

LOCAL NEWS.

FROM FRIDAY'S DAILY, JUNE 13.

The Paul Revere Statue.—Yesterday, Mr. C. E. Dallin, the talented sculptor of this city, received a letter from friends of his in Boston. It contains news regarding the Paul Revere statue. The committee sent for his model, and asked for Mr. Dallin's address, as they wished to communicate with him about the statue. Of course the decision of the committee as to who will be the fortunate artist to whom the execution of the important work will be awarded is not known, but Mr. Dallin has a prospect of receiving the commission. We trust that the choice will fall upon him. This desire will be echoed by the many admirers of his artistic skill.

Wants Work.—Among the immigrants who arrived with the last company was Brother James Hamilton, who presided over the Glasgow branch of the Church for some time before leaving his native country. He was engaged for twenty-five years on railroads, entering upon that service when a mere boy, and during that time was injured in the leg and foot, the result being a permanent lameness. He is out of employment, and any one in want of a man to attend to a stationary engine could not fail to be suited with him, as he is not only capable in that line, but in every way trustworthy. He occupied a position as enginewoman on the Caledonian Railway for several years. He can be heard of by communicating with this office.

An Old Friend.—This morning we were pleased to receive a call from the aged veteran Col. Miller of Omaha, who has come out this way on a visit, for recreation. The Colonel has reached a very advanced age, having been born in 1800, being therefore about 84 years old. He is still hale and hearty, and retains his natural clearness of intellect. The respected veteran is one of the oldest citizens of Omaha, and father of Dr. Miller, editor of the Omaha Herald, who is a genuine representative of so worthy a sire. Colonel Miller will remain in the city several days, visiting old friends and acquaintances. We wish him an agreeable sojourn. He paid a visit to this city about ten years ago.

Golden Wedding.—One of those unusual occurrences, the fiftieth anniversary of their wedding day, was duly celebrated by Mr. and Mrs. Henry Perkes, of this city, formerly well known members of the Liverpool branch, and highly respected for their proverbial kindness to the Elders. A little crowd of children and grandchildren, all who reside here, and quite a number of old-time friends, met last evening and congratulated the venerable couple on the auspicious event. "All went merry as a marriage bell," reminiscences were interchanged, speeches, music and social enjoyment prevailed until "the wee sma' hours." We join with their many friends in wishing health and happiness to Father and Mother Perkes; may their last days be the best.

FRED HOPT.

THE SUPREME COURT AGAIN REFUSES A STAY OF EXECUTION—RUMORS OF A REPRIEVE—TO-DAY'S MASS MEETING—RESOLUTION AGAINST A REPRIEVE.—THE RESPITE GRANTED.

Yesterday the refusal of the District and Supreme Courts of the Territory to grant a stay of execution in the case of the murderer Hopt, pending the action of the Supreme Court of the U. S. on a writ of error, caused quite a stir among the legal fraternity. It was strongly held by many of the prominent members of the bar that an execution of the sentence while action on the writ of error was pending would be judicial murder, as the death of the convict would be produced before the legal remedies sought by him were exhausted. At the suggestion of District Attorney Dickson, Messrs. McBride, Harkness, Kirkpatrick, Sheeks and Rawlins went before the Supreme Court and stated their legal views on the question. The Prosecuting Attorney, Mr. Varian and Mr. Arthur Brown also made brief arguments, showing wherein they differed from the other gentlemen named. The result was the following opinion by the Court:

"GENTLEMEN: The Court has directed me to announce the conclusions to which it has come. These several motions which have been submitted to the court, raising the same questions that have been raised by the voluntary appearance of so many members of the bar, have been submitted to the court from time to time, while it was in the midst of other business, and without giving to the court an opportunity to give that thorough consideration and examination of the subject that its gravity really demanded. Of course counsel were anxious to proceed step by step, and take such steps as they thought themselves entitled to, and have—while not insisting upon it, I do not mean offensively in any way—but they have, of course, required an immediate answer, and the decisions have been given, as I said before, without chance for mature deliberation, and without any opportunity to examine authorities upon the subject. The time given us since the discussion this afternoon has been the longest of any we have had to avail ourselves of, at any time since any of the motions have been submitted.

