

John E. Dooley et al., trustees, vs Utah Eastern Railway Company et al.; tried before Court and submitted. Court then adjourned *sine die*.

**Those Warnock Notes.**—Our readers will remember that several months ago we gave an account of proceedings to swindle some of the farmers in this region. That is, a number of agriculturists had given their notes as security for machines purchased by them through Mr. Warnock. Some of these promissory notes were afterward endorsed to the machine manufacturers, one of them being the Johnston Harvester Company. Mr. Warnock afterwards collected money on these notes, giving receipts therefor.

Mr. J. H. Layton, of Davis County, was one of those who were dealt with in this matter. Like others, he settled the full amount of his indebtedness with Mr. Warnock, but did not take the precaution of retaining possession of the promissory note he had given, supposing the receipt in full to be all-sufficient. Subsequently he was sued by the Johnson company, and a decision was rendered by Judge Zane this morning in favor of Mr. Layton. The evidence introduced indicated that Mr. Warnock acted as agent for the company, and as such had collected the money, and the Court held that as the defendant had made the payments in good faith to Mr. Warnock, he was relieved from further liability.

**J. P. Sorenson Discharged.**—The further investigation of the case of the United States vs. John P. Sorenson, charged with unlawful cohabitation, was taken up before Commissioner McKay this afternoon. Mrs. Christina Henderson, of Big Cottonwood, who was unable to attend on the former occasion, was present, though she was in a very feeble condition. Her four-weeks' child, also, was ill, but fearing from the remarks made when she failed to appear before, that she would be punished if she did not come to-day, she ventured, notwithstanding the weather and bad roads.

Mrs. Christine Hendrickson testified—I have only one sister, Eva, married to Mr. Sorenson; he is not married to any other; none of my sisters have been stopping at my house recently; no other lady stayed at my house until just before the marshals came; I have never heard of Mr. Sorenson having any other wife than my sister Eva.

Mrs. Eva Sorenson was called, but not being present, the defendant went out to notify her. When she came she testified, in answer to Mr. Dickson's inquiries—I was in the St. George Temple when Mr. Sorenson was sealed to his dead wife; he was not married to any other wife at that time; he has no other wife that I know of.

To the Commissioner—Mr. Sorenson did not have two wives at the Valley House when he was proprietor there. This closed the case for the prosecution, and Commissioner McKay ordered the defendant discharged.

**Bare-Faced Persecution.**—The bare-faced infamy of the Salt Lake Tribune, the organ of assassins and inciters to murder, in its attempts to apologize for the bloody deed of Deputy U. S. Marshal Thompson at Parowan, maintains its record of shamelessness and perfidy. In yesterday morning's (Dec. 15th) issue it said:

"At 2:30 the News received the following telegram from Parowan: 'Ed. Dalton, who has been indicted for unlawful cohabitation, was riding through the streets of Parowan at 11 a. m. to-day, when he was met by Thompson and William Orton. Thompson had a pistol. He ordered Dalton to stop, and immediately fired on Dalton, who fell from his horse and was carried into his house, where he expired at 12:20 p. m. to-day.'"

Here is the telegram referred to and the only one on the subject that appeared in our issue of the 16th:

PAROWAN, U. T., Dec. 16, 1886.

Editor Deseret News:

Edward M. Dalton, who has been indicted for unlawful cohabitation, was passing through the streets here, this morning, about eleven o'clock, when Deputy U. S. Marshals Thompson and Orton came upon him. Thompson, who had a gun, called upon Dalton to stop and fired. Dalton immediately fell from his horse and was taken to a house. He was found to be shot nearly through the body, and expired about a quarter past twelve.

Let the reader compare the two and the unscrupulousness of the falsifier will be at once apparent. The object of mutilating the telegrams was to make it appear that the reports from the scene of the tragedy were conflicting and unreliable, as was shown by the remarks of the truth-economizer of the Tribune, who asserted that our dispatch stated the shooting was done with a pistol, while subsequent telegrams asserted it was done with a rifle—a very immaterial error if it even had been made.

