

THE DESERET NEWS.

TRUTH AND LIBERTY.

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TERMS IN ADVANCE.

OFFICE—Corner South and East Temple Sts.

LOCAL NEWS.

FROM TUESDAY'S DAILY, DEC. 8

More Indictments.—Fifteen indictments were reported by the grand jury of the First District Court on Saturday last, seven of which were under the United States laws.

Arrested and Discharged.—A resident of Greenwich, Grass Valley, Pinto Co., by the name of A. Bagley, was arrested last week by a deputy marshal on a warrant issued by a U. S. Commissioner at Marysville, charging him with polygamy, and taken before that functionary for examination, which resulted in his discharge, there being no evidence to sustain the charge.

Three Indictments.—This morning Geo. H. Taylor was arrested on indictments found by the grand jury, and arraigned in the Third District Court. Three indictments against him were read, and to each he entered a plea of not guilty. Bail was fixed at \$1,000 on the first, and at \$500 on each of the other charges. The defendant obtained sureties and was set at liberty. The charges are unlawful cohabitation with his wives.

Commissioned.—The Governor, today, issued commissions to the following officers, recently elected: Ephraim Healy, justice of the peace, Alpine precinct, Utah County. Henry H. Child, constable, Riverdale precinct, Weber County. A. Wootner, superintendent of district schools, Wasatch County. H. J. McCullough, selectman, Garfield County. R. P. Allen, assessor and collector, Garfield County. Edward Laird, constable, Mountain Dell precinct, Salt Lake County.

Amputation.—A resident of Pleasant Valley by the name of Lemuel Thomas, who had the misfortune to get his feet terribly frozen about ten days since, has been brought to the Deseret Hospital in this city for treatment, and yesterday submitted to the operation of having the fore part of his feet amputated at the metatarsus bone. The operation was performed by Dr. W. F. Anderson, assisted by Drs. Belle E. Anderson and E. R. Shipp. The man is as comfortable today as could be expected, and hopes are entertained for his early recovery.

Accidentally Shot.—Last week, Elias Pearce, of Pleasant Grove, started for Butterfield's Cañon, west of Fort Herriman, in this county, and on Thursday, after leaving Herriman, wandered into the wrong fork of the cañon, and got lost. A son of Bishop Crane met him and was guiding him back to Herriman, and while on the way young Pearce took out his revolver and began shooting at rabbits, and afterward laid the weapon on the wagon seat. When they alighted at Herriman, Pearce went to pick his revolver up and accidentally let it fall, causing one of the cartridges to explode, the ball entering his right breast. He was taken to Bishop Crane's, and from there sent to his home at Pleasant Grove. It is not yet known what the result of the wound will be.

Arrival of Missionaries.—Nine missionaries who have been laboring in the North-Western States—three of them from Minnesota and six from Indiana—returned to this city by last evening's D. & R. G. train. The two parties happened accidentally to meet in Pueblo, each having come that far without any knowledge of the other being on the road, and from there to this city journeyed together. We had a brief call yesterday from one of the brethren, Elder H. A. Young, of the First Ward, who, since his departure from home, in April, 1884, has labored in Wisconsin and Minnesota. He reports the pre-

judice against the Saints and their religion as growing more intense every day in the parts where he labored, and that it has almost reached the point of madness in some instances. However, he enjoyed his labors while abroad, and was fortunate in escaping the violence which the Elders occasionally met with. He is glad to be home again.

The Council Investigation.—The City Council met at 10 o'clock this morning, to continue their investigation of the false rumors which had been used by Federal officials here to the injury of the people of Utah. There was no response to the general invitation extended to all who knew anything of the matter to be present and testify.

Hon. Wm. Jennings, being in attendance, was called upon. He stated that he had heard the rumors, but knew nothing of their origin, or of any ground therefor. He knew the "Mormon" people were not being incited to violence, and had no inclination thereto. On the contrary they were peaceably disposed and all the teachings of their leaders tended to the maintenance of law and order. There was not the slightest excuse for inviting military interference. The property of non-"Mormons" was not in the least endangered, and Mr. Jennings considered it as secure as his as his own, which he believed to be absolutely safe from any danger of riots. He had been at the City Hall on the night of the shooting, and saw the crowd there. There was no disturbance, nor were there any threats of violence, or good reason to fear any. He considered everything tranquil.

