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TRUTH AND LIBERTY.

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LOCAL NEWS.

FROM TUESDAY'S DAILY, NOV. 16

Court Notes.—Proceedings in the Third District Court to-day:

United States vs. H. S. Eldredge et al.; five days allowed to defendant. John S. Shelling and John Lind were admitted to citizenship.

Rebecca Slater, administratrix, vs. J. L. Whittemore; verdict for plaintiff for \$935.70.

George C. Staley vs. M. R. Murray, Charles Crow and George D. Pyper; suit for \$10,000 damages; on trial before a jury.

The Weather.—"The first sleigh was out yesterday in the shape of a cutter, and it ran very well. The ground would be in a fine condition for sleighing if a couple of inches or more of snow were on it. Old timers say such weather as this is almost unprecedented at this time of the year; mild, open weather until January having been the rule. The opinion has been expressed more than once, that the climate must be changing."—Tribune.

The weather is nearly if not quite the counterpart of what we have all along had here at this season of the year. Cold weather and a heavy snowfall almost invariably precede the last good weather of the closing year. The climate is not changing at all.

Disappointed.—"Under date of the 9th instant, 'A Subscriber' writes as follows from Paragonah:

Deputy Marshals Thompson and Sargent, two luminaries of the Second District Court, with a posse from Beaver, after riding all night through a snow storm, made their appearance in our quiet little burg soon after daylight on the morning of the 8th instant. A prominent gentleman was sought after by them. Mr. John B. Topham, who is running a threshing machine and who is generally a very early riser, was on his way to work, when the deputies espied him. They immediately called him to halt and placed him under arrest, thinking they had the proper man. A number of witnesses were soon subpoenaed and the prisoner was escorted home, where the whole crowd took breakfast. By this time a stranger from Panguitch informed the officers that they had the wrong man. They informed the witnesses that they would not be wanted, and soon left the town on a side track for Beaver to report.

Coal For The Poor.—Messrs. Sells, Burton & Co. have completed arrangements whereby they will be enabled to furnish free to the worthy poor of this city, one hundred tons of coal. The firm named are agents of the D. & R. G. W. Pleasant Valley coal, and the Pleasant Valley Coal Company and the railway company have agreed to co-operate with the firm in this matter. The coal company will furnish the coal, the railroad will bring it to this city, and the teams of Messrs. Sells, Burton & Co. will distribute it, free of charge.

The poor person desiring to share in this generous gift of coal should leave his or her address, accompanied by a satisfactory reference from some reliable person to the effect that the applicant is a worthy object of charity. It makes no difference to what religious sect the applicant may belong, or who recommends them, so long as the company are given reliable assurance that those applying are deserving of assistance.

Obsequies.—The funeral service over the remains of Sister Ann Jenkins, whose death we chronicled yesterday, was held in the Fourth Ward school house this morning, the building being crowded to its utmost capacity with the relatives and sympathetic friends of the deceased. Elder George C. Lambert, the first speaker, briefly reviewed the character of Sister Jenkins,

with whom he had been intimately acquainted, and whose well-ordered life presented a picture which it was beautiful and pleasing to contemplate. Elder John Nicholson followed with a comprehensive discourse, which was replete with valuable instruction to all who listened and words of special encouragement and comfort to the bereaved relatives. Bishop H. H. Sperry offered the concluding speech, in which he referred to interesting reminiscences in the life of the deceased, and paid a touching tribute to her memory. The prayers on the occasion were offered by Bishop Thorne and Counselor Knight, and the singing, which was unusually good, was rendered by the ward choir.

Escape from Jail.—Last night Thomas Murray, recently pardoned from the penitentiary, was arrested by the police, for being drunk. About 11:30 a. m. to-day he was successful in getting away from the city jail, and did his work in a clever, though to himself dangerous, manner. The Marshal was having a chimney built through the jail roof, and the masons had completed the brick work up to the abutting. A carpenter had cut a small hole in the roof, and the workmen were just moving from the inside to the outside of the jail.

Murray took advantage of this, and though the men, who were being aided by some prisoners whom the jailor was looking after, were not more than two minutes in getting around, the prisoner made the best of that time. He tore down some of the brickwork, and forced himself up through the small aperture in the roof. He jumped from the jail over an alley to the barn, the distance being not less than fifteen feet. The roof of the barn was slippery from being covered with snow, and Murray narrowly escaped falling to the ground, in which case he would have been seriously injured. He climbed over to the other side of the barn, and then sprang about twenty-five feet to the ground below, from where he made good his escape, possibly through getting into some saloon or den on Main Street.

His escape was discovered in less than five minutes, but up to the time of going to press he had not been captured. The chances he took under the circumstances were desperate, and it is not likely he will be again seen in this neighborhood if he can help himself. There was no lack of care on the part of the officers, the success of the escape being due to the circumstances and Murray's own daring.

