

# THE DESERET NEWS.

TRUTH AND LIBERTY.

No. 10.

Salt Lake City, Wednesday, March 26, 1884.

Vol. XXXIII.

ESTABLISHED 1850.

## DESERET NEWS:

WEEKLY.

PUBLISHED EVERY WEDNESDAY.

One Copy, one year, with Postage, \$3.50  
" " six months, " 1.75  
" " three months, " .90

## DESERET NEWS:

SEMI-WEEKLY.

PUBLISHED EVERY TUESDAY AND SATURDAY.

One Copy, one year, with Postage, \$4.00  
" " six months, " 2.00  
" " three months, " 1.00

## EVENING NEWS:

Published every Evening, except Sunday.

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" " three months, " 3.00

TERMS IN ADVANCE.

OFFICE—Corner South and East Temple Sts.

### LOCAL NEWS.

FROM TUESDAY'S DAILY, MAR. 18.

**Lamentable Accident.**—We regret to learn that Brother B. Y. Hampton, of the 20th Ward, met with a serious accident this morning, by falling from an apple tree and breaking his leg just above the ankle.

**An Old Subscriber.**—This morning we had the pleasure of a call from Brother John J. Harris, of Centerville, Davis County. He is a solid citizen of that town and an old patron of the News, to which he has been a subscriber for thirty years, having taken it continuously since 1854, and he has no desire to part with it, but on the contrary, likes it better than ever.

**Operation on a Felon.**—A correspondent at Brigham City writes of a skillful operation performed upon the person of William J. Packer, of that place, who had been suffering with a felon on his right thumb, which left the bone exposed. He was put under chloroform, the bone and bad flesh were cut out and the thumb properly dressed. The patient is doing well and feels greatly relieved.

**Taken to the Asylum.**—Sheriff Brown, of Ogden, this morning brought a demented man by the name of Anderson down from Ogden, to be placed in the Asylum for safe keeping. About seven years ago he was brought from Ogden Valley to that city, and confined for some time in the county jail, where he received treatment and was discharged, as his reason was to all appearance restored. But the unfortunate again became insane and was taken in charge by the county. After several years of surveillance and expense, it was deemed advisable to remove him to the Asylum, where he could receive the care and treatment he so much needed.

**Improved Hose Coupling.**—The *Scientific American* for March 8th contains an illustrated article on an improved hose coupling, recently patented by Brother Samuel Hamer of this city, and which has been in use on the Utah Central Railway engines since last July.

In the cut accompanying the article are two sections of hose, on the end of one is a tubular socket and on the end of the other a tapering neck which fits into it, and by an ingenious contrivance is locked instantaneously and prevented from accidental uncoupling. It thus saves time in coupling and is no heavier than the old form, while not liable to accident. It does credit to the ingenuity of its inventor, and is well spoken of by the journal above named.

**Third District Court.**—Proceedings before Chief Justice Hunter on Monday evening, March 17th, 1884.

United States vs. Andrew Peterson, illegal voting; indictment read and plea stated by clerk. Witnesses introduced for the prosecution. Objection to the introduction of testimony on the subject of the marriage of defendant to Caroline Johnson argued and submitted.

Tuesday, March 18.

Admitted citizen, David R. Jones, formerly of Wales.

C. F. Dixon vs. H. McCoy et al.; twenty days to answer.

C. F. Dixon vs. L. P. Hudson et al.; same.

United States vs. Andrew Peterson, illegal voting; objection submitted yesterday overruled. Exception. Trial in progress.

M. C. Phillips, adm'r, vs. Jacob Leviberg; on motion of plaintiff's attorneys, Hall and Marshall, case dismissed.

**Special Conference Rates.**—By courtesy of Mr. Borland, of the U. P. Railroad Company, we are enabled to publish the following list of special rates from any of the places named to

this city and return, established for the accommodation of people desiring to attend Conference.

