

## REPORT OF THE GRAND JURY.

YESTERDAY afternoon the alleged "Grand Jury" presented the following report, and after presenting some indictments and reporting cases ignored, asked to be discharged; the request was granted by the Court, and so the open venire grand jury is no more. No indictments were found by it for polygamy.

GRAND JURY ROOM,  
THIRD JUDICIAL DISTRICT,  
September Term, 1884.

Hon. Chas. S. Zane, Judge of the Third District Court:

In conformity with the charge delivered to this body on being empanelled, we would respectfully represent that we have visited and inspected the following public institutions to-wit: Utah Penitentiary, Insane Asylum, County Jail, City Jail and County Poor House. The last named institution has been in existence for a number of years, and as far as this jury is informed, this is the first time that it has been visited by anybody from this Court. Our reports of the condition of the several institutions are annexed hereto and made a part of this report. We have examined 185 witnesses; have found no indictments under the United States laws, and have found 27 indictments under the laws of the Territory of Utah. We have also ignored six cases during our session. We have finished all the business that can be disposed of during this term of court, and would respectfully ask to be discharged.

C. H. M. y AGRAMONTE,  
Foreman.

ROBERT MAUNDER,  
JAMES MOFFATT,  
BOMAN CANNON,  
J. J. SNELL,  
MORRIS LIVINGSTON,  
JOHN H. CAMPE,  
N. L. SIBLEE,  
JOHN E. TREWHELA,  
E. A. MUDGETT,  
WM. E. JENKINS,  
EDWARD BOVIER,  
M. S. PENDERGAST,  
GEO. H. RAYBOULD,  
J. FRED. CORKER,  
Grand Jurors.

### REPORT ON INSANE ASYLUM.

To the Foreman and Members of the Grand Jury, Third Judicial District, September term, 1884:

We, your committee appointed to report on the Insane Asylum, beg leave to submit the following: Said asylum is at present a private institution under the management of Doctor Seymour B. Young. Twenty-nine (29) inmates, of which 15 are men and 14 women, at different stages of insanity, are here confined for treatment, some at the expense of relatives and friends and others at the expense of the county. It must be admitted that everything was found in as good a condition as circumstances would allow, and as possibly could be expected. The location of the asylum is very desirable and healthy, being situated at the foot of the Wasatch mountains and having a commanding view of Salt Lake Valley, the lake and distant mountains. It is surrounded by a fine orchard and gardens. The interior of the two-story building was found to be in a very satisfactory condition. The patients were clean and well provided with clothing and bedding. The food was good and seemed to be sufficiently distributed, to judge from the healthy appearance of all patients. After due consideration it is found proper to state in connection herewith that we found one case of sickness, namely, McKrane, having been brought there suffering from paralysis for more than two years, and in an utterly helpless condition, unable to attend to himself so as to keep sufficiently clean. It is desired and expected that the attention of the case being brought before the proper authorities, said party would be removed to a hospital or other institution fit for treatment of that class of sufferers, and not be confined in the future in the insane asylum.

We extend our most courteous thanks to the managers of the institution for their very obliging manner of showing us around, explaining the different cases, and answering the numerous questions as put to them. It being understood that a Territorial Asylum is nearing completion at Provo City, it is expected that in the near future a more extended accommodation will be offered these unfortunate sufferers of the community.

BOMAN CANNON,  
MORRIS LIVINGSTON,  
JOHN E. TREWHELA,  
EDWARD BOVIER,  
JOHN CAMPE.

### COUNTY JAIL.

SALT LAKE CITY, Nov. 19th, 1884

Foreman of Grand Jury, September Term, 1884:

The committee on the county jail beg leave to report as follows:

If there is one redeeming feature about or in connection with this institution, your committee has been unable to ferret out its source, or where-in it lies.

Upon the 11th inst., this grand jury, armed with a one-candle power light, proceeded to the basement of the County Court House, and found four single and two double cells, which constitute this so-called county jail. To alleviate the nauseating odors arising from this infamous abode for crim-

inals, about seven or eight bushels of lime greeted us in the corridor, whether for the purpose of aiding us in our investigation, I will allow you to judge.

