

THE DESERET NEWS.

TRUTH AND LIBERTY.

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TERMS IN ADVANCE.

OFFICE—Corner South and East Temple Sts.

LOCAL NEWS.

FROM TUESDAY'S DAILY, MAR. 24.

Fined for Liquor Selling.—C. H. Collins, of South Cottonwood, was today fined \$290, including costs, for selling liquor without a license on the 16th inst. He was sentenced to be committed until the fine was paid, but his lawyers, Sutherland & McBride, are trying to secure a writ of habeas corpus.

Conference Rates.—These rates will be given to Salt Lake from points south of this city on the Utah Central and D. & R. G. W. Railways, and north from Ogden, and probably from places on the U. P. and U. & N., from April 1st to 7th, inclusive, good to return until April 12th. Rates will also be given to Logan at proportionate figures. The exact prices are not yet decided upon.

District Court Proceedings.—Yesterday afternoon, in the case of E. D. Egan vs. A. Podlech, judgment for the defendant was rendered.

Samuel T. Mount vs. Henry Simons et al. Judgment for the amount of note and interest.

I. Morris vs. Henry Simons. Same judgment.

H. Wagner vs. Wm. M. Lacy. Judgment for \$309.15 and interest from April 17, 1883.

This morning the case of Henry Owen vs. Lewis Oviatt was called. Defendant failed to appear, and plaintiff moved for judgment on the bond. Taken under advisement.

Page vs. James, dismissed for failure to give security for costs.

Kahn Bros. vs. Mammoth M. Co. Emanuel Kahn substituted for plaintiffs.

A Remarkable Yield.—Our attention has been directed, by Dr. Bridges, to an article in *The Jersey Bulletin*, containing the account of an official test of the butter-making qualities of an eight-year old Jersey cow, "Princess 2d," the property of Mrs. Shoemaker, residing near Baltimore, Md. The test began on February 22d, 1885, and included seven days' milking. The cow was milked three times per day, at periods of eight hours, because her udder would not hold the milk she made in twelve hours. The total yield of milk was 299½ pounds, or an average of over 42½ pounds daily. The butter produced from this weighed, before being salted, 44 lbs. 1¼ oz., and after salting, 46 lbs. 12½ oz. The cow weighed 1,125 lbs., and had been prepared for the test by six weeks of high feeding.

The Local Pool.—The pool, under the name of the Local Utah Railway Association, arranged the details of their business at the meeting of the representatives of the roads held in Denver with Commissioner George H. Daniels, who is also commissioner for the Utah Traffic Association. All orders for special rates under the present arrangement will only be made by the commissioner or his representatives, to whom applications will be referred. The circular provides for the classes of persons entitled to orders for half rates, and will govern the commissioner in issuing such orders. Provisions have been made for the issuance of mileage tickets, which may be obtained by actual shippers, their families, or employees. These tickets will be limited to twelve months from date of sale, and will be at the rate of four cents per mile in books of not less than 500 miles, and three and a half cents per mile in books of not less than 1,000 miles.

[Special to the News.]

NOT GUILTY.

BEAVER, Utah, March 24, 1885.

Editor Deseret News:

The Court gave a very fair charge, last evening, to the jury in the Pea-

trial. Bishop Fotheringham was then arraigned, time set for pleading, four o'clock to-day. The jury was out all night, and came in this morning not having agreed; they asked a question in relation to a point of law. The Court answered, and the jury returned to their room. Half an hour afterward they came into court, having found a verdict of not guilty. The prisoner was set at liberty. The jury was composed of different parties. Everybody is pleased with the verdict. The jury was discharged.

THE DIFFERENCE IN 150 MILES.

THE FRIGID NORTH COMPARED WITH OUR ITALIAN CLIMATE.

St. Charles, Idaho,

March 20, 1885.

Editor Deseret News:

I will give you a contrast. Before I left Salt Lake City I went, on the 5th inst., to South Jordan, and found the farmers plowing. On the 9th I went up town, and they were sprinkling the streets, and some were making garden. On the 11th I started for Bear Lake, 150 miles north. I went by railroad to Evanston, from there by mail wagon, and then sleigh, sometimes through deep mud, and then over snow five or six feet deep, but arrived here on the 13th.

Yesterday I went to the post office, and traveled over snow four feet deep. Some of the people are sowing dirt on the snow. You may ask, What good will that do? Some years ago, when I lived here, on the first day of April I went into my lot, where the snow was two and a half feet deep, and solid, I dug holes to the ground, took up the dirt and sprinkled it on the snow, over an area of about twenty-five rods. On the 15th, the snow was all gone from this patch, while on the rest of the lot it was eighteen inches deep.

The people say they have had a mild winter here. The country is covered with snow yet, except the road that is traveled, which is mud, while the west side of the street has from two to five inches of snow, but where there are no drifts, I think the snow is from six to ten inches on the level.

