

THE DESERET NEWS.

TRUTH AND LIBERTY.

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TERMS—IN ADVANCE.

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LOCAL NEWS.

FROM TUESDAY'S DAILY, JAN. 13.

Supreme Court.—E. P. Ferry respt. vs. John S. Street applt., coming in regularly for hearing, was argued by P. Denney for applt., J. G. Sutherland and Arthur Brown for respt., submitted and taken under advisement.

Thos. Venardip vs. Old Hickory M. & S. Co., et al., on suggestion by respt. of diminution of record, ordered that a copy of the judgment alleged to be lacking be supported.

Supreme Court.—Yesterday, after disposing of the cases mentioned in last evening's issue, for the disbarment of James McKnight, for attempting to defraud, by the use of legal forms, a man named Rasmussen, and Charles F. Blandin, for making a business of obtaining divorces in an illegal manner, the Supreme Court made the following settings:

United States vs. Clawson, Jan. 20th.
People vs. Rogerson, Jan. 22d.
People vs. Lewis, Jan. 14th.
Bowering vs. Bowering, Jan. 19th.
Lowell vs. Parkerson, Jan. 15th.
Smith vs. Ireland, Jan. 14th.
Higbee vs. Higbee, Jan. 13th.
Price vs. Utah and Pleasant Valley Railroad, Jan. 21st.

Ferry vs. Street, Jan. 13th.
Gilbertson vs. the Miller Mining Co., Jan. 16th.
Russell & Co. vs. Harkness, Jan. 14th.
Vernard vs. Old Hickory, Jan. 19th.
The case of Owens vs. Oviatt was argued and submitted.

Birthday Surprise Party.—One of the most enjoyable affairs in the nature of a surprise party we ever had the pleasure of attending was held last night at the residence of President George Q. Cannon. For some time past plans have been arranged and preparations going on among the members of his household to get up a family party on the anniversary of his birth, or as near it as possible, but without him knowing or even suspecting anything about it. His birthday happening this year on Sunday, it was decided to have the party yesterday instead. Accordingly a number of relatives besides his own immediate family, assembled at his residence, while the task was assigned to his brother, President Angus M. Cannon, to decoy him home at the exact time when the company would be prepared to receive him. Everything worked according to the plans, and a more complete and agreeable surprise, or rather series of surprises can scarcely be imagined than President Cannon was the happy victim of on the occasion.

The first surprise consisted of meeting the assembled relatives and adult members of the family, ready to surround the long table in the dining room and do justice to the ample and delicious repast which was provided. Retiring to the parlor after the meal was over, he was greeted with the next surprise in the shape of a number of handsome and appropriate presents from various members of his family. He had but just done examining and admiring these, when another surprise burst upon his vision. The folding doors between the two parlors were thrown open, disclosing a most beautiful tableau, in which the juvenile members of the family figured, with such mottoes as "January 11th—Happy 1827—Blessed 1885." "Of such is the Kingdom of Heaven," and "Many Happy Returns of the Day" displayed around. Simultaneous with the sight of this picture of innocence and beauty, strains of music were heard—the children singing a song of greeting, with organ accompaniment. This scene was followed by a number of others in which the young folks delighted the auditors with songs, recitations, dialogues, etc., after which remarks appropriate to the occasion were made by a number of the adults who were present, including President George Q. Cannon himself, and so ended the

pleasant little party, which, we doubt not will long be remembered by those who participated in it.

Our readers will, we feel sure, unite with us in wishing that President Cannon may live to enjoy very many anniversaries of his natal day as much as he did last evening's celebration of it.

TERRITORIAL ITEMS.

CULLED FROM LATEST EXCHANGES.

—Elder B. H. Roberts lectures at Paradise, Cache County, to-night—subject, "Joseph Smith's Mission;" and to-morrow evening at Hyrum, upon the same subject.

—A man named Alex. Rivet, aged 53, died at the Ogden City hospital last Sunday. He was a miner, and died from the effects of hardships and exposure. Before breathing his last he expressed sincere gratitude to the Mayor, the City Council, and the public for the kind treatment he had received.

—A few days since, two men named Jim Austin and Nick Hughes, got into a fight in a gambling den at Pueblo, Colorado, when the latter struck Jim a heavy blow on the side of the neck, knocking him down and killing him instantly, as the shock broke Austin's neck. The row was the result of an intimacy between Hughes' wife and Jim Austin, and the popular feeling in the vicinity of the occurrence seems to be in favor of Hughes, who is confined in jail awaiting a trial.

