

THE DESERET NEWS.

TRUTH AND LIBERTY.

No. 36.

Salt Lake City, U. T., Wednesday, September 19, 1888.

Vol. XXXVII.

ESTABLISHED 1850.

DESERET NEWS:

WEEKLY.

PUBLISHED EVERY WEDNESDAY.

Copy, one year, with Postage, \$2 50
" six months, 1 50
" three months, .80

DESERET NEWS:

SEMI-WEEKLY.

PUBLISHED EVERY TUESDAY AND SATURDAY

Copy, one year, with Postage, \$3 00
" six months, 1 75
" three months, 1 00

EVENING NEWS:

PUBLISHED EVERY EVENING, EXCEPT SUNDAY.

Copy, one year, with Postage, \$10 00
" six months, 5 00
" three months, 2 50

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PUBLISHED BY

THE DESERET NEWS CO.,
SALT LAKE CITY, UTAH.

TUESDAY'S DAILY, SEPT. 11, 1889.

From Pueblo.

This morning we had the pleasure of seeing Mr. Frank Nicholson, proprietor of the Victoria Hotel, Pueblo, Colorado. He states that business is very in that place, the noted steel works there doing much to maintain a prosperous condition. He is delighted with the present appearance of Salt Lake, and says he sees a marked improvement since a former visit made twelve years ago.

Discharged.

The case of the People vs. John Locking was brought up in the Third District Court today, on a motion to dismiss the complaint. The defendant was charged with having driven a herd of sheep on the land of another person, unlawfully, and was prosecuted before the justice of the peace atanship. The motion to dismiss was granted and the defendant discharged, on the ground that the complaint was insufficient, the land trespassing upon not being properly described.

Primary Fair.

In the building belonging to Elias Harris, Esq., just west of the Council house corner, the Primary fair will open tomorrow morning at 9 o'clock, and will be open during the remainder of this week from 9 a. m. till 7 p. m. A very small admission fee will be charged: adults 10 cents, children 5 cents. The exhibit consists of specimens of the handwork of children. The display is large, and very interesting to parents and juveniles alike. It is designed especially to create emulation among the latter. This is an excellent move, worthy of generous encouragement, and it ought to result in netting a handsome fund for the benefit of the Primaries. Its promoters deserve great credit.

Stewart Convicted.

Yesterday afternoon the trial of Joseph Stewart and A. Bertignoli, on a charge of assault and battery, was commenced before Justice Pyper, and occupied the time of the court till noon today. The parties are residents of Sugar House precinct, where they engaged in a row, and it was alleged that they committed the battery upon Robert Stewart. The testimony showed that the two Stewart brothers, Joseph and Robert, got into a dispute and the latter called the former a liar. They then had a regular set to, which Bertignoli endeavored to stop. Some one hit him, however, and he got angry and joined in the fight. When the parties were at last separated, arrests followed, and the case culminated today. Bertignoli was discharged, while Joseph Stewart was convicted. He will receive sentence tomorrow.

A Runaway Smash.

Shortly before nine o'clock this morning Mr. Arthur Brown's carriage was being driven down the somewhat steep grade of First Street, between A and C streets. When about half way down the grade coming west, one of the horses fell, breaking the back-yoke. This incident so startled the driver that he sped down the hill as if shot from a cannon. The driver preserved his presence of mind and was plucky, holding on to the reins and doing his best to control

the frightened horses. Just as the corner was being turned toward the Eagle Gate, however, one of the lines broke, rendering the driver powerless. To add to the danger of the situation the carriage tipped over, but before its side reached the ground, the teamster plunged out face foremost and took a dust bath, being in imminent danger of breaking his neck. Before reaching the Eagle Gate the outfit, with the vehicle dragging on its side, was brought to a standstill by colliding with the shade trees near the residence of Mr. Heber Young. The carriage was badly smashed and the harness considerably tattered. The correct color of the driver could scarcely be discerned for dust.

Third District Court.