Yours respectfully,

C. MERKLEY.

TERRITORIAL ITEMS.

CULLED FROM LATEST EXCHANGES.

—Frisco is still troubled with diphtheria; some of the cases have recently proved fatal.

—Last week every physician in Butte was summoned to appear before the grand jury and produce their diplomas.

—A man named Scotty was accidentally run over by Mr. Charles Stoney who was running a race on horseback, on the Beaver race track about a week ago. Three of his ribs were broken and his chest bone fractured. Stoney was thrown from his horse and considerably bruised but not seriously injured.

—On the 16th instant, four coal miners, working in Spieth & Krug's mine, in Bridger Canon, Gallatin County, Montana, were overwhelmed by a snowslide, and swept away. Their cabin was utterly demolished, and pieces of it scattered down the mountain. The men's names were Schlossman, Peter Smith and the Hazard brothers. No hopes are entertained of finding them alive. The snow is fifty feet deep at the entrance to the mine.

—The remains of Porter Young, says the *Inter-Idaho*, were found last Thursday about twelve miles above Ketchum. His snowshoes were a few hundred feet below, where he had evidently dropped them with the expectation of reaching the mine by following up a steep trail. Mr. Young was the unfortunate man who left Ketchum in December for his mine, and was never heard of again until his remains were discovered. He undoubtedly perished from exhaustion.

—Last Saturday afternoon the officials of Butte were summoned to inquire into a case of supposed suicide. The victim, who had hanged himself, was a Chinaman, and from the evidence obtained at the inquest many thought he had received assistance against his will; and some thought that death had been aided by poison. A post mortem examination was ordered, and the only fact that it developed was that the neck was sufficiently dislocated to cause death, and the jury found a verdict of suicide by hanging. The Chinese, who were friends of the deceased, could not be induced to touch the corpse, and even refused to furnish a towel or bucket of water for the use of the surgeon.

NEWS FROM ARIZONA.

A LAMENTABLE DEATH.

This morning we had a very pleasant interview with a gentleman who arrived last evening from the town of Woodruff, on the Little Colorado, in Arizona. He is on his way to Europe, having been recently called on a mis-

sion to England. He reports the people in that section which he has just left, in good health and spirits, and says that a case of sickness is rarely met there. The country is being developed rapidly and the people feel more encouraged this spring than ever on account of their success in building a dam across the Little Colorado, after trying so hard for six years to accomplish the work. The dam now is an immense structure, and built in the most substantial manner, and the people have great confidence that this time it will prove a success. The work extends across the river, and is nearly 30 feet thick. It is built mostly of large stones, some of which weigh two tons. At present the water seeps through the rocks, but the crevices between them will be filled with spawls and gravel, after which a ten foot layer of soil will be added, thus effectually damming the stream and bringing the water to the desired level. The settlers down there feel very grateful for the assistance they have received from the brethren here, in prosecuting the labor.

He also gives an account of a dreadful accident which occurred to the wife of Bishop John Hunt, of Snowflake, on the 9th inst. It seems that Sister Hunt had been for some time subject to occasional spells of giddiness, during which she would often lose consciousness. On the day mentioned while engaged in sweeping the floor, she was attacked with one of these fits and fell into the fire, which was burning brightly in an old-fashioned fire-place. No one was in the house at the time, but her son-in-law entered a few minutes later and discovered her in flames. She had partially recovered consciousness and dragged herself a short distance from the fire, but was unable to extinguish her burning clothing. As quickly as possible he put out the flames, but the poor woman was burned almost to a crisp, and her case was hopeless. She was taken to bed, where everything was done for her relief that circumstances would permit, but she expired after a few hours of the most intense suffering. Her death has cast a gloom over the entire settlement, who unitedly condole with the bereaved family in their terrible affliction. Sister Hunt was a true Latter-day Saint, and was loved and esteemed by all who knew her.

FROM WEDNESDAY'S DAILY, MAR. 25.

Telephone Attachment.—We saw to-day, and had a chance of testing the power of, a simple-looking contrivance, in the shape of a metallic mouthpiece, which can be attached to any telephone, and which is little short of marvelous in its effect. It is called "The improved Lavery sonnette," and with it attached to the transmitter box a person can place his mouth close to it and speak in a low whisper and be heard at the other end of the wire as distinctly as if he were to yell into the ordinary mouthpiece. It is said to be specially adapted for use in noisy places or where absolute privacy is required by the communicators.

District Court Proceedings.—Yesterday, in the case of the Rio Grande Construction Co. vs. the D. & R. G. Ry. Co., a motion to set aside service by U. S. Marshal on defendant, was submitted, and this morning was denied.