—A row occurred in Leadville about two o'clock last Sunday morning, in which a man named Ed. Foraker was severely beaten over the head with a gun by Dan Borden. Foraker was drunk and had some trouble with Bob Shaw. Borden it seems took up the quarrel for Shaw and gave Foraker several terrific blows with his gun. The man bled all over the table at which he was sitting, and the place presented rather a sanguinary appearance. Borden and Shaw got out and disappeared before an officer arrived. Foraker was so drunk that he had to be led out of the house.

—Last Friday evening, a large company of young people were coasting on one of the icy streets of Omaha, when one large traverse or "schooner" with ten persons on it became unmanageable and ran into a curb in front of a church and piled the sporters in a heap, hurting several of them quite seriously. The boy who was steering the traverse had his left arm broken in two places, his chin cut, and received other injuries. His brother had two ribs broken and was badly bruised. Several young ladies who were among them sustained less important injuries. Their injuries received the necessary treatment, and it is thought all will recover, but this should be a warning to lovers of coasting, that the greatest care and watchfulness should be observed when indulging in the dangerous passtime.

FATAL ACCIDENT.

THOMAS HORKLEY CAUGHT IN A SNOW-SLIDE AND KILLED.

A lamentable accident occurred near Samaria, Oneida County, Idaho, on the 7th inst., by which Thomas Horkley, a quiet, industrious man about 17 years of age, met his death. The circumstances are about as follows: About 10 o'clock a. m., the deceased started on horseback to a cañon, two or three miles southwest of the settlement, known as Dry Pine Cañon, to see what the prospect was to get out some house logs. Not returning as soon as was expected, his parents became uneasy and began communicating their fears to others. A little before dark Messrs. Wm. Thomas and Joseph Morgan started up the cañon on horseback to search. On arriving at the mouth of the cañon they found the young man's horse tied up. They also saw that he had proceeded up the cañon on foot. They followed the tracks a short distance when they came to a snow-slide that had newly come down, and could follow the tracks no further. They concluded at once that he must be covered under the snow. It was getting quite dark, so they concluded they would have to go and get a force of men, with lanterns and shovels, before it would be possible to find the body, if it was in the slide. A force of men and boys were soon on the spot and, after several hours' labor, succeeded in finding the body, but the spark of life had departed for some time, as the body was nearly cold.

There were several bruises about the head and face, and the lower jawbone was broken. It is probable that death was instantaneous, as there was not enough snow covering the body when found to prevent the young man from extricating himself had he been alive. It is a very hard blow to his parents. The people generally condole with them in their affliction.

A coroner's inquest was held over the remains by David Bowen, J. P., on the morning of the 9th. The jury found a verdict in accordance with the above facts.

The funeral services were conducted in the Samaria meeting house, the same

day the inquest was held. A large cortege followed the remains to the cemetery.

We are indebted to Lewis D. Jones for an account of the sad affair.

A SURPRISING FAILURE.

THE JOHN W. LOWELL COMPANY MAKES AN ASSIGNMENT.

No event that has occurred in commercial matters in Salt Lake City for a long time has caused such unbounded surprise as the assignment of the John W. Lowell Company, which occurred on Saturday, but which was first made known to the public last evening.

Mr. Lowell started into business in this city, as a dealer in wagons and agricultural machinery, thirteen years ago. Since that time he has become well and favorably known as a business man throughout this and adjoining Territories. We are not aware of any non-"Mormon" who has done business in this region and been brought in contact with the bulk of the people inhabiting our mountain valleys, as has Mr. Lowell, who has enjoyed the confidence of the people to a greater degree. His dealings with the public, so far as we have ever known, have been straightforward and honorable, and we have never heard a doubt cast upon his business integrity. It will therefore be a matter of general regret that he is in his present embarrassed condition.

Mr. Lowell carried on business here for eleven years individually, and established as we have intimated,

AN ENVIABLE REPUTATION,

after which the business was incorporated under the title of the "John W. Lowell Company," the following named persons being taken in as members of the company: John Farmer, of Salt Lake City; J. E. Morse, of Dillon, Mont.; C. D. Joslyn, of Deer Lodge, Mont.; and M. O. Johnson, of Ogden. Branch houses were established at Dillon, Deer Lodge and Ogden, which were superintended by the resident members of the company, and an extensive business has since been done; but the credit extended to farmers throughout the county has been so very general and the inability of the latter (in consequence of the low price of grain and the lack of market) to meet their engagements has been such that the present crisis has been forced upon the company.