Brigham, - - - - -	\$ 2.50
Meadow, - - - - -	3.50
Logan, - - - - -	3.75
Smithfield, - - - - -	4.00
Richmond, - - - - -	4.25
Franklin, - - - - -	4.50
Battle Creek, - - - - -	4.75
Oxford, - - - - -	5.00
Arimo, - - - - -	6.50
Montpelier, - - - - -	10.00
Soda Springs, - - - - -	10.00
Squaw Creek, - - - - -	10.00
Evanston, - - - - -	6.50
Echo, - - - - -	4.00
Coalville, - - - - -	4.00
Park City, - - - - -	4.00
Weber, - - - - -	3.00
Peterson, - - - - -	2.50
Utah, - - - - -	2.00

These round trip tickets will be on sale from April 2d to April 6th, and expire on April 10th.

**Items from Croyden.**—A correspondent at Croyden, Morgan County, writes us a few interesting items from that place. The settlement is near the eastern line of Morgan County, in a small, isolated valley, through which Loss Creek flows. It has about thirty families, many of whom in 1862 went under distressing circumstances to locate there, and surveyed farms and a townsite. By perseverance and united effort they have succeeded in gathering around them many of the blessings and comforts of life.

On the 10th inst. Brother Gibson Condie, one of the veterans, was surprised by a band of brethren and sisters, who had everything on hand to celebrate his 49th birthday. Supper over, the company retired to the drawing room. John London acted as master of ceremonies. Speeches, songs, etc., with dancing in the dining hall, were freely indulged in. At midnight Brother Condie thanked the brethren and sisters; Counselor G. Knight pronounced the benediction, and the party was dismissed.

The people are becoming more united, striving to keep the word of wisdom and to do each other good. They have organized a Ward choir, under the leadership of Joseph Storer, which is progressing. The Sunday school is well attended, with the ward authorities and parents as teachers, and the young people and children crowd into the classes, anxious to be taught. The Relief Society, Young Men's, Young Ladies' and Primary Associations are all up in their duties. A good day school is running.

Early in the fall winter set in with snow, and extreme cold, by spells, has been felt to the present time. Snow in the valley is about three feet, with more or less on the hills and mountains. At present there are no signs of breaking up. They expect a late spring with plenty of water. The farmers are busily engaged getting their implements ready for work the first opportunity, so as to make all the time possible.

### ALLEGED ILLEGAL VOTING.

THE CASE OF THE UNITED STATES VS. ANDREW PETERSON.

The trial of Andrew Peterson for unlawful voting, now in progress in the Third District Court, is based on the following indictment, found by the Grand Jury of the February term, 1883:

UNITED STATES, }  
vs. }  
ANDREW PETERSON. }

The Grand Jurors of the United States of America, good and lawful men, residents of the Third Judicial District of Utah Territory, legally chosen, empaneled, sworn and charged, in and for the body of said District; in the name and by the authority of the United States of America, on their oaths do find and present that Andrew Peterson, late of said District, on the 7th day of November, A. D. 1882, in the County of Summit and Territory of Utah, was a bigamist; that is to say, said Andrew Peterson on the 1st day of March, A. D. 1870, having a lawful wife living and not divorced or separated from him, at Salt Lake City in said Territory of Utah, was married to and with one Caroline Johnson; that said lawful wife and Caroline Johnson are both still living, and said Peterson has not been divorced from either thereof; that on said 7th day of November, A. D. 1882, said Andrew Peterson, being as above said a bigamist, in said County of Summit, at an election then and there held pursuant to law, for delegate in the Congress of the United States, did with out having a lawful right to vote, and knowing that he had no lawful right to vote, knowingly and feloniously, vote at said election, contrary to the statute of the United States and against the peace and dignity thereof.

TRUMAN SCHENCK,

Foreman of Grand Jury,

ZERA SNOW,

Assistant U. S. Attorney.

The case was called on Saturday, and after the empanelling of the jury,

which occupied all of that day and a portion of Monday, the indictment was read and the plea stated. This was followed by the introduction of witnesses for the prosecution.

