

THE DESERET NEWS.

TRUTH AND LIBERTY.

No 17

Salt Lake City, Wednesday, May, 12 1886.

Vol. XXXV

ESTABLISHED 1850.

DESERET NEWS.

WEEKLY.

PUBLISHED EVERY WEDNESDAY.

One Copy, one year, with Postage, \$2 50
Six months, 1 50
Three months, .80

DESERET NEWS.

SEMI-WEEKLY.

PUBLISHED EVERY TUESDAY AND SATURDAY

One Copy, one year, with Postage, \$3 00
Six months, 1 75
Three months, 1 00

EVENING NEWS.

Published every Evening, except Sunday.

One Copy, one year, with Postage, \$10 00
Six months, 5 00
Three months, 2 50

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

LOCAL NEWS.

FROM TUESDAY'S DAILY, MAY 4

An Idaho Grist.—The Eagle Rock Register of the 1st inst. says: "Court convened on Monday last and has now got to work in earnest. Six polygamists have come up and entered a plea of guilty, and will receive their sentence in due time."

Deputy Registrars.—The Utah Commission have appointed the following deputy registration officers:

Cache County—Logan precinct Thos. Rowland; Hyde Park precinct, Aaron DeWitt; Lewiston precinct, Rasmus Anderson; Smithfield precinct, Wm. Garnett; Richmond precinct, John Anderson; Coveville precinct, Hyrum Bair; Trenton precinct, Wm. D. Goodwin; Paradise precinct, Charlton M. Goldsberg; Hyrum precinct, Croyden H. Bevan; Wellsville precinct, Samuel W. Hall; Mendon precinct, Frederick Larson; Benson precinct, Edward Nelson; Newton precinct, Peter Christensen; Clarkston precinct, Hyrum Peterson; Providence precinct, Mark Fletcher; Millville precinct, Lewis H. Norman; Peterborough precinct, Michael Poulson.

A Liberal Provision.—A gentleman hailing from Indiana, who was in this city a few days since, stated that there is one sectarian church building at least in the Hoosier State accessible to Latter-day Saints. His father, he says, who is a non-professor of religion, probably disgusted with the almost universal discrimination against the "Mormons" and their religion, exercised by other religious people, and the illiberal treatment accorded to their Elders when abroad, determined to do something to offset the same. A proposition being made some four or five years ago to build the Springfield church in Perry Township, Noble County, Indiana, he and his partner in business subscribed one-fourth of the means necessary for its erection on condition that the Latter-day Saint Elders were to be allowed to occupy it when they desired to do so.

Early Potatoes.—A resident of the 20th Ward who scattered a quantity of light manure or litter over a piece of ground last fall in which some of last year's potatoes had been allowed to remain, was surprised a few days since to find good-sized potato vines growing up through the litter, and even more surprised on digging down into the ground to discover new potatoes as large as hen's eggs at the roots of the vines. The litter had evidently kept the ground from freezing and at the same time caused the potatoes to germinate much earlier than they otherwise would have done, while the absence of frost this spring had proved favorable to their continued growth. Gardeners ambitious to raise early tubers might obtain a cue from this to serve them hereafter, for what has been done on a small scale might with equally favorable conditions be done profitably on a large scale.

Raid in Beaver County.—A week ago yesterday, as we are informed by the Southern Utahian, Deputy Gleason, accompanied by the local factotum, Wm. Thompson, paid early visits to the residences of W. J. Cox, George Hales and James Farrar, where they arrested those gentlemen on charges of unlawful cohabitation, and served subpoenas upon certain members of their families, requiring them to appear before U. S. Commissioner Wilkins. Each of the accused waived an examination and was bound over to await the action of the grand jury in the sum of \$500. Mrs. Hales was also required to furnish security for her appearance as a witness in the amount of \$300.

The following day Mr. Jones, of Adamsville, was also arrested on a similar charge, and members of his family subpoenaed to appear thereafter, but it seemed to be a case of

mistaken identity, as the accused was soon allowed to return home a free man.

Favorably Impressed.—The good that might be accomplished at little expense and trouble by the Saints in this country mailing copies of the News or other representative papers to their friends is occasionally illustrated by letters received from distant readers of this journal. A resident of this Territory who recently returned from a mission to England, and who since his return subscribed for a copy of the News, to be sent to his relatives sends us a letter which he has just received from his nephew to show the effect which the reading of the papers has had upon him. It reads as follows:

"I thank you for the papers. I have received two besides the ones you have sent me, which have, I suppose, come direct from the printers. We have read them through, and I think it shameful the way your brethren are being persecuted. I hope it will please God in His mercy to protect you from being punished with them. There is one feature very prominent among the Saints—they appear to have great courage in acknowledging their plural wives and in being willing to suffer the penalty the judge inflicts upon them, which we think is very heavy. I should hope there will come a time when your enemies will get their deserts. I also sincerely hope they will not overcome you, break up your religion and take possession of your churches and property, which it appears to me by your papers, they would like to do. I also understand that they can punish a man the second time. What I mean is, that after he is released, if he still supports more than one wife, they can imprison him again, which if correct I think rather a strange law if law we may call it. It is far from being justice, but there is a day not far distant when all shall be judged, according to their works, and I trust at that day that the now persecuted ones shall receive their reward, for I certainly think your faith is the right one. I cannot find anything wrong about it, and I have studied all that you have pointed out to us and also the papers.