The court unanimously adheres to its opinions heretofore given, as to the power of this court, in the present state of the case. The discussion this afternoon, by so many respectable members of the bar, men who, of course, had no earthly interest in the case, excepting that interest that is spontaneous with all members of the bar who are loyal to the law, and loyal to their profession, to have all the proceedings of the court in due order, and according to the law. This discussion has evidenced their earnestness, and their desire that the court should commit no error in a case of this importance. The case is important, not only by reason of the gravity of the offense, and the effect of the execution, if carried out, but it is important in another sense. No case of the kind has ever arisen. No case of the kind can arise in any other Territory than this. There is no other Territory in which an appeal is given in this class of cases to the Supreme Court of the United States, and hence we have no precedent to govern us at all, and we have to judge of it in accordance with our notions of the law and in the manner I have suggested. The Court is very anxious about what the effect would be if it should grant a stay of the execution; about the exercising of a doubtful power upon its part, and we have come to the conclusion, unanimously, as I said before, to adhere to its former decision in the matter; but the Court unites unanimously in recommending to the Governor that he grant a reprieve. There is no question about his power; there is no question then but what the sentence and judgment remains until reversed by the proper tribunal, and hence we unite in recommending to the Executive that he exercise the power that is unquestionably given him by the statute, and raises then no doubt about what the effect will be.

We, of course, feel obliged to the members of the bar, for what they volunteered to do is simply a demonstration to us of what we have known before, that they were loyal to their ideas of the law, and they have been candid in expressing their opinions, and they have been expressed in such a manner, that it has made the question at least debatable, and we have thought it better all around, especially in view of the position taken by the District Attorney himself, as the members of the bar will recollect, in stating that it was his request, or his wish—at least I think he said his wish, or his willingness—that the Executive clemency should be used in that way, in view of the earnest discussion that has been raised in relation to the case. We think we have done what it is our duty to do, and it commends itself to our consciences.

Mr. Sprague, at our request, the reporter has taken this opinion down in shorthand, and he will write it out, and let that be entered in the minutes of the court, so that there will be a permanent record of it."

The rumor that Acting Governor Thomas, (as the result of the Supreme Court's refusing to take action in the matter of a stay of Hopt's execution, and throwing the responsibility upon the Executive) had granted the reprieve or was about to do so, spread like wildfire over the town this morning, and at the solicitation of a number of prominent citizens, Sheriff John W. Turner, of Utah County, the father of the murderer's victim, called a mass meeting at the Opera House at 10 o'clock a. m. Dodgers were printed and circulated on the street and at the hour set for the meeting the building was crowded with an eager throng.

Sheriff Turner called the assembly to order, and Col. Sells was chosen chairman. Arthur Brown was called for and took the platform. He stated the object of the meeting, which was to pass resolutions and petition Governor Thomas not to grant the reprieve in the Hopt case, but to let the law take its course in his execution. He stated that the only question that could go before the U. S. Supreme Court, there being no bill of exceptions filed, was the indictment, the verdict and the judgment; and that these had been passed upon already by the Supreme Court of the United States, and no defect found in them. He maintained that there was no defect in the law, and no reason why the execution should not take place. The object of this pretended appeal was simply further delay.

He then read the following resolution:

Resolved, by the citizens of Salt Lake City, that, in the case of the People against Hopt, any reprieve, respite, pardon or delay of execution would be prejudicial to the welfare of society and the good order of this community, and therefore we ask Governor Arthur L. Thomas to deny all application or petitions to him of that character, from whatever source they may come; and we ask him to let the law take its course without interference of any kind from the Executive, and in such denial we will sustain Governor Thomas and approve his action.

A motion was made to adopt this resolution and remarks were called for on the motion.

Ben Sheeks responded, and on taking the stage presented briefly that a person in Hopt's case had the undoubted right of appeal. He took the position that granting the reprieve would not be an act of clemency, but, under the circumstances, a legal duty. He thought the Governor would be swayed by honest motives, in whatever way he decided, and he for one would be satisfied with his action.

