

THE DESERET NEWS.

TRUTH AND LIBERTY.

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—TERMS IN ADVANCE—

LOCAL AND OTHER MATTERS.

FROM TUESDAY'S DAILY, JAN. 27.

Brutal Assault.—A fracas occurred at the Germania smelter yesterday, which resulted in sending one man to the hospital and another to jail. Henry Gerson is in duress and William Jewett is laid up for repairs. The following account is given by the injured man and is said to be a correct version of the unfortunate affair:

GERMANIA,
Jan. 29, 1883.

Early this morning Henri Gerson and I, the undersigned, William Jewett, had a quarrel about work necessary to be done in the Germania White Lead Works. Henri Gerson refusing to do the work ordered, bringing on the quarrel. The said Gerson then called me the vilest names in the English language—a—b, damning and cursing me as a "Mormon." In the excitement of the moment I struck him with a broom then in my hand. The said Gerson picking up an iron hoe struck me at least once over the head felling me to the ground. The blood streamed from my head. I had barely strength enough to rise, put my hands to my head and ran to Dr. Rancher's house, where I fell to the floor.

This is as it happened to the best of my knowledge and belief.

[Signed.] WM. JEWETT.
A. F. SCHURER,
B. SANSCHERF,
Witnesses.

CAPTURE OF THE TRAIN ROBBERS.

TWO ARE CAPTURED AFTER A DESPERATE FIGHT AND THE OTHERS SURRENDER WITHOUT A STRUGGLE.

By the train which arrived at 10 a. m. to-day from the south, members of two parties of officers who had been in pursuit of the robbers who committed the robbery on the C. P. R., arrived, bringing with them the five bandits, whom they had captured. The news of the capture spread rapidly, and the arrival of the party created a good deal of excitement, a large crowd gathering near the city jail to catch a glimpse of the desperadoes, two of whom are badly wounded. We give the details as narrated this morning by the officers who effected the arrest.

Mr. Samuel Deal, detective of the Central Pacific Railroad, last Monday, a week ago, January 22nd, about 7.30 o'clock a. m., while at Elko, waiting for the eastern train, learned that train No. 1 was attacked by several masked robbers at Montello. He went to the telegraph office to get what information he could. He telegraphed to Mr. Cottingham, superintendent at Kelton. He also left instructions to telegraph to Mr. Fell at Ogden, in order to obtain all information possible regarding the robbery. He found, after waiting some time, that the train had been stopped and an attempt made to rob the express car. He went then to the office of Sheriff Tabor, of Elko, Nevada. He waked up Mr. Polk, deputy sheriff, requested him to accompany him to the scene of the robbery, and follow the parties who perpetrated it; waited until No. 2 train arrived at Elko. Mr. Tabor, the sheriff of Elko, was on board the train that was robbed, having come on from Wells with it. The latter agreed that Mr. Polk should go along, that an organization should be affected and the rob-

bers followed up. They then proceeded to organize for that purpose. They received a telegram from Mr. Fell, ordering a special train to proceed to the scene of the robbery. The party went to Wells on the special. They there procured several men to assist them. From there they went to Montello, and interviewed the section men—five in number, including Mr. Patterson. It was found that the party of robbers numbered five, not seven, as at first reported. The robbers reached Montello at 8.30 o'clock in the evening and hitched their horses. They then proceeded to the section house and got the section hands—Chinamen—and locked them up. They then got the white section bosses and locked them up in the house. The robbers placed the section bosses under a guard and cooked their supper in the house where the white men lived. One of the men in the house offered to cook their supper, but they refused this service and cooked it themselves. They all had caps drawn over their faces. After supper they made the men put up provisions for them. They remained till the train arrived at 1.10 o'clock on Sunday morning. On its coming, they compelled the Chinamen to flag it, stopping it and the public are familiar with what followed in the attempted robbery.

The officers proceeded by special car to Tecoma where they found horses, which had been ordered by Mr. Fell for the party. They then arranged for the pursuit. The party numbered eight, including Mr. Deal, Deputy Polk, Sheriff Brown and five others. On Tuesday morning following they started from Tecoma in pursuit. They discovered the trail of the robbers, who were in two parties, the tracks being in the show and on the ground. They robbed several men on the way, taking a watch, sack of flour, rifle and other articles from a man named Lee. They also stole a band of horses, about 25 in number, from a ranch near where the officers struck their trail.

The tracks were followed to Salt Marsh Springs where they left some of their provisions. Before this at another place, a vacated sheep ranch, they had left two-thirds of a beef. The officers reached the Fish Springs Mountains, on the trail of the desperadoes, on the east side of the mountains. On Sunday night the party left Fish Springs and met Sheriff Turner and party at three o'clock on Monday morning, January 29th, in a gulch of Antelope Mountain.

