

THE DESERET NEWS.

TRUTH AND LIBERTY.

No. 28.

Salt Lake City, U. T., Wednesday, July 25. 1888.

Vol. XXXVII.

ESTABLISHED 1850. DESERET NEWS: WEEKLY.

PUBLISHED EVERY WEDNESDAY.
One Copy, one year, with Postage, \$2 50
" " six months, " 1 50
" " three months, " .80

DESERET NEWS: SEMI-WEEKLY.

PUBLISHED EVERY TUESDAY AND SATURDAY.
One Copy, one year, with Postage, \$3 00
" " six months, " 1 50
" " three months, " 1 00

EVENING NEWS:

Published every Evening, except Sunday.
One Copy, one year, with Postage, \$10 00
" " six months, " 5 00
" " three months, " 2 50

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PUBLISHED BY
THE DESERET NEWS CO.,
SALT LAKE CITY, UTAH.

FROM TUESDAY'S DAILY, JULY 17, 1888.

Pushing the Law.

Yesterday afternoon Lorenzo D. Watson, of Iron County, was arrested in this city on a charge of unlawful cohabitation, made against him in the Second District. He was taken to the penitentiary until this afternoon, when he went to Beaver in the custody of an officer. He has already served one term for living with his wives.

Probably Fatal Accident.

The following special to the NEWS was received last evening after we had gone to press:

Nephi, Utah, July 16, 1888.—Patriarch John Andrews was thrown from a hay rake at 11 o'clock this morning and dangerously hurt. He is now lying unconscious and it is thought that he will not recover. J. W. P.

Three in Half a Day.

There were three burglaries yesterday afternoon in the northeastern part of town. One was at Mr. John Lund's, another at Mrs. Pyper's, and the third at Mrs. McAllister's. At Mr. Lund's four silver watches, four brooches, a locket, and a pair of cuff buttons were taken. At the other places the thieves obtained a few small articles.

C. W. Dunbar's Death.

At 4 o'clock yesterday afternoon, Charles W. Dunbar, son of Wm. C. Dunbar, of the Twentieth Ward of this city, died at Ogden. He was hurt in a game of baseball in this city a short time ago, the injury resulting in peritonitis, which caused him the most acute suffering. His body was brought to this city last evening. He was twenty-one years of age, and had been employed as express messenger on the U. C. R. R.

Want it for Salt Lake.

At 4 o'clock yesterday afternoon a meeting was held at the Chamber of Commerce, to arrange for inviting the National Educational Association to hold its next annual session in this city. After some discussion, Bishop H. B. Clawson stated that he was authorized by President Wilford Woodruff to tender the use of the large Tabernacle to the Association if they should select Salt Lake as the place for their convention. The meeting adopted the following resolution, which was signed by W. S. McCormick, president of the Chamber of Commerce, P. L. Williams, Territorial School Commissioner, H. W. Lawrence and H. B. Clawson, and sent to Supt. Wm. M. Stewart, who is now in San Francisco:

At a meeting of the Chamber of Commerce and citizens of Salt Lake, it was resolved to extend an invitation to the National Educational Association now in convention at San Francisco, to hold their next annual convention in Salt Lake City. You are requested to present this invitation in connection with the other educational representatives from Utah, to the convention, and to make known that President Woodruff has kindly tendered the Tabernacle, having seating capacity for 10,000, for that occasion, and that all our citizens will give the members of the convention a hearty reception, and pledge themselves to secure satisfactory rates of transportation from

all railroads and otherwise make the sojourn of the visitors to our city pleasant and enjoyable.

Released on Habeas Corpus.

The question of the jurisdiction of United States Commissioners in Territorial cases came up before Judge Zane yesterday afternoon in *habeas corpus* proceedings for the release of Wm. M. Brown, of Promontory, Box Elder County. Mr. Brown was charged with grand larceny, alleged to have been committed in Box Elder County, and was taken before Commissioner Cross, of Weber County, where he was ordered committed to custody in default of bail. Yesterday afternoon proceedings were taken for his release, his attorney claiming that the defendant was unlawfully held for the reason that the commissioner before whom he was examined had no jurisdiction, because the offense was not committed in Weber County—neither had the property alleged to have been stolen been brought into Weber County; that it was strictly a case that could be handled only by a magistrate or a commissioner of the county where the offense was committed. Judge Zane said he was clearly of the opinion that the Commissioner had exceeded his powers. The jurisdiction of a commissioner in a civil or Territorial case, is limited to the county in which he sits—to which he is appointed. In a case arising under United States laws, the Commissioner had jurisdiction, no matter in what part of the Territory the offense was committed. Had the property stolen been brought into Weber County the case would have presented an entirely different aspect. There was nothing to show this, however, and the defendant was discharged. Mr. Brown started to leave the room, but was immediately re-arrested. He was taken north last evening by Deputy Cannon, to go before a commissioner in Box Elder County.