H. J. Faust here arose in the body of the house, and said he was for letting the law take its course, and discussing the matter afterwards.

Alfalfa Young thought that any pressure brought to bear to influence the Governor in favor of the execution would, under the circumstances, be an advocacy of mob law. He was opposed to the resolution.

S. R. Thurman said that those who advocated a stay of execution in this case, were really the ones who advocated mob law, and cited the recent riots in Cincinnati, where, through legal technicalities and delays, justice had been so long and often defeated that mob law was the ruinous result. There was nothing in this pretended appeal, as Mr. Brown had said, but an intention of further delay. Justice had been too long deferred in this matter, and while he as a law-abiding citizen would be satisfied with the decision of the Governor, in any event, he hoped that official would have nerve enough to say that the law in this case should be vindicated. He had no vindictive feelings against the murderer, but said what he did in the interest of law and good order.

The motion on the resolution was then put to the house and carried without a dissenting vote. A committee was appointed by the chairman to wait upon the Governor and present the resolution. This committee were S. A. Kenner, S. R. Thurman and A. O. Smoot, Jr.

Sheriff Turner addressed a few words to the meeting before it broke up. He wished no violence, no mob law in this matter. He had called the meeting by request, and not with the purpose of inciting mobocracy. He wanted the law to take its course, and would stand by the action of Governor Thomas. It was hard to bear up further under the heavy strain to which he had been subjected, but if necessary, in the interests of law and order, he would nerve up to it.

The meeting then adjourned, and the committee appointed to wait upon the Governor immediately proceeded to the Executive office for that purpose. The mass meeting was very orderly, and though the general sentiment was pronounced against the granting of the reprieve, no manifestation of turbulence appeared.

Acting-Governor Thomas, after conferring with the committee and receiving the resolution passed by the meeting, retired to consider, and within two hours afterwards arrived at the decision to grant the reprieve. This was accordingly done. The case will now go up to the United States Supreme Court, which meets in October, and the life of the murderer is spared pending its action in the premises.

Following is a copy of the reprieve:

TERRITORY OF UTAH, ss.
Executive Office.

REPRIEVE.

The People of the United States in the Territory of Utah,
vs.
Frederick Hopt, indicted in the name of Fred Welcome, and impleaded with another.

To all whom it may concern, know ye; that,

Whereas, In the Third District Court for said Territory, said defendant was adjudged guilty of murder in the first degree, and was afterwards by the Court sentenced to be shot to death on the thirteenth day of June, 1884, and whereas, it appears the Supreme Court have affirmed said judgment and sentence, and whereas, a writ of error from said judgment and sentence has issued from the Supreme Court of the United States to reprieve said sentence, and an application to the Supreme Court of Utah Territory for a stay of said execution pending the hearing of said writ has been refused, and the said Court has caused to be certified to this Department its opinion that the right to said stay is a debatable one, and have unanimously recommended that this department respite the said defendant until said writ may be brought to a hearing in the said Supreme Court of the United States; and whereas it is absolutely necessary that persons accused or convicted of crime shall have opportunity to exhaust all remedies provided for by law in their behalf.

Now therefore, I, Arthur L. Thomas, Acting Governor of said Territory, by virtue of the authority in me vested and in consideration of the above recommendation of the Supreme Court, and the principle involved, while lamenting as I do with infinite sorrow a further putting off of justice, but bound by an overwhelming sense of official duty which I cannot evade, and for no other reason, while entertaining no feeling except of utter execration of the crime of the said defendant, but keeping in mind that all men, especially officers of the Government, must bow to the Law and to the interpretation of it by its Courts, hereby grant unto the said Frederick Hopt a respite until such time as the said writ may be heard in the Supreme Court of the United States, and until its mandate shall have been returned to the proper Court, and sharing with the public in full their keen disappointment at this delay I beg, because of my place, to appeal to them to stand by me and support my official action with the same forbearance that they have for four years borne with the Court,

In testimony whereof I have hereunto set my hand and caused the great Seal of the Territory to be affixed. Done at Salt Lake City, Utah, this thirteenth day of June A. D. 1884.