Upon inspecting the several cells now occupied, (of which there were four,) they were found exceedingly damp on all sides, to such an extent that security was a thing of the past, as the testimony of Jailor Burt before this jury admits.

The mattresses in use are in such a state of decay that portions of one gave way upon being raised from the stone floor; the straw once contained therein was musty and mildewed in the extreme. No barred windows were found in two of the cells occupied, by which the light of day could be greeted by the occupants; on the contrary, the damp and clammy atmosphere prevailed in these cells and could not have been otherwise, when human excrement remained so closely confined for a period of 24 hours, and, too, in a vessel without any cover whatever.

Bedsteads are not furnished for reasons as given by Jailor Burt—that portions thereof would be used in promoting means of escape through the so-called prison walls; the above named gentleman further stated that with the aid of a broom handle a criminal could easily make his escape through the walls in three hours, and your committee does not question this fact.

The prisoners are supplied with two meals daily, viz: Breakfast (from 7 to 8 o'clock) and dinner (about 1 o'clock), consisting of pork, meat, potatoes and bread. A specimen of the first two shown us, we consider as being far from palatable, not because they were produced from beneath the kitchen floor, and lying in paper upon the ground, easily accessible to all vermin that haunt such places, not because such meats were not properly seasoned by the back-yard dirt that would naturally accumulate upon the boots of those who entered the kitchen door and screened through upon the same, but because of the impression apparently harbored upon the minds of the purchaser of such meat and pork that fat must necessarily fatten, and lean meat cause emaciation.

It is the earnest desire of this entire body to see the present county jail (?) abandoned and immediate provisions made to erect one where the tentacles of death will not overpower a criminal upon his incarceration.

Finally, your committee cheerfully pray that this report will receive the attention of the court, and not be cast aside like unto the numerous similar reports drafted by our predecessors filling like positions. All of which is respectfully submitted.

E. A. MUDGETT,  
JAMES MOFFATT,  
ROBERT MAUNDER,  
N. L. SIBLEE,  
WM. E. JENKINS,  
Committee.

### POOR HOUSE.

The committee appointed to report upon the condition of the County Poor House beg leave to submit the following:

The present condition of the buildings is good. The several inmates (18 or 22) express themselves as being satisfied with their quarters, that they were provided with good substantial food and ample clothing. Some of the sleeping apartments were not properly ventilated, more particularly two rooms which are occupied by sick persons. This improvement is recommended; not only would it benefit the health of those confined in such rooms, but in all probability would have a tendency to lessen the number of inmates, as well as the present expense of the county.

Attention is called to a lady inmate of this institution whose mind is bordering on lunacy. The lady in charge (our informant) stated that she was frequently compelled to call upon the former at all hours of the night and entreat her to desist from making night hideous with her boisterous chattering. We consider this person a proper subject for the Insane Asylum and recommend that she be sent there at once. All of which is respectfully submitted.

E. A. MUDGETT,  
J. MOFFATT,  
WM. E. JENKINS,  
ROBERT MAUNDER,  
N. L. SIBLEE,  
Committee.

### PENITENTIARY.

To the Foreman of the Grand Jury:

We your committee appointed to report on penitentiary and city jail would submit the following:

The penitentiary situated four and one-half miles southeast from this city is located on a government reservation of 160 acres of land. The penitentiary proper embraces one acre, surrounded by an adobe wall twenty-two feet high and four feet wide. The sleeping rooms are made of two by six inch plank, spiked one on top of the other to a height of twelve feet at the eaves. On each side and ends of these rooms are placed bunks three feet high (that is, one above the other to the number of three). Two prisoners are assigned to each bunk. The number of men now confined there being 100, and the bunk room being insufficient, a number of the prisoners have to sleep on the floor. Among the prisoners confined there are five serving a life sentence, with others of terms ranging from 20 years down to those awaiting the action of the grand juries in the First and Second Judicial Districts. All sleeping together at night and mingling in the day time. The hardened convict, serving out a life sentence, and the boy

charged with a crime, awaiting the action of some grand jury, are so placed that if the beginner lacks any information in the career he has apparently started on, he will, in the course of a few weeks or months at farthest, have had sufficient instruction from his associates to guarantee his return in the near future, should the charge upon which he is at first committed there be ignored.

