

LOCAL NEWS.

FROM FRIDAY'S DAILY, FEB. 6.

Court Proceedings.—Four cases not mentioned last evening came up in the District Court yesterday afternoon. The first was that of L. S. Burnham vs. W. H. H. Bowers et al., in which the demurrer to the complaint was argued, submitted and taken under advisement.

The next was a motion to amend the complaint in the case of A. B. Eifelt et al. vs. E. A. Ireland. The motion was argued and submitted.

A. B. Eifelt et al. vs. Charles Fowler. A motion to amend the complaint was also argued and submitted.

Demurrer to the complaint in the case of John K. Gilman vs. Allan Fowler, was argued.

In the case of Youngberg vs. Hedberg, the demurrer of the defendant trustee was withdrawn.

This morning the grand jury came into court and presented three indictments found under the laws of the United States.

The demurrer to the complaint and the demurrer to the intervention in the case of J. E. Dooly vs. the Utah Eastern Railway Co., were overruled. The demurrer to the answer was also overruled, and the defendants allowed 20 days to file answer to cross complaint and intervention. The court considered the appointment of a receiver necessary.

A. B. Eifelt vs. E. A. Ireland. Amended complaint allowed. Exception taken and 20 days allowed to file answer.

J. K. Gilman vs. Allan Fowler. In this case the complaint was further argued, and then submitted.

A PROCLAMATION.

TERRITORY OF UTAH,
Executive Office.

To all whom it may concern:

Know ye, That whereas the President of the United States having appointed, and the United States having confirmed, Jacob S. Boreman, as Associate Justice of the Supreme Court of this Territory of Utah.

Now, therefore, I, Eli H. Murray, Governor of said Territory, by virtue of the authority in me vested, do hereby assign the said Jacob S. Boreman to the Second Judicial District of the Territory, to hold court therein.

Attest: My hand and the great seal of the Territory of Utah, this 31st day of January, 1885.

ELI H. MURRAY, Governor,
By the Governor.
ARTHUR L. THOMAS,
Secretary of Utah Territory.

WEATHER REPORT.

PER DESERET TELEGRAPH LINE.

Paris—Snowing; has been raining all morning.

Logan—Been snowing all morning. Brigham—Cloudy, calm, thermometer 48.

Ogden—Been raining, cloudy now. Kaysville—Been raining off and on all day. Very cloudy and stormy now.

Pleasant Grove—Very muddy, cloudy, looks like storm.

Payson—Cloudy, wind blowing, very muddy.

Nephi—Roads very muddy, snow nearly all gone. Indications of rain.

Fillmore—Wind blowing, but sun shining very pleasant. I think there will be a storm soon.

Beaver—Clear and pleasant.

Silver City—Rainy.

Parowan—Clear and pleasant.

Cedar City—Fine and pleasant now, cloudy this morning.

Toquerville—Very warm, roads dusty.

Juab—Looks like storm.

American Fork—Storming.

Frisco—Clear, but heavy wind.

Milford—Clear, windy.

THE UTAH EASTERN QUESTION.

OPINION OF JUDGE ZANE TO THE EFFECT THAT A RECEIVER SHOULD BE APPOINTED.

In the Third Judicial District Court of Utah:

John E. Dooley, et al., Trustees, Plaintiffs, vs. the Utah Eastern Railroad Company, et al., Defendants.

THE COURT:

In case No. 10, the defendant has interposed a demurrer to the complaints, Dooley and Bennett, to foreclose certain deeds of trust, and the complainants have interposed a demurrer to the answer of Smith, and to his cross complaint, and also to the intervening petition of Hardy and other stockholders.

Without taking time to state the allegations of the complaint and intervening petition, I am of the opinion that the allegations of the original complaint are sufficient, if proven, to warrant the court in giving plaintiffs the relief asked, and the allegations of the answer and cross-complaint, show a defense and answer to this complaint. With respect to the intervening petition it appears from the allegations of the petition that the Union Pacific Railroad company owns a large portion of the bonds which these trust deeds are given to secure; if the allegations are true, the Union Pacific railroad company is controlling the Utah Eastern railroad

company, the directors and officers of that company, and so controlling them that they make no defense to this action under such circumstances, and under the charges of fraud and collusion made, I am of the opinion that the stockholders should be permitted to defend. I am disposed to hold that all these parties should be permitted to litigate their rights, and the court should ascertain what the rights of the respective parties are, which cannot be done without some investigation—I presume from the allegations of the bill extensive investigation—and, in the meantime, a receiver should be appointed. All of the parties ask that a receiver be appointed—all concur in that. The receiver should be appointed for all, and in the interest of all the parties as they shall appear upon the final hearing.