**The Youthful Thieves Again.**—Justice Pyper was again confronted this morning by a row of half-a-dozen youthful offenders, ranging from 13 to 17 years of age. Their names were Dan. Henry, Wm. Paddock, Fred. Bubbles, Norton Curtis, Arthur Curtis and Samuel Chatterden. They were all in a dilapidated condition, with unwashed faces, ragged clothing and unkempt hair. The youngest of the number, Dan Henry, was without coat, hat or shoes, having only an old pair of stockings on his feet. His parents are both dead, and he lives—when he is home—with an aged grandmother. After the proceedings were over he was

detained by the Marshal and provided with shoes and clothing.

The first accusation against the boys, was for stealing a gold brooch, a collar button, and some papers from the house of Mrs. Jane M. Perry, on the west side of the Jordan River. Young Henry confessed the whole affair, and the others corroborated his statements. These were to the effect that at the time of the robbery in November, Samuel Chatterden, aged 17, Dan Henry, and Wm. and "Mudge" Paddock went over the river shooting. Two of them, young Henry and Wm. Paddock, proposed going into Mrs. Perry's house to get some food, while Chatterden was to keep guard on the outside. "Mudge" Paddock had nothing to do with the affair and left for home. The boys got in through a window and helped themselves to bread and butter, Henry also appropriating the brooch and button, the latter of which he afterwards lost, and took the former home, where it was found to-day. The boys then went into Mr. Whitaker's orchard and helped themselves to apples. Young Chatterden wanted the brooch at first, but concluding that if his father found it out he would get into trouble, he left it alone.

The next accusation was against the two Curtis boys, Dan. Bubbles and William Paddock. This was for breaking into Mr. John Clark's cellar and making away with a quantity of canned fruits. Bubbles and Paddock were the ones who went inside while the other two kept a lookout. A plea of guilty was made to this charge.

In summing up the two cases, Judge Pyper expressed strong regret that such a state of things existed. He then took the culprits in succession, and by closely catechising them and explaining the wrongfulness of their course succeeded in making an apparent impression upon them. Each of the boys promised that henceforth he would lead an honest life, and sentence was suspended during good behavior. [They were all warned, however, that if they engaged in any more stealing, the suspended judgment would fall upon them to the full extent—190 days in jail—and they were allowed to depart.]

#### THE PAROWAN MURDER.

##### The Habeas Corpus Proceeding.

Thompson and Orton Released on Bail.

##### LATEST DETAILS FROM BEAVER.

Special dispatch to the News.]

BEAVER, Utah, Dec. 18, 1886.

The application of William Thompson for a writ of *habeas corpus* came before Judge Boreman last evening. The defendant was in the custody of Sheriff Adams, of Iron County. On the return of the sheriff, it appeared that the complaint on which defendant was arrested and the warrant issued, did not charge any offense, and the Court held that he had no legal authority to hold Thompson.

Boreman heard the case as a committing magistrate. From the evidence of Thompson and William Orton, both United States deputies and defendants, and Wilkins, clerk of this Court, it was shown that an indictment had been found against Dalton for unlawful cohabitation; that Thompson, as deputy marshal, had a warrant for his arrest. Dalton went to Parowan for that purpose; that at Page's house, in Parowan, Thompson and Orton saw Dalton passing on horseback, with a boy in front, driving cows, twenty-five or thirty feet distant, about 11 o'clock a. m. Orton testified that they called to him several times, whereupon Dalton lifted the child off his horse and the deputies saw Dalton commenced to run west. Thompson fired, shooting Dalton through the kidneys, the bullet lodging in the vertebra. After Dalton fell, Thompson said to Orton, "I did not intend to shoot him, but intended to fire over him."

It appearing there was an indictment against Dalton for unlawful cohabitation and Thompson being a U. S. deputy with a warrant for his arrest, that he went to Parowan to serve the same, and acted only as an officer, it was held by the attorney that there was no malice, and he could not be held for murder, and the defendant, as a matter of right, was entitled to bail. He was admitted to bail, in the sum of \$10,000, to await the action of the grand jury, and Orton in \$500.

Eleven members of the grand jury, armed with guns and refreshments, went in hot haste to the assistance of Thompson against the consent and advice of Boreman. It is understood that if the present grand jury does not find an indictment, Thompson will be held to await the action of the grand jury of the March term (1887), when the jury will be drawn from the regular list and not picked and packed by the defendant. Witnesses that saw the killing are now before the grand jury. Reliable reports say they give an entirely different phase of the killing to that given by Thompson and Orton. MOONSHINE.