Proceedings before Judge Sanford today:
Wells, Fargo & Co. vs. H. C. Woodrow; default, reference and judgment.
Morr Silver Mining Co. vs. Matthew Cullen; demurrer withdrawn; 30 days to answer.
Utah Coal Mining & Coke Co. vs. Joab Lawrence; dismissed.
John C. Cutler vs. Millard Arnett; injunction dissolved.
Charles W. Hucklethorn vs. Simon Bamberger; demurrer to complaint argued and submitted.
Victor Borg et al. vs. H. F. Sampson et al.; dismissed as to defendant Simon Bamberger; defendant F. H. Sampson given ten days to answer.
The People vs. John Stocking; trespass; demurrer sustained and complaint dismissed.
Fritz Rippen vs. Sharon Atkinson; demurrer to cross complaint and motion to strike out cross complaint argued and submitted.

Bircumshaw vs. Mary Bircumshaw; motion for new trial denied.
Carl P. Carlson vs. John A. Backman et al.; demurrer to complaint argued, submitted and taken under advisement.
Oscar Wilkins et al. vs. Oliver Lockhart; demurrer and motion to dismiss set for Sept. 13.
People vs. Wm. Bredemeyer; exhibiting deadly weapon; appeal from justice's court; the fine and costs in the court below having been paid, the case was dismissed.
The grand jury was empaneled as reported in another column.

An order was made that all criminal cases tried during the term be reported by the court register, and that copies and transcripts of testimony be made as the United States attorney may deem necessary.

McGurkin's Record.

F. E. McGurkin, Esq., official reporter of the Third District Court, was at his post today. Of one of his exploits as the champion manipulator of the typewriter, while on his recent visit east, the Chicago Herald says:
Mr. F. E. McGurkin, of Salt Lake City, feeling that his record at the Toronto tournament (on which occasion he was defeated by Miss Orr, of New York—also a "Remington" operator) did not do him justice, attended the convention of the New York Stenographers' Association, at Lake George, August 23, 1888, for the purpose of writing against time, and succeeded in breaking all previous records on matter entirely new to the operator.
The following is a copy of the committee's report:

LAKE GEORGE, N. Y., Aug. 23.

We, the undersigned, having been requested to act as a committee on a speed test on typewriting by Frank McGurkin, do hereby report as follows:

Said McGurkin wrote on a Remington No. 2 typewriter at the Fort George Hotel, at the above named place and date, in the presence of upwards of fifty persons, including several leading stenographers of the country, he being timed by us, and in such writing he reached the following result:

Writing five minutes from dictation, 353 words gross, 543 net—a net average of 108 3-5 words per minute.
Writing blindfolded from dictation, 109 words in one minute gross, 107 net.
The matter so written was taken from ordinary court proceedings, new to the operator.

(Signed) Wm. A. WOODWORTH,
(Teacher Shorthand and Typewriting).
Poughkeepsie, N. Y.
G. F. HITCHCOCK, JR.,
(Official Stenographer), Minneapolis, Minn.
EDMUND DANIEL,
(Official Stenographer), Detroit, Mich.

THE GRAND JURY.

The Judge Directs Attention to Sanitary Regulations.

Today the open venire issued for grand jurors was returned in the Third District Court. At 10 o'clock all of those served had not arrived in town, some of them having to come from Park City. The work of impaneling the jury was therefore postponed to 12 o'clock.
When the names were called at that

hour H. A. Frazer failed to respond. George Cullen answered, and passed the statutory examination, but after a consultation with the court, he was released on a plea of business necessities. W. H. Dittmer also tried to get off as Mr. Cullen had done, but was unsuccessful. The jurors who occupied seats in the box were:

C. L. Haines, Boyd Park,
Fred. Simons, J. Fred. Corker,
Jacob Moritz, Frank Foote,
James K. Gillespie, Thomas Carter,
George Chandler, James Pitts,
W. H. Dittmer, L. E. Hall,
Chris. Diehl, M. C. Fox,
Elmer Hill.

The whole fifteen answered the usual questions satisfactorily, and were accepted. Clerk McMullan read the oath, which was subscribed to by each juror.

