

(Continued from Page 617.)

purpose of disposing of the property of the one and winding up the affairs of the other: asking in these suits to escheat to the United States large amounts of property alleged to be held by these two defendants. At the time of this writing nothing has been done in these cases further than to appear and answer the complaints. What the result of these cases will be, we, of course cannot now say. It is proper, however, that we should speak upon this important proceeding and let the Saints know how the cases stand.

The Perpetual Emigrating Fund Company, as all of you well know, was conceived and organized for but one purpose, namely, to aid the poor of our people in their humble efforts to gather with their brethren. It has been for this charitable purpose, the object of the generous bounty of the Latter-day Saints, but at no time in its history has it owned any real estate, or any personal property, save sufficient for its absolute needs each succeeding year. The Church on the other hand has been the owner of property, the gifts and bequests of an earnest, sincere people, made for the purpose of aiding in the propagation of the Gospel of our Savior Jesus Christ. The effort now being made by our government to dissolve or wind up these associations and escheat their property, is the first of the kind in the history of our people, and is believed to be without historical precedent in this country. When we say we shall watch these cases with deep interest, the Saints will readily believe that it is not alone for the property involved in these suits, but also for the principles and rights that are at stake.

OUR SETTLEMENTS IN ARIZONA.

The intelligence which reaches us from our settlements in Arizona is encouraging; and we note with pleasure that the people of the settlements at St. Johns and Woodruff have conquered some of the difficulties with which they had to contend, and which made their position very trying. Indeed, the news from all the States there is gratifying.

IN IDAHO.

In Idaho, though our people pay taxes and support the schools, every one of our faith is denied the privilege of acting in the capacity of a school trustee or teacher, and no one with our belief can take the test oath that has been prescribed by the Legislature. The situation of the people there is one that excites great sympathy. They are practically denied the rights of American citizens through the infamous test oath law which was enacted by the Legislature. It is very trying to their patience and bears heavily upon them. But the day must come when they will be relieved from the operation of this infamous law.

IN COLORADO.

In San Luis Valley, Colorado, the efforts of our people to open and cultivate farms, and to surround themselves with the necessities and comforts of life, are meeting with gratifying success. This is the more noteworthy because of the fact that the great bulk of settlers there have moved from a warm climate and have not had experience in battling with the difficulties that have to be met in the building up of new settlements in an untried soil and climate. Like the Saints in Wyoming, those who reside in Colorado have always received fair treatment and encouragement and kind consideration from their neighbors and the officials of the State.

IN MEXICO.

Our settlements in Mexico are progressing favorably and are gradually being strengthened, both at Diaz and Juarez. At the places named and in the Sierra Madre Mountains near the latter, we have nearly one hundred and fifty thousand acres of grazing, timber and agricultural lands.

The country is well adapted to stock-raising, as the grasses are of good quality and great variety, while the climate is uniform, the temperature seldom reaching higher than 85 degrees or lower than an approach to the freezing point. The facilities for making comfortable homes there are excellent, the land, water and timber being good. A fine steam saw, shingle and lath mill, and a planer and moulder, are in operation, affording building material within easy reach of Juarez.

The treatment of our people by the national and state officials in Mexico and her citizens generally, has been cordial and hospitable. By word and act they have encouraged colonization in the Republic. The settlements in Chihuahua afford abundance of room for several hundred families and they could live there in peace, and by ordinary habits of industry would soon make themselves prosperous and happy. The Mexican Mission was opened in 1870, and the Church now has quite a large following of native Saints, mainly located in and about the national capital. The Book of Mormon, Voice of Warning, and numerous pamphlets have been published in the Spanish language and are being distributed according to ancient predictions. Thus the truth is being spread abroad among the seed of Israel through the means of the record of their fathers, as well as by the preaching of the Elders.

THE ALBERTA COLONY.

Recent letters from President Charles O. Card, in charge of our colony in Canada, contain information of a gratifying nature. The soil upon which

they are located is said to be very productive, and the grain and vegetables produced are of excellent quality, and range for stock is abundant and nutritious. The colony is preparing for winter, and the families composing it will soon have their houses completed. They have opened a fine vein of coal within three miles of their settlement, which is on Lees Creek, Alberta, Canada.

The treatment accorded the Saints there, by officials and people, has been considerate and kind, and the prospects for improvements and prosperity are good. Brother Card would be glad to have any of the Saints, contemplating a change of location, to join him, in that land, and we will gladly approve efforts in that direction.

