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TERMS IN ADVANCE.

DAVID O. CALDER,

EDITOR AND PUBLISHER.

OUR SUBSCRIBERS in the country can at any time ascertain the date on which their subscription expires by referring to the numbers attached to their name on their paper, namely, 1-6-4 means first day, sixth month, fourth year, or 1st June, 1874, 15-12-4 means 15th December, 1874, &c.

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Subscribers understanding this will be able to renew their subscriptions prior to the time of expiration, so that their papers may continue without interruption.

Local and Other Matters.

FROM WEDNESDAY'S DAILY, FEB. 24.

Departed.—It will be seen by an obituary notice, in another part of the NEWS, that a little daughter of Elder Robert F. and Sister Eliza S. Neslen departed this life last evening. The little one was unusually bright and intelligent.

Shooting a Cow.—A man named Castle found a cow in his lot, eating up his produce lately. He took the law in his own hands and fired a shot from a gun at it, inflicting a wound in the shoulder. The owner of the cow, a Mr. Brighton, entered complaint against him, and he was fined \$20, in Justice Pyper's Court this morning.

Obsequies.—The funeral services over the remains of the daughter of Miss Jean Clara Walters were conducted this afternoon, at St. Mary's Church, and were attended by a large number of the friends of the deceased and her mother. The remains were followed to their last resting place by a large cortege of carriages filled with mourners.

From the Sandwich Islands.—Elder F. A. Mitchell returned yesterday from his mission to the Sandwich Islands, accompanied by his family, and a native of the Islands, the latter about thirty-seven years of age, all in good health.

We might also say that there was another native of the Islands in the party, a little one, of which Brother and Sister Mitchell are the parents. Elder Mitchell left his family at Ogden yesterday, to visit friends there, and intended to go there this afternoon, to bring them down to this City.

At Home Again.—Elder F. A. Mitchell called in this afternoon, in good health and spirits, with the common exception of a slight cold. He left late Jan. 26, and Honolulu on the barque *D. C. Murray*, Feb. 1st, arriving at San Francisco Feb. 18th, after a very pleasant voyage. He left the mission in the Islands in fair condition, and with good prospects, having enjoyed himself well while there. With Elder Mitchell came Bro. Kaulainamoku, a stout specimen of the native race, who is also in excellent health and appears to enjoy his visit to this country. We extend a hearty welcome to these brethren, one on his return to his home, and the other on his first visit to this Territory.

City Council.—The Council met last evening, Mayor Wells presiding.

Petition of Charles Sansom and others, asking for the construction of a water tank, for fire purposes, on South Temple street, between Fourth and Fifth East streets; referred to the committee on fire department, with instructions to select a suitable site for a tank in the locality named.

Isaac Evans was granted the privilege of placing his boot-black stand opposite Hale's saloon, under the direction of the chief of police.

Petition of Susannah Higham, asking for the opening of a certain street near the north-east corner of the City; referred to the committee on streets and alleys.

Bill of Henry Grow, for carpenter work done on the Bath-house, \$1,690; referred to committee on claims.

Adjourned till next Tuesday evening.

District Court.—The Third District Court met to-day, J. B. McKean, C. J., presiding.

A number of aliens were admitted to citizenship. They were put through the judge's usual categorical examination with regard to their family relations.

Mr. Lewis, formerly a member of the bar of the Supreme Court of Louisiana, was admitted to the bar of the Third District.

U. S. District Attorney Carey stated that it was probable the case of the People of the United States, &c., vs. George Reynolds, indicted for polygamy, would be ready for trial to-morrow morning. The points raised in a plea of abatement filed by the defendant's attorneys were identical with those raised in the Ricks case, with the exception of one point.

The Court said that he would not hear any points re-argued that had been discussed before, until the questions were brought before the Supreme Court, but would only hear the one point in the case that differed from the others.

The District Attorney said he was preparing his replications, which would probably be ready in the morning.