In the case of Tooele City vs. Moses Bruneau, on appeal from the Justice's court, submitted yesterday, judgment against defendant was rendered to-day.

Bergen De Mott, vs. James S. Hutchinson et al., judgment rendered as prayed for.

H. Haynes, vs. Bolivar Roberts, trial in progress before the court.

The grand jury came into court and reported that they had ignored the charge against Charles Taylor, and he was ordered discharged.

Funeral Services.—The funeral services of Liney Amanda Smoot, were held last Sunday at the residence of her father, W. C. A. Smoot of the Sugar House Ward. Deceased, who died last Friday, was fifteen and a half years of age, and from her childhood has been a sufferer from heart disease, which at last terminated in death. The services were conducted by Bishop A. G. Driggs, and consoling remarks were made to the family and friends who were embled by Brothers James McGhie, George Curtis and George Crismon. Her death is a severe blow to her family and friends, and the scene which took place after the services were over and the body was about to be taken away, was truly pathetic.

The Tooele City Liquor Case.—Judge Zane, in the Third District Court, to-day, rendered a decision in the case of Tooele City vs. Moses Bruneau. The city of Tooele has an ordinance, passed in pursuance of a provision in its charter, prohibiting the sale of liquor within the city limits. The defendant was adjudged guilty of a breach of this ordinance, and was sentenced to pay a fine of \$50 and costs. An appeal was taken to the District Court, the defense averring that the words "prohibit or restrain," in the charter, intended absolute prohibition only during certain hours and to cer-

tain persons, and had not a general meaning; that the Legislature of a Territory had no right to empower a city to prohibit the sale of liquor, as that traffic was controlled by United States statutes; and that the action should have been in the name of the people of the Territory, and not in behalf of Tooele City.

The Judge, in deciding, held that the words "prohibit or restrain" could only be given their ordinary meaning, and authorized the city, under its charter, to prohibit absolutely the manufacture, selling or giving away of liquors. Also that the Organic Act declares "That the legislative power of said Territory shall extend to all rightful subjects of legislation consistent with the Constitution of the United States and the provisions of this act;" and the liquor traffic was a "rightful subject of legislation," as held by the courts in most of the States, the law of Congress relating to a tax for revenue, and was alike in States and Territories, as the same language could not be consistently construed to mean one thing in a State and another in a Territory. The action, also, was properly brought in the name of Tooele City, the Territorial statute regulating the liquor traffic containing an express provision forbidding interference with rights granted to incorporated cities by their charters. The decision of the Justice's court was therefore affirmed.

THERE WILL BE ONE.

SALT LAKE CITY,

March 24th, 1885.

Editor Deseret News:

On my arrival at home from the East, I found that many people doubted that a cattle and horsemen's convention would be held here, in consequence of there not being a Conference in Salt Lake City. This I wish to correct. There will be a convention held on the 2d of April, 1885, in Salt Lake City. Rates have been secured at the hotels and railroads. Many stockmen are expected from the neighboring Territories and States, as well as from all parts of this Territory, and we expect an interesting meeting. Free discussion on all subjects relating to cattle and horse growing in the great West will be indulged in, and all stockmen are again invited.

H. J. FAUST.

Fatal Accident.

BUNKERVILLE, March 20th, 1884.

Editor Deseret News:

A lamentable accident occurred on the 19th inst., at 3 p. m., four miles south of St. Thomas, which resulted in the death of Stephen Orville Abbott, son of Myron Abbott of this place. A precipitous ledge of rock fell upon him while he was drilling a hole to put in a blast.

Deceased was born in Toquerville

Washington Co., Utah, June 9th, 1862.

This accident has cast a deep gloom over this settlement, which is composed mostly of his relatives, by whom he was dearly beloved.

Respectfully S. O. CROSBY.

P. S.—Ogden and San Francisco papers please copy.

FROM THURSDAY'S DAILY, MAR. 26.

Bound Over.—On Tuesday the grand jury of the Third District found an indictment against Parley P. Pratt, charging him with polygamy and unlawful cohabitation. Yesterday afternoon a warrant for his arrest was served by an officer, and this morning the accused was taken before Commissioner McKay, who released him on \$3,000 bonds, J. W. Fox, Jr., and Alma Pratt becoming sureties.

Died While Traveling.—Mrs. Jane Scott, a lady who for some years past has been residing in this city, and has been in very delicate health, left here a week ago, in company with her son, J. Stanley Scott, of this city, to journey to the home of her eldest son, John, who lives at Lamoni, Iowa, there to end her days. She failed, however, to reach her destination alive, as death overtook her while on the cars, at Chariton. She was a native of England, and sixty-four years of age. In addition to the two sons mentioned, she leaves a daughter, Mrs. S. J. Pembroke of San Francisco.

