

1886, and saw him January 10th; he was somewhat intoxicated; I was out in the street about a hundred yards away when the shooting took place; saw the smoke; went over there; the man was not dead, but died in about ten minutes after I got there; I remained there about half an hour; his head lay in a hole; I proposed to lift it up and put a coat under it; the sheriff would not allow him to be touched until the coroner came; I thought he ought to be raised up so as to have what show of life there was, and that his boots be taken off so that he would not die with his boots on; no one touched him but Dr. Don, who came up after I did and felt his pulse; I saw the defendant again coming up in a wagon he was leaning in the seat on one of the men; I did not see him again.

Frank Rushton was called as an expert: Lived in Provo; a gunsmith by trade; had made experiments with the pistol; it took two-and-a-half pounds pressure to pull the trigger; the lead in the cartridge contained 300 grains of the powder, 40 grains; I doubled a gunny sack four times to denote the resistance of the human body, then tacked two pieces of flannel over it the thickness of an overshirt, and then shot the pistol two feet away; the unburnt powder spread about six inches over the flannel, and some penetrated the second; at four feet the powder spread seven inches; (the pistol and appendages were produced in evidence); it was a 44 Colt's frontier shooter. This pistol is defective, the lock is broken off and it goes off half-cocked; ordinarily it would take 3 1/2 pounds pressure to pull the trigger.

Mrs. Elizabeth Pearson was sworn. Have been married 28 years; am the mother of defendant; he is 24 years old; lived in California till 17 years old; then went to Arizona; was there three years; then returned to San Francisco; was home about two years and then went to Colorado; then to Utah. Witness testified that her son received a slight injury when quite a young boy, by a window sash falling on his head, but a more serious one when between ten and eleven years old; he fell from the top of a stairway and produced concussion of the brain; this was in 1872, at the Cosmopolitan Hotel; he was brought to me immediately and was unconscious; had a wound over the left eyebrow; he was delirious for about six weeks and the physicians gave him up; abscesses set in and pieces of bone were extracted; a change of climate was recommended and he was taken to Vallejo, Cal., with Mrs. Grow, a dear friend of ours; he was there altogether about three months; it was about six months before the bandages were removed; he had a tendency to delirium whenever there was over-exertion; he has been occasionally afflicted with headache since, and twice has been quite sick, produced by over exertion, as a night clerk in the hotel during the convalescence; I know Forrest Green; he was at our home in San Francisco; came there as a guest of Harry, our son; he remained about six weeks; got employment there and was not at our place until he quit his position and was about to return to Utah; my son and he were very friendly and sociable, and they were on the most intimate terms.

She deposition of a Mrs. Walton was read; she was an attendant and nurse at Vallejo when Mr. Pearson was ill with his injuries as related by Mrs. Pearson; stated that the boy was in intense pain; was delirious and in great pain; he invariably became delirious after the dressing of the wound; was not much better after being with us six weeks, and after a visit home again returned and remained most of a year; he was a different boy after the accident; it was only an hour's ride on the boat from San Francisco to Vallejo.

H. H. Pearson, Sen., was called.—Testified to what has already been related, that Forrest Green came with his son to San Francisco and they were very intimate; We found employment for Green while there and when he wanted to return home furnished him money to go with, as my son called him one of his best friends; testified to the boy's accident and the effect; that it was very serious—he was delirious and it was six months before the wounds began to heal; that he has been somewhat affected since, especially when any over-exertion took place; has been more nervous and excitable since; he is a very affectionate boy to us, and becomes much attached to others when once acquainted.

Cross examined to the same effect, and court adjourned till to-day (Monday.)

AN INTERESTING LETTER

FROM C. I. KEMPE, TO ELDER L. SNOW AND OTHERS.

We have been permitted to give publicity to the following correspondence: ON BOARD THE CARS GOING HOME, October 10, 1886.