We are informed there has been only one death among the prisoners in the last three years, but in view of the probability of there being an outbreak of contagious diseases, we would urgently represent that some provision be made for the safe care of the sick without exposing the majority to the contagion.

While there we dined with Warden G. N. Dow, and saw the noonday meal for the prisoners prepared and served, and after a thorough examination of the storeroom, bakery and kitchen, we are of opinion that the food is good and wholesome. The general management of the institution is efficient and the prisoners all expressed entire satisfaction with the food and treatment received, the only complaint being that there was not suitable accommodation by which prisoners could bathe when necessary. In connection with this we would suggest that as the prison well is 65 feet deep and the only means of raising water is by a rope and bucket, which is very slow work, and would be found entirely inadequate in case of fire in the prison, that a cistern or cisterns be made of sufficient depth in the ground to prevent freezing, and filled with water from the well by prison labor, this supplied with a pump and hose, might be the means of saving the building or lives of the prisoners in case of a fire, the prison structure being composed entirely of wood and placed near the center of the enclosure, the heat would be so intense that it is doubtful if a person could live at such a time, and the unhappy alternative would have to be resorted to of either suffocating or freezing the prisoners.

The officers of the penitentiary consist of a warden, one turnkey and six guards. It is the opinion of this committee that additional guards should be provided, since a United States rule grants each guard one day's leave of absence every month, and upon such days there is better chance for the escape of prisoners, taking advantage of the absence of one guard (leaving but one on the walls). Taking advantage of such an occasion, five of them scaled the walls and attempted to escape the day before our visit, but were re-captured and returned to the penitentiary within ten hours.

These suggestions are made as being only for temporary relief, and are urgently needed immediately. The principal suggestion and the one which must sooner or later be acted on, is the condemnation of the present penitentiary as being entirely unfit for the safe keeping of criminals.

Within a very short distance of the penitentiary reservation there are quarries of building rock, where convict labor could be used advantageously in preparing material for building a new penitentiary. The majority of prisoners would hail with delight anything that offered a relief to the enforced idleness as now endured. The reports or suggestions of other grand juries have, we believe, been entirely unheeded, and apparently all suggestions in regard to the Utah Penitentiary have been wasted. We are particularly earnest in the desire that you draw the attention of the Court to the necessity of a new penitentiary, and the other suggestions of this committee.

### CITY JAIL.

We were shown through the city jail by Marshal Phillips and Jailor Aird. We found its condition to be cleanly and secure. There were confined there 16 males and one female. The bed clothes were ample, the food wholesome and sufficient. In separate and comfortable quarters a number of bunks had been fitted up for tramps and others having no place to stay over night. This provision for the unfortunate is worthy of all praise. The condition of the city jail reflects credit on Marshal Phillips.

We earnestly recommend that those employed on the regular police force of Salt Lake City be dressed in uniform. Persons charged with resisting officers have frequently claimed there was nothing to distinguish the police from other citizens or from any one who might make an unjust attack and be resisted in self-defense. As questions of veracity are constantly arising on this score, doubtless injustice is sometimes done which could be obviated by adopting a system which we believe obtains in most other cities of this country, and is probably destined to meet the approval of experience and yet become the universal custom.

Chief G. M. Ottinger showed us through the Fire Department and gave us a good deal of interesting information. The men of this department are thoroughly drilled and the sagacious black horse understands his duties. At the sound of alarm he left his quarters, placed himself beneath the shafts of the hose-cart, and was hitched up ready for "the start," in an incredibly short time. We are decidedly of the opinion that the chief of this department is the right man in the right place.

J. J. SNELL,  
M. S. PENDERGAST,  
J. FRED. CORKER,  
GEO. H. RAYBOULD,  
Committee.

### "ROUGH ON RATS."

Cleaves out rats, mice, roaches, flies, ants, bed-bugs, skunks, chipmunks, gophers, etc. Druggists W

## THE SEVENTH DISTRICT SCHOOL TAX.

THE "FRIENDS OF EDUCATION" FIGHT AGAINST ITS COLLECTION.