I am of the opinion, therefore, that a receiver should be appointed on the prayer of the original complaint, which seems to be pretty broad; the receiver will be appointed in the interest of all the parties, and after the hearing, if necessary to continue the receiver, such further order with respect to the receiver as equity may require can be made.

It would take considerable time to mention the respective points that were made on the argument, and to call attention to the various allegations of the complaints and the answer bearing thereon; at this stage of the case I do not deem it necessary to do so.

THE KILLING OF WOODARD.

AN INQUEST HELD, AND A JURY DECIDE THE KILLING WAS JUSTIFIABLE.

PANGUITCH, U. T.

January 31st, 1885.

Editor Deseret News:

F. J. Woodard, better known as Jed Woodard, was shot and killed on the night of the 30th inst., by J. W. Pace, constable of this precinct, while trying to arrest Woodard for disturbing the peace at a social gathering. Woodard had been drinking. The ball entered the back of the head, a little above the left ear, causing instant death. The annexed account of the inquest will explain itself. Please publish.

Very respectfully,
W. P. SARGENT.

TERRITORY OF UTAH,
Garfield County
Panguitch Precinct. } s.s.

An inquisition holden at Panguitch in Panguitch Precinct, Garfield Co., U. T.

On the 30th day of January, A. D. 1885, before John E. Myers, Justice of the peace of Panguitch Precinct, county and Territory aforesaid, upon the body of F. J. Woodard there lying dead, by the jurors whose names are hereunto subscribed.

The said jurors upon their oaths do say that said F. J. Woodard came to his death on the 30th day of January, A. D. 1885, at about 30 minutes past 9 o'clock p.m. by a pistol shot from a pistol in the hands of the constable, J. W. Pace, of said precinct, who was in the discharge of his duty as said constable, trying to arrest said Woodard for disturbing the peace; and we hereby exonerate J. W. Pace, constable of said Panguitch Precinct, from all blame. An open knife was found by said Woodard's right hand, thereby showing a plain and meditated resistance to said officer in the discharge of his lawful duties.

In testimony whereof the said jurors have hereunto set their hands the day and year aforesaid.

M. M. STEELE, }
GEO. DODDS, } Jurors.
J. W. CROSBY, JR. }

Witness my hand and official signature on this 30th day of January, A. D. 1885. JOHN E. MYERS,
Justice of the Peace,
Panguitch Precinct Garfield Co., U. T.

FROM SATURDAY'S DAILY FEB. 7.

Man Shot at Glenwood.—A young man by the name of Charles Ogleby, a resident of Richfield, was shot and killed while engaged in a drunken carousal with a number of companions on the 4th inst. We have not been able to obtain full and reliable particulars of the affair, but learn that Sheriff Clarke and John Coons arrested Adelman Nebeker, Albert Naegli, Will Bean, Frank Baker and Charley Hawley, for complicity in the affair. They are out on bail now, but will have an examination on Monday.

Telephone Wires Down.—About eight o'clock this morning the heavy line of telephone wires running east along First South St. fell with a crash. The break extended east from a point opposite the City Hall to Seventh East St. It was caused by the weight of the damp snow which adhered to the wires during last night's storm. There are about 60 wires on this section of the line, and the weight of the snow that accumulated on so great a number was sufficient to break the poles off close to the ground. A force of hands was immediately set to work to repair the damage and Mr. Annett thinks he will be able to get the wires in running order by Monday.

We also learn that considerable damage was done last night to the telephone wires in other parts of the city from the same cause.

To-Day's Court Proceedings.—The demurrer heretofore submitted in

the case of L. S. Burnham vs. W. H. H. Bowers et al. was overruled, and an exception taken.

In the case of Thos. Fenton vs. Salt Lake County an appeal was perfected and execution recalled.

A further hearing will be given on the motion for contempt for not complying with the order of the court in the case of Ida L. Smith vs. Silas T. Smith. The defendant was sworn this morning.

