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FROM TUESDAY'S DAILY, OCTOBER 18.

Gave Bonds.

This morning John Winnell, an aged resident of Kayville, Davis County, was before Commissioner Norrell, and gave bonds to await trial on an indictment charging him with unlawful cohabitation.

U. S. Commissioners.

In the Territorial Supreme Court today, John T. Leonard, of Salina, Sevier County, Robert Jones, of Monroe, Sevier County, and John W. Morehouse, of Nephi, were appointed United States Commissioners.

Arrest at Cedar City.

Cedar City, Utah, Oct. 18. [Special to the Deseret News.]—Deputy Marshals McGarry and Armstrong surprised the citizens of this place at 11:30 this morning and arrested, on the charge of unlawful cohabitation, Daniel L. Macfarlane.

Carp.

The carp car coming has gone to Oregon and will return via Utah. Col. Marshal McDonald, Chief Division District U. S. Fish Commission, Washington, D. C., says, October 11th, "The car is now en route to Portland, Oregon, and will return by way of Salt Lake City." Those interested must govern themselves accordingly.

A. M. MUSSER.

Have the Shad been Seen?

Col. McDonald says: "Please let me know if anything has been seen of the young shad placed in Jordan River (last June). They should now be three or four inches in length, swimming in schools and moving down stream."

If any one has seen shad in the river let them please let me know where and when they were observed, if more than once, and whether in large or small numbers?

A. M. MUSSER.

Apaches Indicted.

A dispatch dated Tucson (A. T.), October 15, says: The United States grand jury made its final report today and was discharged. It found fourteen indictments, nine of which were against Apache Indians for the killing of Mike Grace above Crittenden in May last. An indictment has also been found against Geronimo for the killing done by him in the Santa Valley on the 16th of June, 1887, when he and his band killed two citizens of the valley.

Utah Leather.

Yesterday morning a Herald reporter was shown some sole-leather manufactured at the factory in Salt Lake City, which is run by Mr. Rowe. Mr. Hyrum Bull, foreman in the sole-leather department of the Salt Lake factory, was sent up to introduce the leather here. Mr. Thomas Ashby has given the leather a fair test and says it is better than that which is imported. He was surprised at the quality of the leather and has concluded to use it exclusively hereafter.—Ogden Herald.

Fell from a Train.

Mr. I. Carter, a young man who works as brakeman on the Union Pacific railroad, fell from a freight train as

it was coming down Echo Canon on Sunday morning. The young fellow was very much shaken up and his shoulder blade dislocated. No bones were broken so far as the physicians are aware at present. He has considerable pain when moved, and it is feared he has received some internal injuries. The train from which the brakeman fell was running at a rate of 40 miles an hour. He was stepping from a high car to a low one and slipped, both the cars being covered with frost. It was two hours from the time he fell to the time he was found by the train men. He is conscious nearly all the time and is doing very well.—Ogden Herald.

Found Dead.

A dispatch was received from Marston yesterday, stating that the body of a man had been found near that place, on the line of the U. P. There was only one mark on his head, which indicated that the man had fallen and struck the end of a tie. The body lay outside of the track, and it was difficult to know whether he had fallen from a train or whether he fell as he was walking along the track. The body having no other bruises than the one on the head, seems to suggest that he might have been walking along the track and fell from the effects of some disease, striking his head on a tie. If he had fallen from a moving train, there must have been marks on other parts of the man's body. He appeared to have been a working man, but his name is unknown.—Ogden Herald, Oct. 18.

Methodists Asking Legislation.

The Methodist Episcopal Conference of Arizona, in session at Tucson, Arizona, October 15th, adopted a resolution as follows:

That we hereby appeal to Congress to pass a law prohibiting both the manufacture and sale of intoxicating liquors in the Territories. We urge upon the Women's Christian Temperance Union and all other temperance congregations to advocate the passage of such laws, and thus root out the rum traffic before it becomes firmly established in the virgin soil of the Territories; and, whereas gambling is tolerated by license within the Territories, we also appeal for the passage of a law prohibiting this licensed evil. Such laws are practicable, and the Federal Government would have power to enforce them.

DIED IN PRISON.

An Unknown Man Dies at the City Jail.