Mr. Tilford, attorney for the defendant, in the case of the People, &c., vs. E. X. Field, indictment for embezzlement, filed December 4th, 1874, stated that he had filed with the clerk a motion to quash, the grounds of which were that the indictment contained seven counts, each of the three first of which charged the defendant with stealing articles of a less value than \$20, while each of the other four counts charged him with stealing articles of a higher value than \$20, the charges of the first three being therefore in the nature of a misdemeanor, and the remaining four in that of a felony, this being, in the opinion of Mr. Tilford, an improper joinder, the one being an offense at common law and the other a statutory offense.

When our reporter left the Court the gentleman was arguing and citing authorities in favor of his motion.

In Honor.—The entertainment last evening, in honor of the birthday of Washington, given in the Sixteenth Ward school rooms, for the benefit of the organ, was well attended, the storm, however, detaining many at home. The various pieces were finely performed. Some disappointment was occasioned by the failure of the young lady representing the mother in the "Flower Children," thus defeating the presentation of that beautiful little medley. The tableau of the twelve girls, dressed in white, with bouquets of natural flowers (artistically arranged by Mrs. John Reading) in their hands and wreaths on their heads, representing the flower families, together with the six very small boys and girls representing the mosses and ferns, with leaves of the century plant in their hands and arbor vitae wreaths on their heads, was a sight not soon to be forgotten. Though they had not the opportunity of singing and reciting, in their charming appearance the audience was amply recompensed.

"Cinderella, or the Glass Slipper," with the marriage tableau, was delightfully performed throughout; as were also "The True Philosophy," "Darby and Joan," "Scandal," "Faith, Hope and Charity." The burlesque of the "Stupid Servant" kept the house in laughter till the close.

The recitations, "Phillips' Eulogy on Washington," "Spartacus to the Gladiators," and "Catiline's Defence," were given in classic manner. The singing by the choir, opening with "The Birthday of Washington," and closing with the sublime anthem, "Praise wait-

eth for Thee," was executed with the brilliancy and sweetness that characterize all their performances. The comic songs were no insignificant feature of the occasion; and, in numbers, variety and genuine mirth-provoking element, afforded the fullest opportunities for well-tempered applause.

FROM THURSDAY'S DAILY, FEB. 25.

Returned.—Governor Axtell returned last evening from the north, after having paid a visit to Ogden, Brigham City, and Corinne.

Co-operative.—A co-operative tailoring establishment has commenced business in the 11th Ward, in the premises in the upper part of the building occupied by the co-operative meat market of that ward. That's right.

Benefit Party.—Last night there was a party at the Seventeenth District New Schoolhouse, attended by a large number of the older residents of the ward. The proceeds are to be devoted to the laudable object of aiding in the purchase of suitable benches and other furnishings for the large hall.

Fire at Ogden.—A dispatch to the NEWS last evening, states that a fire broke out in the Beardsley House, Ogden, at 7 o'clock, the flames only being extinguished after great exertion on the part of a large number of citizens who came out to lend a friendly helping hand. The dispatch says the damage, to the house and furniture amounted to about \$1,000.

Slate.—Within fifty miles of this City there is an immense deposit of slate, of splendid quality, specimens of which we have seen. The ledge is three thousand feet long and twelve hundred feet wide. The claim has been secured by parties who intend organizing a company with a view to developing and utilizing the discovery.

Utah Western Railroad.—The Utah Western Railroad Company have placed a train of cars at the disposal of General John E. Smith, commandant of the Camp Douglas post, and his officers, and whoever they may choose to invite, for an excursion to Lake Point. The train will leave this city at 7:30 on Saturday morning and return some time during the afternoon.

We understand the company have recently purchased two more passenger cars, two freights and also a couple of flats, and that another engine for use on the line is now on the way. They have also procured thirteen miles more of iron, and only require seven miles in addition to that to complete the forty-five miles of the road, taking it to Stockton.