A motion to strike out parts of the answer in the case of Alex. C. Brixen vs. E. R. Kneass was argued.

The People vs. D. Bockholt, for embezzlement. The defendant was arraigned and allowed until Feb. 15th to plead.

The demurrer to the complaint in the case of Otto Horwitz et al. vs. Thomas Cupit et al., was argued and submitted.

Edward Robertson vs. L. R. Cropper et al. Demurrer to answer submitted without argument and taken under advisement.

Mary Jane Hainsworth was admitted to citizenship.

The Coming Stock Convention.—The whole Territory seems to be waking up to a live interest in the important feature of stock raising, and stock associations are springing up in some of the most obscure settlements. A mammoth stock convention is to be held in the City Hall in the near future, at which some very important features connected with the industry will be discussed, as will be seen by the following call:

To the Horse and Cattle Breeders of Utah, and adjoining Territories and States:

Realizing the necessity of co-operation in the protection of our stock interests. We invite the stock men throughout this interior region to unite in forming a convention, to be held April 2d, at Salt Lake City. We invite the co-operation of all who feel an interest in the movement, and suggest that the different associations and individual members thereof, express their views upon the subject.

The following subjects will be considered:

To suppress stealing.

To procure needed legislation.

The best means to dispose of our surplus stock.

The refrigerator versus live shipping.

H. J. FAUST, Vice-President

National Cattle and Horse Association.

F. ARMSTRONG, President Salt Lake County Cattle and Horse Association.

E. Q. KNOWLTON, Secretary.

SUICIDE AT MILFORD.

A WELL KNOWN YOUNG MAN KILLS HIMSELF.

W. C. Godbe, aged 23 years, son of William S. Godbe, suicided at Milford last night. He has had charge of his father's business at Bullionville, Nev., for some time past. He arrived at Milford last evening in company with his father and brother Frank, and was apparently in his usual good spirits. Frank came to this city and Will remained with his father at Milford, where they expected to meet Mr. Ben Hampton, from Osceola, and come to this city to night. The deceased was in the railroad office about seven o'clock and talked with some friends and went out. Between eight and nine o'clock, during a fit of temporary insanity, the young man placed a revolver to his right temple and fired, the ball entering the brain, killing him instantly.

He was found this morning by a man named Martin, some distance behind Williams and Latey's smelter. The pistol was still held firmly in his hand. No real cause can be assigned for the rash act. C. B. Stevens, Justice of the Peace, acted as coroner, and a verdict was rendered in accordance with the fact, that he came to his death by a pistol shot from his own hand. Mr. Frank Godbe received a telegram to-day ordering a casket. He will leave with it on the first train. The body will be brought to this city for interment.

The deceased had complained of being unable to sleep much at night. He was worried on account of so much business to attend to, and his work got behind. His brother Frank had been down helping him straighten out his books. After this was done the young man seemed to feel himself again and was coming here to take a rest.

WEATHER REPORT.

PER DESERET TELEGRAPH LINE.

Spanish Fork—Cloudy, looks like snow, been snowing some to-day, had big wind and hail storm last night.

Payson—Been snowing all day, about three inches on ground, indications of more.

Toquerville—Little cloudy and warm, roads dusty.

Parowan—Cloudy, looks like storm.

Mount Pleasant—Very cold and snowing.

■ Moroni—Been snowing, cloudy and cold.

Nephi—Been snowing nearly all morning.

Cedar City—Cloudy, no snow.

Lemington—Cloudy.

Ogden—Little cloudy, snow nearly all gone.

Woods Cross—Fine and clear, three inches of snow.

Logan—Partly cloudy, calm, thermometer 32 above, snowed two inches last night.

Paris—Calm and cloudy; about 16 inches snow.

Richmond—Snowing.

Smithfield—Cloudy, calm; thermometer 36 above.

St. George—Clear and windy.

Pioche—Fine, clear, mild.

Beaver—Cloudy and mild.

Glenwood—Quite cold; been snowing and raining some.

Richfield—Been snowing; very cloudy and air rather chilly.

Manti—Snowed about three inches last night; still snowing a little.

Spring City—Snowing, mild; very little snow on ground.

Bingham—Snowing hard; about 12 inches of new snow.

