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TRUTH AND LIBERTY.

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FROM TUESDAY'S DAILY, JUNE 5, 1888.

Under the Edmunds Law.

Yesterday afternoon deputy marshals went out to South Jordan, Salt Lake County, and arrested Andrew Anderson, of Udon, on a charge of unlawful cohabitation. The accused, against whom an indictment has been found, was brought before Commissioner Norrell, and gave \$1,000 bonds to appear for trial in the Third District Court.

Fined for Assault.

William Plilton, a negro, was before Commissioner Norrell this afternoon on a charge of assault and battery. Some boys had been worrying him on Sunday last, at his place of business at the corner of East Temple and Third South streets. He drove the youngsters off, and pushed one of them to the ground. The boys gathered around again, and renewed their annoyance, when Plilton drove them away again, and caught one named Solomon and whipped him. The offense being proved, the colored man was fined \$2 50 and costs. The boys, who were summoned as witnesses, were given a reprimand for their conduct, and warned not to repeat it.

Preparing to Move.

Manager Rowe of the manufacturing department of Z. C. M. I., is preparing affairs in the old factory so that the transfer to the magnificent new building may be done as speedily as possible when the latter shall be duly prepared for the reception of the apparatus, materials and work people. A fine new Corliss engine, which is to drive the machinery, is being built in the basement of the new premises. It will have a capacity of 100 horse power, and, together with the mammoth fly-wheel, weighs over 19,000 pounds.

The building is so extensive that the preparation for occupancy entails a great deal of labor and the consumption of considerable time, but the new factory will probably be in full blast inside of three months.

FROM WEDNESDAY'S DAILY JUNE 6, 1888

Arrests.

On Sunday last at 2 a. m., deputy marshals raided Manti, Sanpete County, and arrested Bishop James Hansen and William Braithwait, for unlawful cohabitation. On the same day J. H. Frost was arrested at Ephraim on a similar charge.

Today Anzetta Hess, arrested as the plural wife of D. A. Sanders, was required to give \$500 bail before Commissioner Norrell, for her appearance as a witness.

Arrested and Escaped.

On Monday afternoon, while Marshal Dyer and Deputy Holland were in Butte, the latter met D. A. Sanders, of Farmington, Davis County, who is under indictment for polygamy and unlawful cohabitation, and placed him under arrest. He was handcuffed to Keller, but last night the Marshal took the irons off Mr. Sanders. During the night, and while at McCammon, the deputy fell asleep for a few minutes, when Mr. Sanders took the opportunity to escape, and has not since been seen. The officer says Mr. Sanders gave him word that if he would not handcuff him to a murderer he would not make any effort to get away.

The Harris Case.

In the appeal of Thomas F. Harris, the non-Mormon convicted of polygamy, the arguments were made today in the Territorial Supreme Court, and the case submitted and taken under advisement. Harris was sentenced to six months' imprisonment for his offense. It is said that since his conviction he has deserted his wife, and is now in Ogden, in partnership with Lawrence, the father of the woman whom he went away with in the first instance.

Probate Court.

Proceedings in the Salt Lake County Probate Court yesterday:

In the matter of the incorporation of the Utah Abstract & Trust Company; order made directing the clerk to issue certificate.

Estate and guardianship of John McChough, a minor; order of sale of real estate made.

Estate of Hugh Campbell, deceased; claim of Duncan McLane for \$381.35 filed and approved.

Estate of Albert Gregory, deceased; bond of Johanna Gregory in the sum of \$500, filed and approved.

Estate of Helen C. Battie, deceased; order made appointing W. L. Price, C. B. Jack and J. H. Clive appraisers.

MURDERER CAPTURED.

For Seventeen Years he has Eluded the Officers.

Marshal F. H. Dyer arrived from Butte, Montana, today, having in his custody John D. Keller, alias John C. O'Brien, who has been wanted for seventeen years on a charge of murder. The Marshal and his deputy, W. T. Holland, left this city for Butte on learning from parties there of Keller's whereabouts.

The man whom Keller is indicted for killing was Walter Badgely, sometimes known as Wade Badgely. Both had been soldiers at Fort Douglas under Colonel P. E. Connor, and had been discharged at the close of their term of enlistment. The two had some trouble at Stockton, Tooele County, on May 4th, 1871, and it was believed at the time that an old feud existed between them. At any rate, the day after the quarrel, about 7 o'clock in the morning, Badgely was shot and killed by Keller.