Arrival of Immigrants.—The company of immigrants, concerning whom considerable anxiety was felt in consequence of the reported delay through a strike on the U. P., arrived at Ogden about 7 o'clock this morning and in this city at 12 m. They were presided over by Elder Edwin T. Woolley, assisted by Elders J. L. McMurrin and C. J. Stromberg. The company numbered 180 souls, including 17 Elders.

The voyage across the ocean, which was made on board the S. S. Nevada, was declared by the officers the most pleasant they had experienced in many years. On the first Sunday out, the Saints held religious service in the steerage department and on the second in the cabin, a large number on the other passengers attending upon both occasions.

The journey overland was equally pleasant with the exception of delays. They were first detained six hours at Salamanca, New York, through failure to connect, and then 12 hours at Laramie in consequence of the brakemen striking for higher wages. When they finally were allowed to leave there about a dozen of them happened to be away from the train and were left. Brother Woolley also stayed behind to assist them in overtaking the company. They were finally allowed to board an engine and go on. On reaching Rawlins another stoppage occurred, the strikers at that point refusing to allow the train to proceed without orders from Laramie. After two hours' delay a dispatch was received from the strikers at Laramie, consenting to the train being allowed to proceed if a conductor could be found willing to take it and be branded as a "scab," but on no account must a brakeman accompany the train. When the dispatch was received and read one courageous conductor stepped forth to take the train, not daunted in the least by the opprobrious epithet which the strikers applied to him.

The Wool Growers.—The wool growers' convention met in the City Hall yesterday, and Mr. Joseph Harker was elected chairman and Mr. Reed Smoot secretary. A committee, appointed for the purpose, reported the following resolutions, which were adopted:

To the Honorable the Senate and House of Representatives in Congress assembled:

Your memorialists, the wool growers of Colorado, Wyoming, Utah and Idaho, in convention assembled, this 3rd day of May, 1886, in Salt Lake City, and representing a combined capital of \$25,000,000, beg leave to submit the following preamble and resolutions, and ask a careful deliberation of our claims; and your memorialists will ever pray:

Whereas, The wool growers of Colorado, Wyoming, Utah and Idaho, in convention assembled, in the City of Salt Lake, this 3d day of May, 1886, representing 8,000,000 sheep and a com-

bined capital of \$25,000,000, invested, and an annual yield of 36,000,000 pounds of wool; and,

Whereas, Said industry has been greatly injured by the reduction of the tariff bill of May 3d, 1883, and is now threatened with total destruction by the bill presented by the committee of ways and means of the House of Representatives, which places foreign wool on the free list; therefore, be it

Resolved, That we, the wool growers in convention assembled, are opposed to that portion of the tariff bill now before Congress which places wool on the free list, and ask in its place the restoration of the tariff of 1867, in its entirety, as relates to wool and woolsens, by which, for the first time in the industrial history of the country, equitable relations were established between the duties on wool and those on woolen goods.

Resolved, That we pledge ourselves to work for and aid in the restoration of the tariff of 1867, on wool and woolsens, and request all persons engaged or interested in the wool-growing industry to co-operate with us.

Resolved, That we, as wool-growers and citizens, pledge ourselves to stand by all committees and associations in giving full and complete protection to all American industries in need of the same, and cordially invite their co-operation in this matter.

Resolved, That we call upon our Senators and Representatives in Congress to do all in their power to restore the said tariff of 1867 on wool and woolsens.

After discussing questions of importance to the wool interest, the following officers were elected: President, Joseph Harker; Vice-President, V. M. C. Silva; Secretary, J. H. Hyndman; Treasurer, Frank Jennings.

The convention adjourned subject to the call of the president.

THE BRAIN TRIAL.

ANOTHER OF IRELAND'S "IMPARTIAL" JURIES—IT WAS PICKED BY PARTIES INTERESTED IN THE RESULT.