Mr. Brown says that he took the horse as alleged, but did so under the supposition that it belonged to his band. When he learned of his error, he says he returned the animal.

FROM WEDNESDAY'S DAILY JULY 18, 1888.

T. J. Potter's Successor.

Thomas L. Kimball, Esq., has been appointed acting general manager of the Union Pacific. This appointment will give great satisfaction in this Territory, where Mr. Kimball has long been well and favorably known among business men, who universally esteem him highly. Mr. Kimball is one of the best railroad men in the country.

Humane Society.

The Utah Humane Society has filed its articles of incorporation with Clerk McMillan, of the Third District Court. The incorporators are T. R. Jones, Inez C. Wallace, C. E. Allen, Geo. M. Scott, Bellivar Roberts, F. M. Harkness, C. R. Barratt and Geo. Y. Wallace. The object of the society is to prevent cruelty to animals, and to enforce the Territorial statutes on that subject.

Wants Damages.

Willis Hoffman has commenced suit against Joseph Baumgarten and Robt. Pyper for \$5000 damages for alleged false imprisonment. Mr. Baumgarten's tailor shop was broken into some time since, and he made complaint against Mr. Hoffman. Mr. Pyper served the warrant of arrest as a police officer. The plaintiff states that he was arrested in a public place, escorted forcibly through the public streets, thrown into a jail which was unfit for human beings, and compelled to associate with persons of a disreputable character.

New Factory.

That enterprising firm, the Burton Gardner Co., have recently built a factory and established a yard for the manufacture and sale of their combination fence on the State Road, just south of Eighth South Street, where they have a switch from the Salt Lake & Fort Douglas Railway established so that they can have car loads of posts and other fencing material run right up into their yard to unload and ship their manufactured product without the trouble of hauling any distance by team. The intention of the company is to remove the whole of their manufacturing business to this new site, where they will have better facilities for working, storing material, etc., than in their up-town establishment, and will certainly be in a good condition to catch the trade of this county as well as to ship to other parts. Parties interested can see the machines of the company in operation at the factory and in the field.

For Pastures New.

David Lowenthal, who first came to the public notice by having the marriage between himself and Emma Bryson annulled on the ground that the latter's husband, who was sup-

posed to be dead, was still alive, has "skipped." He took his departure on Monday evening. The deputy marshals yesterday requested the item to be kept out of the papers as they hoped to catch Lowenthal at Grand Junction. The reason they wanted him, was that he had been paying off his bills with drafts on the Union National Bank, signed by himself, when he had no funds in the bank to his credit. He had also tried to get away with a \$150 ring from Hollander's, but had at last given it up. The prosecution against him has been dropped, as some of his friends settled the bills which the checks had been given to cover.

Respect to a Worthy Man.

Yesterday afternoon two members of the Old Folks' committee, through the courtesy of acting Marshal Arthur Pratt, presented the gold medal awarded by that committee to William Carter for turning the first sod in Utah. Mr. Carter has reached the ripe age of seventy years, is still hale and hearty and is serving out a term of imprisonment in the penitentiary for maintaining the family responsibilities he assumed before the law of 1882 was passed. He speaks well of the treatment he receives in the "pen," and was highly elated when he found that he had not been forgotten as eligible for a prize among the seventies. He is one of nature's noblemen and "the noblest work of God"—an honest man. As the first man to break soil in this great intermountain region, he is now receiving the reward of six months' imprisonment. It is inconceivable that the law against unlawful cohabitation was intended to reach such cases as his, it being over thirty years since he married a wife. It was highly commendable in the Old Folks' committee to impress the fact upon this venerable Pioneer that he is not forgotten by a host of friends.

Patriarch Andrews' Death.

The following dispatch to the NEWS was received last evening:

Nephi, Utah, July 17, 1888.—Patriarch John Andrews, who was yesterday thrown from a horse rake, while returning from his farm, died about 7 o'clock this morning. He has not been conscious and has struggled between life and death constantly since the accident. He was one of Nephi's oldest and most respected citizens.

Our correspondent at Nephi sends the following particulars in addition to what was published yesterday:

Yesterday, July 16, Patriarch John Andrews was driving home from his field, on a sulky rake, with his adopted six-year-old son. In passing the Utah Central depot some cars were close by the road, and the horse became a little frightened. Just at this time a Sanpete Valley Railway locomotive whistled, causing the animal to be more frightened and to run with great speed over the railway track, throwing Brother Andrews off with great force, breaking his collar-bone. The teeth of the rake cut up his face fearfully. He also received some internal injuries. He was picked up unconscious and remained so up to his death. The family had no hopes of his recovery from the first.

