peter McEvoy testified that he was looking at Kelly when he shot was fired. The witness was so indefinite that his testimony was ruled out by the court.

THIS CLOSE THE TESTIMONY

for both sides and the opening arguments for the prosecution was made by Mr. Hamilton. He commenced by defining the various degrees of murder and manslaughter, and then called attention to the positions of Kelly, Wyman and the witnesses in Frank's saloon on the night of the tragedy. He then reviewed the evidence of each witness and claimed that the whole of the testimony showed that a deliberate murder had been committed by the defendant, and he urged the jury to do their duty under their oaths and return a verdict of guilty of murder in the first degree.

Mr. Dickson then opened for the defense and made a brilliant argument. He occupied the entire time in discussing the evidence, commencing with that of Condon. He held that that gentleman's was full of glaring inconsistancies and severely criticised that gentleman. In closing, he claimed that nothing more than a verdict of involuntary manslaughter could be found.

A recess was then taken until 7:30 p.m.

In the evening every seat in the court room was occupied, and the crowd was so large that many were unable to find seats. Among the spectators were a number of ladies who wished to hear the arguments in the case. Judge Powers made the closing address for the defense, and it was the general opinion that his argument was one of the ablest ever made here in a criminal case. He commenced by carefully analyzing the evidence and marshaling up the facts in logical array to support the theory of the defense that Kelly's death was due to the accidental discharge of the rifle in Wyman's hands. The crime charged by the prosecution was one that was contrary to the defendant's whole life. The evidence showed that Wyman had always been a quiet, peaceable citizen, a student and a gentleman. When Kelly used that terrible language to the high strung, nervous Wyman, casting an imputation upon his honor and reflecting upon the memory of his sainted mother, but one thought filled the defendant's heart, and that was to make his assailant retract. The idea that a show of force would produce this result, he got his rifle from his cabin and hurried back to the saloon. On reaching the door a rush was made towards him and the hand of Gaffany struck the gun down and it was discharged. Mr. Wyman did not, of his own volition, fire that fatal shot. If he had no murder in his heart, if he intended to kill no one, if the shot was purely accidental, then he was guilty simply of a misdemeanor, and long months which Wyman had spent in his lonely cell had been punishment enough for that offense. Judge Powers closed his argument by making an eloquent and fervent appeal to the sympathy of the jurors and urged them to return a verdict of not guilty.

At the close of his argument a loud burst applause ran through the court room and Judge Zane immediately called for order, which was finally restored. The court made an effort to ascertain who the parties were who committed this breach, but did not succeed.

Mr. Critchlow then made the final statement of the case, and it is only fair to say that his argument was the effort of his life. His review of the case was calm and dispassionate, but his logic was merciless. Mr. Critchlow concluded his address at 10:15 and Judge Zane at once proceeded to charge the jury. He first defined murder in the first and second degree, voluntary and involuntary manslaughter. The remainder of the charge was generally considered to be somewhat favorable to the defendant.

The jury retired at 10:30 and the attorneys gathered in groups discussing the case.

At 11:30 it was conclued to wait no longer for a verdict, and it is expected that the jury will be in court this morning at 9.

FALL MILLINERY OPENING.

Thursday and Friday, September 25 and and 26, the very latest noveities will be shown. Ladies cordially invited. Mrs. M. J. Burrows, 18 Main street. *

PETERSON & BROWN, "THE SIGN PAINTERS"

Have the exclusive card and advertising privileges of the Fair. Parties making displays should call early and avoid the rush; 63 West First South. *

NOTICE.

For fresh and dried fish or fresh and dried fruit, finest teas, coffees, family groceries and vegetables give trial order to

JOHN DEAN SWIFT,
54 West Market Row.

Signs—Peterson & Brown, 63 W., First South street. Advertising glass signs by the dozen or 1,000. †

The ladies should not fail to visit the millinery establishment of Simon Bros. on the days of their fall opening. SIMON BROS.*

Men's riveted 9 oz blue overalls reduced from 75c. to 60c., at

† PEOPLE'S EQUITABLE CO-OP.

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Dr Ira Lyons, 42 West. Third South.

We have received the latest novelty in dress material and trimming and are now ready to take orders. SIMON BROS. *

"IVORY PATENT" AND "ROYAL GORGE" excel all other flours in quality. Ask your grocer for it. *

Grand opening of millinery goods and pattern hats and bonnets at SIMON BROS.*

We have this season devoted special care to the selection of our different lines of underwear and hosiery. SIMON BROS. *

E. F. Copeland's shoes, of Brockton, Mass., in styles and finest grades.

GEO. A. ALDER & SON, sole agents.
* No. 46 E. First South street.

"Mora" bouquet and crab apple blossom perfumes at

BAST-TERRY MER. CO.,
* Hatters and Furnishers, 142 Main St.

New styles in neckwear for the fall season now ready.

BAST-TERRY MER. CO.,
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can learn something to their advantage by calling at Pratt Bros. real estate office 55 West First South street.

We are also prepared to place from $1,000 to $50,000 in good loans with profitable interest.

More than 50 per cent. of these who have purchased properties through our agency have increased their investments from 25 to 300 per cent.

PRATT BROS.
Real estate office No. 55 West First South street.

The Lace-House New Goods in Every Department. We invite inspection. Date of Fall opening will be announced in a few days *

DRESS MAKING.

