

LOCAL AND OTHER MATTERS.

FROM THURSDAY'S DAILY, SEP. 5.

TELEGRAPH.—The branch of the W. U. Telegraph line having been completed to Camp Douglas, an office of the company was opened at the latter place last evening.

GONE EAST.—Bishop John Sharp, Superintendent of the U. C. R. R., left for the east this morning, where he has gone to negotiate for the purchase of iron for the Utah Southern track from the point of the Mountain to Payson. He will probably be absent several weeks.

WILL CLOSE.—Z. C. M. I. Grocery Department will be closed on Monday, 16th, Tuesday, 17, and Wednesday, 18th, for the purpose of taking an account of stock. An advertisement containing an announcement to that effect will be found in another column.

INFORMATION WANTED of Peter Rasmussen, who left this city to go to Echo to drive team three or four years ago, who has not been heard of since about eight months afterward. He would now be about 21 years old. Address his mother, Mrs. Mary Rasmussen, 11th Ward, Salt Lake City.

DEAD.—Wilford Tibbitts, who was shot and mortally wounded by William Wilson on Tuesday night, died from his injuries last evening. We are informed that he retained his senses to the last, and up to a few minutes before he expired, expressed a belief that he would soon recover.

A post mortem examination of the body was made by Drs. J. M. and F. D. Benedict, who discovered that the bullet, glancing downward from the point of entrance, near the navel, to the right thigh, perforated the bowels eight times in its course. The opinion of Dr. J. M. Benedict, that the ball had lodged in the right thigh, proved correct, as it was cut out of that part of the body at the examination.

OGDEN.—The Junction says the old Seventies Hall, which for a long time has been an "eyesore" to Ogden on account of its dilapidated condition, has been turned over to the municipal authorities, who will turn it into handsome and commodious city offices.

There has been lots of rain at Ogden since the Junction complained of its absence.

SUSPICIOUS.—A gentleman informs us that there are one or two men peddling articles around town who have several times visited his house and the houses of his neighbors of late, and whose conduct has excited suspicions as to the object of their visits. They endeavor to draw those whose houses they enter into conversation entirely foreign to the ostensible business which they profess to be following, and in this manner contrive to prolong their visits. In houses where the residents are Latter-day Saints, they pass as newly-baptized converts, filled with new-born zeal for the faith and are properly warm in its advocacy and defense. These persons may be honest and well-meaning; but if so, until they have proved themselves to be such, they will probably not think it improper for residents to guard against any ulterior designs they may suspect them of having.

THE SHOOTING CASE.—The case of William Wilson for the shooting and killing of Wilford Tibbitts was before Justice Clinton for examination this afternoon. Judge Hoge appearing as prosecuting attorney on the part of the people and Mr. Smith for the defendant.

Dr. J. M. Benedict was the first witness examined. He testified to having been called to see the deceased Tibbitts on the night of the 3rd, whom he found suffering from a gunshot wound, which had penetrated his intestines, and from the effects of which he had since died. He had examined the body of Tibbitts after his death, and gave a minute description of the wound, and stated that he certainly died from the effects of the wound.

Eliza Corbett was next placed on the stand. She saw Wilford Tibbitts on the night of the 3rd at the gate of Mr. Corbett's residence, 2nd Ward, and she accompanied him to the gate of Mrs. Putnam's residence. While at the latter place they met Whiting and Tibbitts. Saw Wilson fire a pistol at Tibbitts. On being asked to give a detailed account of circumstances connected with the affair, the witness broke down, bursting into tears and finally going off into a fainting fit. Assistance was rendered her by Dr. Benedict, which enabled her to recover. This circumstance caused some delay in the examination, which, however, was shortly afterwards resumed, and was proceeding when we went to press.

FROM FRIDAY'S DAILY, SEP. 6.

WILL CLOSE.—Z. C. M. I. Dry Goods Department will be closed on Monday the 16th and Tuesday the 17th.

RAIN, more of it, another soaking, early this morning. The occupation of the irrigator is going fast.

EMIGRANTS.—A dispatch from London, on our first page, states that the company of "Mormon" emigrants which left Liverpool on the 4th numbered 600.