A suit has been instituted in the Third District Court by non-"Mormon" residents of the Seventh School District, to prevent the collection of the tax lately assessed at the school meeting held there for the purpose of raising means to build a new school house.

The plaintiffs are: L. S. Stevens, Samuel Kahn, Samuel S. Walker, F. R. Anderson, H. H. Hill, M. E. Hill, W. S. Clays, Emil W. Bailey, Rachel Reggel, J. M. Harvey, John Snell, Ellen B. Haight, Fulton Haight, M. H. Lipman, J. C. Mather, George S. Hill, Abbie Mahoney, H. Monheim, I. L. Dickinson, John S. Barnes, M. Hirschman, John J. Kelly, Jacob Alt, James F. Bradley, J. M. Dart, E. Dickinson, H. Hardie, J. F. Hardie, W. P. Rowe, B. B. Van Deusen, Isabella Downing, Jennie A. Froiseth, M. S. Severance, Mrs. L. King, John Horlick, J. L. Whytock and Louise Lange; and the defendants I. M. Waddell, Henry Wallace and B. G. Raybould, the trustees, and H. Van Dam, assessor and collector of the Seventh School district, and N. V. Jones, collector of Salt Lake County.

The gist of the complaint is as follows:

The plaintiffs complain as their cause for action, that each of the plaintiffs now is and at all times thereafter mentioned, was a resident of the 7th school district, and was a property taxpayer; that the defendants were duly elected and qualified school trustees; that at the meeting at which the tax was levied, "none of the plaintiffs voted for or assented to the levying of any tax, at any rate whatever, for any purpose, at the meeting aforesaid;" "that the result of said election was in favor of levying a tax of 1 per cent, to build a new schoolhouse, on each dollar of taxable property in said school district; that by it each of plaintiffs should be required to pay a tax to be used in building such schoolhouse; that unless collection thereof be enjoined and said assessment be annulled, each of the plaintiffs would be required to contribute or pay a large amount of money, as his or her proportion, amounting in the aggregate to \$1,350; that they did not receive notice of the assessments upon their properties, and had no opportunity to appear before the board of equalization; that the 22d day of November was the last day on which to pay the tax; that ever since the organization of the Church of Jesus Christ of Latter-day Saints, its authority in temporal as well as spiritual matters, in appointment and elections to office, the settlement of controversies and disputes concerning property and personal rights, the appointment and qualifications of teachers, etc., that it exercises in all school districts its authority so claimed, and excludes from all control, etc., every person who is not a member of said church; that for reasons aforesaid the children of a large minority of the Territory and of the city, including those of the plaintiffs, have been and are now excluded from all participation in any of the benefits to be derived from said schools; that plaintiffs charge, upon information and belief, that while the manner in which this and all other district schools of the Territory are conducted, including the selection and employment of teachers is controlled by the lay and ecclesiastical officials of said church, to whom the trustees refer, and whose counsels they listen and accede to in all such matters; that all the teachers are members of said church; that plaintiffs charge, on information and belief, that the teachers and pupils, during school hours, do engage in certain devotional and religious exercises, and that at least indirectly, the doctrines and tenets of said church are inculcated and taught; that, believing this, plaintiffs do not wish to be compelled to contribute to the support of said school, or to build any such schoolhouses, because they charge that said schools are and in the future will be, sectarian in their character; that said pretended tax levy and assessment was and is null and void, and that Van Dam has threatened to enforce its collection.

"Wherefore, the plaintiffs pray the decree of this court, adjudging and decreeing that said pretended assessments be annulled, and that defendants, H. Van Dam and N. V. Jones, and their each of their successors in office, and all persons acting in aid or assistance of them, or either of them, and their attorneys and counselors; be enjoined and restrained, pending this suit, from enforcing the collection or payment of said pretended tax or any part thereof, from either or any of these plaintiffs, that on the final determination thereof, said defendants be perpetually so enjoined, and for costs of suit. Plaintiffs pray for such other and further relief as to justice and equity belong."