Madam Bradley has just returned from Chicago and is prepared to do dressmaking in all the latest styles. All work guaranteed. Parlors, 83 Cañon road, block and a half north of Eagle gate. *

J. S. JENSEN, JEWELER.

Finest stock of watches and chains. 22 E. First South, Salt Lake. *

Children's and infants' knit underwear and cloaks at SIMON BROS. *

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Ladies desirous of joining Ladies' Choral society please apply at Calder's. Terms, $5 per month. *

WANTED.

To lease or rent, a hall, to be used one night a week. Address 59 South First East

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Made under authority of Congress by the Chemical Division of the Department of Agriculture, Washington, D. C., and recently completed,

Shows the Royal Baking Powder to be a cream of tartar baking powder of the highest quality, superior to all others in strength, leavening power and general usefulness.

The Royal Baking Powder is thus distinguished by the highest expert official authority the leading Baking Powder of the world.

AMUSEMENTS.

"The Vagabond" wound up its engagement to a light house last evening.

Mr. Couldock is expected to arrive from New York by to-day's train. He has a quiet room booked at the Continental.

Mr. Rudy, advance man of Hoyt's "Trip to Chinatown," is in town. His show follows him next week and Hoyt himself will accompany the company.

Scanlan opens at the theatre to-night. The advance sale is good.

"The Golden Plough," rendered by the Lyceum Dramatic, Wednesday evening, is very well spoken of. It drew a large house, and several repetitions are contemplated in the various wards.

The juveniles appear on Monday night, next, in "Billee Taylor." The reserved sale begins to-morrow, and the indications are that they will draw a big house.

NOTICE TO BUILDERS.

Bids will be received up to noon, October 3, for building a boiler house at the Deaf Mute building. Plans and specifications can be seen at the University.

WILLIAM WARD, Architect.

REMOVED.

John C. Cutler & Bro., agents Provo and Deseret woolen mills, have removed temporarily to 29 S., West Temple street, opposite Grant Bros. Co. stable. Home-made wooten goods, wholesale and retail, gents' suits made to order from our celebrated cassimeres. Call and see us. *

E. F. Copeland, Brockton, Mass., manufacturer of finest grades of men's shoes. Geo. A. Alder & Son, sole agents.
* No. 46 E. First South street.

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G. F. Culmer & Bros. will rent their handsome store they are now building at 20 and 22 E. First South street, with nearly 7,000 feet of store room, handsome show window, and the best location for retail business in the city. Apply at once. *

SCHOOL PROPERTY FOR SALE.

Bids will be received by the Board of Education, of Salt Lake city, for the purchase of 9x10 rods off the west end of lot 7, block 65, plat A, with right-of-way over the 36-feet street to same. Right reserved to reject any or all bids. This lot adjoins the Utah & Nevada depot grounds. Address J. B. MORTON,
* Clerk of Board.

TAGGART & CHAMBERLAIN

Have the largest and best selected stock of pianos and organs in Utah. Prices low Call and see us at 324 Main street. *

A BARGAIN.

A good concert grand piano, had four years use, cost $800, will sell for $325. At 166 E, Fifth South street, S. L. city. *

Thirty houses and cottages for sale cheap. Come in and make the terms. We have the houses. Chas. L. Crane & Co., under Bank of Salt Lake. *

MERCHANTS' LUNCH 25c,
Arcade restaurant, 11 to 2 daily.

REAL ESTATE.

Knowlden & Co., Wasatch building, wants two loans—one of $1,000 and one of $2,000—at 10 per cent., on gilt edge security. †

JACKSON, LUDLOW & CO

pay highest price for hay, grain and produce. Goods delivered promptly at lowest prices and satisfaction guaranteed. No. 50 W. First South. *

The Troy Steam Laundry is famous for its excellent work.

TROY STEAM LAUNDRY,
Telephone 122 * 142 Main St.

Angell Bros'. lumber yard, No 625 Firs East. *

UNION PACIFIC SYSTEM.

GRAND EXCURSION

— TO —

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— AND RETURN. —

Friday, September 26, '90.

Special Train will leave Union Pacific Depot at 8 a.m.

FARE FOR ROUND TRIP ONLY $2.50

Tickets will be good for return for three days. For particulars call at the Union Pacific office 201 Main street, Wasatch building.

S. W. ECCLES,
General Passenger Agent.

WANTED,

On the Utah Central Railway,

CARPENTERS

— AND —

TRACKMEN.

GOOD WAGES.

Apply at the depot or at the office, opposite Eagle Gate.

WAIT FOR IT!

SALT LAKE THEATRE.

CHAS. C. BURTON, - - MANAGER.

The Juvenile Opera Company will present the Charming Comic Opera,

Billee Taylor!

Monday, September 29,

ONE NIGHT ONLY!

Billee Taylor	Ruby Clawson
Phoebe Fairleigh	Edith Ellerbeck
Arabella Lane	Ardie Cummings
Susan Scraggs	May Goldberg
Rep Barnacle	May Hollander
Captain Flapper	Della Daynes
Sir Mincing Lane	Fred Butler
Christopher Crabb	Spencer Squires
Eliza Dabsy	John Taylor

Grand Chorus of 65 Voices. Elegant New Costumes. Full Theatre Orchestra.

USUAL PRICES. Box Office Open on Saturday, September 27.

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