Elder Lorenzo Snow and fellow prisoners in the Utah Penitentiary:

Dear Brethren.—Having passed through a hard mission for believing in the principles of life and salvation, I think I can the more heartily sympathize with you in your afflictions. When we get home it will only lack a few days from two years since we left it for Prescott. The officers in Detroit extended to us every

privilege the rules would allow, and I never received one unkind word from any of them, except from one Irishman, and that apparently caused his removal. When we left the general superintendent invited us to make our home with him, and for two days we enjoyed his and his excellent family's most pleasant and welcome hospitality, and one whole day the president of the House allowed him to escort us around town to see the sights and make a few purchases.

Detroit is a very beautiful city, well laid out. It would please me to tell you our feelings when we left the House, but no pen could do it. Brother Tenney shed tears of joy, while every inch of Brother Christopherson was a complete smile from the very top of the head to the soles of his shoes. He could neither sleep nor eat for several days, while I, for my part, felt very cool, knowing that, though we were free, there is no true freedom for us until the day shall dawn when true justice shall be accorded to all people. As long as I know that my brethren, whom I love and honor for their integrity, are unjustly lingering in prison, I cannot feel that we are free. I now comprehend more than ever that we are as a body and the pain in one limb is felt by all. If our enemies, however, could comprehend the consequence of this raid, I think they would soon grow more tired of it than we are. I tell you, brethren, if we had labored in Detroit 10 years as missionaries we would not likely have gained as many friends or removed so much prejudice from the people. In fact the manner in which we were treated by preachers and leading men in Detroit was very marked, and all whom we had any conversation with acknowledged that though most of them were opposed to polygamy they were also opposed to injustice, and felt that we should have justice, honest and fair, and that the best way to root out polygamy was to commence at home and let Utah and the Territories alone until they had their own platter clean. I further find that the segregation system is looked upon by all respectable people with disgust and contempt, and there are many who for years have entertained faith and reliance in the infamous lies and falsehoods of such authors as Kate Field and McNiece who are now investigating the truth. The fact is that while our suffering causes a few faint-hearted hypocrites to leave our ranks, hundreds of pure and honest people join us in their place, and at the same time our enemies who hope and believe that they are gaining political honor and fame, ere long will find that all honorable people will only allow their names to descend to posterity as a disgusting remnant of barbarity of the 19th Century. I hope, however, that God will be more merciful to them than they are to us. It is often said that the future (the hereafter) will fully compensate us for what we suffer in this life; but I feel that aside from all future consideration, the world has nothing worthy to compare with or exchange for the pure principles of the gospel of Jesus Christ. It has no associations I would exchange for those of the Saints of God; it has no joy I would exchange for the pure happiness I enjoy when I keep the commandments of God, and hence while the prison bars deprive us of liberty and of the society of dear ones we have a happiness and a satisfaction that very few people on this earth have ever known.

I do hope these lines will find you all well, as they leave me, and while I do not ask you to write to me I would like that some one of your family informed me how you all feel.

You are all kindly remembered by me, and though Brothers Tenney and Christopherson are not now with me I can assure you of their full sympathy. Kind regards to all.

Your Brother and fellow sufferer in the Gospel, CHAS. I. KEMPE, Alpine, Apache Conny, Arizona.

CONFERENCE IN NEW ZEALAND.

TE ORE ORE, Wairarapa, New Zealand, Sept. 20th, 1886.

Editor Deseret News:

We send you a brief synopsis of our half yearly conference held at this place Sept. 18th and 19th. The Elders present from Utah were: (President) Wm. Paxman, E. Newby, A. Aldrick and E. L. Davis, with a goodly showing of the local Priesthood, European and Maori Saints.

After the usual open exercises, in a few brief remarks, President Newby stated the object of our meeting together, and called upon the branch presidents to give in their reports, which was done, the Saints feeling well in general.

President Paxman, in a short address, said that these meetings were to learn the condition of the district and make ourselves acquainted with each other and things pertaining to the work of God; to see the growth of our faith, to strengthen us and to show our love for the Gospel. It was worth everything to us and gave to us eternal riches. Before we came to this earth we dwelt with God; we came here as free agents, to reject or accept the plan of life. By obedience it would take us back to Him and we would again enjoy that knowledge which we once had; but it would depend on our faithful ness. Said he was pleased with the reports, but sorry that all were not feeling well because he realized the position of the disobedient ones. We were worshipping a jealous God, and

He would not be mocked. Obedience to true principles and wholesome laws was characteristic of a true Saint of God. He exhorted the Saints to live purer lives.