Yesterday afternoon the trial of the United States vs. Edward Brain, charged with resisting a United States officer, was called up in the Third District Court. Mr. Brown asked for a continuance of the case on the grounds set forth in the following affidavit:

"Edward Brain, the above-named defendant, being first duly sworn, deposes and says: I have fully and fairly stated the facts of this case to Arthur Brown, my attorney therein, who resides in Salt Lake City. I have been advised by him, after such statement made as aforesaid, that I have a good and meritorious defense upon the merits thereof, which advice I verily believe to be true. I have been informed and believe to be true, that the present panel of petit jurors sitting in this case, have been summoned on an open venire by Marshal E. A. Ireland and his deputies. I have been informed that fact appears by the records of this court. That the entire number of 200 jurors drawn in pursuance of the law of Congress was exhausted at the first term of this court this year, so that all the jurors at this term were summoned upon the said open venire. In this case Marshal Ireland and his deputies are interested directly. I am charged by the indictment with resisting a deputy of Marshal Ireland, to wit: John W. Greenman, and that in the presence of said Marshal E. A. Ireland; the only witness endorsed on the back of the indictment delivered to me are the said John W. Greenman, deputy marshal, E. A. Ireland, United States Marshal, and Henry F. Collin, United States deputy marshal. I have been informed and have good reason to believe that the said E. A. Ireland, who has charge of summoning an open venire of jurors for this term is directly interested in securing, and has been active in attempting to procure my conviction, and all of said jurors were selected by him and his deputies. I believe I cannot have an impartial trial before a jury thus selected by said E. A. Ireland and his deputies. I am informed and verily believe that at the next term of this court, another person will act as Marshal of this Territory, and a jury will not be selected by those interested, to convict me of this offense. I am informed and believe that a part of this jury was summoned by the said Deputy Greenman, whom I am charged with resisting, and I refer to the files and records of this court relating to the venire of this court, for the year 1886.

EDWARD BRAIN.
Subscribed and sworn to before me this 1st day of May, A. D. 1886.

EDWARD B. CRITCHLOW,
Notary Public."

Mr. Dickson opposed the application for a continuance, which was refused by the Court.

Mr. Brown next interposed a challenge to the jury panel on the grounds stated in the affidavit, and for the reason that because of the circumstances set forth, the Marshal and his aid were biased against the defendant, and therefore had no right to summon jurors as they did.

Mr. Critchlow took up the argument for the defense, and quoted numerous authorities in support of his position.

This morning Mr. Dickson made a short argument, claiming that so long as the defendant was not deprived of an impartial jury, the question of the officer being interested, or a witness in the case, was not a ground of challenge.

Mr. Brown followed and drew the attention of the court to the fact that no denial had been made of the allegations in the affidavit, and that the prosecutor had not cited a single authority to sustain his argument. The fact that the officer selecting the jury was the injured party and the prosecuting witness made the challenge good under the common law to a jury chosen outside of the statute and under the common law. Mr. Brown held that if the common law method of securing a jury were adopted all the incidents thereto should be considered and not be mixed with the statute, which only affected a jury empaneled under the statute.

The court held that the fact of the officer being interested as a witness in the case did not disqualify him from summoning a jury, and overruled the challenge.

Clerk M. McMillan was then called and examined as to the reasons for, and method by which, the regular jury panel had become exhausted during the first term of court in the year. It had been on account of the number of United States cases named for trial, and the issuing of additional venires for that purpose.

In answer to a question by Mr. Brown, Mr. Dickson replied that he did not pursue this method for the purpose of hastening the introduction of the open venire process.

Mr. Brown's objection on this point was overruled.

Twelve men were then called as jurors, one of whom, J. B. Paxton, was challenged by the defense on the ground that he had been summoned by Captain Greenman, who was interested in the result of the trial. The challenge was overruled by the Court, and Mr. Paxton was then peremptorily excused by the defense. The jury empaneled to try the case were as follows:

C. E. Brim,	Aaron Sullivan,
S. S. Maxwell,	T. W. Whitely,
D. C. Murphy,	Henry Carrigan,
E. A. Whitaker,	Edward Roche,
Niels Gilla,	W. E. Henney,
W. F. Garish,	W. T. Barbee.

The indictment charges that on July 4th, 1885, while Deputy Marshal John W. Greenman was attempting to serve a subpoena on the defendant's wife, Annie Peters Brain, the defendant interfered, and presented a pistol, told the deputy that if he continued in the manner he was then proceeding he would treat him as a mob.

The allegations made by the prosecution are denied by the defense, who characterize them as an effort to terrorize anyone who demands, as was done by the defendant in this case, to know by what authority a person claiming to be an officer acts before permitting him to enter his house.

The examination of witnesses was proceeded with this afternoon.

FROM WEDNESDAY'S DAILY, MAY 5

The Bird Caught.—The notorious Frank Treseder was arrested in San Francisco to-day, and his bondsmen are exerting themselves to secure extradition papers for his removal to this city.