That Witness.—To day a resident of this city handed to us, for perusal, a letter which he had received from a friend who resides in Shelby County, Iowa, under date of Feb. 15th. As he makes mention of Chambers, the witness to whose account was laid the cause of delaying the trial of the case of the People, etc., vs. Thomas E. Ricks, we herewith give an extract from the part of the communication in which such allusion is made—

"I wish you would see the States Attorney regarding a witness wanted from here, in a murder case said to have happened in Cache Valley some 14 years ago, on one named David Skeene. It seems that a person by the name of Anthony Metcalf has informed the State Attorney that one William Chambers back here would be a good witness in said case, and the state attorney, or some one else, writes to J. W. Chatburn, of Shelby County, Iowa, if he knows the whereabouts of William Chambers. The said J. W. Chatburn sends word back that the said W. Chambers will go as a witness if they send money to pay his expenses; also send a subpoena for him. Now the fact is this J. W. Chatburn never consulted him about going as a witness, nor authorized him to send for money to pay expenses for him. I have talked with said Wm. Chambers on this murder case and he states that if he knows anything about it, it is not vivid in his mem-

ory at present; therefore it would be an expense to the State to take him to Utah as a witness."

Passing a Forged Check.—A man named Henry Carson was before Justice Pyper this morning on the charge of passing a counterfeit check.

Carson went into the clothing house of S. J. Nathan last evening, and wanted to see some clothing. After selecting what he wanted, which amounted to \$85, he stated that he had a check of Carson & Buzzo, on White & McCormick's bank, for \$250, and that he had just come into town, and could not cash it as it was after banking hours. He told Mr. Nathan if he would take the check and advance \$15 cash on it, he would give him the check and call for the balance in the morning. Mr. Nathan asked him to endorse it, which he did, signing his name as Henry Lynch. Mr. N. asked him if that was his name, and he replied that it was. The check was given in favor of Henry Lynch. He told Mr. Nathan that he would stop at the White House. Mr. N., thinking that all might not be right, stepped into that hotel and found that he had registered his name as Henry Carson, and he had him arrested. When on trial this morning, Carson pleaded guilty to passing the check, but said he did not know it was a forged one.

Mr. Barnett, cashier of White & McCormick's Bank, stated that the same man had presented the check at the bank yesterday morning, and he told him it was not a good one. He gave his name as Henry Carson, and said he got the check from the clerk at the smelter. Mr. Barnett took the number of the check and the man's name and presented it to Mr. Lowe, Supt. of Carson and Buzzo's Smelting Works. Mr. Lowe stated to the Court that the check was a forged one and that the clerk at the smelter was not authorized to issue any checks. He also stated that Henry Carson had worked for them some two or three months ago and that they never had a man by the name of Lynch working for them.

Mr. A. Smith, policeman, stated that Carson told him this morning that he (Carson) had found the check.

The Justice fined him \$100.

District Court Proceedings.—The Court met this morning, James B. McKean, C. J., presiding.

The Court announced to the members of the bar that a short session would be held at 7 o'clock this evening, when he would read his findings on the motion before the Court in the case of Ann Eliza Young vs. Brigham Young.

The U. S. District Attorney stated that he had filed his replications this morning to the plea of abatement in the case of the People of the United States, etc., vs. George Reynolds, and would be ready to move the trial to-morrow morning.

Judge Sutherland, for the defendant, said he would not be ready to go on with the case during the present week, for the reasons that the District Attorney had had four months in which to file his replications, and that he, Mr. Sutherland, desired to file a written answer thereto, but had not had an opportunity of seeing the District Attorney's papers; also that it had been decided to commence the Ricks trial on the 23d, and he had therefore given the greater portion of his attention to preparation for that case.

The Court said he could not, under the circumstances, force the defendant to trial, and the matter was postponed.