At 2 p. m. the reports were read, showing four branches, with a total membership of 184 souls; after which the time was occupied by the Maori brethren, who expressed their feelings in glowing terms, and their joy at receiving the Gospel.

Elder Amasa Aldrick followed, comparing the work to a school; he clearly and forcibly showed that all would receive the blessings promised, providing they fulfilled the requirements; testified that the servants of God were vested with the same power to-day as formerly, and closed his interesting remarks by exhorting the Saints to hold fast to the truth.

Elder Clark bore a faithful testimony to the truth of the great latter-day work.

All who were present enjoyed the valuable instructions given at the Priesthood meeting in the evening by President Paxman.

On Sunday, at 10 a. m., conference again convened.

After the Sacrament had been administered, President Paxman arose and occupied the time, referring to the ordinance; said it was in commemoration of the sacrifice made for the human family and us in particular, and was a renewal of our covenants. The Latter-day Saints were preparing for the coming of the Son of God, and were looking forward with pleasant anticipations to the time when He will be revealed in His glory. Spoke of the life of the Prophet Joseph as being similar in many respects to that of the Lord Jesus Christ. The same power of darkness fought against them both, but they were the chosen instruments in the hands of God to perform great labors for the salvation of the children of men. Said it would be necessary for the Saints to gather to build temples and perform other labors and it would be necessary for them to bring themselves into subjection to all the laws that were made known to them, and to have oil in their lamps; they should live up to the Word of Wisdom as it was a law of God; His Spirit would not dwell in unholy tabernacles. He spoke of the signs of the times as foreshadowing the near approach of the coming of the Son of God, to reward every man according to his works. Exhorted the Saints to be diligent, and prayed the Lord to bless them.

At 1 p. m. the general and local authorities of the Church were presented and unanimously sustained. Brother Rangiwahakia was then ordained to the office of an Elder.

President Newby occupied a portion of the time; said we had all been baptized into one spirit and come in possession of the same, and were brothers and sisters in the Gospel of Christ. We could see the dilemma the outside world is in at the present time, all claiming to worship God, but being destitute of the Spirit they were not able to understand Him nor His works. We must do our best to help to roll the work along and listen to the whisperings of the Spirit, which would warn us of many evils and snares of the devil, and enable us to know one another. He bore a faithful testimony to the truth of the Gospel, and exhorted the Saints to be faithful.

Elder Otini Mahana said he was pleased to see the brethren and sisters of both races come together to worship God, and to listen to the good instructions which had been given by His servants, whose hearts and souls were in the work.

Elder Davis spoke of the testimonies and knowledge that the Latter-day Saints had received through obedience to the principles of the Gospel, and bore his testimony to the remarks which had been made and the truthfulness of the everlasting Gospel.

In the evening meeting which followed, President Paxman occupied an hour and a half in speaking of the disposition and attributes of our Father in Heaven and His Son Jesus Christ.

Thus ended a very enjoyable Conference, and the Saints, both speakers and hearers, enjoyed a goodly portion of the Holy Spirit.

The Elders are all feeling well and enjoying the spirit of their callings. Ever praying for the welfare of Zion, we remain, your brethren in the cause of truth,

EDWARD NEWBY, President,
E. L. DAVIS, Clerk of the Conference.

CORRESPONDENCE

WASHINGTON COUNTY.

Working with the Water-Sickness and Death.

WASHINGTON, Washington Co., Utah, October 27, 1886.