Berjita Anderson, sister of the defendant, testified to his marriage with Caroline D. Darblestein, in Denmark, some 26 years ago.

Chris Larsen testified to having known Mr. and Mrs. Peterson 13 years ago, and they were living together then.

George W. Young, of Wanship, Summit County, said he had known defendant and his wife for about eight years, and he had heard defendant say that she was his wife.

Jacob Lundberg, of Kamas, Summit County, had known the defendant since the summer of 1878, and made the acquaintance of Mrs. Peterson at the same time, her husband introducing her to him.

The witness was asked if he knew Caroline Johnson, but here the defense objected to the introduction of oral testimony on the subject of the alleged marriage of defendant to Caroline Johnson; that is, the defense objected to any proof to show that the defendant was a bigamist or polygamist, other than a record of conviction of that offense by a court of competent jurisdiction. Another objection was made relative to a defect in the indictment, but the former was the main one, and was argued at length by the counsel of both sides.

Judge Harkness, for the defense, argued that the second marriage could not be proven by parol testimony. He referred to the Edmunds law and said that a mere expression of opinion, where no overt act was committed, could not and ought not to bring one under the penalty of that law. He claimed that a conviction for illegal voting, on the basis of polygamy, could not be reached unless the records were produced showing the person to have been convicted of polygamy. He showed the absurdity of asking for a conviction for a crime which grew out of another crime that had not been proved, and illustrated the absurdity by supposing the case of a man being convicted by a jury to-day for illegal voting, on the basis of polygamy, and in a few days tried for polygamy and acquitted; thus punishing a man for an offense of which he had been declared innocent.

Assistant U. S. Attorney, C. S. Varian, replied that the argument of the opposing counsel would render the Edmunds law inoperative, for in that light a conviction would be necessary in every case before a person could be disfranchised. Congress had the right to prohibit polygamists from voting, and held that "once a bigamist always a bigamist" was tenable.

Judge Sprague answered the objection to alleged defects in the indictment, by saying that the defects, if any, should have been taken advantage of by demurrer and not by way of objection in the course of trial, and further argued the subject under consideration.

Judge Harkness replied in the same strain as before, and the Court then took the matter under advisement until this morning.

At the opening of the Court to-day, after a few items of business had been disposed of, Judge Hunter delivered a brief decision, overruling the objection to the introduction of oral testimony in the matter of defendant Peterson's second marriage, but stated that he did it for the purposes of this case only, and not by way of precedent. The examination of witnesses for the prosecution then proceeded.

Jacob Lundberg was put upon the stand. He said he was the son-in-law of Caroline Johnson, and testified to an admission made by the defendant in 1878, that she was his wife and he ought to support and provide for her as such.

Caroline Johnson, being sworn, said that she went through the ceremony of marriage with the defendant at the Endowment House, Salt Lake City, about fourteen years ago.

George Moore testified that he was one of the judges of election at the election held in Summit County, in November, 1882, for Delegate to Congress, and that he then and there challenged the defendant on his right to vote, but as defendant said he was willing to take the oath, and having already taken another oath (at registering) the other judges saw no objection to his voting.

George W. Young was recalled and reiterated his former testimony.

The Court, at this junction took a recess.

The Court resuming its session at the usual hour this afternoon, Caroline Johnson was recalled for the prosecution, and after answering a question upon some matter previously set forth, the prosecution rested, and the defense began adducing evidence in rebuttal.

Andrew Peterson, the defendant, was placed upon the stand. He admitted going through the marriage ceremony with Caroline Johnson, at the time and place designated, but denied that she was married to him as his wife. He said that he was there to stand proxy for Caroline Johnson's dead

husband, that she might be sealed to him, as her sons were too young to take part in the ceremony. The impeachment of witness Lundberg's statement as to defendant's admission that Caroline Johnson was his wife, was the next step proposed by the prosecution. The trial was still going on as we went to press.