A Veteran.—Brother Thomas Colburn, a resident of Peterson, Morgan County, who considers himself the youngest old man in the country, called upon us yesterday and reported all well in Weber Valley. He will be eighty-four years of age if he lives till the 3rd of August next, and can dance a hornpipe yet. It is almost fifty-two years since he was led into the waters of baptism by the late President Brigham Young, being among his first converts. He was subsequently a member of Zion's Camp, and since that day has seen many changes in the Church, of which he retains a vivid recollection.

Conference Rates.—The Union Pacific Railway announces the following rates to Logan for Conference, over

the U. P., U. & N., and O. S. L.; tickets good from commencement of sale, April 1st, to April 12th, inclusive:

Evanston.....	\$5.00	Richmond.....	\$.50
Park City.....	5.00	Franklin.....	.80
Coalville.....	4.10	Battle Creek.....	1.30
Echo.....	3.90	Oxford.....	1.70
Weber.....	3.90	McCammon.....	3.00
Petersen.....	3.00	Inkom.....	3.40
Uintah.....	2.60	Pocatello.....	3.90
Ogden.....	2.25	Blackfoot.....	4.85
Hot Springs.....	2.05	Eagle Rock.....	5.00
Briham City.....	1.50	Market Lake.....	5.00
Collinston.....	.65	Soda Springs.....	4.50
Mendon.....	.39	Montpelier.....	4.50
Smithfield.....	.30		

District Court Proceedings.—The complaint in the case of Harry Haynes vs. Bolivar Roberts et al., was ordered dismissed, and that defendant recover costs. Plaintiff was allowed twenty days in which to file notice and statement for a new trial.

The attorney for defendant in the case of Ephraim Nash vs. Amos Mosher moved that the record transmitted from the Justice's court be amended, but the motion was overruled. At the request of the attorney for plaintiff, it was ordered that the officer amend the return on the writ in accordance with the facts. A jury was waived and several witnesses testified. The particulars of the case will be found elsewhere.

The case of W. C. Hall vs. Maatschappy, etc., Company, was dismissed on motion of plaintiff.

The Suit Against the Mammoth Mining Company.—The case of Elias Morris et al., vs. the Mammoth Mining Co., which was set for hearing before the District Court to-day, will probably be again postponed. The suit is brought against the company to recover the amount due the contractors for material and work in the construction of the company's works at the mine in Tintic, and reaches a total of about \$55,000. The trial of the case has been postponed several times, as negotiations looking to a compromise have been pending for some time in London, but the present plaintiffs have refused anything short of a full liquidation of their claims.

The work was done at the time the Mammoth was under the management of Mr. H. A. M. Butler Johnstone, who, according to advices received from Europe, has been particularly unfortunate. First meeting with a reverse in his business here through the failure of a bank in London, the money he had invested in the Mammoth was lost, and he returned to England; financial misfortune still followed him, until at last he became a "tramp," although it is stated that at the same time the government of Turkey owes him half a million pounds sterling. His friends are trying to bridge over his monetary difficulties so as to enable him to again take part in public affairs, as he is said to be well-informed on the Eastern question, which is now brought to the fore in the complications between great Britain and Russia. Mr. Johnstone is also a gentleman of considerable literary attainments, and has written an interesting book entitled, "A Trip up the Volga."

Bishop Hess Honored.—Brother John W. Hess, who is one of the Counselors to President Wm. R. Smith of the Davis Stake, but who for 27 years was Bishop of the Farmington Ward, was the recipient of special honors on Monday last. It seems when he was taken from the Bishopric three years ago to occupy his present position the people suffered the change to be made without any display of gratitude for his past services in presiding over them, although he was none the less appreciated. It lately occurred to the Farmington Saints, however, that instead of waiting for Brother Hess to die and then letting their affection for him gush out, they might appropriately give public expression of their good feelings towards him now. He was accordingly invited to be present at the Meeting-house and Social Hall on the day mentioned, when the people assembled to do him honor. The Meeting House was crowded during the morning, when he was presented with certain tokens of the esteem of the people, and songs were sung and speeches made by a number of the representative members of the Ward, expressive of the good feelings entertained by the Saints generally for Brother Hess, who responded in heartfelt sentences, but was overcome with the spontaneous effusion of goodwill and affection manifested for him.

In the afternoon the people re-assembled in the Social Hall, where a sumptuous dinner was partaken of by more than 200 persons, and several hours spent in social pastime.

The proceedings concluded with a concert in the Meeting House, which was attended by from 400 to 500 people. The whole affair, as an expression of gratitude and honor to a worthy man, was a splendid success.

34 years a victim of Catarrh. I have tried many remedies. One bottle of Ely's Cream Balm gave me more real benefit than all the rest. It is a safe and valuable medicine.—A. L. Fuller, Danby, N. Y.