We have had a talk with Mr. Lowell himself, who feels very badly over the situation, and learn that a definite

INVENTORY OF THE ASSETS has not yet been made, but that they are estimated at \$265,000, consisting of: Bills receivable, 125,000
Merchandise at various places, 80,000
Book Accts. and Real Estate, 60,000

THE LIABILITIES,

according to the deed of assignment amount to \$185,000, or \$80,000 less than the total assets as estimated. The only

PREFERRED CREDITORS

are those from whom money has been borrowed to carry on the business. Mr. Lyon, of Detroit, Michigan, is the first on the list. The amount due him is not stated. Then come Wells, Fargo & Co., the bankers of the firm, who are out \$8,000, which amount, however, is secured by collaterals. Then follow the various other banks with which the firm has done business.

The assignee is Mr. Lyon, the heaviest creditor, whose intention is to carry on the business without interruption, and who is confident that the amount due the firm can nearly all be collected in the course of time. He has issued the following

ASSIGNEE'S NOTICE.

Notice is hereby given that the John W. Lowell Company, of Salt Lake City, Utah, has this day executed an assignment for the benefit of creditors, to the undersigned, as assignee; that the postoffice address of said assignee is Salt Lake City, Utah Territory: P. O. Box No. 261; and that every creditor of said assignor is requested to send an affidavit, setting forth his name, residence and postoffice address, the nature, consideration and amount of his debt, as claimed by him, over and above all offsets.

Dated this 10th day of January, 1885.

ISAAC A. LYON,

Assignee.

Mr. Lowell has not only turned over the whole of the property of the company, but also his real estate and personal property, valued at \$28,000; his stock in the company, which, at par, amounts to \$60,000, and the indebtedness of the company to him, which amounts to \$40,000, making in all \$128,000, which he has personally assigned. This latter action, we understand, is due to his having endorsed the company's paper individually.

The calamity which has befallen this firm is due, as already stated, to the heavy credit business done, and their inability just now to collect their outstanding accounts. If these accounts could be collected, the business would be again in a sound financial condition. We trust that those indebted to the firm will make a strong and immediate

effort to pay up, that such may be the case. So far, at least, as the delinquents of our community are concerned, we may remind them that they are under a double obligation to pay off their indebtedness as soon as possible—first, because the amounts against them are honestly due, and second, because the good reputation which our people, as a whole, have enjoyed in financial circles in the past is in some degree at stake.

FROM WEDNESDAY'S DAILY, JAN. 14.

Supreme Court.—The Supreme Court met this morning at 10 o'clock, all three Justices being present. The following is the business done up to going to press:

E. P. Ferry, respondent vs. John L. Street, appellant, from Third District. This cause having been heretofore argued and submitted, and the court being sufficiently advised thereon, it is now here considered, ordered and adjudged that the judgment of the Third District Court therein be, and the same is hereby affirmed.

Sophie E. Higbee appellant vs. Lucy M. Higbee respondent, from First District. This cause was further argued by Mr. Sutherland for the appellant and by Mr. R. Smith for respondent.

G. Cereghind appellant vs. Antonio Cereghind respondent. The respective parties consenting thereto, it is ordered that the cause be added to the calendar of the present term, and that a printed copy of the transcript be used as the original thereof.

A Stolen Horse.—Mr. C. J. Newton, of Ogden, while out on the Weber range last Monday, saw an Indian pony peacefully grazing on the scanty vegetation of that locality. As no owner was near, he took possession of the animal, and subsequently rode it to this city, arriving last evening. He traveled the regular wagon road from Ogden, and put up at the City stables, a block and a half south of the City Hall. In the meantime Wanunga, the Indian, owner of the animal, discovered his loss, and, with the keenness characteristic to the race, was soon upon the right scent, which he followed with speed and certainty until he arrived in front of the identical city stable that contained his pony. The Indian put in his claim for the animal, and an officer was called to aid in the proper adjustment of the affair. Newton finally confessed fully the part he had taken in the proceeding and the pony was accordingly given to its persevering owner, who mounted his steed and started in the direction of his wigwam, while the guilty purloiner was conducted to a couch in the city jail. He spent the night there and to-day was brought before Justice Spiers and bound over in \$500 bonds to await the action of the grand jury.

From a Missionary.—We have seen a letter received from Elder John Rowley, of Nephi, who is now laboring as a missionary in England, from which we make the following extracts. It was written from Birmingham.