FROM WEDNESDAY'S DAILY, MAR. 19.

**Notice.**—The undersigned would be pleased to obtain the address or addresses of any member or members of the family of Benjamin Sly, who left Oakland, Co., Mich., about thirty years ago and went to Illinois, from whence they are supposed to have removed to Utah. E. B. Thornton, Pine Valley, Washington Co., Utah.

**Suicide by Hanging.**—A special to the News from Cedar City, states that James H. Spiking committed suicide this morning, by hanging himself with a rope from a tree standing a few rods from his mother's residence, between the hours of four and six o'clock, while under a state of mental aberration, caused by excessive pain in the vital organs. He had been sick for six or more months, and suffered excruciating pain most of the time.

**Returned Missionary.**—Elder Wm. F. Rigby, Jr., of Newton, Cache County, returned yesterday from a mission to the Southern States, where he has been laboring since February, 1883. He traveled entirely in the State of Georgia, after his assignment, for the first four months in company with Elder John A. Mower, and afterwards with Elder Samuel Echols, until they were both released on the 15th of last February.

Elder Echols had been in the mission about fourteen months. Brother Rigby was released sooner than usual on account of being lame, he having broken his leg several years ago, and in the damp climate of Georgia and through over-exertion incident to much walking, it became so bad as to partly disable him and render traveling very painful.

He baptized two persons, one in Paulding County and the other in Polk, and assisted in baptizing five others, besides blessing three children. He traveled in nine counties and says he has but little reason to complain of the treatment he received. He was forced to lay out in the woods one night, and went without food 48 hours, but otherwise was well treated and cared for.

He traveled 2,500 miles and held 57 meetings. He prizes his experience highly, and speaks in praise of the kind-hearted Saints, and generous people outside of the Church, who administered to his necessities. There were but two Elders remaining in Georgia when he left, and times were very dull in that portion of the mission. He is the son of Bishop W. F. Rigby, late of Newton but now of Snake River, Idaho. He leaves for home on Thursday.

FROM THURSDAY'S DAILY, MAR. 20.

**Diphtheria.**—Diphtheria still lingers at Pleasant Grove. Two deaths, children, resulted from it last week. Several cases are now in the place, though the disease does not seem so virulent of late, as when it made its first appearance in the settlement.

**Very Low.**—Elder Eleazer Evans, of Lehi, is seriously ill at his mother's residence in that place. It will be remembered that Brother Evans lately returned from Germany, where he had been upon a mission, and was released on account of sickness. He was very low indeed on Tuesday.

**Theatre at Pleasant Grove.**—An effort is on foot at Pleasant Grove, by the young folks, to build a Theatre hall this season. Stock is being subscribed quite liberally and it is the intention to begin work as soon as the plans are sufficiently matured, which will be at an early day. The building will be so constructed as to admit of schools and other purposes.

**Certificates of Election.**—Certificates of election have been issued by Arthur L. Thomas, Secretary of Utah Territory, to the following officers of St. George City: Robert C. Lund, Mayor; Moroni Snow, Erastus B. Snow, Aldermen; Robert McQuarrie, Richard Morris, Thomas B. Cottam, Joseph C. Bentley, Wilson Nelson, Councilors; Jedediah M. Gates, Recorder; Joseph C. Bentley, Treasurer; David H. Morris, Assessor and Collector; Augustus P. Hardy, Marshal.

**High Water in Nevada.**—A correspondent at Overton, Lincoln County, Nevada, states that on the 7th inst., the monotony of that place was disturbed by the arrival of Samuel M. Whitmore and two young ladies, who had barely escaped drowning, the day before, in the Virgin River, near the big hill. Their team was swept away and lost, so far as known at time of writing.