Marshal Dyer to-day received a dispatch from U. S. Attorney Chas. W. Zane, at Beaver, as follows:

"The Judge was opposed to it, but the sheriff of Iron County and his friends wished the matter submitted to this grand jury, and I requested the Court to do so."

FROM MONDAY'S DAILY DEC. 20.

**Funeral of the Victim.**—The funeral of Edward M. Dalton, murdered by U. S. Deputy Marshal William Thompson, took place at Parowan, on Saturday afternoon. The remains were followed to their last resting place by about 600 people, being three-fifths of the entire population of the town.

**Honoring a Veteran.**—On Saturday, December 18th, a few of the intimate friends of Christopher Merkley met at his house and gave him a birthday surprise, it being the seventy-eighth anniversary of his birth. The tables were filled with the good things prepared for the occasion, and a few hours were spent pleasantly in social intercourse. Brother Merkley expressed himself as being completely surprised, and it was one of the happiest days of his life.

**Peter Gillespie Discharged.**—The case of the United States vs. Peter Gillespie, arrested for unlawful cohabitation, came up before Commissioner McKay to-day, and proved a complete "waterbush" for the prosecution. Mr. Dickson was present, and conducted the examination of the witnesses. Mrs. Gillespie was present, but in a very feeble condition. In fact, it was nothing less than an outrage to require her to come out in her condition. She was sworn as a witness to testify against her husband, and said that she never knew of his having had another wife. He had lived with her for the past twenty years. She had heard a rumor that he had married a Miss Mackay, but she did not believe it.

Moroni Gillespie, the defendant's son, corroborated his mother's statements. Two other witnesses, Mr. and Miss Davis, had been acquainted with the defendant but a few weeks, and knew nothing of his affairs. At the conclusion of the case the Commissioner ordered the defendant discharged.

**Court Notes.**—Proceedings in the Third District Court to-day:

J. W. Rands et al. vs. Edward Brain; plaintiff's costs allowed and one-half of defendant's costs against losing party.

Thomas B. Shaw vs. Jane Shaw; default of plaintiff to cross-complaint, and case tried; decree of divorce granted and defendant given custody of minor children. The ground of the divorce was cruelty to Mrs. Shaw.

F. C. Thurston et al. vs. H. Hill et al.; hearing on application of defendants for security for costs continued to Friday the 24th.

Utah and Wyoming Implement Company vs. Thomas Layton; motion of plaintiff requiring defendant to make statement, etc., of assets and what he has received as trustee, argued and submitted.

Frisco Consolidated Mining Company vs. D. N. Swan; motion of defendant for new trial argued and submitted.

James Spillert vs. Salt Lake County; hearing of demurrer set for Friday, 24th.

Societe Anonyme des Mines de Lexington vs. Alex. Mayberry; court gives judgment for one half of ore to plaintiff, or its value, \$418.33.

George F. Culmer et al. vs. Hans Halvorsen et al.; dismissed as to defendant Halvorsen for want of prosecution, with leave to reinstate on proper showing.

Daniel Eyer vs. Daniel R. Bateman; motion for new trial argued before court.

#### SAMPLE STEALING.

HOW TWO REFRAGS ACTED AT AMERICAN FORK.

Editor Deseret News:

On Sunday last, at this place, a trunk containing samples of John C. Cutler and Bro's woolen goods was stolen from the traveling wagon of Mr. D. Harrington. The conveyance was on the premises of Mr. E. Robinson, Jr., the cover securely fastened down, but the purloiners tore the fastening open, took the trunk with them and made good their escape. Next morning the City Marshal and Constable were informed of the occurrence and at once commenced search. Their efforts were without avail, however, until Tuesday morning last, when they, through the aid of Mr. Theodore Robinson, found the goods, or part of them, suspended in a quilt at the end of a rope near the bottom of a well and on the premises occupied by two transients by the name of Gardner and Holbart. The goods, which consisted chiefly of sample under and overshirts, hose, socks, etc., were suddenly drawn from their subterranean seclusion and examined. Gardner and Holbart were at once arrested as the guilty parties. Mr. Harrington was telegraphed for at Salt Lake and this morning they were arraigned before Justice McNeil on a charge of grand larceny. The evidence was very clear against the defendants, some of the socks being found on their feet, tickets of the firm found in their lodging quarters, as well as the valuable samples being concealed in an adjoining well, and they were bound over in \$800 bonds to await the action of the grand jury. The American Forkers are not at all proud of this late accession to their population. In default of bonds Marshal Roberts will hie the culprits off to the Provo jail, but not, we trust, to more congenial quarters.