THE SMYTH-PAGE AFFAIR.—Brother

William F. Reid writes from Mantu, Sanpete, Sep. 3rd:

In an issue of your paper, a statement appeared, in speaking of Richard Smyth, now in prison, in this place, for a murderous attack on J. D. Page, that Smyth was a bad character, and inured to crime from his youth. Now, although you are not responsible for such a statement, as it appeared as news from Mt. Pleasant, yet you well know how even a jury can be biased by newspaper statements, and I think that Smyth, in consideration of his past good conduct, should have the benefit of a refutation of the statement to which I refer. I think a good deal of personal animus has been shown in the matter, and the fact that for the last six days Page has been walking about or otherwise employed proves that the matter has been exaggerated.

A letter from a lady with whom Smyth boarded, at Mount Pleasant, to Judge Peacock, states that some parties were in the habit of annoying Smyth very much, and that the latter was of a sensitive disposition and violent temper.

You are acquainted, to some extent, with the antecedents of Smyth, and although I have no desire to see justice robbed, yet I think that mercy has a great claim on the unfortunate wretch. Your Brother in the Gospel,

WM. T. REID.

Fatal Accident.

FRANKLIN, Oneida Co., Idaho,

Sep. 4th, 1872.

Editor Deseret News:

On Saturday, August 31st, Joseph Mathew Martin Perkins and Jordan Hickman were hunting and went to a thicket of cherry bushes, with the intention of plucking some berries. The last named laid his gun down whilst the first mentioned stood above the thicket in the attitude of loading his weapon. The latter not having any caps went towards Hickman's gun with the intention of getting a cap. He laid hold of the gun by the muzzle, dragging it towards him. The piece was discharged, the ball passing through the palm of the hand and lodging in the pit of the stomach, killing him instantly.

The deceased was the son of Joseph and Margaret Perkins, was born at North Ogden, aged 15 years, 11 months and 6 days. He was highly esteemed by all who knew him, as an exemplary boy in all his habits, and leaves a large circle of friends and acquaintances to mourn his loss. O.

THE WILSON-TIBBITTS SHOOTING CASE.—Our report of the examination of this case terminated at a point where the witness, Eliza Corbett, was giving evidence. The latter part of her statement was to the effect that while Tibbitts and herself were standing under a tree outside the gate of Mr. Putnam, Whiting, Wilson, and two of Mr. Putnam's daughters came up, when Whiting said, "Well, we are all here," to which Tibbitts replied, "Yes, d—n you, we are all here. Did you call me a G—d d—d liar?" Whiting said, "Yes, and if I did, what are you going to do about it?" Tibbitts raised a formidable club, which was produced in Court, saying, "This is what I am going to do," at the same time striking Whiting a blow on the side of the head, rendering him insensible and knocking him to the ground, where he lay till the affair was over. The witness said if Wilson was hit it must have been by the glancing of the stick when Whiting received his blow. This part of the statement, however, seemed rather improbable, as Whiting appeared to have received the full benefit of the blow on the side of the head. Future evidence in the case, however, will probably determine whether Miss Corbett's statement was correct in that particular. Witness heard the report of a pistol and saw the flash, which appeared to be in the direction of the ground.

After the first shot was fired, Wilson ran towards the southeast corner of Mr. Putnam's house, pursued by Tibbitts. When at the corner of the house, and while Tibbitts was within a few feet of him, Wilson turned and fired a second time. Tibbitts struck Wilson after the second shot. Did not strike Wilson previous to that time. Did not see Wilson draw a pistol. Did not see the weapon in his hand. Knew it was Wilson who fired the shots because it came from the direction where he was at the time.

The witness was then cross examined by Mr. Smith, for the defense, and although the latter was kind and gentlemanly in his manner towards Mrs. Corbett, she, being in an excited and nervous condition, broke down several times. The cross-examination was keen and pointed and elucidated from the witness that she felt some prejudice against the prisoner; that it was the intention of the deceased to give Whiting a "mauling;" that Tibbitts got the club he used in the attack from her (witness's) father's hay rack. She had been acquainted with deceased eight years. Tibbitts was not drunk on the night of the affray.