The murderer was arrested and brought to this city for preliminary examination. He employed Thomas Fitch as his counsel, and succeeded in getting liberated on \$10,000 bail. The sureties were not responsible parties, and as soon as Keller got his liberty he left for other parts. He was heard from in Nevada a short time after, and then the report came that he had been killed on a stage line.

With this the matter rested, and probably would never have been heard of again had not John Paxton and his son Frank, who formerly resided at Stockton, and held the offices of justice of the peace and constable, respectively, at that place, transferred their place of abode to Montana. There, a short time ago, they met and recognized in a man known as John C. O'Brien, the John D. Keller who had murdered Badgely. They communicated the fact to Marshal Dyer, who took the matter in hand, the result being that the late grand jury found an indictment for murder in the first degree against Keller, enough witnesses for that purpose still remaining in the Territory.

On Monday afternoon the murderer was arrested at Woodville, near Butte, by the deputy sheriff, in response to Marshal Dyer's request. The Marshal arrived in Butte the same day and took his man into custody.

While Keller, or O'Brien, as he then called himself, was in jail in Butte, the Miner reporter had an interview with him, as follows:

"I am an old soldier, having served the government through the war under General P. Edward Connor. I came to Utah in 1861 from California, and was then mustered out July 31, 1866; my name is John C. O'Brien."

"Do you know anything about the murder they have charged you with?"

"I never heard of it before. I have been in Montana eighteen or twenty years. Taught school in Meagher County and in Lewis and Clark County; have worked at carpenter work, and am a carpenter by trade. I have worked for Dr. Mitchell at Deer Lodge—he knows me well. I came to Butte, and being an old mining prospector, located several mines and sold them for a mere trifle. I moved, to Woodville about a month ago with my wife and family. My daughter Kitty is working at the dress-making business at Helena."

"How is it, Mr. O'Brien that you have been taken for Mr. Keller?"

"I don't know anything about this business I am charged with. I was at work mining when these officers arrested me one day. It's a game put up by parties here to get my mine." He then gave an account of a number of mines he had located and sold.

"Did you ever meet in Utah a man named Badgely?"
"I don't know anything about him or his being killed. I sent my discharge papers to Washington last year. Was aided in doing so by Mr. Kessler, but I don't like to mention that or bring my family into this matter any more than I can help. I didn't get any pension because I was not crippled in the service."

"Were you injured in any manner during the war?"

"Yes, I was shot in the knee and in the ankle, and was hit on the head with a clubbed gun."

"Then, Mr. O'Brien, you know nothing of this crime for which you are arrested?"

"Absolutely nothing. I know many of Brigham Young's destroying angels are hanging around here, and they have got it in for me."

"Where were you in 1870, 1871, and 1872?"

"I don't know—my wife could tell. You see I have drank two much liquor in my time. That's the cause of all my troubles; that's what has injured me; but I have many friends here."

"Have you ever killed a man?"

"Yes, I have killed several men when I was a soldier, but none since then. Some of them were Jack-Mormons dressed up like Indians."

When Keller got into Utah, however, he made statements that failed to harmonize with his silly and untruthful stories about "destroying angels" and "Jack-Mormons." He realized that he could no longer conceal his identity, as he was too easily recognized as the man known in Utah from 1861 to 1871 as John D. Keller. He then began to protest that he made no secret in Montana of that being his true name, and alleged that his daughter was known by it. He says that Keller is his "soldier name," and that he did not take O'Brien from a desire to evade the officers. His statements, however, do not harmonize.

He now admits the killing of Badgely, and gives the following as his account of the affair: He had been discharged from the army, and was working a mine at Stockton. Badgely, whom Keller had known as a soldier, deserted and came to Stockton. The other did not tell on him because he did not wish to get him into trouble. Badgely began paying attentions to a young lady of Keller's acquaintance, whom the latter warned, as he thought his former comrade's character was not good. The girl told Badgely, who determined to get even. He armed himself and went to Keller's cabin, where he fired four shots at the latter, who was saved by the interference of his wife. Next day Keller went to the saloon, and upon his wife's advice, took his revolver along, in case Badgely should make another attempt on his life.

At the saloon the two men met, and the quarrel was renewed. Badgely went behind the bar for a gun, and was in the act of leveling it at Keller, who had stooped down to conceal himself, when the latter got in the first shot, hitting Badgely in the mouth. The ball came out at the back, severing the jugular vein. Keller raised his weapon to fire again, when Badgely staggered and fell, expiring in a few minutes.

The murderer was brought to Salt Lake, where Thomas Fitch was employed to defend him. He got him admitted to bail, and as the sureties were not responsible men, advised Keller to leave the Territory, which he did.