E. W. R., JR.

AMERICAN FORK, Dec. 15th, 1886.

#### OGDEN OCCURRENCES.

The Council in Special Session in Relation to the History—They Won't Back Down—Naturalization and Other Preparations for the Coming Election, Etc.

The editorial in the News of Monday, was very timely and appreciated by the members of the People's party in the Junction City and vicinity, and no doubt the items it contains will be found applicable to other places besides Ogden. It is a fact that the "Liberals" and "Loyal League" are up betimes; they are on the alert and leaving no stone unturned to strengthen their forces and concentrate their abilities, and drilling their squads for the coming contest in February next, when, without a doubt, a grand struggle will be made by them to capture the municipal government of this city. In the court here every day both parties are bringing in their friends who have not heretofore been enfranchised. In nearly every case now the applicants are admitted to citizenship and the

##### NUMBER OF LEGAL VOTERS

is increased. Thus far those of the People's party have preponderated. The people here cannot give too strict heed to the hints contained in the News article to be wide awake. On Monday next the registration office will be opened, when all those who have been newly enfranchised should be prompt to get registered, and those whose names have formerly appeared should be vigilant and prompt to see that their names have not been stricken from the list. The "Liberals" and "truly loafs" are doing all that can be done at present to cripple the People's party, and the latter will find that every ballot will be needed in the forthcoming election, and, as we have said, they will then realize that it is "votes that count." The registrar's office will be open all the coming week.

##### THAT HISTORY.

You have already been apprised of the efforts put forth by a few retrogressionists to prevent the people here from representing themselves to the wide world by publishing a history of the settlement, growth, development, resources and present position and prosperous status of Ogden. Mr. Farrell applied to the court for an injunction forbidding the city government from appropriating \$1,000 to aid in publishing the said history. A temporary injunction was issued, the matter will be taken into court and the final will be looked forward to with much interest by all, and even with anxiety by the rule or ruin clique.

##### A SPECIAL SESSION

of the City Council was called by the Mayor Wednesday morning. All the members were present except one. The chief magistrate stated that the object of the session was to determine what steps should be taken in the matter of the injunction which was issued out of the District Court to D. H. Peery, Mayor, Thomas J. Stevens, City Recorder, H. S. Young, Treasurer of Ogden City, and E. W. Tullidge, requiring them to refrain from doing any act whereby the sum of \$1,000, or any part thereof, appropriated to pay E. W. Tullidge for a history of Ogden City shall be paid out of the treasury of said city on account of said proposed history, etc., until further order of the court. A few appropriate remarks were made on the subject by the acting City Attorney, and then the Mayor invited the members of the Council to express their views on the matter, which they did, briefly, but explicitly.

The Mayor expressed his pleasure at the

##### UNANIMITY OF FEELING

that had been manifested in regard to the matter by the members of the Council. He said the history as proposed, would be an impartial one, and would be written for the benefit of the general public. The high literary attainments and conceded abilities of Mr. Tullidge as a writer fully qualify him to write and compile the proposed history of this city, which is second to but few in the United States for the facilities it affords for the development of all the rich resources of wealth which are now latent in and adjacent to the Junction City. The railroads and other companies spend many thousands of dollars annually to advertise their merits and facilities, and we need a book to publish abroad to show the resources of and what has been done at this important point on the great highway of the nation.

##### NO BACKING DOWN.

Councillor Rich then offered the following motion, which was adopted by unanimous vote:

"Mr. Mayor and gentlemen: I move that the proper steps be taken to have the injunction set aside by the court; that to this end the matter be referred to the committee on laws and the committee on finance with the Mayor added, and that they have the power to act as they see fit, including the hiring of any assistance our attorney may need in the matter."

The Council then adjourned till next meeting day.