Wasatch—Clear and cold; about six inches of new snow.

Alta—Snowing.

D. AND R. G. LINE.

Provo—Cloudy and calm.

Soldier Summit—Cloudy, indications of storm.

P. V. Junction—Cloudy and calm.

Price—Clear, calm.

Lower Crossing—Cloudy; little wind.

Green River—Clear and mild.

Grand Junction—Cloudy, calm.

U. AND N. LINE.

Pocatello—Cloudy, calm, indications of storm.

Eagle Rock—Cloudy, windy and cold.

Camas—Cloudy and cold.

Beaver Cañon—Snowed last night; cloudy.

Monida—More snow, cloudy.

Spring Hill—Cloudy and mild.

Silver Bow—Cloudy and cold.

PRIESTHOOD MEETING.

The regular meeting of the Priesthood of the Salt Lake Stake of Zion, convened in the Assembly Hall at 11 a.m. to-day. President Angus M. Cannon presiding.

The roll call showed all the wards of the Stake properly represented, excepting the Twelfth, Fourteenth and Eighteenth City Wards, and the Big Cottonwood, South Cottonwood, Granite, Draper and Mountain Dell Wards.

Counselor Elias Morris said: I for one feel to rejoice in the work of God. Many of us have passed through worse things than we are called to endure now. Many of you have been driven as exiles from your homes. We ought to thank God for our peaceful homes, notwithstanding the exertions of our enemies. We are not surprised at what is transpiring at the present day; persecution is nothing new to the Latter-day Saints. God our Heavenly Father foretold, through the Prophet Joseph, about the things that we now are and have been passing through. The people of God have ever been assailed by the wicked. Many of our brethren have sacrificed their lives for the principles of the Gospel. If we are humble and keep the commands of God, there is no reason to fear. God's work will triumph and prevail despite the efforts of the Evil One. When we are doing our duty we need have no fear. The Almighty holds the destinies of the peoples of the earth in His hands and He will manipulate all things to the glory of His name and the salvation of his people. We know that our leaders are upright and honorable men, and it behooves us to be full of integrity to the cause that we have embraced. Let us be true and valiant. It is not for the celestial law of marriage that we are prescribed for our brethren were slain and the Saints of God persecuted before this law was revealed to the Church.

President Angus M. Cannon exhorted the brethren to faithfulness and urged them to divest themselves of every evil and to cultivate and cherish the Holy Spirit.

Dr. J. M. Benedict, in accordance with a decision of the High Council, arose and addressed the assembled Priesthood. He stated that he did not see wherein he had committed any unchristianlike conduct in marrying John W. Ions and Miss Lizzie Evans. He, however, acknowledged his error in marrying them without the consent of the Presiding Priesthood of the 11th Ward or the presiding officers of the Stake or Church. He claimed that he did not marry them in order to defeat the ends of justice. Said the proceedings against him was persecution on the part of Brother Milando Pratt.

Elder Milando Pratt, referring and replying to the assertion of Dr. Benedict, said that the Doctrine and Covenants condemned the members of the Church, if they knew of evils—small or stupendous—to exist and they did not endeavor to bring them to light. Anyone that tried to screen any evils were considered accessories after the fact.

Dr. Benedict, not having fully complied with the decision of the High Council, a vote was taken to see if the action of the High Council should be sustained in what they requested from Dr. J. M. Benedict, and the vote was unanimous to sustain the High Council.

President Angus M. Cannon then asked the brethren who were present if they would accept the confession Brother Benedict as given.

There were only two, out of the whole congregation, who voted in the affirmative.

Meeting adjourned to the first Saturday in March.

LIFE PRESERVER.

If you are losing your grip on life, try "Wells' Health Renewer." Goes direct to weak spots.

FROM MONDAY'S DAILY FEB. 9.

A Week's Work.—The Grand Jury was empanelled last Monday, and as a result of their labors during the week, they have found ten indictments against parties supposed to have violated United States statutes.

Suspicious Death.—Mrs. Melinda Householder, the wife of Alma Householder, a resident of the 10th Ward, died at 2:10 p.m. yesterday, under somewhat suspicious circumstances. She gave birth to a stillborn child on Saturday evening, and the husband carefully followed the attending physician's instructions and prescription with the fond hope that there was no danger up to the time of her death, which fell like a thunderbolt upon the household. A coroner's jury summoned this afternoon will decide upon the cause of death, and we will give our readers further particulars tomorrow.