Editor Deseret News:

The present year has been an unusual one in the history of Washington. In the month of August, 1886, this section of country was visited with the heaviest rains in the remembrance of the oldest inhabitant. It swept the Rio Virgen river clear of all dams for irrigating purposes. Washington had been building rock and brush dams for the last twenty-four years, attended with an enormous expenditure of means and labor. In view of our peculiar situation the president called a meeting of the board of directors of the Washington Field

Canal Company to discuss the matter of constructing a new dam. Having learned by sad and costly experience the uncertainty of rock and brush dams, the board was decidedly in favor of a pile dam. Accordingly they called a meeting of the stockholders and submitted for their consideration the construction of the proposed pile dam with an accompanying plan draft of said dam. The stockholders sustained the board in their views, and were decidedly in favor of a pile dam. Steps were immediately taken to procure the necessary timbers, and most of them were got out from the Pine Valley mountains the same fall. Much delay was occasioned in driving the piles, the result of which has been very disastrous to the farming community of Washington. The piles are driven, but the filling in of rock, a great portion of it, remains to be done, consequently we have had no water to our fields this year, and therefore no crops, with the exception of a little lucern hay. Many of our lucern patches appear to be literally burnt up. At this season many are without provender for their work teams and cows. A great many are going north in quest of a little bread-stuff to tide them through the winter.

Added to the aforesaid calamity we have had an almost unprecedented time of sickness. As early as June many were attacked and prostrated with a very malignant type of malarial fever. In some cases whole families were stricken down. Those attacked suffered severely and in a few days they became as helpless as babes. In many instances the people could not take care of their fruit, and it was impossible to hire, there being such a large proportion of the people sick. Indeed it was difficult at times to find enough well folks to wait on the sick. The health of the people is improving and notwithstanding the adverse circumstances of the past season, the people feel to put their trust in God and are hopeful and cheerful. In the month of September we consigned to the silent tomb the mortal remains of four of our brethren.

ROBT. F. GOOLD.
P. S.—The cost of the dam to date is \$5,000. The probable cost when completed will be \$10,000. R. F. G.

UNJUSTLY HELD.

Determined to Indict, Evidence or No Evidence.

BLACKFOOT, Bingham County, Idaho, October 28th, 1886.

Editor Deseret News:

For the benefit of my friends I would be pleased if you would publish the following in your valuable paper:

Last July I was arrested by Deputy Marshal Green, of Oxford, on a charge of unlawful cohabitation with my wives. I was put under \$1,500 bonds to appear at this term of court before the grand jury here. After they had considered the matter and reconsidered it four or five times they failed to find a bill of indictment and ignored the matter for the want of sufficient evidence. United States Attorney Jas. Hawley demanded that the case should lay over till another sitting of the grand jury, next May, in this place, which was readily granted by the court. It appears that they want jurors to indict and convict whether a person is guilty or not.

J. D. J.

THE "MORMONS" IN IDAHO—ADVENTURERS STRUGGLING FOR OFFICE—THE SITUATION.

PARIS, Idaho, Oct. 28th, 1886.

Editor Deseret News:

Probably no people in Idaho are less excited over politics at present than are the Latter-day Saints. Although the late decision of Judge Hays directly affects them in their political privileges, and wrests from them at one fell blow the principles of self government, and leaves them entirely in the hands of an unprincipled minority, yet

PEACE PREVAILS.

No murmur of discontent is heard, and the people pursue their daily avocations as if nothing of importance had transpired to mar their peace or hinder their prosperity, while beneath the surface can be plainly discovered those sterling qualities of faith and endurance that have sustained the true Saints of God in all ages of the world; that happiness and peace which the world can neither give nor take away, and that none but the faithful and honest ever experience. These are the feelings that pervade this community, and it is safe to venture the assertion that no other society of religious worshipers would receive such news with such calm Christian-like determination as is manifested on every hand.

THE NEW OFFICERS,

armed with authority from the Court at Blackfoot and accompanied by D. D. Wright and George Green, (ex-deputy marshal) were duly installed as county commissioners, so that they will form the returning board of this county at the coming election. Another trick of the adventurer Duhois, he being afraid of retribution at the hands of the people whom he has so outraged and abused. No opposition was offered and they were received with courtesy and kindness by the citizens, which is another bright mark in the history of a long suffering and much abused people.