This afternoon Keller was placed in the penitentiary for safe keeping.

FROM THURSDAY'S DAILY JUNE 7, 1888.

From Europe.

Elder Wm. Wood, of the Nineteenth Ward, returned from a mission to the states and Europe last evening. He left home October 14, 1885, and labored in Virginia about one year. From there he went to England and labored about six months in the London Conference. From there he was appointed on a mission to Ireland, where he arrived May 10, 1887. With the exception of a short time spent in England, tracing genealogies and visiting friends and relatives, the remainder of the period of his absence was spent in Ireland. The condition of the work in that land is peculiar. A marked spirit of inquiry is widely manifested, and the Elders laboring there often have large congregations to address. Tracts are read with interest, and the people converse with the Elders freely and are very hospitable to them. But only a few make up their minds to be baptized.

Taking Water Out.

Today Wm. E. Cowley, Esq., of Huntington, Emery County, left this city for home. He reports the people of his vicinity as feeling well, and in a fairly prosperous condition. There is a good field for enterprise in Emery County, and especially in Castle Valley. At Cleveland, a settlement six miles below Huntington, there is a large tract of excellent land, and the

settlers have just completed their canal from Huntington River. The ditch comes out at the mouth of the cañon, and is ten miles long. The work took three years and cost \$30,000—quite a heavy expense considering the circumstance of the people. They are now amply repaid in having an abundant supply of water, sufficient to irrigate over 10,000 acres of land. The climate is adapted to raising almost everything that can be raised in Salt Lake Valley. The mountains and cañons close by are filled with fine timber, while coal is so plentiful that at present there is an abundance to be had by simply gathering it from the mountain sides, where there are immense quantities still unclaimed.

Probate Court.

Proceedings in the Salt Lake County Probate Court yesterday:

Estate of Salvatore Maltese, deceased; decree made that due and legal notice to creditors has been given.

Estate of Eliza Swaner, et al., minors; order made appointing time and place for hearing petition for confirmation of sale of real estate.

Estate of Franklin Neff, deceased; decree made that due and legal notice to creditors has been given; orders made appointing Amos H. Neff and H. B. Skidmore appraisers of said estate, and appointing time and place for settlement of said account, and to hear petition for distribution.

Estate of Levi E. Writer, deceased; order made appointing time and place to hear petition for letters of administration to be issued to W. W. Riter and L. E. Riter.

Estate of Thomas Sadler, deceased; order made appointing N. B. Brown, W. A. Ballard and William Green appraisers, and fixing day for hearing return of sale of real estate.

Estate of Sarah L. Bagley, deceased; order made appointing time and place for settlement of final account, and to hear petition for distribution.

Estate of John Riches, deceased; decree made that due and legal notice to creditors has been given; order made appointing time and place for settlement of final account, and to hear petition for distribution.

Estate of Sisson A. Chase, deceased; order made appointing time and place to hear petition asking that letters of administration issued to Sisson A. Chase be revoked, and that Miriam B. Chase be appointed administrator.

Judges of Election.

The Utah Commission yesterday made the following additional appointments for judges of election:

CACHE COUNTY.

Hyrum—D. O. Evans, Magnus Peterson, Eli Bradley.
Trenton—Andrew Simmons, Niels Jensen, C. Goodwin.
Smithfield—Charles Holden, John Savage, Moroni Price.
Coville—Frans Fransen, George O. Blair, Henry Hendricks.
Richmond—John Andersen, E. B. Tripp, John Richardson.
Providence—Mark Fletcher, Loren Ponsien, William Low.
Millville—Henry Chandler, Jr., Percy Chandler, John King.
Newton—Peter Christiansen, Amon Clark, John H. Barker, Jr.
Clarkston—R. J. Castley, M. J. Clark, John Thompson.
Wellsville—James Williamson, Thos. Grant, P. M. Maughan.
Paradise—C. M. Golding, John Bradley, J. D. Bickmore.
Benson—Thomas Davis, Henry Griffiths, James Clark.
Logan—William Goodwin, John Nelson, W. W. Maughan.
Hyde Park—Stephen Thurston, John Moss, N. Christiansen.
Peterborough—Peter Petersen, Henry Larsen, Elias Davis.
Mendon—Peter Larsen, Andrew Bigler, A. Gardner.
Lewiston—George Wheeler, Senior, James Leavitt, J. M. Bernhisel.

GARFIELD COUNTY.

Panguitch—Joseph Marshall, James W. Pace, George Underwood.
Hillsdale—G. H. Wilson, William Wilson, Aaron Asay.
Escalante—Edwin Twitchell, Joseph Lay, William Lay.
Cannonville—John Thomson, Abram Workman, William Lowman.
Coyote—W. L. Hardy, Charles A. Carpenter, Archibald Hunter.