We may be led, hereafter, to call some of the brethren to go there with their families, to aid him in developing the resources of that goodly land.

CONCLUSION.

We cannot refrain from expressing to you our own feelings of thankfulness that we live in such an age, and that God has bestowed upon us His Holy Priesthood and has permitted us to take part in His great work. We are thankful that we are associated with this people called Latter-day Saints; that we live in a day when Prophets and Apostles have been raised up in the Church of Christ; and that God has stretched forth His hand to fulfill His great and marvelous purposes which have been predicted by the mouths of the holy prophets since the world began. We testify in the name of our Lord and Master, Jesus, that this is the great work of which the prophets have spoken, that God is the founder of it, and that it will stand forever, and accomplish all that has been predicted concerning it. Zion is established and will be redeemed. And it is our continual desire unto God that His people may be faithful in keeping His commandments and doing His will, so that they may be accounted worthy to stand, and their children after them, and inherit the great blessings which He has to bestow upon the faithful. The day is not far distant when our Lord and Savior will be revealed from the heavens, and we should live in constant expectation of this great event, and seek, with all the energy and power that we can exercise and obtain, to prepare ourselves, our households, and, as far as we have influence, the inhabitants of the earth, for His glorious appearing.

Your Brother,

WILFORD WOODRUFF,
In behalf of the Council of the Twelve Apostles.

FROM SATURDAY'S DAILY, OCTOBER 8.

SNOW.

A Conference visitor in from Wyoming reports that it has snowed steadily for three days at Evanston and west of there to Weber Cañon, winter having thus unquestionably introduced itself in that region for the season. Our guests find it somewhat different here and seem to enjoy the change.

Returned Missionary.

Yesterday evening we had the pleasure of meeting Elder F. C. Banks, of Pleasant Grove, late missionary to the Southern States. Elder Banks, pursuant to appointment, left Salt Lake City on the eleventh day of October, 1886. On reaching his destination he was appointed to labor in the eastern part of Tennessee, where he remained, meeting with fair success and enjoying his labors, until he was released to return home. He arrived in this city on the 26th of September last, in the enjoyment of excellent health and feeling thankful for the privilege of again shaking hands with his relatives and friends in Utah.

Sunday School Conference.

The Deseret Sunday School Union held a general meeting at the Tabernacle last evening, there being a very large attendance. The speakers were Assistant General Superintendent George Goddard, Superintendent John C. Cutler, Salt Lake Stake, John Lewis, Maricopa Stake, Arizona, J. Pugmire, Bear Lake Stake, David John, Utah Stake, Elder Wixom, Box Elder Stake, President John R. Mordock, Beaver Stake, and Elders Karl G. Maeser and C. F. Wilcox, who commented on the flourishing condition of the Sunday schools, and made encouraging remarks to those engaged in this great cause. An excellent spirit prevailed at the meeting.

First District Court.

The following business was transacted at Provo yesterday:

The case of the People vs. A. B. Wilgus, burglary, was concluded, and went to the jury in the afternoon. A verdict of not guilty was rendered.

The case of the U. S. vs. John Harris, for unlawful cohabitation, resulted in a conviction.

Judge Emerson, Judge Bennett, Arthur Brown, ex-Prosecuting Attorney Dickson, J. N. Kimball, of Orderville, Judge Hoge and Judge Powers are in attendance at court, most of them as witnesses in the case against Maurice McGrath, indicted for stealing some notes of the court reporter in the famous Bullion-Beck case.

Loren J. Nelson, Miles McNoy, Joseph Barton, Henry Coats and Richard Brown were admitted to citizenship.

The grand jury returned two United States and two Territorial indictments.

Arizona Affairs.

A letter from St. Johns, Arizona, states that the term of court recently held there was a very satisfactory one to those who believe in law and order. Judge Wright presided. Among the proceedings were the following: Eben Stanley and N. Barth, convicted of fraud, were assessed a light fine on condition of their leaving the Territory; Juan Carillo got five years in the penitentiary for murder; one Clark, for murder, was sentenced for life; Francisco Baca, for robbing a safe, got ten years at Yuma; Phineas Clayton got ten years for larceny. With this cleaning out the people feel freer, as some of the convicts were hard cases. Some others are held for the next term and others are non est.

Crops are good and the people feel much encouraged.

HOMICIDE IN SILVER CITY.

Bert. Eather Does Deadly Work with a Revolver.