This morning an unknown man died at the city jail. About 12 o'clock last night a watchman telephoned to the City Hall, saying that a drunken man was lying near Z. C. M. I., on East Temple Street, and that he was unable to manage him. The officers came and carried the man to jail, where they placed him on a bed, as they believed, to sober up. This morning the jailor, who saw that he was still in

A STUPERED CONDITION

and realized that he was not drunk but suffering from an attack of some kind, had him placed on a mattress near the stove. The man made no sound, except to groan occasionally. The jailor left him there a few minutes to attend to some necessary work connected with the prisoners, and soon returned and asked a man whom he had left with the unknown how he was. The reply was considerable of a surprise—"I don't know, but I believe he is dead." This was about 9 o'clock. An examination showed that the spark of life had fled. The clothes of

THE DEAD MAN

were searched, but nothing was found to indicate who he was or where he came from. In one pocket he had a spool of cotton and a pair of spectacles in a case, but no papers or writing of any description were discovered. A number of persons were called in out no one could identify the deceased, whose body was removed to Sexton Taylor's where an inquest will be held this afternoon at 4 o'clock. The deceased was apparently over 65 years of age, of medium build and light complexion. He wore a navy blue coat, blue overalls and heavy shoes, and appeared like a working man. His death was probably due to a paralytic stroke.

THE CHURCH SUITS.

Two of the Judges Want to Get at the Receivership.

The proceedings in the suits of the United States vs. The Church of Jesus Christ of Latter-day Saints and the P. E. Fund Company, were conducted before the Territorial Supreme Court today, the three justices being present.

When the cases were called, Col. Brodhead arose and asked that

THE DEMURRER

be set for argument in its

order. As it raised the question of the jurisdiction of the court and the validity of the law under which the actions were brought, it was proper that it should first be disposed of.

United States Attorney Hobson took an opposite view. He insisted that the question of the appointment of a receiver should first come up, and then the demurrer to the court's right to act and the sufficiency of the plaintiff's bill. The demurrer presented issues that would be taken before the United States Supreme Court, and the consequent delay would snarl proceedings and prevent the appointment of a receiver. The issues in the case, he said, were

VERY GRAVE ONES,

and delay would work injury to and impair the rights of the plaintiff unless a receiver were appointed pending the final settlement of the litigation.

Senator McDonald insisted that the defendant had a legal right to interpose a demurrer and to be heard on it and learn whether he shall be required to make further answer in the suit against him. The claim that the rights of the plaintiff would be impaired was a peculiar one, since there was no question of equity involved, and the plaintiff had no rights in the bill as set forth. The government was not injured by the possession of property by the defendant. The defense claimed that the law providing for the institution of the suit was invalid; the demurrer set this forth, and the legal ground for asking the appointment of a receiver should be determined before the appointment is made. The claims of the government in this case was in

VIOLATION OF THE CONSTITUTION, and the law in the premises should be settled before the details of the case were entered into. There was no doubt the question would be taken up to the United States Supreme Court.

The subject was further discussed by Mr. Hobson and Col. Brodhead.

After Judges Zane, Henderson and Boreman had consulted for some time, Judge Zane announced, "The majority of the Court are of the opinion that the motion to appoint a receiver should first be taken up."

The manner in which the announcement was made plainly indicated that the Court was not unanimous; and further that the Chief Justice was not with the majority.

Mr. Hobson then stated to the Court that the Solicitor-General of the United States was expected to attend to this case in person, and asked that the hearing of the demurrer be postponed to a later date.

The Court fixed the date Thursday, October 29, at 10 a. m., or as soon thereafter as the business of the court would permit.

Mr. Peters objected to this, and said he wanted it deferred till he heard from

THE ATTORNEY GENERAL

who would conduct the case. He was informed that when the demurrer was reached, a motion to postpone the hearing would be heard.

F. S. Richards, for the defense, then asked that the case be continued till 10 a. m. to-morrow, to give opposing counsel time to consult and if possible agree upon a statement of facts.

Judge Boreman inquired, "Will that shorten up the case?" and was met with: "Certainly; it will dispense with taking the testimony," by Judge Henderson.

Mr. Clarke thought an agreement could be arrived at by 2 p. m., but Mr. Richards' application for a postponement till 10 a. m. to-morrow was granted, and the court adjourned.

THE FACTS ABOUT THAT \$30.

The Statement of J. C. Rich in Vindication of Himself.