Charles L. Haines was appointed foreman, and Judge Sanford proceeded to deliver his charge to the jury, in substance as follows:

Gentlemen of the Grand Jury: You have been called here from your homes to discharge an important duty. The statutes require you to inquire into offenses of every kind, into the condition of the public prisons, and into alleged malfeasance in office. You are to have the advice or assistance of the District Attorney, as you may require. I call your attention particularly to offenses against the public welfare, public morals or public health; especially

THE SANITARY CONDITION

of the city. I have a clipping from a public journal which speaks of offensive smells. Making some allowance for these statements I invite your attention to this supposed condition. The paper also states that the city is too far north for yellow fever, but not for scarlet fever, typhoid, diphtheria, etc., and that there is a disregard for health and life. I deem it my duty to ask you to examine into the sanitary condition of the premises surrounding this courthouse, and find such judgments as you see proper. You will endeavor to see that all who have committed offenses are indicted therefor.

The grand jury then retired, and court adjourned till 10 a. m. tomorrow. The grand jury held a brief session, then took recess till 3 p. m. About 30 witnesses, mostly ladies, were in attendance at this afternoon.

FROM WEDNESDAY'S DAILY, SEPT. 12, 1888.

Arrested.

On Saturday Bishop John Spencer, of Indianapolis, Sanpete County, was arrested on a charge of unlawful cohabitation. He gave bail to await the grand jury's action. His plural wife also gave bonds to appear as a witness.

Accidental Death.

We are in receipt of a copy of the findings of a coroner's jury which held an inquest over the remains of John Payne, at Fillmore, on the 6th inst., from which it appears that the deceased came to his death by accidentally falling from a wagon, one or more of the wheels passing over him, inflicting fatal injuries.

Jeffrey's Escape.

Richard Jeffrey, who escaped from the county jail on Monday afternoon, has not yet been retaken. He was being held on a charge of grand larceny, an indictment having been found against him by the grand jury. The jailor had him working on the west side of the court house, and went into the jail for a moment. When the jailor returned, Jeffrey was gone. The effect on the jail management is that the sheriff appointed a new jailor this morning.

Stock Company.

Yesterday the articles of incorporation of the Border Ranch and Stock Company were filed with the county clerk. The company proposes to carry on a general agricultural, stockraising and merchandising business in Utah, Idaho and Wyoming. The incorporators and stockholders are John W. Taylor, M. W. Taylor, A. E. Hyde, H. W. Taylor, F. W. Taylor, D. D. Davis, S. B. Young and J. T. Rich. The capital stock of the organization is placed at \$200,000.

Alleged Larceny.

Today, John Rose, who resides at the corner of Second West and Fifth South streets, made complaint at the police office against two Singer sewing machine agents, for the offense of housebreaking and larceny. It appears that some little time ago Rose got a sewing machine, and the payments were not made promptly. Yesterday, while he and his wife were absent, the agents came and took the machine. Mr. Rose states that they broke in through the window instead of calling when some one was at home. The taking of the machine is not the foundation of the grievance, however. There was \$43 75 in cash in the house,

and this amount also disappeared. As Mr. Rose came home five or ten minutes after the sewing machine men disappeared, of course he is of opinion that they took the cash as well as the machine.

Probate Court.

Proceedings in the Salt Lake County Probate Court yesterday:
Estate of John P. Davis, deceased; order made allowing final account and making distribution of estate.
Estate of Mary A. Wardell, deceased; decree made that due and legal notice to creditors had been given, order made of sale of real estate, and appointing Adam Speirs, J. W. Fox, Jr., and L. G. Hardy appraisers.
Estate of B. B. Neff, deceased; continued until Sept. 20.
Estate of Horace S. Eldredge, deceased; order made appointing time and place to hear petition for admission of will to probate.
Estate of Theodore Latterst, deceased; order made appointing time and place to hear petition asking that letters of administration be issued to him.
Estate and guardianship of Eliza Swamer et al., minors; order made appointing time and place to show cause why sale of real estate should not be set aside.

Primary Fair.