We must now detail the proceedings of another pursuing party. On Friday, the 26th, Mr. Thacker, a detective of Wells, Fargo & Co., and Sheriff Turner, met at Provo, on the 4.30 p. m. train, en route for Deseret. There they joined Sheriff John Gillespie, of Tooele County, who had been at that point four days. A consultation was held, they having learned that the supposed robbers were camped in a mountain about fifty miles to the northwest of Deseret, Millard Co. On Saturday morning they called upon Bishop Joseph S. Black, of Deseret, to know if he could furnish the party with a baggage wagon and ten saddle horses. He said he could. Mr. Thacker telegraphed Mr. Dooley, for some long range guns and a field glass. Sheriff Turner telegraphed for deputy Sheriff Thos. Fowler, of Utah Co., to join the party at Deseret prepared to leave that place at 12 o'clock on Saturday last. At 1.30 on Sunday morning the party started. At 4.30 p. m., on the same day, as they were riding across the hills for the purpose of ascertaining the direct route to the stockade of the bandits, supposed to be in the Antelope Mountain, riding across the country they discovered two armed men on horseback, going in the direction of the stockade. On the Sunday morning Sheriff Turner had been unanimously elected commander of the company. On discovering the two men he beckoned the party pursuing to come up, which they did. They hitched their horses immediately to some cedars, leaving two men to guard them, going afoot after the two robbers to the brow of the hill, about 500 feet high, and a distance of 150 to 175 yards, when the party were in plain view of the two

horsemen. Sheriff Turner ordered them to throw up their hands and surrender. Instead of responding Frank Hawley jumped from his horse, shielding himself behind it, and fired at the party with his pistol. The other man, Ormus Nay, who was a little further off and near the centre of the gulch, also jumped from his horse, and covered himself in the same way. The officers opened fire on them. At the first volley Nay's horse was shot through the jaw, and it staggered and ran away. The other horse (Hawley's) fell immediately afterwards on its left side on a Winchester rifle, which was in a scabbard and hung on the horn of the saddle. The firing continued on both sides, the bullets cutting the cedars over the heads of the officers, several of whom came nearly being shot. One bullet passed between W. Crapper of Deseret and Thomas Fowler of Lehi. Another passed between Mr. Thacker and Sheriff Turner. About this time Ormus Nay threw up his hands and apparently surrendered. The firing temporarily ceased. Hawley ran to the opposite side of the hollow and lay down in a small ravine. The party fired several shots in the direction of his ambuscade. Hawley said he was shot and would give up. He was ordered to lay down his arms, but he fired another shot. The party fired again, when he surrendered. Nay also notified the party that he was wounded. Sheriff Turner shouted to Nay to notify Hawley to lay down his arms. He said he was so badly wounded he couldn't get to him. The officer said he must. He went in the direction of Hawley and told him to throw down his arms, which he did. On reaching the two men the party found Hawley shot through the left leg. Nay was shot in the right side, the ball ranging upward through the shoulder.

The officers gathered all the saddle blankets in camp, the baggage wagon being seven miles away, over a rough country. Bishop Black was sent for the wagon, which he brought about 9 o'clock on Sunday evening. The wounds of the robbers were dressed as well as the circumstances would admit, Hawley's leg being put in splints. The men were placed in the four spring wagon, and Bishop Black, Geo. Boyd and Jos. Smith were sent with them to Deseret.

Having no provisions or grain, the party went to a camp of the two Smith boys of Fish Springs, who furnished the party with oats for their horses and something to eat for themselves. This camp was two miles and a half distant. A camp fire was built and at 2.30 on Monday morning the horses were ready to go to the stockade.

At 3 o'clock Captain Deal, Sheriff Brown, Deputy Polk and party were seen riding in the direction of the camp fire. Sheriff Turner stepped out and notified them who the party were, making himself known. Sheriff Brown recognized his voice. He related what had taken place. Capt. Deal's party were making for the same point as Sheriff Turner's was intending to go to. The two parties amalgamated and Sheriff Turner told the newly arrived party his plan. After consultation it was adopted. Sheriff Turner had already procured a guide and they proceeded in combination to the stockade. At daylight (Monday) morning the guide took a note to the stockade, signed by Hawley and Nay, begging the others to surrender, and notifying them that their stockade was surrounded, but that the party did not wish to hurt them. If they would surrender without difficulty, they would not be harmed. Sheriff Turner sent two of his men to get a situation in view of the camp of the bandits, while the guide should enter the cabin where they were. Sheriff Brown and deputy Polk also took a position in full view of the camp. After the guide had been in there from five to ten minutes, Sylvester Earle came out of the cabin and started up on the cañon afoot, got about three rods from the house, when Sheriff Brown called on him to turn back. He obeyed, and as he came opposite the door, Frank Francis and Erastus Anderson also came out. The Sheriff told them to pass on down the cañon, which

they did, until they got opposite to where the officers were situated, in view of the cabin. The officers approached them and the three were captured. The men and house were searched by the officers, who took possession of a large quantity of arms.

After the arms were taken and the capture made, Sheriff Turner called Sheriff Brown, Captain Deal and deputy Polk to him, and said—"Gentlemen: We have had the good fortune to get the other two men, but you, gentlemen, have been on the track and following up. I made mention to Mr. Thacker, yesterday, that you were on the track and hunting the bandits and that in case we did have success we would divide the various rewards equally between the two parties. Now, that our party have captured the two, and we have combinedly captured the other three, our boys are familiar with my views and they are quite agreeable to this proposal."