Councilor Grant moved that, as nobody had accepted the invitation to make any statement of facts regarding the source of the rumors, and it further seeming impossible for men to know anything of that which did not exist, a committee of five be appointed to draft the findings of the Council, and report at this evening's session.

Alderman Dean, Councilors Grant, Webber, Clark and Stringfellow were appointed as said committee, and the Council adjourned until 7 p. m.

AS WAS EXPECTED.

VANDERCOOK AGAIN AVOIDS THE ISSUE, AND SEEKS SHELTER UNDER THE PROTECTING WINGS

OF A WRIT OF HABEAS CORPUS. THE DISTRICT COURT ONCE MORE TO THE RESCUE

OF THE LECHERS VIND LAW-DEFIERS.

THE GROUNDS ARE EXCEEDINGLY FLIMSAY, BUT

There were several expectant, but greatly disappointed, spectators, at the police court this morning. They were in waiting for the appearance and subsequent trial of that much-abused and highly respected citizen (?) Oscar Vandercook, and the appearance was all the gratification they were destined to have. Coming in about a quarter past ten o'clock, he took the Sheriff quietly aside and informed him that that friendly instrument, a writ of *habeas corpus*, would soon arrive, and it would be useless to proceed further. That officer, the Court and the attorneys saw the point, and awaited the arrival of the important document, that event occurring a few moments later. Deputy Marshal Smith handed the sheriff the instrument, bearing the District Judge's sign manual, which meant liberty, for a time at least, to Vandercook, and finding that a *posse comitatus* would not be needed to enforce obedience, he withdrew. The writ read as follows:

"Territory of Utah, }
County of Salt Lake. } s.s.
To John A. Groesbeck, Sheriff of Salt Lake County, Utah Territory, and Adam Speirs, Justice of the Peace:

You are hereby commanded to have the body of Oscar Vandercook, by you detained as alleged, before the court, or before the Hon. Charles S. Zane, Judge of the District Court for the Third Judicial District of Utah Territory, at the court room thereof, within the city and county of Salt Lake, Utah Territory, forthwith after being served with this writ, to be dealt with according to law and to abide such order as the court or Judge shall make in the premises, and have you then and there this writ with a return of your doings in the premises.
Dated, December 8, 1885.
C. S. ZANE, Judge,
Third District Court, Utah."

The returns on the writ were immediately drawn, as follows:
"SALT LAKE CITY,
December 8, 1885.
To Hon. C. S. Zane, Judge Third District Court:

I hereby certify that I have now in my custody, by virtue of a warrant

hereunto attached, the body of Oscar Vandercook, within named, and that immediately upon the receipt of the within writ proceeded to take him before your honor, to be dealt with as you may see fit, and abide your further order in the premises.

JOHN A. GROESBECK,
Sheriff Salt Lake County, Utah."

"I hereby certify that immediately upon the receipt of the within writ, I surrendered control of the person of O. C. Vandercook, and remanded him to the sheriff for delivery to Hon. C. S. Zane, Judge of the Third Judicial District Court, this 8th day of December, 1885.

ADAM SPEIRS,
Justice of the Peace."

The petition upon which the writ was issued was as follows:

In the matter of the application of Oscar Vandercook for a writ of *habeas corpus*.

To the Honorable Charles S. Zane, Judge of the Third Judicial District of the Territory of Utah:

Your petitioner, Oscar Vandercook, comes and states—That he is illegally and without lawful authority held in custody and deprived of his liberty, at Salt Lake City, County of Salt Lake and Territory of Utah, by virtue of a warrant issued by one Adam Speirs, claiming to be a Justice of the Peace of the Fifth Precinct, of said city and county, directed to the sheriff of said county, John A. Groesbeck, December 4th, 1885, a copy of which is hereto annexed, marked Exhibit "A" and made part hereof. That on the 5th day of December he was taken into custody by said Groesbeck and is now under his control by virtue of said warrant.