Before the Committee.—A special dispatch to the Salt Lake Herald, received from Washington yesterday, says:

"Hons. Jos. A. West and John T. Caine were heard by the sub-committee of the judiciary committee to-day. West spoke for nearly two hours, and Caine, without concluding, spoke till nearly 6 o'clock. He will conclude to-morrow morning. West dealt with the work of the Legislature and the vetoes by the Governor. He also showed the extent to which the Mormons were already deprived of power and patronage, and replied to some of Baskin's misstatements and misrepresentations of facts. He made a telling hit by reading some of Goodwin's dispatches to the Tribune from Washington, especially by one which charged that Beverly Tucker, brother of the chairman of the committee, was a part of the Mormon lobby. The chairman emphatically denounced the statement by Goodwin to be an unfounded and malicious falsehood. Caine's argument was elaborate and eloquent, being a review of the discussion, taking up and replying to the slanders and assaults upon the Mormon people. He quoted from Col. Kane's lecture and various other impartial and unbiased authorities. Baskin was answered in detail and mercilessly excoriated. His stories of the so-called Mormon outrages were refuted triumphantly. It was a masterly argument and commanded the undivided attention of the committee. The hearing will be concluded to-morrow.

First District.—Following is a list of the criminal actions to be tried at the May term of the First District Court, Ogden:

Ogden City vs. Nathan Kimball. Breach of the peace; appeal.
The People, etc., vs. Junius H. Bright. Assault with intent to murder.
The People, etc., vs. Moroni Brown. Battery.
The People, etc., vs. Patrick Harlan. Grand larceny.
The People, etc., vs. Jonathan Browning. Unlawfully taking water.
In re. The People, etc., vs. John C. Graham. Contempt.
The United States vs. Wm. G. Sanders. Unlawful cohabitation.
The People, etc., vs. David Recse. Battery.
The People, etc., vs. John Peterson. Selling liquor to an Indian.
The United States vs. Amos Maycock. Unlawful cohabitation.
The United States vs. Helon H. Tracy. Unlawful cohabitation.
The United States vs. Heber H. Tracy. Unlawful cohabitation.
The United States vs. Ambrose Greenwell. Unlawful cohabitation.
The United States vs. Ambrose Greenwell. Unlawful cohabitation.
The People, etc., vs. Susan Parry. Perjury.
The People, etc., vs. Wm. Johnston. Grand larceny.
The United States vs. Barnard White. Unlawful cohabitation.
The United States vs. Barnard White. Unlawful cohabitation.
The People, etc., vs. Z. Leutzetal. Petit larceny.

The Rolfsen Shooting.—The preliminary examination in the case of the People vs. Bengt Rolfsen, for shooting at John Gerrans, on Saturday last, was heard before Justice Tyler to-day. The defendant, by S. W. Darke, his attorney, demanded an investigation, which was conducted by Attorney Moyle. John Gerrans was called as a witness, and was very reticent throughout, refusing or evading to tell any more of the affair than he could help. He admitted going down to Rolfsen's house, when the latter commenced talking of Gerrans' visits to his (Rolfsen's) wife; Gerrans says he walked on a few steps, and turning, saw a pistol in Rolfsen's hand. He then started to run, when he heard a pistol shot, but kept on his way and saw nothing more.

Officer Salmon testified to the defendant's having admitted to doing the shooting; he had a new revolver, from which one load was discharged. Mrs. Smith testified as to the time of the shooting, about one p. m. on Saturday.

Thus far no material evidence had been introduced against Rolfsen, but this was supplied by the defendant being placed on the witness stand in his own behalf. His testimony was the same as the account heretofore published, and he was held in \$300 bonds to await the action of the grand jury, and given until 10 a. m. to-morrow to find bail.

It is not probable that under the circumstances attending the case the grand jury will find any indictment, or if they did, that a jury would be found to convict. It was a matter of surprise that an examination was asked and the details of the affair spread broadcast. An effort is being made to patch up a peace between the parties.

The case of the United States vs. N. V. Jones, charged with an attempt to bribe Deputy Franks, has been continued until the September term of the Third District Court.

Look out for bilious fevers in the spring, and prevent them by unloading the liver and kidneys, and restoring them to healthy action by Warner's safe cure.

A Lemon-Colored Woman.

ROCHESTER, N. Y., Dec. 23, 1885.—Three years ago I was confined to my bed in a deplorable condition. Skin as yellow as a lemon. Slightest food would make me scream. Also had pro-lapsus and ulceration. Treated by physicians for two months. Grew worse. Doctors said it was the worst case of liver trouble they ever saw. Lost forty pounds of flesh. Could not sleep. Improved rapidly under the use of Warner's safe cure. Never was healthy. Would have been in my grave had it not been for the wonderful powers of Warner's safe cure. Am now perfectly well.—MRS. J. J. BAYNE, 52 Lake Avenue.

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.