TOOELE COUNTY.

Clover—C. J. Green, A. J. Walker, G. L. Stokely.
Lake Point—W. F. Moss, L. R. Clinton, William Hammond.
Batesville—John Liddell, George W. Bryan, Alfred Warr.
Ophir—H. E. Wylie, A. S. Lineback, Edward Dalton.
Grantsville—Thos. Fenstermaker, F. J. Burmester, J. R. Clark.
Deep Creek—W. R. Sheldon, R. A. Gash, Charles Felt.
Lake View—Isaac Elkington, T. D. Hedges, James Howells.
Vernon—Israel Bennion, Alvin Anderson, Horace Rockwell.

Stockton—John Frank, J. H. Spanlding, E. B. Shoebridge.
St. John—David Charles, J. D. McIntosh, Nephi Draper.
Quincy—Fred Brim, Abner Hardy, Silas Young.

Releases and Appointments.

President James T. Thorn, of the Glasgow Conference, and Henry E. Bowring, of the Bristol Conference, are released from their labors in this Mission to return home to Zion.

President Robert Davidson is released from the presidency of the Liverpool Conference and appointed President of the Glasgow Conference.

Elder John W. Brown is released from his labors in the Glasgow Conference and appointed President of the Liverpool Conference.

Elder Samuel A. Blair is released from his labors in the London Conference and appointed President of the Bristol Conference.

Elder Thomas Birmingham is released from his labors in the London Conference and appointed to labor in the Norwich Conference.

Elder Wm. H. Farnsworth is released from his labors in the Glasgow Conference and appointed to labor in the London Conference.

Elsinore Notes.

Two good schools have been in operation here all winter; they are well attended.

This town has grown more rapidly the last few years than any other in the Sevier Valley.

Our meeting house is neat and is an ornament to the place. The people are all alive to their own interests; the bell on the meeting house was cast in the town and has a good clear ring.

The new canal passes above the town to the west and is now about fifteen miles long. The work on it from this point up the river was very heavy. It is estimated to have cost about \$40,000 to the present time.

It is a decided success and will bring a large tract of land under cultivation.

About two thousand acres of new land is being cultivated in this district alone. Many new houses have gone up. A general spirit of thrift seems to have been infused into the people.

The horned stock of this section needs improving, and it is hoped that some of the finer breeds will be introduced soon. Those who bring them will be public benefactors.

Many good horses are to be seen here and quite an interest is taken in rearing good stock.

Here, as in most of the settlements, an improvement should be made in dairy products. A first-class creamery would be a blessing. Parties in this neighborhood expect to manufacture cheese on quite an extensive scale at an early date. May their efforts be crowned with success.

TRAVELER.

ELSINORE, Sevier County, May 31st, 1888.

The Drowning Case.

The Provo American of June 7 gives the following additional particulars of the sad case of drowning which was mentioned in the News of a few days since as having occurred in the Jordan River at Lehi Junction:

A sad accident resulting in the death of little Johnie Johnson of Lehi, occurred on Saturday. The boy, who was about ten years old, and the only child of Mrs. Johnson, a widow, was out with some other boys about his age, herding cows near the Jordan river, at the point where the S. L. & W. R. R. crosses the river. The boys all went under the bridge to fish. Johnie Johnson went out and was sitting on a piece of timber projecting above the water, when he by some means lost his balance and fell into the river. His friends tried to save him, and one threw to him his fishing line, which the drowning boy clutched, but his struggles jerked the rod out of the hands of the boy on shore. All attempts to save him by such means as the little fellows could think of were unsuccessful, and hurriedly gathering up their cows, the boys went to town and told what had happened to their friend; a party immediately started for the scene of the accident to do what they could to find the body. On reaching the place they noticed the fishing rod that had been jerked from the hands of one of the boys floating in the water, and securing it they found the poor little fellow, who had sunk to the bottom of the stream, still holding onto the line. They succeeded in towing the body to the shore, but life had long since gone out, and all attempts to resuscitate him proved fruitless. The poor mother is almost frenzied with grief over the fearful accident.

AMONG the arrivals with the last company of immigrants is Mrs. Toney, formerly of Birmingham, England, but later of Boston, Mass. This lady is sister to Mrs. Joseph Bull, Sen., who is delighted to meet in this part of the country one so near to her. Mrs. Toney is in delicate health, but it is hoped that the change of climate will be beneficial to her in that respect.