That said warrant was issued under a complaint filed in said Justice's Court, a copy of which is hereto attached and made a part hereof, and this petitioner is now held for trial on the charge therein stated before said Justice, who threatens to try said petitioner on said pretended charge, and will, unless prevented by the writ of *habeas corpus* issued by your honor, exercise an unlawful power so to do.

That the restraint of petitioner by said justice of the peace and sheriff aforesaid is illegal in this:

1st.—Said complaint does not charge the petitioner with any offense.

2d.—The warrant issued pursuant to the said complaint is void for the reason that no sufficient complaint existed for its issue.

3d.—Said Justice's Court has no jurisdiction to try the alleged offense, the same, if any offense, being only punishable by indictment duly found by a grand jury in the District Court.

Wherefore your petitioner prays that a writ of *habeas corpus* may be granted, directed to the said John A. Groesbeck, sheriff, and Adam Speirs, justice of the peace, commanding them or either of them to have the body of the petitioner brought before your honor at the Federal Court House in Salt Lake City aforesaid, forthwith, to do and receive what shall then and there be considered by your Honor concerning him, together with the time and cause of his detention and said suit, and that he may be restored to his liberty.

O. VANDERCOOK.
Subscribed and sworn to before me, December 8th, 1885.
(SEAL) H. G. McMILLAN,
Deputy Clerk."

Of course the Sheriff at once wended his way to the Third District Court room, having in tow the precious person of the immaculate deputy marshal. Arriving there, some little time was consumed in waiting for an opportunity to hear the Court's further pleasure, a civil suit being in progress at the time. Judge Zane soon took in the situation, however, and stopped proceedings to hear from the great rescued. Mr. Young, of counsel for the county, then arose and asked for time in which to prepare an argument, stating his willingness to let the prisoner go on his own recognizance in the meantime. Judge McBride, for the prisoner, agreed to this, and Thursday next, at 10 a. m., was the time set. What the result will be can of course be only conjectured; but that every distortion and contrivance to overcome the statute will be resorted to is beyond dispute.

FROM WEDNESDAY'S DAILY, DEC. 9

Killed.—A telegram received by Charles Lane, of Ogden, from his brother, conveys the sad news that Hyrum Parry, a son of Joseph Parry, of Ogden, was shot on Monday evening, the 7th inst., in Dillon, Montana. The body will be brought home for interment, and is expected to arrive this evening.—*Ogden Herald*.

Information Wanted.—George W. Brown, of Providence, Clark County, Indiana, writes for information concerning the whereabouts of his uncle, James Brown, who left that State about thirty years ago, and is supposed to reside in this Territory. He says

his uncle paid a visit to and preached in Indiana about twelve years ago. He would now like to obtain his address.

Arraigned.—Yesterday afternoon B. Y. Hampton went into the Third District Court to plead to the four indictments found against him by the grand jury. Two of the indictments are for conspiracy, alleging that the defendant "conspired" with one Mrs. Fields and one Fanny Davenport, to commit crime, by keeping houses of ill-fame, by which to lead away "weak and vicious" Federal officials. The other two indictments are for keeping a house of ill-fame, the time during which the house is alleged to have been kept being divided into two periods, after the "segregating" process of Judge Zane. Pleas of not guilty were entered. The defendant's bonds are fixed at \$3,600.

Bonds Forfeited.—Deputy Marshals were hunting for Fanny Davenport yesterday, she being more difficult for them to find than formerly, but failed to learn her whereabouts, and so reported to the Court. At this Judge Zane issued an order, commanding the defendant to appear in court at 2 o'clock this afternoon, or that her bondsmen show cause why the bonds, \$1,500, should not be declared forfeited. At the appointed hour to-day, Commissioner McKay moved, as the defendant was absent, that the bail be declared forfeit. The names of the defendant and her bondsmen were called, but there being no response, the forfeiture of the bonds was ordered. A few moments after, Judge Hoge, of counsel for the defendant, was surprised by receiving news of the court's action, as when the court adjourned at noon, he understood it was until 10 a. m. to-morrow. He will endeavor to have a rehearing.