SILVER CITY, Juab County, Utah, October 8th. [Special to the DESERET NEWS.]—Bert Eather shot and killed Mike Flaherty in Mammoth Hollow last evening. Flaherty and a man named Leach were drinking in a cabin and Eather was carrying liquor from the saloon for them. Flaherty, Donahue and Leach got into an argument about something, when Eather reached over with his pistol and fired at Donahue. The latter was not hurt but the report stunned him and blew the candle out. The pistol was so near him that his forehead was powder-burned. Donahue found the candle and lighted it when Eather reached over and shot Flaherty, killing him instantly. Eather came to Silver City, walked into the saloon, and said he had killed a couple of Chinamen. He went to Provo last night and gave himself up to the United States Marshal.

When Eather was taken into custody by the deputy at Provo, he stated that he had shot two men, one known as Donahue and the other as Coffey. He said he had had a row with them about the Tintic lynching affair, Eather having been an important witness for the prosecution in the trial of the lynchers, who had many friends at Silver City.

THE MUIR CASE.

Mr. Muir and his Plural Wife Before the Commissioner.

The hearing in the case of the United States vs. Wm. S. Muir, charged with adultery in having lived with his plural wife, was taken before Commissioner Norrell to-day. Mrs. Lucy Darke Muir was also accused of fornication in living with her husband.

Mr. Muir pleaded not guilty, and the witnesses were sworn.

Mr. Young objected to the legal wife and Mrs. Lucy Darke Muir, the plural wife, being compelled to testify; the objection in the latter case was on account of Mrs. Lucy Darke Muir being a defendant in the same case.

Mr. Clarke opposed the objection. He insisted that in the case of Mrs. Lucy Darke Muir, no confession she might make could be used against her. The section of the statute providing for this is as follows:

"SEC 860. No pleading of a party, nor any discovery or evidence obtained from a party by means of a judicial proceeding in this or any foreign country, shall be given in evidence, or in any manner used against him or his property or estate, in any criminal proceeding, or for the enforcement of any penalty or forfeiture. Provided, that this section shall not exempt any party or witness from prosecution and punishment for perjury committed in discovering or testifying as aforesaid.—Revised Statutes of the United States.

Mr. Young insisted that the provision in the Constitution, protecting a witness from giving testimony that would tend to criminate himself, could not be overridden. The section of the statute referred to could not be made to apply in this case.

Mr. Clarke claimed that this was a prosecution in a United States court, and that the congressional statute was absolute.

Mr. Young replied by quoting United States Supreme Court decisions, that the courts in this Territory were not United States courts, and that the local statutes regulate the procedure in the local court.

The objection to Mrs. Lucy Darke Muir's testifying was sustained.

Miss Lillie Muir testified—The defendant is my father; my mother's name is Lucy Muir; between March and September, 1887, my father has lived at the house where mother lives; I occupied the bed with my mother part of the time; my father has been in England since March last; returned on the third of August.

S. H. Lewis testified that he had heard the defendant testify in the prosecution against him in the Third District Court.

This testimony was objected to by the defense, as the record of the court would give Mr. Muir's exact words.

The objection was overruled. Witness continued—Mr. Muir stated he was living with and occupying the same room with Mrs. Lucy Darke Muir.

To Mr. Darke—The question was

not put as to the time of the indictment.

Miss May Muir, the defendant's daughter, testified that her father had not been at her mother's home to stay during the past two months.

Mrs. Elizabeth Staples Muir and several others testified, but no additional facts were elicited.

At the close of the hearing, the Commissioner announced that defendant, Wm. S. Muir, would be held in bonds of \$2,000, and Lucy Darke Muir in \$1,000 to answer to the grand jury. The bonds were given.

COMMERCIAL.

The Stock, Money, Groceries and Provision Markets.

DESERET NEWS OFFICE,
Salt Lake City, Oct. 10, 1887

SALT LAKE MARKETS.

Corrected daily by Leading Houses.]