ARTHUR L. THOMAS,
Acting Governor.

FROM SATURDAY'S DAILY, JUNE 14.

ST. JOHNS, ARIZONA.

All persons who expect to leave this city by the D. & R. G. Railway on the 20th inst., for St. Johns, Arizona, should report in person or by letter immediately to me, Box B. Salt Lake City, in order that the necessary arrangements may be made for their transportation. All baggage of passengers for that part should be at the D. & R. G. baggage department, at depot in this city, on the day before the company will leave, in order to have it checked through. One hundred and fifty pounds of baggage is allowed free to each adult passenger, and seventy-five pounds for half fare or children under twelve and over five years of age. There will be a meeting at the Social Hall on Monday evening, June 16th, at 7 o'clock, to which all the Arizona missionaries, especially those residing in Salt Lake County, are respectfully invited.

JOSEPH F. SMITH.

In Kentucky.—We have seen a letter from Elder J. A. Eldredge, laboring as a missionary in Kentucky, to Brother Joseph Argyle, of West Bountiful. The communication indicates the right spirit, and shows that the writer is alive in the work of the ministry, in which he takes a deep and active interest.

Returned Missionary.—Elder Job Hensley, who returned from Europe June 1st, called at the News office, yesterday afternoon. He left here September 12th, 1882, and on reaching Liverpool was assigned to the London Conference where he labored all the time he was away. He traveled mostly in the Sussex district, and afterwards in Berks and Wilts. He enjoyed his labors much, baptized eleven souls, and though his health was not very good towards the latter part of his mission, it is improving since he returned.

Excellent India Ink Portraits.—To-day we had the pleasure of seeing three life-size portraits in India ink executed by the skilful hand of Brother Dan Wegeland. The subjects are the late Apostle Charles C. Rich and Apostles Lorenzo Snow and Franklin D. Richards, who constituted the committee of the Twelve who had charge of the affairs of the Logan Temple District. The likenesses are beautiful specimens of art, exceedingly life-like and sufficient of themselves to fix the reputation of Brother Wegeland as an able artist. The pictures are donated by the artist to adorn the interior of the Logan Temple.

Heber City.—John Crook, of Heber City, called in the other evening. Matters are prosperous in that neighborhood, and peaceable. The crops never looked better for this time of the year. The people were getting ready to irrigate, but on Tuesday at 11 p. m. a heavy rain set in and lasted all night, which obviated the need of watering for three weeks longer. The Saints were feeling well and meetings were well attended.

The Methodists were building a chapel, 28 by 45 feet in dimensions, which they expected to have finished and ready for dedication on the 13th, but did not. They will also have a school before long. The Presbyterian school has fifteen or twenty pupils. A number of brick buildings are going up in the town. Materials are handy for such purposes in that vicinity. Brother Crook is in the city on business, and will return Monday.

Holden Notes.—John Cherrington, a Holden correspondent, says:

"We have had a good day school running the last two years and our children have been making more progress during that time than ever before. An examination was held on Friday the 6th inst., with appropriate speeches, essays, sentiments etc., and on the 7th about twenty wagon-loads went pic-nicking to Goose Springs. Those who had been confined to the school room for forty long weeks well appreciated the outing. Not a cross or angry word was spoken; I never heard an oath or a profane word all day, nor saw either old or young partake of tea, coffee or use tobacco in any form. We had addresses, speeches, base ball playing, etc., and all went off merrily until 5.30 p. m., when we turned our course for home and arrived in safety. Our teacher, Oscar B. Berglund, goes home to San Pete to spend the vacation: in August he will return and resume his labors in the school room. We have good health in our settlement, plenty of water and every prospect for good crops.

Information Wanted.—Ann Hibble (or Kibble), of Bath, on the Hudson, Renshaw County, New York, wishes to know something of her sister, Martha Henderson and family, who emigrated to Utah from Loughborough, Leicestershire, England, in the spring of 1832. The party were Thomas Henderson, his wife Martha, their son George, their daughter Polly, John Ball his brother-in-law, Emma Ball the latter's wife and T. Henderson's sister, and a young lady named Mary Stainforth. A

letter from Salt Lake City soon after their arrival here acquainted Mrs. Hibble with the death of young George Henderson from fever. Since then an Elder has called on the father's family in England, and got several articles sent to those in Utah, but after that all letters were returned from the Dead Letter office, Washington, to the anxious relatives. If any of the Henderson family or their connections are now in Utah, or wherever this will reach them, they should communicate at once with Mrs. Ann Hibble, at her address above given. The Hendersons, she says, were in the shoe trade.