The boy hung to the rake until the horse neared home when the rake struck against a tree and broke off both shafts. The boy was badly frightened but not hurt much.

Brother Andrews was an old resident at Nephi and is widely known throughout the Territory for his hospitality and generosity.

FROM THURSDAY'S DAILY, JULY 19, 1888.

A Bad Runaway.

Last evening, on Third East Street, between Fifth and Sixth South, a serious runaway occurred. Nine children were riding in a spring wagon drawn by a single horse, when the animal took fright and began to run. It went toward the sidewalk, causing the wagon to be smashed by coming in collision with a tree. The party of little ones were thrown out and all of them injured more or less severely. Two of Mr. S. A. Kenner's daughters were cut and bruised about the head, one of Mr. McLeod's daughters had her shoulder fractured, another her leg broken, a third was bruised considerably, and the remaining four children were badly shaken up.

For Fifteen Months.

J. W. Bozeman is the name of the man who was arrested for robbing Hall & Larson's tailor shop. Some of the stolen goods were found on him. He said he had bought them from a man near Ogden, but on cross-examination he contradicted himself so badly that his story was not believed. He said he was from Bozeman, Montana, where his mother lived. He admitted that he had gone under the name of Brasley, and at first refused to state why he had assumed the alias

He finally said it was because he had been arrested for vagrancy at Green River, and he didn't want his true name to be known. He had traveled with a number of men, but didn't know the name of any of them. He said he had worked for some time at Evanston, with a gang of fifteen men, but had not learned the name of even one of them. He also came to this city with a companion, some of whose property he had, yet he had never heard his name. This story failed to favorably impress the court, and Bozeman was sentenced to imprisonment in the county jail for six months and to pay a fine of \$230. As he has no money this will keep him in jail for 440 days, or nearly 15 months. As this penalty was considered sufficient for his punishment, the charge of housebreaking against him was dismissed.

L. D. Watson's Escape.

Deputy Cannon returned from the south yesterday, feeling rather crestfallen, the cause being that Lorenzo D. Watson, whom he had in custody, and was taking to Beaver had escaped from him at Deseret. They had been riding about eight hours in the train, and during that time Mr. Watson had several times gone to the water tank in the car and drank. The deputy had watched him closely, with an idea that if he got an opportunity he might make an effort to regain his liberty, as he felt uneasy at being presented before Judge Boreman, who, he said, was so vindictive that he would be unsparing, as Mr. Watson was a "Mormon," and was accused of having lived with his plural wife. He said he was not particular about the single charge of unlawful cohabitation, but did not want the charges doubled up on him, as he expected would be the case.

Mr. Watson gave the officer no assurance that he would not endeavor to get away. When he asked permission to get a drink, Deputy Cannon, who was but five or six feet away, kept an eye on him. The train was going at about fifteen miles per hour, and as it was dark, being nearly midnight, the officer did not think a jump from the train would be risked. Quick as a flash, however, when Mr. Watson put the cap down, he sprang through the car door, closing it after him, and leaped out into the darkness. Deputy Cannon saw the first movement, and followed just as quickly as Mr. Watson had gone, at the same time drawing his pistol. He was stopped for an instant by the closed door, but opened it and jumped from the train, not more than two seconds after his prisoner had made the leap. The officer was thrown to the ground with great force, and dropped his revolver. He got up, but could see no trace of Mr. Watson. He then groped around for his weapon and succeeded in finding it, but his subsequent search for his erstwhile prisoner was fruitless. Whether Mr. Watson was injured or not is unknown, but as he knew the lay of the country better than the officer he made good use of his knowledge and kept out of sight. The deputy returned to this city and reported what had occurred.

ARM CRUSHED.

B. B. VanDeusen, of this City, Meets with an Accident.

Yesterday Mr. B. B. VanDeusen, mining engineer, who resides in this city, met with a serious mishap at Alta, Little Cottonwood Cañon. He had been engaged in superintending the construction of concentrating works for the Emma mine, and had got everything in order and was about to start for Salt Lake. He was going about taking a final glance at the machinery, when he placed his right hand in close proximity to the wheels. His fingers were caught by the cogs, his hand drawn in, then his arm to above the wrist. He shouted to the engineer to stop, and at the same time held back with all his strength to prevent his body being drawn into the ponderous machinery. He gave the mill men directions to throw off the belt, and to lift the big cogwheel with a crowbar, so that his mangled arm could be liberated.