A brother of the deceased Tibbitts was next placed on the stand, the object of the prosecution in introducing him being to establish a foundation for the introduction of any statements that might have been made by the deceased. The witness stated, however, that his brother had never intimated to him that he believed his end was approaching, and this belief in the deceased before his death being necessary to enable his statement to be received as evidence, the case was continued till today, at two

o'clock, to give time for the introduction of a witness named Mrs. Smith, to whom the witness on the stand said, deceased had stated at one time that a few hours would end his sufferings.

FROM SATURDAY'S DAILY, SEP. 9.

SHAWLS, cloaks, overcoats, and blankets are beginning to be acceptable at night, the mercury having forsaken the nineties completely and sank to a respectable distance from them.

SOLDIERS RETURNED.—A detachment of the infantry troops which were sent to Sanpete to protect the people of that locality from Indian depredations, returned from that place this morning. The assigned reason for their return, we understand to be, that no Indians had put in an appearance in Sanpete since the military camped there.

WE DIDN'T KNOW IT.—The Denver Tribune rejoices "when we have Mormon dignitaries and officials indirectly, if not directly, acknowledging that polygamy is an evil." We did not know that they had done so. But we can agree with the Tribune in the following, without admitting the "therefore," "We hope, therefore, to record frequent and multitudinous marriages hereafter in the 'Land of the Saints.'"

PROBATE COURT.—Yesterday two boys, aged respectively about sixteen and eighteen years, John and Peter Augerson, better known by the name of Stockfish, were sentenced, by Judge Elias Smith, yesterday, to two years each in the penitentiary, for committing burglary and larceny on the premises of Abraham Jenkins, Mill Creek, on the 9th of last April. On hearing the sentence the youngest of the two boys sprang to his feet and uttered an ejaculatory oath of surprise.

The trial of J. F. Tasker, for horse stealing, which has been several times continued, was being proceeded with today. The evidence adduced thus far appears to be pretty conclusive against the prisoner.

TWO DAYS' MEETINGS.—"G. B." forwards us the following synopsis of two days' meetings held at Smithfield, Cache Co., Aug. 31 and Sept. 1st.

"The congregation assembled in the meeting-house at 10.30 a. m. The stand was occupied by Brigham Young, Junr., of the Quorum of the Twelve; Bishop W. B. Preston and the bishops of the various settlements, with the home missionaries; also returned foreign missionaries, J. S. Brown and Geo. P. Ward, all of whom, in turn, addressed the Saints. On account of the number of Elders present the sermons were necessarily short, but nevertheless spirited, seasonable and admirably adapted to the wants of the people. Many subjects, such as tithing, home manufacture, co-operation, the husbanding of our grain, &c., were touched upon.

"Brigham Young, Jr., spoke at some length upon the responsibilities resting upon the Latter day Saints and their great and important mission upon the earth.

"Bishop W. B. Preston presented Brigham Young, Jr., to the people as the President of Cache Valley and the Bear River and Soda Springs country, and from the fact that there were more hands raised than there were individuals present, demonstrated unmistakably the hearty good will of the people to sustain him in his honorable calling. The Smithfield and Logan choirs alternately enlivened the meeting with their sweet songs of p. 35. After a rich time of fasting upon the words of life as they spontaneously flowed from the mouths of the Elders, Brother W. B. Preston announced that two days' meetings would be held at Clarkston, Sept. 14th and 15th."

DISCHARGED.—The examination of the Wilson-Tibbitts shooting case was resumed at 2 o'clock yesterday, and afterwards adjourned from 4 to 5 o'clock. The witnesses examined yesterday, for the defense, were Dr. J. M. Benedict, Brigham Whiting, the same who was knocked down by Tibbitts, and two young women, one named Putnam and the other Mason, Mrs. Smith and Police officer Wm. Hyde.

The object of the re-examination of Dr. Benedict was to elucidate that the deceased Tibbitts was a man of powerful physique, and that a blow from a club such as he used in the hands of an ordinary man, was likely to produce great bodily injury on the person on whom it was inflicted. The Doctor was of opinion that a direct blow of this description on the head of an individual would probably produce fatal results nine times out of ten.