The argument on the motion of defendant's counsel in the murder case of the People, etc., vs. Philip Shafer, was then commenced, District Attorney Carey for the people and Mr. John H. McCutchen for the defendant.

The following are the grounds of the application, as set forth by Mr. McCutchen:—

1st.—That the verdict is contrary to law in this, that it declares that the defendant is guilty as charged in the indictment, and the law requires that the jury must declare whether he be guilty of murder in the first or second degree.

2nd Error in law, occurring at the trial, in this, that two of the jurors, to wit, Anthony Metcalf and Aaron De Witt, who tried the issue and joined in the verdict, were not citizens of the United States at the time they were selected, to wit, July 23rd, 1874, nor at the time they were drawn as jurors, to wit, November 18th, 1874, nor at the time they were summoned, to wit, December 2nd, 1874, nor at the time they entered upon their duties as jurors, to wit, December 7th, 1874. That the said jurors were not citizens until December 9th, 1874, when they were naturalized, as appears of record in this Court; that both said jurors were challenged by defendant for said cause, which challenge was overruled by the Court, to which the defendant excepted.

3rd. That the jury, after they were sworn to try the issue and a part of the evidence had been submitted to them, were allowed by the Court to separate, go to their respective homes and places of business, or elsewhere, as they might elect, and mingle with the people, on each and every day during the trial.

4th. That the verdict is contrary to the evidence.

5th. The indictment was not read to the jury and they were not charged to inquire into the guilt or innocence of the defendant.

After hearing the arguments the Court overruled the motion for a new trial, and defendant's attorneys gave notice of an appeal.

After the prisoner had been asked if he had anything to say why sentence should not be passed upon him, and whether he desired to elect as to the method of his execution, a privilege granted by statute, and answering that he had nothing to say, the Court proceeded to pass—

SENTENCE OF DEATH.

upon him, Philip Shafer, convicted of murder, to the effect that he should be hung by the neck, until dead, on Friday, the 25th day of June of the present year. While passing sentence, the Judge was strongly and visibly affected.

Williamson and Smith, the two men who were convicted of the larceny of a promissory note from the dead body of Thomas Simpson, were each sentenced to imprisonment for seven years in the Territorial penitentiary.

Harper's Monthly for March contains "The Isle of Man," illustrated; "Caricature in the Middle Ages," illustrated; "A Charming Woman," illustrated; "Remains of Lost Empires," illustrated; "Rape of the Gamp," illustrated; "Mont St. Michael," illustrated; "First Century of the Republic," illustrated; "Last Journals of David Livingstone," illustrated; "A Woman's Choice," illustrated; "De Witt Clinton as a Politician," illustrated; "The Outlaw of the Carpathians," illustrated; "Miss Angel," illustrated; "A Dream," illustrated; "Easy Chair," and "Drawer," Literary, Scientific, and Historical "Record."

A splendid number of this excellent magazine.

DIED.

At Cedar City, Iron County, February 6th, 1875, of inflammation of the lungs, DAVID HENRY, son of David and Amelia Williams, aged 11 months.

Also at the same place, February 9th, of the same complaint, WILLIAM ALIGER, son of William and Margaret Unthaus, aged 2 years, 6 months, and 10 days.

February 20, of inflammation, THOMAS CONWELL, of Sugar-house Ward, aged 69 years.

He was a native of Ireland; obeyed the Gospel, July 14, 1849; gathered to Utah in 1862. He died in the faith of the gospel, and in the hope of a glorious resurrection.—*Con.*

At North Ogden, February 12th, 1875, of inflammation of the lungs and convulsions, SUSAN TIRETTA, daughter of Willard and Laura Cragan, aged 2 months.—*Ogden Junction.*

In the 20th Ward of this City, Feb. 23rd, GERTRUDE SAVILLE, daughter of Robert F. and Eliza S. Neslen, aged 2 years, 4 months and 26 days.

Millennial Star, Lowestoft Observer, and Bishop Stortford Observer, please copy.