The three bandits who were not wounded were shackled and well guarded, reaching Deseret at 11 o'clock last night. The entire party of robbers were brought on to this city by the officers this morning.

The officers speak commendably of the good services of Bishop Black, who did all that was possible to aid them.

The two wounded men confess to the robbery of Davine's store, at Deep Creek, and the train robbery.

Frank Francis is aged 40; Frank Hawley, about 25; Sylvester Earle, 19; E. Anderson, 19, and Ormus Nay is about 32.

The caps worn by the robbers when they perpetrated the train robbery were taken from Davine's store, at Deep Creek. They were ordinary winter caps, known as the Kuklux, with eye and mouth holes, in the part that can be drawn down over the face.

Captain Deal's party traveled 200 miles over a rough country in pursuit of the robbers, enduring a great deal of hardship, the weather a part of the time being intensely cold.

Dr. Benedict to-day made an examination of the wounds of Hawley and Nay. He found that the former had received one shot in the calf of the right leg, making a skin cut about two inches long. Another bullet entered the other leg, on the outside, a little below the knee, ranging down to the right and emerging about four inches above the ankle, passing out under the main bone of the leg. It cut the small bone, destroying about an inch of it. Hawley is from New York State.

Nay has a flesh wound in the thigh. Another bullet entered his back, two inches to the right and on a line with the point of the shoulder blade, ranging up through the joint, lodging near its top, under the skin, from whence Dr. Benedict extracted it. He spat blood for three hours after being shot, and it is therefore probable that the lung is wounded, or the inter-costal substance injured. The bullet shattered the bone of the joint in its passage. The wound is dangerous.

We understand that Captain Deal purposes leaving for Nevada with the prisoners, or at least those in condition to travel, to-morrow.

Too much cannot be said in praise of the valiant officers who effected the capture of the desperadoes.

FROM WEDNESDAY'S DAILY, JAN. 28.

Exposed Ears.—It is stated that E. Bacon, of Georgetown, Bear Lake County, Idaho, had his ears frozen during the late cold spell while he was in bed covered with any number of pairs of blankets. The thermometer showed 55° below zero at the time.

Sudden Demise.—On January 24th, John Ramacher, who had resided at Montpelier, Bear Lake Valley, two months, died quite suddenly. The Democrat says he was walking on the street in that town, when he fell to his knees, unable to proceed further. Being yet conscious he was, at his own request, assisted to an adjoining house, where he expired in a few moments. He had a wife in Linton, Indiana.

Funeral Services.—The funeral services over the remains of the late Brigham Murphy, accidentally shot

and killed on Monday, were held at the Second Ward meeting house to-day and conducted by Bishop Peterson, a large number of relatives and friends being in attendance. Bishop H. Sperry offered the opening prayer. Elder O. W. Penrose preached the funeral discourse. The benediction was pronounced by Bishop S. A. Woolley.

Snowslide Fatality.—On Monday there was a snowslide in American Fork Canyon. William Willot and James Burgess were buried in it. Willot's body was recovered and buried yesterday at American Fork. He was a German, aged about thirty years. Burgess was an American, thirty-five years of age. The two men owned the Missouri, Cloud Buret, and several other valuable mines, on which they have worked for several years. Neither had any relatives in this part of the country.

The Same Fare.—Captain Deal, who led the posse which started from Nevada after the bandits, is an able and indefatigable officer. He believes in staying by his men through "thick and thin." In deference to his more advanced age, the members of his party procured a bed for him in a house at one of their camping places. On being informed of this he inquired where the others were going to sleep. Outside in the stack yard," was the reply. "Then that's where I'll sleep to," said he. I don't propose to fare any better than the rest." Captain Deal is 59 years old, hale, hearty and active.

Jurors.—The following have been drawn for the February term of the First District Court, to be held at Provo:

GRAND JURORS.

J. E. Daniels, Jr., Samuel Liddiard, Aaron Thomas, George W. Jaques, all of Provo; Jas. A. Barton and Luther Tuttle, of Mant; Don C. Johnson and L. D. Crandall, of Springville; Thomas Memmott, of Scipio, Millard Co.; John H. Murdoch, of Heber City, and Christian A. Larsen, of Ephraim. The balance of the grand jurors are drawn from the northern portion of the District.

The above grand jurors are required to be in Provo Feb. 19th, 1883, at 1 o'clock p. m.

PETIT JURORS.

Amos D. Holdaway, Thos. J. Patten, Dominicus Snow, of Provo; Davis Clark, Springville; Ira Wines and Abel J. Evans, of Lehi; John Poole, of American Fork; James Hall, of Mount Pleasant; T. M. Jolley, of Mant; and Samuel W. Weston, of Deseret.

The above petit jurors are required to be in attendance at Provo on Feb. 28, 1883, at 10 o'clock a. m.—Enquirer.

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