"The Lord has wonderfully blessed me, and I am not idle, for I have the chance to talk with scores of people whom the other Elders are unable to reach, and I always let them know who I am. When I meet with men of business, farmers, bailiffs, superintendents of machine shops, collieries and iron works, I show them my card, and they see I am from Utah and want to know all about it. I tell them the truth about Utah and her people, and lay before them the first principles of the Gospel, and, without an exception, I have been listened to with the greatest respect and attention. Yesterday I talked with an excise officer and an inn keeper, also with a superintendent of car works, with some success, and was shown through the works with great courtesy. I am not through visiting, but I think I am doing as much good as I could anyway. I have been around with Elder Carter trying to encourage a few Saints he has brought into the Church, some nine or ten in all, in the Dudley Branch. I have been to a house and talked with a farmer's bailiff in fulfillment of a dream I had two or three years ago. I went because I saw the house just as I had seen it in my dream. I never had seen it before otherwise, for it was not built when I left this country. I do not know what the result will be, but I have been twice and am invited to go again. I have borne my testimony to him of the truth of the gospel, and warned him of coming judgments. I have seen many things in fulfillment of that dream."

TERRITORIAL ITEMS.

CULLED FROM LATEST EXCHANGES.

—The new county of Bingham was formed by the legislature yesterday, out of a little slice of Oneida. More supposed strength for the gang nominee for Congress.—*Idaho Democrat*, Jan. 11.

—The *Idaho Democrat* makes the following announcement: "It is said that Eli Murray, Governor of Utah, will arrive in Boise City about the 15th to

help superintend the final disposition of the Mormon people in this Territory. Eli and the Salt Lake corruptologists handle Idaho much better than they do Utah."

—Charles Montgomery, a young man, assaulted a boy of 12 years at Boise one day last week, and came near destroying one of his eyes. For this display of brutality Montgomery was found guilty by Judge Randall and sentenced to pay a fine of \$100 and costs, to stand committed till paid at the rate of \$2 per day.

A CHILD LOST IN A SOUTHERN DESERT.

ITS FORTUNATE RECOVERY AFTER WANDERING ABOUT EXPOSED TO THE COLD FORTY-SIX HOURS.

The following special telegram to the NEWS was received this morning:

KANAB, Kane County, U. T.,

January, 14.

On Sunday last, at one o'clock p. m., at Moccasin Springs, eighteen miles from here, a two and a half year old child named Warren Losee, son of Isaac Losee, was missed from the house, and could not be found. Night came on, and neither the child nor its tracks had been discovered. Mr. Losee arrived here for help at three o'clock on Monday, and a number of men with one Indian started at once, but reached there too late on Monday to do much, though they started to find its tracks that evening, and the little one had to meet another cold, frosty night. Search was continued with lanterns, but to no avail. On Tuesday morning its tracks were found, and the Indian followed on its trail like a bloodhound, the whole body of men following him on a trot, at intervals, coming to a halt for the Indian to lead out. They found its first night's stopping place about five miles northeast, near the Kanab road. It had lain in the mud. From here it changed its course southeast and went about three miles. It was finally found lying near a bush, and was supposed to be dead, but when touched it raised its head, opened its eyes and groaned. Its hands and feet were very much swollen with frost. The child was placed in cold water and the frost drawn out of its limbs, which were then rubbed with liquor and some nourishment was furnished for the stomach. It recovered, cried naturally, and finally talked a little. It also knew its mother on sight, who had not expected to find her child alive. It had been out 46 hours. The child was bareheaded, and when found its clothing was much torn by the brush.

A New Lease of Life.

A physician, writing to Drs. Starkey & Palen, of 1109 Girard street, Phila., says:

"The parties for whom I ordered the Compound Oxygen in Charles City, Iowa, were much improved at last accounts. One of them, who expected to give up and die, took a new lease of life, moved away, and went into active business. He only used two Treatments! So much for your remedy, with the blessing of God." A Treatise on Compound Oxygen will be sent free by Drs. Starkey & Palen, to any one who will write to them for it.

Orders for the Compound Oxygen Home Treatment will be filled by H. E. Mathews, 606 Montgomery Street, San Francisco.

The public executioner in Austria is a government official, with a fixed salary and certain perquisites, and a staff of helpers under him. He is attired in a showy uniform, with a cocked hat and jack-boots, and rides up to the scaffold on a prancing steed under military escort.



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