Shortly after nine o'clock this morning, the Primary Fair was formally opened by prayer, offered by Elder B. F. Cummings, Jr. The display is highly creditable, when it is remembered that all or nearly all the articles and specimens on exhibition are the handiwork of children. Samples of sewing, embroidery, crochet work, carpentry, penmanship, drawing, mechanical skill in various lines, bread, pastry, preserved fruits, etc., in great variety are on exhibition. To say that the fair is worth a visit is to mildly express its merits. The skill and ability displayed in the production of some of the articles are positively astonishing, considering the ages of the children producing them. Parents should go to the fair and take their children. The admission fee is but a trifle—10 cents for adults and 5 cents for children, and no adult nor child could well visit the fair without deriving, in pleasure and profit, many times the cost of admission. Those who go are lending practical encouragement to an excellent move.

The sisters who have labored to give this fair, at the head of whom is sister Ellen C. Clawson, "Stake President of the Primaries, deserve the thanks of parents and children for their efforts. The fair is being held in Elias Morris' new building, nearly opposite the south entrance to the Temple Block, from 9 a. m. till 7 p. m.

Third District Court.

Proceedings before Judge Elliot Sanford today:
Wilhelmina Kallstrom, a native of Sweden, was admitted to citizenship today.

John E. Johnson, of Summit County, was an applicant for citizenship today, but could not answer satisfactorily all of the questions put by the judge, and was refused. He hadn't read the Constitution of the United States.

Cincinnati Ice Machine Co. vs. Salt Lake City Brewing Co.; demurrer to complaint withdrawn and defendant allowed 15 days to answer.

Matilda Openshaw vs. Utah & Nevada Railway; motion of defendant for new trial argued, submitted and taken under advisement.

E. D. Hoge et al. vs. Ebenezer N. Child et al.; demurrer to complaint passed on the call for settlement of case.

John W. Goldthwaite vs. John T. Lynch et al.; demurrer argued and submitted.

Willis Hoffman vs. Joseph Baumgarten et al.; demurrer set for Sept. 13.

Wm. Fuller vs. John L. Lawson; demurrer argued and submitted.

Sierra Nevada Lumber Co. vs. Alex. Lewis; demurrer argued and submitted.

Chas. B. Gourlay vs. Emma A. Benedict; motion to dismiss appeal argued and submitted.

Minnie Peterson vs. Geo. Peterson; application for divorce; held for further testimony.

Court adjourned till 10 a. m. tomorrow.

THE DAKOTA EDITORS

Viewing the Sights in the City of the Saints.

One of the specially interesting features of the Dakota Editors' Excursion was the visit to the Temple Block today, and the organ recital at the Tabernacle, where a programme of instrumental pieces was given by organist Joseph J. Daynes. The remainder of the day was spent by the party in visiting various points of interest in the city. The editors spent four days in the Yellowstone National Park, and were highly delighted with the natural wonders to be seen there. They

shortened their stay in the Park one day, however, in order to stop over in Salt Lake. The personnel of the party is as follows:

Edward Randell, *Dakota Newspaper Union*, Aberdeen.
E. J. Moore and W. B. Winsor, *Leader*, Ellendale.
George Schlosser, *Advocate*, Blunt.
A. Davis, *National Editorial Journalist*, Chicago.
Mr. and Mrs. J. F. Rowllins, *Rustler*, Sargent.
Mrs. A. B. Melville, *Democrat*, Coeur.
Mrs. and Mr. Geo. W. Hoop and Mrs. Cook and Mrs. Lockwood, *Brookings*.
James C. Cunningham, *Dakota Colleague*.
E. O. Snider, *Tribune*, Volga.
D. J. Darrow and daughter, *Sun*, Arlington.
H. L. Sill, *News*, Willow Lake.
Miss Cora Shober, *Bulletin*, Highmore, and Miss Carrie Miller.
Mr. and Mrs. Ed. J. Miller, *Times*, Huron.
Mr. and Mrs. S. H. Bronson, *Advance*, Howard.
Mr. and Mrs. J. T. McBride, and Mrs. Burke, *Democrat*, Aberdeen.
A. D. Thompson, *Republican*, Aberdeen.
T. J. Martin, *Enterprise*, Valley Springs.
Mr. and Mrs. C. A. Bliss, *Journal*, Pierre.
E. B. Miller, *Signal*, Pierre.
Mr. and Mrs. J. C. Adams, *Reporter and Farmer*, Webster.
J. W. Farnley, *Herald*, Boscoe.
E. L. Bales, *Courier*, Bloomington.
G. A. Nichols, *Blizzard*, Copp.
H. S. Douglas, *Advocate*, Artesian City.
O. E. Dewey, wife and daughter, *Dakotian*, Watertown.
Frank J. Meyst, superintendent of the St. Paul House of the A. N. Kellogg Newspaper Union.
Charles E. Mellette, *Courier-News*, Watertown.
H. L. Henry and daughter, *Dispatch*, Redfield.
Mr. and Mrs. F. J. Cory, *Journal*, Redfield.
Mrs. S. L. Holbit, *Gazette*, Raymond.
John Bushell, *Argus*, Ashton.
Mr. and Mrs. A. J. Dox, *Times*, Aurora.
W. H. Stapley and Mrs. B. A. Wade, *Star*, Hot Springs.
F. L. Mease, *Sentinel*, Madison.
F. A. Everts, *Journal*, Onelda.
L. L. Bancroft, *Times*, Manchester.
George C. Cross and Mr. and Mrs. Alonzo Wardell, *Ruralist*, Aberdeen.
P. T. Youngblood, *Tribune*, St. Lawrence.
Mr. and Mrs. O. Pendar, *Special*, Salem.
C. V. Van Hise and J. M. Gass, *Indicator*, Miller.
F. F. Smith and Miss Mae Addington, *Press*, Ree Heights.
Rev. O. E. Murray, *News*, Woonsocket.

A band accompanies the party, the following being the members of the organization: Pinckney Gaylord, drum major; S. W. Lockwood, leader; F. J. Adams, manager; Charles E. Aiken, T. W. Mellette, Fred Baker, Phillip Langdon, Eugene Parker, Bert Young, Jay Lattimer, Ole Knutson, R. E. Mills, Labe B. Smith, Otto Johnson.

The excursionists visited Garfield this afternoon and will leave this evening on the 10:35 train, going via the Union Pacific.

List of Emigrants

From Scandinavia, leaving Copenhagen August 23, 1888:

For Salt Lake City.—Fredrick, Lovisa and Frida Helstrom; Emilia Mattson; Johanna Gronstrom; Anna Jansson; Regina Winand; Jenny Malmstrom; Thilda Johanson; Maria Bostrom; Johanna Anderson; Jons, Mathilda, Ida A., Oscar and Gustaf Bengtson; Emily Anderson; Lauritz Mattson; Dortha, Nicolai, Cellus, Elise, and Emil Tolboe; Wilhelm and Andrew Jorgensen; Bengta Samuelson; Rasmine Sorenson; Ane Dortha Hansson; Mette M. Larsen; Marie Olsen; Carl J. Olsen; Mathias Gothberg; John Lyle; Mrs. John Lyle; Isabella Withers.

For Ogden.—Anna M. Soderberg; Johan Nielsen; Mareen, Carl, Anna, Hartrix and Johan Neilsen; Petrea and Anna L. Stromnes; Anna K. Kindstrand.

For Logan.—Mathilda Loifgren; Hilda Olsen; Amalia Nielsen; Maria Anderson; Christina, Gerda and Anna R. Oberg; Christina, Gustaf and Anna P. Shail; Frans L. Person.

For Brigham.—Anders H. Alstrom; Christian Hansen; Jens H., Carolina J. and Valborg R. Koefoed; Ole Neilsen; Mathea C. and Ithoras J. Dick; Ane M. Blekamp; Otto Sorensen.

For Nephi.—Maria Bengtson; Marie Petersen; George Petersen; Christian Petersen.

For Spanish Fork.—Anton J. and Petrea J. Brignasmina; Joakim Petersen.

For Franklin.—Niels Sorensen. Left Liverpool September 1st, per steamship Wyoming.

ABRAHAM JOHNSON,
President of Company.