Mr. J. C. Rich furnishes the following, dated Paris, Bear Lake County, Idaho, October 20, 1887:

I notice an article in your last SEMI WEEKLY issue headed "A Peculiar Case," in which one Gardner claims to have lost \$30 through Marshal Solomon, Mr. Huffaker, myself, or some one else, and as I very decidedly object to the insinuations therein contained, will esteem it a favor if you will publish the facts.

On Saturday evening of Conference, two parties, strangers, came to me and stated that their friend Gardner, who was

IN THE CITY JAIL,

would have to lay over there until Monday morning unless they could get him out, and they asked what I would charge to assist in getting him out, at the same time saying they would pay \$10.

I went to Mr. Solomon and represented that Gardner's friends were anxious to get him out, and take him home. Mr. Solomon objected to letting him out unless he had sobered up and assurances were given that he would be taken home and not be let loose to create any disturbance in the city. Of this I informed the parties and they assured me they had a team and would see him home, and a team

was driven around to the back of the City Hall, by a young man whom I had not before seen, Mr. Huffaker, I presume, a lady being in the carriage with him.

Mr. Solomon being convinced that they would take care of Mr. Gardner,

CONSENTED

for him to go, but said he would keep \$10 of Mr. Gardner's money for his appearance on Monday morning. He then gave me \$30, the balance of the money taken from Gardner at the time of his arrest. I took one of the officers with me to the wagon as a witness to see the money delivered and counted out, and delivered to the man driving the team \$30 which he acknowledged was correct. I presume the driver was Mr. Huffaker—the lady, Mr. Gardner and another friend of Gardner's at that time being in the carriage. Before starting they paid me the ten dollars agreed upon, whether from their own or Gardner's money I know not, and drove away.

On the Monday following Gardner came to my house and stated he was

OUT \$30.

I told him the facts as above stated and asked him to go with me to the City Hall and hear Mr. Solomon's statement. He consented, but before arriving there said he was going to have Huffaker arrested. I tried to persuade him to accompany me to see the Marshal but he declined. I then proffered to go with him and see Huffaker, which he declined also. I then told him in case Huffaker was arrested my evidence would be important, and if I was needed he should do something that day as I intended starting for Bear Lake the next day. I heard nothing further and left for this place the next afternoon.

This is my connection, with and all I know about the "Peculiar Case," and as I expect, so soon as I can get through with my business here, to be in Salt Lake, I shall be happy to interview any of the parties as to the facts herein stated.

Probate Court.

Proceedings before Judge Smith, in the Salt Lake County Probate Court Tuesday:

In the matter of the estate of Samuel Sharp Walker, deceased; an order was made appointing John A. Marshall to appear for the minor heirs of said deceased, in the matter of probating the will.

Petition for the admission of a document purporting to be the last will and testament of said deceased, and the appointing of Joseph R. Walker and Matthew H. Walker as executors thereof came in for hearing; and was continued until Oct. 26, 1887.

Estate of Mary Ann Hooper, deceased; claim of C. Y. Taggart for \$10 allowed.

Estate of Thos. C. Jones, deceased; order made appointing time and place for hearing petition for letters of administration.

Estate of Elias F. James, deceased; same order.

Estate of William Boyce, deceased; order made appointing time and place for hearing a petition asking that a document filed therewith be admitted to probate as the last will and testament of said deceased.

Estate of Theophilus Hofer, deceased; order made appointing time and place for hearing petition for letters of administration.

Estate of Elizabeth Dubous, deceased; order made of publication of notice to creditors.

Estate of Arthur Porcher, deceased; Robert Porcher appointed administrator upon filing a bond in the sum of \$500.

Estate of David O. Calder, deceased; order appointing Daniel H. Calder one of the executors.

Arrivals and Appointments.

On Sunday, September 25th, Elders Thomas Burningham, W. H. Farnsworth, J. C. A. Weihe and Thomas Blesinger arrived from New York, per S. S. Wisconsin, in good health and spirits.

Henry E. Bowring is appointed to succeed John I. Hart in the presidency of the Bristol Conference.

Thomas Burningham is appointed a Traveling Elder in the London Conference, to labor under the direction of Elder Henry Ballard.

W. H. Farnsworth is appointed a Traveling Elder in the Glasgow Conference, to labor under the direction of Elder W. Henderson.—Millennial Star

List of Immigrants.