PROVISIONS.		
	Buying	Selling
Whole Wheat Flour.....	2 70	2 75
High Patent Roller.....	2 80	2 75
Patent Roller.....	2 25	2 50
Flour, XXX.....	2 00	2 25
Flour, XXX.....	1 75	2 00
Wheat per bu.....	65	80
Oats per 100.....	1 20	1 50
Barley per 100.....	1 00	1 25
Barley Cracked.....	1 15	1 40
Corn.....	1 20	1 40
Corn Cracked.....	1 35	1 50
Potatoes per bu.....	30	50
Rye per bu.....	1 00	2 25
Field Peas.....	1 00	1 25
Squash per ton.....		10 00
Mangles per ton.....		10 00
Lucern, seed, 100b.....	6 00	7 00
Brass per 100.....	50	1 00
Shorts per 100.....	50	1 00
Timothy seed, 100b.....	6 50	7 50
Red top seed, 100b.....	6 50	7 50
Clover seed, 100b.....	10 00	12 50
Hay, timothy, baled per ton	14 00	18 00
Hay, timothy and clover,		
per ton (baled).....	14 00	18 00
Hay, lucern, per ton (baled)	9 00	13 00
Lucern, (loose).....		4 00
Hay, redtop (loose).....		12 00
Hay, timothy, (loose).....		12 00
Beans per 100.....	3 00	4 00
Carrots per bushel.....	25	35
Onions per bushel.....	75	1 50

GROCERIES.		
	Buying	Selling
Eggs per doz.....	18	20
Table butter, superior.....	25	30@35
Cooking ".....	17	20
Home Cured Breakfast		
Bacon.....	11 1/2	13 1/2
Home Cured Side Bacon.....	9	11
H. M. Cheese.....	12 1/2	15
Honey, Utah pr lb.....		8
Molasses, Utah pr gal.....		60
Salt, per 100 lb.....		60
Vinegar, 60 grain.....		35
Valley Tan Beans.....	2	4

FRESH MEATS.		
	2c.	Dressed
Beef, choice steers, 2c. gross, selling		4 1/2c.
" medium " " "		4c.
Cows, " " " "	1 1/2c.	3 1/2c.
Sheep, " " " "	9c.	4c.
Hogs, " " " "	4c.	7c.
Home cured hams,		15c.
Bacon, " " " "		11

BIRTHS.

IRWIN.—To the wife of Joseph Irwin, of Lake Town, Rich County, Utah, on Sunday evening, Oct. 2, 1887, at 11:05 o'clock, a son. All well.

DEATHS.

GIBBS.—At West Portage, Oct. 1, 1887, of diphtheria and tetanus James Edwin, son of James Hyrum and Sarah Maria Gibbs, aged 11 months and 19 days.

HARRIS.—At West Portage, Sept. 25th, 1887, of scarlet fever, Parley Browett, son of Enoc and Jane Ann Harris; aged 5 months and 6 days.

POOL.—At Dayton, Oneida County, Idaho, September 21, 1887, Peter John Pool, aged 64 years, 2 months and 10 days. Brother Pool embraced the Gospel in Prince Edward's Island, British America, in the year 1844. Was one of the members that sailed in the ship Brooklyn, with his mother and sister, under the leadership of Elder Samuel Brannon, in the year 1846, to California. He lived there until the year 1850, when he moved to Franklin, Cache Valley. He was one of the first settlers of Franklin. There he labored faithfully to build up that place. In 1871 he moved from Franklin to Dayton, where he lived until his death.

Brother Pool was a man that was greatly respected by all who knew him. He was a faithful and true Latter-day Saint.—Utah Journal.

PHILLIPS.—At South Hooper, October 1, 1887, of hepatic colic, John Dee, son of Edward and Hannah Simmons Phillips, aged 41 years, 8 months and 2 days.

Deceased was born at Nauvoo, Hancock County, Ills. Moved with his parents to Winter Quarters in 1846, from there to Utah in 1849, and settled in Kayville in the spring of 1850, where he made his home until a few years prior to his death. He was ever ready to obey any call made upon him where his services were required to assist or defend his brethren. He was a volunteer to assist in protecting the settlements in Snake from the depredations of the Indians. He took a load of flour from Salt Lake City to Dixie to help the Saints there in a time of scarcity. In the summer of 1868 he went to Laramie with others to assist the "Mormon" immigration from that point. He was a kind husband and an indulgent father and died in full faith of the Gospel. He leaves a wife and a host of friends to mourn his loss. He was buried from the Kayville meeting house, Sunday, October 2d. A number of the brethren made consolatory remarks, and all testified to the many good qualities of the deceased. The remains were followed to the cemetery by sixty vehicles.

DOYDEN.—In the Seventeenth Ward, this city, at 10:30, October 5, 1887, of diphtheria

Horace H., eldest son of Edwin and Naomi Dowden. Born April 26th, 1881.

JENSEN.—At Castle Dale September 17, 1887, of tetanus, Francis, son of John J. and Sarah Jensen, aged 6 months and 3 days.