##### COURT PROCEEDINGS.

In the District Court little business was done to-day, the attorneys either

not being ready or engaged elsewhere.

The court overruled the demurrer of Ogden City, to the complaint of J. B. Hopkins, which was entered some months since before Justice Dec, claiming \$75 for damages alleged to have been done to his horse by reason of a defective road in this city, by which the animal was disabled from work, to the injury and loss of plaintiff to the amount claimed. The matter will now come up for trial on its merits.

William Jones, William White, James Coleman and August Carlsen were made citizens of the United States to-day.

The trials of Abraham Chadwick and John Marriott will commence on the 27th. There are several scores of civil cases on the docket, but they will not all be disposed of during this term of court.

The business men are getting the goods and beginning to arrange for their Christmas shows.

#### TO THE SEVENTIES.

[NOTE: Presidents of Stakes, Bishops and all Presiding Officers will please give this appeal all possible publicity in their meetings.]

SALT LAKE CITY, Dec. 15, 1886.

To all Presidents and Members of the Seventies' Quorums.

Dear Brethren: On the 13th of April, 1883, instructions were given by the First Presidency of the Church upon the organization of the Seventies and a plan was proposed, sanctioned by the voice of revelation, whereby this body of the Priesthood might be placed in perfect working order. Since that time no effort has been spared to induce all the brethren who considered themselves Seventies to procure their Bishops' recommendations of good standing, by the presentation of which their names could be enrolled on the new general and quorum records. That our labors have been to some extent fruitless is apparent from the meagre reports which have been forwarded from some of the quorums. We are therefore led to the conclusion that many professed Seventies are either through thoughtlessness, carelessness or faithlessness unworthy of the Priesthood conferred upon them.

In order, however, that no person may be left unnoticed of his duties, we make this final appeal to all whose names are not yet recorded to immediately obtain their Bishops' recommendations and have their names properly enrolled; and the Presidents and clerks of the various quorums are hereby instructed to no longer consider such persons as members of their organizations who fail to attend to this important duty before the first day of April, 1887.

We sincerely trust that this matter will receive the immediate and careful attention of all concerned, and that the Seventies' organization may thus soon become the effective and complete body which it was and is designed to be.

Your brethren in the Gospel,

HENRY HERRIMAN,  
H. S. ELDRIDGE,  
JACOB GATES,  
ABRAHAM H. CANNON,  
SEYMOUR B. YOUNG,  
C. D. FJELDSTAD,  
JOHN MORGAN.

First Seven Presidents of the Seventies.

##### BUCKLEN'S ARNICA SALVE.

THE BEST SALVE in the world for Cuts, Bruises, Sores, Ulcers, Salt Rheum, Fever Sores, Tetter, Chapped Hands, Chilblains, Corns, and all Skin Eruptions, and positively cures Piles, or no pay required. It is guaranteed to give perfect satisfaction, or money refunded. Price 25 cents per box.

FOR SALE at Z. C. M. I. Drug Store

The best medical writers claim that the successful remedy for nasal catarrh must be nonirritating, easy of application, and one that will by its own action, reach all the remote sores and ulcerated surfaces. The history of the efforts to treat catarrh during the past few years obliges us to admit that only one remedy has completely met these conditions, and that is Ely's Cream Balm. This safe and pleasant remedy has mastered catarrh as nothing else has ever done, and both physicians and patients freely concede this fact. The more distressing symptoms quickly yield to it.

##### Excitement in Texas.

Great excitement has been caused in the vicinity of Paris, Tex., by the remarkable recovery of Mr. J. E. Corley, who was so helpless he could not turn in bed, or raise his head, everybody said he was dying of Consumption. A trial bottle of Dr. King's New Discovery was sent him. Finding relief, he bought a large bottle and a box of Dr. King's New Life Pills by the time he had taken two boxes of Pills and two bottles of the Discovery he was well and had gained in flesh thirty-six pounds.

Trial Bottles of this Great Discovery for Consumption free at Z. C. M. I. Drug Store.

No well regulated household should be without a bottle of Angostura Bitters, the world renowned appetizer and invigorator. Beware of counterfeits. Ask your grocer or druggist for the genuine article, manufactured by Dr. J. G. B. Siegert & Sons.