The following immigrants from the Swiss and German mission were expected to leave Liverpool on the 8th of October per the steamship Nevada:

For Salt Lake City—John, Anna and Sophia Blauer; Mary Hostettler.

For Payson—Laraine and Ida Hoffman.

For Logan—Christian Kastelar; Rosetta Gerner; Mary Gorchlosky.

For Montpelier—Christian; Anna, Christian and Mary Bergen.

STAKE CONFERENCES.

Appointments for Quarterly Conferences Until April, 1888.

Weber and Juab Stakes, October 22d and 23d, 1887, and January 21st and 22d, 1888.

Box Elder, Tooele and Oneida Stakes, November 5th and 6th, 1887, and February 4th and 5th, 1888.

Cache and Wasatch Stakes, November 12th and 13th, 1887, and February 11th and 12th, 1888.

Bear Lake, Emery, Summit and Uintah Stakes, November 19th and 20th, 1887, and February 18th and 19th, 1888.

Snapete, San Luis, Morgan and Bannock Stakes, November 26th and 27th, 1887, and February 25th and 26th, 1888.

Millard, San Juan and Sevier Stakes, December 3d and 4th, 1887, and March 3d and 4th, 1888.

Utah, Panguitch and Little Colorado Stakes, December 10th and 11th, 1887, and March 10th and 11th, 1888.

Davis, Kenab and Eastern Arizona Stakes, December 17th and 18th, 1887, and March 17th and 18th, 1888.

St. George and St. Joseph Stakes, December 24th and 25th, 1887, and March 24th and 25th, 1888.

Parowan, Beaver and Maricopa Stakes, January 7th and 8th, 1888, and March 31st and April 1st, 1888.

F. D. RICHARDS,
JOSEPH F. SMITH.

Y. M. M. I. A. Conference.

The Young Men's Mutual Improvement Associations of the Salt Lake Stake of Zion will hold a conference in the Tabernacle in this city, on Saturday and Sunday, Oct. 29 and 30. A full attendance from all parts of the Stake is desirable.

To Sheepmen.

"Sheep herds going west are required to take the left hand road."

This notice is located at the mouth of Emigration Canon, and its design is to prevent sheep being driven through the city. The left hand road takes the herders to the street running west from the penitentiary, and those driving sheep over any other to pass through the valley west are to be prosecuted.

Painful Accident.

Yesterday afternoon Mr. John R. Horspool, who is employed at the furniture store of Boyle & Co., met with a severe accident. He was engaged turning a hand machine which is used as a carding machine for preparing the excelsior and moss used in mattresses and other upholstery. He stopped and rested his hand on the edge of the machine while the wheel was still turning and the handle struck his thumb, nearly tearing it from his hand. The flesh was severely mutilated and the wound was a very painful one. Mr. Horspool was made as comfortable as possible by having the wound dressed, and it is hoped he will soon be all right again.—Ogden Herald, Oct. 22.

A certain Professor Anderson is now lecturing in Laramie on "What can I do best." He differs from the old fashioned manipulator of bumps, in that he simply looks in the faces of those whose characters he describes. In other words he is a physiognomist rather than a phrenologist and predicated his characterization upon the facial expression and conformation rather than the undulations of the cranial bones. The Boomerang speaking of him says: "The lecture was entertaining and instructive. The speaker held that three things are necessary to make a success in life—nature, study and practice. Understanding natural powers will enable us to direct the study and thus insure successful practice. Many continually direct the aim too high and make complete failures, whereas by attempting something perhaps less popular, they would make a good success. Aspiration should never be mistaken for inspiration, desire for talent, nor talent for fact. The boy at the circus wants to be an athlete, at the show an actor, etc. The desire to get the easiest thing to do is sneered at, when it should be upheld and directed. It is right to try to get the easiest thing to do for that is 'the thing we are best fitted to do.' Ambition is flattered and praised and the person becomes vain and a failure, when by directing the praise to the work it would help to make success."

WACO, Texas, Oct. 20.—James E. Hamilton, a printer of this city, has fallen heir to an estate amounting to between two and three million dollars. He is a nephew of Horatio J. Hamilton, the rich miner of Oroville, Butte County, California, who died last April, leaving no heirs. Hamilton starts for Oroville next week.