MASON.—In Egri, Bingham County, Idaho, August 17th, 1887, of heart disease, Louis Charles, son of James H. and Clara E. Mason. Born May 14, 1873. *Millennial Star* and Utah papers please copy.

WILLIAMS.—John Done Williams, an aged veteran who for over thirty years past has resided in Farmington, died there August 20, 1887.

He was born in Modresfield, Worcester-shire, England, March 11, 1813, and baptized Sept. 19, 1842. He presided for some time over a branch of the Church in Worcester, emigrating from there to Utah in 1853.

Brother Williams was very prompt and zealous in the performance of all his duties and died as he had lived a faithful Latter-day Saint. He leaves no family except an aged widow.—[Com.]

PERSONAL.

Mr. N. H. Frohlichstein, of Mobile, Ala., writes: I take great pleasure in recommending Dr. King's New Discovery for Consumption, having used it for a severe attack of Bronchitis and Catarrh. It gave me instant relief and entirely cured me and I have not been afflicted since. I also beg to state that I had tried other remedies with no good result. Have also used Electric Bitters and Dr. King's New Life Pills, both of which I can recommend.

Dr. King's New Discovery for Consumption, Coughs and Colds, is sold on a positive guarantee.

Trial bottles free at Z. C. M. I. Drug Store. (1)

WONDERFUL CURES.

W. D. Hoyt & Co., Wholesale and Retail Druggists of Rome, Ga., say: We have been selling Dr. King's New Discovery, Electric Bitters and Bucklen's Arnica Salve for four years. Have never handled remedies that sell as well, or give such universal satisfaction. There have been some wonderful cures effected by these medicines in this city. Several cases of pronounced Consumption have been entirely cured by use of a few bottles of Dr. King's New Discovery, taken in connection with Electric Bitters. We guarantee them always.

Sold by Z. C. M. I. Drug Store. (1)

BUCKLEN'S ARNICA SALVE.

THE BEST SALVE in the world for Cuts, Bruises, Sores, Ulcers, Salt Rheum, Fever Sores, Tetter, Chapped Hands, Chilblains, Corns, and all Skin Eruptions, and positively cures Piles, or no pay required. It is guaranteed to give perfect satisfaction, or money refunded. Price 25 cents per box. For sale by Z. C. M. I. Drug Store.

ESTRAY NOTICE.

I HAVE IN MY POSSESSION: One black grey ridged HORSE, about 5 years old, face, chin, under the jaws and legs white; no brands visible. Which, if not claimed and taken away within ten days from date, will be sold at public auction at the estray pound in Randolph, at 10 o'clock a. m., Monday, October 17th, 1887.

JOHN SNOWBALL,
District Poundkeeper.
Randolph, Utah, Oct. 7, 1887.

LEGAL NOTICE.

In the District Court, in and for the Third Judicial District of Utah Territory, County of Salt Lake.

Daniel H. Kimball,
Andrew Kimball,
Alice Kimball and
Sarah Kimball Sickles,

Plaintiffs,

vs.
Benjamin Johnson and
Harriet Johnson,

Defendants.

The People of the Territory of Utah, send greeting:

To Benjamin Johnson and Harriet Johnson, Defendants.

YOU ARE HEREBY REQUIRED TO appear in an action brought against you by the above named plaintiffs, in the District Court of the Third Judicial District of the Territory of Utah, and to answer the complaint filed therein, within ten days (exclusive of the day of service) after the service on you of this summons—if served within this county; or, if served out of this county, but in this district, within twenty days, otherwise within forty days—or judgment by default will be taken against you, according to the prayer of said complaint. The said action is brought to obtain a decree of this Court declaring void a certain deed made and executed by plaintiffs on or about May 1st, 1884, to said defendant Harriet Johnson, on the ground that the said deed was obtained by fraudulent representations of said defendants, and purported to convey Lot Two instead of Lot One, Block 29, Salt Lake City Survey, and ordering also that said defendant deliver up said deed for cancellation and for plaintiffs' costs of suit.

And you are hereby notified that if you fail to appear, and answer the said complaint as above required, the said plaintiffs will apply to the Court for the relief demanded therein.

Witness the Hon. Charles S. Zane, Judge, and the seal of the District Court of the Third Judicial District, in and for the Territory of Utah, this Fourth day of September, in the year of our Lord, one thousand eight hundred and eighty-seven.

H. G. McMillan,

Clerk.

[SEAL]
By J. M. ZANE,
Deputy Clerk, wlm