It is signed by Dickinson & Varian and C. O. Whittemore, attorneys for plaintiffs.

Judge Zane, to whom the matter was presented yesterday afternoon, granted the restraining order and the papers were served on the defendants.

### HEART PAINS.

Palpitation, Dropsical Swellings, Dizziness, Indigestion, Headache, Sleeplessness cured by "Wells' Health Renewer."

## TUTT'S PILLS

### TORPID BOWELS and DISORDERED LIVER.

From these sources arise three-fourths of the diseases of the human race. These symptoms indicate their existence: Loss of Appetite, Bowels costive, Sick Headache, fullness after eating, aversion to exertion of body or mind, Eructation of food, Irritability of temper, Low spirits, a feeling of having neglected some duty, Dizziness, Fluttering at the Heart, Dots before the eyes, highly colored Urine, CONSTIPATION, and demand the use of a remedy that acts directly on the Liver. As a Liver medicine TUTT'S PILLS have no equal. Their action on the Kidneys and Skin is also prompt; removing all impurities through these three "scavengers of the system," producing appetite, sound digestion, regular stools, a clear skin and a vigorous body. TUTT'S PILLS cause no nausea or griping nor interfere with daily work, and are a perfect ANTIDOTE to MALARIA.

## TUTT'S HAIR DYE.

GRAY HAIR OR WHISKERS changed instantly to a GLOSSY BLACK by a single application of this DYE. Sold by Druggists, or sent by express on receipt of \$1. Sold everywhere. Office, 44 Murray St., N. Y.

## NOTICE.

THE UNDERSIGNED, PACIFIC WAGON & Implement Company, hereby give notice that it has this day disposed of its entire business to Bennett Brothers, who will hereafter conduct the Wagon and Implement Business at the old stand, at Salt Lake City and elsewhere. This corporation is dissolved and the corporate powers and the powers of its officers cease from this date. The liabilities of this corporation incurred in the ordinary course of its business, are assumed by Bennett Brothers; the debts have been divided, and each individual debtor will receive notice of the fact to whom his or her obligation is payable. We hereby tender our thanks to our friends for the patronage and support which they have given the management of this company, and we think that the public and our friends generally will find it a pleasure and to their advantage in a business sense to hereafter deal with Bennett Brothers. They are gentlemen of great experience and ability and are possessed of ample means to conduct a large and successful business.

Salt Lake City, Oct. 5, 1884.  
PACIFIC WAGON & IMPLEMENT CO.,  
LEARNED COTTELL,  
President.

JOHN G. LYNCH, Secretary.

We have purchased the entire stock of the Pacific Wagon and Implement Co., together with all that pertains to the business of said company.

It is our intention to continue the same business, at the same old stand, Nos. 160 and 162 First East Street, Salt Lake City. We shall keep constantly on hand the most popular and latest improved Agricultural Implements, all of which we will sell on the most favorable terms, and in all cases we guarantee satisfaction. We respectfully solicit the patronage of all customers of the old company and of all others who wish to purchase our line of goods. Extra inducements will be given to the wholesale trade. Our motto is "to live and let live," and we intend to make our word good in every case.

BENNETT BROTHERS.  
Salt Lake City, Oct. 4, 1884.  
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## CHICAGO SCALE CO.

151 S. Jefferson St., Chicago.  
2 Ton Wagon Scale, \$40. 3 Ton, \$50.  
4 Ton \$60. Beam Box included  
240 lb. Farmer's Scale, \$5.  
"Little Detective" 1/2 oz. to 25 lb., \$3.  
FORGES, TOOLS, Etc.  
Best Forge Made for Light Work, \$10  
40 lb. Anvil and Kit of Tools, \$10  
Farmers save time and money doing odd jobs.  
Blowers, Anvils, Vices and other articles. Long

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EAST INDIA  
TRADE MARK  
REGISTERED  
4 FAMILY TONIC  
FOR DYSPEPSIA  
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### REMEDY IN THE WORLD!

FOR  
Rheumatism, Dyspepsia,  
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