Supreme Court.—Proceedings in the Supreme Court of Utah Territory, Friday evening, June 12, 1884.

People respondents, vs. Patrick Callaghan appellant, Second district. This cause was further argued by Zera Snow for respondents, and by Arthur Brown for appellant, submitted and taken under advisement.

The People respondents vs. David Fennell appellant, Second district. A motion was made to dismiss on the ground of deficiency of the notice, by counsel for respondents. Submitted and taken under advisement.

Victor Sewing Machine Company, respondent, vs. Geo. W. Crockwell, et al., appellants, Third District. It appearing that one of the appellants in this case, Edmund H. Murphy, has died since the final judgment herein entered on the 9th day of April last, Rhoda Murphy, the administratrix of his estate, is substituted a party in said cause. Bond of \$5,000 required by the court to stay proceedings till case can be appealed to the Supreme Court of the United States.

A second case of the same kind was ruled upon in like manner.

Court adjourned till next Monday.

Star-light.—From the *Millennial Star* of May 26th:

Elder Louis P. Lund is appointed to preside over the London Conference.

Elder R. H. Baty is appointed to preside over the Newcastle Conference.

Elder Samuel R. Bennion is released from the Nottingham, and appointed to labor in the Sheffield Conference.

Elder John A. Druce is released from the Liverpool, and appointed to labor in the Birmingham Conference.

Elder Wm. B. Bennett is released from the Birmingham, and appointed to labor in the Nottingham Conference.

Elder John G. M. Barnes is appointed to labor in the London Conference.

Elder George Wilson is released from the Glasgow Conference, and appointed to labor in Ireland.

Elder John G. M. Barnes, who for the past nine months has been serving as a missionary in Indiana, arrived in Liverpool per the S. S. *Alaska*, on the 19th inst., to continue his labors in this land.

Elder E. M. Dugdale was released from his labors in this land, and returned home with the company sailing May 17th.

Presidents Ephraim H. Nye, of the London Conference, and Wm. H. Pigot, of the Newcastle Conference, and Elder Ezra F. Martin, of the London Conference, are released to return home with the company sailing from Liverpool June 14th.

It has been found necessary to make another change in the published date of sailing. The third company of this season's emigration will leave Liverpool on Saturday, the 14th of June, per the S. S. *Arizona*, instead of on the 11th, as previously announced. All who purpose emigrating with that company will please govern themselves accordingly.

MISSIONARY EXPERIENCE.

AN ELDER BADLY ABUSED.

By courtesy of Brother A. M. Musser, we are enabled to publish the following extract from a letter addressed to him by Elder Charles L. Flake, his nephew, on a mission in Mississippi. The communication was written at Paris, Lafayette County, and dated May 27th:

There is a great deal of opposition and misrepresentation here, and I do not know but we are almost losing ground. An incident happened to me in Water Valley the other day. We were expecting President Roberts on the train, so I got a horse and went down to meet him, but he did not come on the 15th, so I waited for him. The people of the town were quite indignant to think a Mormon Elder should have the audacity to come into a city like Water Valley and behave himself. I did not apprehend any danger, although I knew too well of their threats and I felt it was my duty to stay. On the 15th I was interviewed by a reporter, and as we did not get through, he requested me to call on him after 12 at his office. I did so and found a

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there, with quite a number of others, waiting my arrival to have some fun at my expense. During our discussion which lasted two hours, we went over a great deal of ground and my friend got angry. I felt satisfied with our talk and would have liked to have continued it, but the train came in and I had to leave.

On the 16th President Roberts did not come so I had to come on back, as our meetings were for the 17th and 18th. I waited for the 10 p. m. train and then came out in the night. I got