The three persons were taken down stream, clinging to some poles for nearly half a mile, when, reaching shallow

water, young Whitmore succeeded in rescuing his lady passengers, Rose Kelsey and Mary Cox. But they were on the east side of the river, 16 or 18 miles from an inhabited neighborhood, and walked all day and nearly all night when they were finally picked up by Ed. Syphers, of St. Thomas, who had two days previously lost his wagon bed, with bedding, tools, etc., by crossing the same angry flood.

It had rained there much of the time for a month, and the oldest inhabitants said that nothing of the kind was ever known there before.

Lucern and grain were covering the ground and were indeed beautiful. The snow and rain fall in Southern Nevada and Utah, was unprecedented and high waters were looked for. Heavy losses of stock were heard of because of the prolonged storms, and many were snowed in in the mountains. Mr. J. W. Crosby is our informant.

**Trial for Manslaughter.**—Ezekiel Price, of Draper, on the 15th day of October, 1883, was indicted by the Grand Jury of the Third District Court for manslaughter, the crime alleged being committed September 8, 1883, upon the person of John H. Enniss. On the 25th of October in that year, Price was arrested, and will now be tried for the crime named in the indictment. He has as his attorneys Arthur Brown and J. L. Rawlins. The prosecution will be conducted by the U. S. Attorney. The case was called to-day and the jury empaneled. Following is a copy of the indictment:

People of the Territory of Utah against Ezekiel Price:

Ezekiel Price is accused by the Grand Jury of this Court, by this indictment, of the crime of manslaughter, committed as follows: the said Ezekiel Price, on the 8th day of September, 1883, at the County of Salt Lake, in said Territory of Utah, with a certain deadly instrument, to wit a hoe, then and there held in his hands, unlawfully, wilfully and feloniously, upon the person of one John H. Enniss, did make an assault, and the said Ezekiel Price, with and by means of said hoe so held in his hands, then and there the said John H. Enniss upon the head of said John H. Enniss, did strike, and then, there and thereby, upon the said John Enniss, upon the head of said John H. Enniss, the said Price unlawfully, wilfully and feloniously did inflict one mortal wound, of which said mortal wound said John H. Enniss, on the 10th day of October, A. D. 1883, at said county of Salt Lake, died, and said Price, by reason of the premises, is guilty of the crime of manslaughter, contrary to the statutes of said Territory in such case made and provided, and against the peace and dignity of the people thereof.

L. COTTELL,  
Foreman of Grand Jury.  
E. T. SPRAGUE,  
Assistant U. S. District Attorney.

### THE PATH CONCERT.

THE GREAT DIVA AT THE TABERNACLE  
APRIL 1ST.

The public will be gratified to know that the date of the Patti concert at the Tabernacle has been positively set for Tuesday, April 1st, three days before the opening of Conference, which begins on the 4th. The concert will take place at night, and the mammoth building will be heated with gas and lighted by electricity.

Madame Patti will sing some English ballads and a selection from "La Traviata," and will appear in magnificent costume with the celebrated Patti diamonds. The principals of Her Majesty's Opera Company will sing solos and duets, Madame Sacconi will give a harp solo, and choruses will be rendered by the full strength of Her Majesty's company, with Signor Arditi's splendid orchestra.

Further particulars will be published at an early day. Preparations are being made by Conference visitors in the country, to come to the city in time for the great musical event which precedes it. Mr. Dittman, having already paid a visit to Provo and received the assurances of a host that they intend coming to the concert, will next go to Ogden to feel the public pulse in that city in relation to the same matter.

### Gone Never to Return.

Gardiner, Me.—Mr. Daniel Gray, a prominent lumber merchant writes that his wife had severe rheumatic pains; so severe as to render her unable to sleep. From the first application of the famous German Remedy, St. Jacobs Oil, she experienced unspeakable relief, and in two hours the pain had entirely gone.

**Horsford's Acid Phosphate.**  
Specific Virtues in Dyspepsia.

Dr. A. Jenkins, Great Falls, N. H., says: "I can testify to its seemingly almost specific virtues in cases of dyspepsia, nervousness and morbid vigilance or wakefulness."