The substance of the evidence given by the other witnesses was to the effect that when Whiting, Wilson and the young women Putnam and Mason arrived at the gate of Mr. Putnam's residence they discovered Wilford Tibbitts and Eliza Corbett standing on the side walk near the gate. A few words there passed between Tibbitts and Whiting, when the latter was felled to the ground by a heavy club in the hands of Tibbitts, and Wilson immediately afterwards received a blow over the top of the head, which brought him to a partially reclining posture, in which position he drew and fired a pistol. On rising from the ground Wilson ran inside the gate to the north-east corner of Mr. Putnam's house, pursued by Tibbitts,

who at the same time held aloft his ponderous club in a convenient striking position. On arriving at the corner Wilson's assailant caught up with him, when Wilson turned and fired at Tibbitts, with what result the public are already aware.

The Court decided that the dying statements of Tibbitts could not be introduced as evidence, as the defense was prepared to show that up to his dying moments Tibbitts had expressed himself frequently to the effect that he would be well and around again in a few days, and to render his statements admissible as evidence it was necessary for it to be shown that the deceased was aware of his speedily approaching dissolution, and that this must be the condition of his mind previous to the making of the statements. The only testimony indicating that Tibbitts was aware that he was about to die was given by Mrs. Smith to whom the deceased, she said, stated that he expected to live but a few hours; to others, however, he spoke hopefully of his condition, and as if he anticipated a speedy recovery.

After reviewing the evidence the court decided that the prisoner be discharged as it was clear that, in shooting Tibbitts, he acted in self defence.

There is but little room for doubt that had the blow on the side of Whiting's head been about an inch or so higher he would have been instantly killed, as it was, the shock produced by the blow on the right side of his head broke his left jaw.

We believe the result of the examination was generally anticipated by those who watched the progress of the case. At each session of the court the hall was filled with spectators. We do not see how any other decision could have been arrived at with regard to the shooting of Tibbitts.

FROM MONDAY'S DAILY, SEPT. 9.

WORMY.—Pioche is the champion worm country, the last specimen being of the modest length of 100 feet, at least. So says the Ely Record.

RETURNED.—General H. A. Morrow got back from Sanpete to-day. Through his judicious course and indefatigable efforts the Indian difficulty appears to be approaching a speedy and satisfactory solution.

Kites Ahoy!

Editor Deseret News:

You will confer a favor on the Telegraph Companies by asking boys not to fly kites in proximity to telegraph wires, as they very often "foul" the lines and give serious trouble, especially during wet weather. If parents will urge their sons to keep away from the wires with kites and not to throw rocks at the insulators Superintendents will feel under obligations.

Respectfully,

A. M. Musser, Supt. Salt Lake City, Sept. 7th, 1872.

FOR CALIFORNIA.—Hons. Geo. A. Smith, W. Woodruff, and Geo. Q. Cannon, and A. M. Musser, Esq., were to leave this city this afternoon, as delegates of the Deseret Agricultural and Manufacturing Society to the California State Fair, commencing Sep. 19th at Sacramento. Their duties are to gather, for the benefit of Utah, all the information they can concerning stock, wool, agricultural machinery, grapes and other fruits, and anything that may be useful to agricultural, horticultural and manufacturing interests generally. For this purpose they design visiting the great manufacturing establishments of the golden State.

It is to be hoped that the visit of the above named gentlemen will be conducive to the advancement of the community here as well a source of pleasure and satisfaction to themselves.

CALLED.—We had the pleasure of a call this morning from Miss Mary E. Cook, and Robert L. Campbell, Esq., the former of the Deseret University, the latter Territorial Superintendent of common schools, both well known for their untiring efforts in the cause of education. From them we learned that about two hundred pupils are now attending the primary and intermediate departments of the Deseret University, and that there is still room for a few more. Who will take the opportunity now presented of securing for their children the excellent tuition imparted at this Institution? Miss Cook's labors in connection with the University in this city have gained for her a very high reputation as a preceptress of youth.

SMALL-POX.—We are reliably informed that small-pox has appeared in the town of Centerville. So far as we have learned but one family has been attacked at that place. We also have information to the effect that the "dread disease" has made its appearance in American Fork Canyon, there being three cases there up till Saturday afternoon.

Necessary precautions are being taken at both the places named for the prevention of the spread of the malady.

It is to be hoped that the news of the appearance of the disease will not create any unnecessary alarm, and that the preventive means used by the authorities where it has appeared will be of the most thorough description. People should be careful not to expose themselves unnecessarily to the contagion. We believe there are no cases in this city.