A telegram was sent to Dr. Pinkerton to come down on the D. & R. G. W. with a special. Mr. VanDeusen then left Alta and came by rail to Sandy, where the surgeon had arrived. Mr. VanDeusen was given such attention as could be at that place, and was then brought on to this city and taken to the hospital, where his right arm was amputated just below the elbow. He was doing as well as could be expected today, and it is anticipated that in a few days he will be able to be removed to his residence.

Harrison Severe's Case.

Today Harrison Severe was before Judge Zane. Some time since he was indicted on a charge of adultery, and his wife, Elizabeth Orr Severe, was held on a charge of fornication. Mr.

Varian was Mr. Severe's attorney and stated that over thirty years ago the defendant married, as his plural wife, Elizabeth Orr. Both were then "Mormons." About twelve years ago Mr. Severe's first wife went to Idaho, where she has remained ever since. A short time ago she obtained a divorce, and Mr. Severe made Elizabeth Orr his legal wife. He had been arrested for unlawful cohabitation, but the charge could not be sustained, and on his own statement the present indictment was found. Neither he nor his wife had any knowledge that they were violating a United States law, and since making the discovery they had placed themselves in conformity with the law. It was Mr. Severe's intention to obey the law in the future, and to live with only one wife. Under these circumstances Mr. Varian asked that the indictments against Mr. Severe and his wife be dismissed. Assistant U. S. Attorney Clarke stated that he understood the circumstances to be as Mr. Varian had represented, and thought the ends of justice would be satisfied by granting the motion, as Mr. Severe had conformed to the law. The Court took a favorable view of the case, and both indictments were dismissed.

DEATH AT THE LAKE.

Dr. E. H. Elam, of Pioche, Dies While Bathing.

About six o'clock last evening considerable excitement was caused at Gardfield Beach by the death of Dr. E. H. Elam, of Pioche, Nevada. The doctor was bathing, and was endeavoring to float, when some of the other bathers observed that he acted as if he had been seized by a fit. Several of them hastened to him, and he was removed to the beach, where Drs. Richards and Bowers and others rolled him on a barrel, rubbed his hands and feet, etc., but without being able to resuscitate him. In fact he had been stricken with death while in the water. While the efforts to revive him were being made, no water came from his stomach, so that it was apparent he has swallowed little, if any, and that it was not a case of drowning.

When it was ascertained beyond all doubt that Dr. Elam was dead, the body was properly taken care of, and the coroner sent for. In a couple of hours Justice of the Peace Joseph Griffiths, of Mill Precinct, came and summoned H. J. Faust, T. S. Gardner and T. J. Wilcox as jurors, and an inquest was proceeded with.

Dr. Bower, Mr. Wilcox, Elwood Bailey, C. W. Agram, Francis Bannerman and E. R. Kneass were the witnesses.

Mr. Bailey stated that he accompanied the deceased to Gardfield Beach and also into the water. He was not much used to the salt water, although he had been in it before; he was about 60 years old, and quite infirm; I floated around the pier and was just nearing the place where I left him, when I saw persons carrying him out; was not away from him more than ten minutes; we had had a drink or two, but he was apparently none the worse for that; have known him for a number of years; I was staying at the Cullen house when he came three days ago.

Mr. Agram said he saw the deceased swimming; he asked me "How do you float?" I told him he had better go into the shallow water to practice; the water was about three feet deep where we stood; a few moments later I noticed that he turned on his side and acted strangely; helped carry him out; he gasped and opened his eyes; no water came from his stomach; his face turned black soon after we took him out; his head dropped to one side when we lifted him; did not see him struggle nor hear any cry.

Francis Bannerman testified—I was near the southwest corner of the pavilion; saw the man going along all right, and a few moments later saw him turned on his face, the body turning on its side and then on the face again; I thought something was wrong, and went to him as soon as possible; Dr. Richards and Mr. Agram got there at the same time; we carried him to the beach; think it was not more than a minute and a half from the time I saw him all right until I noticed something wrong.

The other witnesses gave corroborating evidence, and the jury rendered the following verdict:

An inquest held this 18th day of July, 1888. We, the jurors, on our oaths do state as our belief, that the deceased, E. H. Elam, now lying dead, came to his death by paralysis followed by strangulation.
H. J. FAUST,
T. S. GARDNER,
T. J. WILCOX.
Jurors.

JOSEPH GRIFFITHS,
Justice of the Peace.

Dr. Elam had resided a number of years at Pioche, where he was a prominent citizen. His wife and two daughters are now in San Francisco, and word has been sent them of the sad occurrence. It is expected that the body will be sent there for interment.