To be Sent to Beaver.—James Marshall, formerly of Beaver County, was arrested yesterday afternoon by Deputy Sprague, on an indictment found by the grand jury, charging him with extortion, the alleged crime having been committed in the Second Judicial District. Marshall's attorney moved that the defendant be admitted to bail, and this afternoon Commissioner McKay came into court, and opposed the motion, arguing that Marshall had once before been released on bail, and when the time for trial came he failed to appear and the bonds were forfeited. Mr. Darke, for defendant, denied that his client had failed to appear, except through sickness, or that his bonds had been forfeited. His former bondsmen wished to be released from the obligation, and for this reason he moved that the amount of bail be fixed. The Court decided that the better course was to send Marshall to Beaver, and let the Court there deal with the matter.

The Real Conspirators.—The air is thick with rumors, but none of them can be traced to a source upon which absolute certainty rests. That the conspirators against law and morality are busy in their efforts to checkmate the local government, however, is certain, whether the details are forthcoming or not. Their purpose is now, as it has been all along, to conceal the facts and rely only upon such aid as may be extended by the court which exercises supreme and uncontrolled jurisdiction over men, matters and manners. That meretricious arts are being employed and money is being spent, is well understood; that the design is to secure safety from punishment through immunity promised to others if such "others" will only do thus and so, is also apparent; and the question now remains, can the guilty be reached at all? Having no defense on the facts, they are resorting to the high-ways and byways of legal constructions to escape from the web of guilt which has been carefully and surely woven about them by those who desire that the law as it is and as it means shall be enforced. Let the conspirators proceed in their nefarious work; every dodge resorted to and every dollar spent will be made known sooner or later, as surely as that the guilty parties and their guilt are known. Wait and see.

FROM THURSDAY'S DAILY, DEC. 10

Set for Trial.—In the Third District Court this morning, at the request of C. S. Varian, assistant district attorney, the cases against B. Y. Hampton were set for trial on Wednesday next. The prosecution evidently intend to pack a jury by the open venire process, to secure a conviction in any event.

Indian Depredations.—A dispatch from Tombstone, Arizona, dated Dec. 6th, says:

Information has been received here that a small band of Indians, numbering ten or fifteen, made a raid through Sulphur Spring valley on the night of the 3d of December, driving off a number of horses. Linderman, the Hall Brothers, and a Mormon freighter were the losers. The Indians were heading for the Swisshelm mountains. Several miners have come in to the

ranches for protection. No troops are in that vicinity, and as there are several bands of Indians reported, much trouble is feared.

Coal Company in Sanpete.—Yesterday Secretary Thomas issued a certificate of incorporation to the Deseret Coal and Coke Company, organized under the laws of Utah, with its principal office and place of business at Ephraim City, Sanpete County, Utah. The capital stock of the company is placed at \$50,000, with a proviso that it may be increased to \$200,000, divided into shares of the par value of \$50 each. The objects of the company are to carry on and conduct the business of coal mining, the manufacturing of coke and lumber, and the construction and operation of wagon roads leading to the coal lands and lumber mills, situate in Fairview precinct, Sanpete County.

The names of the incorporators of the company are: Wm. T. Reid, W. H. Folsom, Manti; James A. Allred, Spring City; Philip Hurst, Hans Carlstrom, Fairview; Hans J. Brown, Wm. S. Seelye, P. M. Peel, N. P. Madsen, Andrew Madsen, Christian Madsen, Hans Poulsen, Mount Pleasant; Thomas Thorpe, Canute Peterson, Peter Peterson, H. C. Jensen, Ephraim; James Crawford, Hans Jensen, J. B. Maiben, Luther T. Tuttle, Henry Parsons, Manti; Joseph E. Anderson, Lars A. Anderson, Ephraim.

The following are the directors: Wm. H. Folsom, president; Lars A. Anderson, vice-president; L. T. Tuttle, Andrew Madsen and Philip Hurst.

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FOR SALE AT Z. C. M. I. DRUG STORE.

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