Arrived in New York.—Some concern has been felt by friends of President John Henry Smith, who were aware that he was to sail on the *Alaska* on the 24th ult., at the non-arrival of that vessel in port. We are pleased to be able to announce that she arrived off Fire Island at 1:10 p.m. yesterday, having in tow the steamer *Lake Winnipeg*, from Liverpool, which was doubtless the cause of her delay of about five days over her usual time.

President Smith intended on leaving England to spend some time visiting relatives in New England before returning home.

Going East.—We had a pleasant call this morning from Elder James Quayle, of Logan, who is down here for the purpose of starting to-morrow morning on a brief visit, or mission rather, to Ohio. Brother Quayle was the master mechanic on the Logan Tabernacle and Temple, and has worked continuously on the latter building for seven and a half years, only having finished his labors about ten days since. He is also one of the solid men of Cache County, in the agricultural line; in fact, is equally successful in either line of business. He goes east over the Denver & Rio Grande. We trust he will enjoy the change which the mission will afford him from his labors here at home, and after accomplishing a good work abroad return in safety.

District Court.—Saturday afternoon the grand jury came into court and presented two indictments found under the laws of the United States.

United States vs. John Aird for polygamy and unlawful cohabitation, came up, and the time to plead was extended to Wednesday, Feb. 11.

M. H. Pape et al. vs. J. W. Mason et al. Demurrer to amend complaint and a motion to strike out were made. Demurrer from files were submitted.

This morning a decree of divorce was allowed in the case of Edwin W. Senior vs. Emma J. Senior.

In the case of John K. Gilmore vs. Allan Fowler, demurrer to complaint was sustained; exception taken and ten days allowed to answer.

The two cases of the People, etc., vs. Edward Noonan, and People, etc., vs. Isaac Richards, were dismissed.

The following are the names of the thirty persons drawn from the Jury box in open court, January 7, to act as petit jurors for the present term of court. They had been summoned by the Marshal to appear in court this morning:

37 R. H. Wheeler,	107 James E. Payne,
103 Jno. W. Meacham,	184 John McKellar,
159 Edward Bird,	14 Sam'l H. Leaver,
153 Edward Roth,	67 G. D. Schell,
45 Geo. W. Mower,	1-J. W. Pike,
110 Thos. McLelland,	18 A. J. Pendleton, jr.,
70 Jos. R. Matthews,	166 Willard F. Smith,
78 W. J. Barton,	77 J. A. Brim,
68 T. E. Jeremy, jr.,	22 J. D. Van Tassel,
188 John McLaws,	88 John D. Spencer,
34 R. Doughton, jr.,	123 Geo. Lee,
11 Jesse Elliott,	135 S. J. Lynn,
71 J. R. Nichols,	96 W. S. Cronmon,
83 G. W. Walton,	129 W. W. Knox,
33 M. S. Severance,	60 Geo. S. Felt.

Four of the above were excused from attendance and one was absent, not having been served with a summons. The Grand Jury entered and presented two more indictments found under the United States laws. Bail was fixed at \$3,500.

Death of Heber P. Kimball.—Doubtless many of the readers of the News will be surprised and shocked to learn that Heber P. Kimball, who has been such a familiar character in this community ever since the settlement of this Territory; has passed from mortality. He has been a great sufferer for many months past, being afflicted with dropsy, but hopes were entertained until recently that he would recover. It has been apparent, however, for some weeks past that his demise was near at hand; indeed, for several days he has seemed to be dying, and when the vital spark fled, at 11 a.m. yesterday, it produced a feeling of relief among his sympathetic friends who have known of his suffering. Accompanied with this feeling, too, was one of profound sorrow for his family and relatives, who have lost in his death an affectionate husband, a loving, indulgent father and a noble-minded, generous brother.

Heber Parley Kimball was the fifth child and third son of Heber C. and Vilate Kimball, and was born in Kirtland, Ohio, on the first day of June, 1825—the anniversary of his own mother's and also of President Brigham Young's birth. He was but twelve years of age when he arrived in Utah, so it may be said literally that he grew up with the country. In the hardships which the Saints passed through in