THE SCRAMBLE FOR OFFICE

among the non-"Mormons" at present is quite a contrast to the peaceful elections which have been held here previously. There are no less than three tickets already in the field, with a prospect of several more before the election is over. It is humiliating to think that in this boasted land of liberty and equal rights, in settlements with a population of 600 or 700 people, sufficient legal voters cannot be found to hold an election, and the one or two are obliged to travel several miles to the next polling precinct in order to cast their votes. No less than four voting precincts in the county will be unable to hold an election for this cause. Men who have been cut off the Church for immorality and other sins are the

ONLY ONES WHO CAN VOTE

In several of our large settlements, and they are the ones who must hold the offices. Some, we think, will be elected to the county offices who reside in Montpelier, who have never belonged to the Church, and who own little or no property in the county, and consequently have no interests in common with the people. The main obstacle in their way will be obtaining boudsmen, as permanent residents and property-holders will be very careful about giving bonds for such transients and adventurers as some of those who have been nominated. There is one ticket, however, which will be run and which it is to be hoped will be elected that is made up of residents who do not belong to the Church, but who are honorable men and are interested in the county. If this ticket should be elected it will be a temporary salvation which we—under existing circumstances—scarcely dare hope for.

The above is our condition at present. We are

OSTRACIZED FROM ALL RIGHTS

and privileges as American citizens, and our political affairs given into the hands of a small minority of uncompromising enemies, with a few exceptions. Still they say it is not religious persecution; yet if a man renounces his religion and withdraws from the Church his rights are immediately restored to him. In proof of this, Judge Hays, in answer to a question the other day, said "that a man may believe in all the doctrines of the 'Mormon' Church but so long as he is not a member of that Church he has a right to vote and hold office."

Yours Respectfully,
RUSTIC.

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Gives Relief at Once and Cures
COLD IN HEAD, CATARRH, HAY FEVER.
Not a Liquid, Snuff, or Powder. Free from Injurious Drugs and Offensive Odors.
A particle is applied into each nostril and is agreeable. Price 50 cents at Druggists; by mail, registered, 60 cents. Circulars free. ELY BROS., Druggists, Owego, N. Y.



LEGAL NOTICE.

In the Probate Court, in and for Salt Lake County, Territory of Utah.

In the matter of the Estate of Mary B. Gollightly, deceased.

Order appointing time and place to hear petition for distribution.

ON READING AND FILING THE PETITION of Isaac Brockbank, Administrator of the Estate of Mary B. Gollightly, deceased, setting forth that he has filed his final account of his administration upon said estate in this Court, that all the debts have been fully paid, and that a portion of said estate remains to be divided among the heirs of said deceased, and praying among other things for an order allowing the final account and of distribution of the residue of said estate among the persons entitled. It is ordered that all persons interested in the estate of the said Mary B. Gollightly, deceased, be and appear before the Probate Court of the County of Salt Lake, at the Court Room of said Court, in the County Court House, on the 30th day of October, 1886, at 11 o'clock a. m., then and there to show cause why an order allowing said final account and distribution should not be made of the residue of said estate among the heirs and devisees of the said Mary B. Gollightly, deceased, according to law.

It is further ordered that the Clerk cause copies of this order to be posted in three public places in Salt Lake County and published in the DESERET WEEKLY NEWS, a newspaper printed and circulated in Salt Lake County, three weeks successively prior to said 30th day of October, 1886.

ELIAS A. SMITH, Probate Judge.

Dated September 24th, 1886.

TERRITORY OF UTAH, County of Salt Lake, ss.
I, John C. Cutler, Clerk of the Probate Court in and for the County of Salt Lake, in the Territory of Utah, do hereby certify that the foregoing is a full, true and correct copy of order appointing time and place for settlement of account and distribution in the matter of the Estate of Mary B. Gollightly, deceased, as appears of record in my office.

In Witness whereof, I have hereunto set my hand and affixed the seal of said Court, this 24th day of September, A. D. 1886.
JOHN C. CUTLER, Probate Clerk.