Thanksgiving Proclamation.—Governor West issued the following proclamation yesterday:

TERRITORY OF UTAH,
Executive Office.

The President of the United States having made the following proclamation:

It has been the custom of the people of the United States, on a day in each year especially set apart for the purpose by the Chief Executive, to acknowledge the goodness and mercy of God, and to invoke His continued protection.

In observance of such custom, I, Grover Cleveland, President of the United States, do hereby designate and set apart Thursday, the 25th day of November instant, to be observed and kept as a day of Thanksgiving and Prayer. On that day let all our people forego their accustomed employment and assemble in their usual places of worship to give thanks to the Ruler of the Universe for our continued enjoyments of the blessings of free governments, for the renewal of business prosperity throughout the land, for the return which has rewarded the labor of those who till the soil, and for our progress as a people in all that makes a nation great; and while we contemplate the infinite power of God in earthquakes, flood and storm, let the grateful hearts of those who have been sheltered from harm, through His mercy, be turned in sympathy and kindness towards those who have suffered through His visitations. Let us also in the midst of Thanksgiving remember the poor and needy with cheerful gifts and alms, so that our service may, by deeds of charity, be made acceptable in the sight of the Lord.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed. Done at the City of Washington this First day of November, in the Year of Our Lord One Thousand Eight Hundred and Eighty-Six, and of the Independence of the United States of America the One Hundred and Eleventh.

GROVER CLEVELAND.

T. F. BAYARD, Secretary of State.

The people of the Territory are requested to give heed to said proclamation and to respect and observe the day designated, in accordance with its terms.

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, this 15th day of November, A. D. 1886.

By the Governor,

CALEB W. WEST,
Secretary of Utah Territory.

First District Court.—The November term of the First District Court commenced at Ogden yesterday, Judge Henderson on the bench.

Timothy Parkinson was arraigned on an indictment charging him with unlawful cohabitation. The case was continued until Monday next.

Thomas Reed and William Hull were arraigned on a similar charge and pleaded not guilty.

James May, Hyrum Taylor, Soren L. Petersen, E. A. Box, George Chandler and F. T. Ellis, were called to plead to indictments for unlawful cohabitation, but were not present. They will be called for on Monday next.

Thomas Bullock pleaded guilty to the charge of living with his wives, in violation of the Edmunds law. He will be sentenced December 1st.

Myron W. Butler pleaded guilty to a two-count indictment charging cohabitation with his wives, and sentence was fixed for December 1st.

The indictments for unlawful cohabitation, in the cases of the United States vs. David M. Stuart and the United States vs. Wm. H. Pidcock, were dismissed on motion of the prosecution.

The case of The People vs. Jonathan Browning, interfering with water, was continued for the term.

Wm. Skeen was arraigned on a three-count indictment charging him with unlawful cohabitation with his wives. A motion to set aside the indictment because of an error in the date was overruled, and the defendant pleaded not guilty.

The case of The People vs. Susan Parry, perjury, and the United States vs. Lorin Farr, unlawful cohabitation, were set for trial on Thursday, Nov. 18, at 2 p. m.

The cases of the United States vs. Wm. Geddes, F. A. Brown, Thomas Reed and Wm. Hull, unlawful cohabitation, and Joseph H. Dean and John Bergen, polygamy, were set at the foot of the criminal calendar.

Wallace R. White was admitted to practice as an attorney before the First District Court.

The names of those summoned to serve as grand jurors were then called.

C. C. Richards, on behalf of James Martin, who is under bonds to await the action of the grand jury on a charge of unlawful cohabitation, challenged Alfred Berrett, W. M. Chapman, S. S. Schraun, Aaron De Witt, Wm. Farrell, on the ground that they were not eligible on account of having served as jurors within two years prior to this term of Court. After some time spent in examining the statutes Mr. Richards interrogated the jurors named and from each received answers that they had served on juries within the time named. The answers were admitted in evidence as the ground of challenge. The challenge was denied by Mr. Ellis and overruled by the court, the court holding that the statute was not a ground for challenge, but might be interposed as ground for exemption from service. In order to save time the same challenge was interposed in a number of other cases of the same kind as that of Mr. Martin.

Mr. Barrett was afterwards excused, as he had served as a juror within one year.

The grand jury for the term was then impaneled as follows, with Wm. Farrell as foreman; Pierce Quirk, M. M. Chapman, M. Buchmiller, S. S. Scramin, Wm. Farrell; Robert Snodgrass, W. H. Booth, Thomas Fryer, W. D. Goodwin, Rasmus Anderson, Aaron De Witt, James Hadfield, Jno. Anderson, Samuel P. Hall, and Philip Rank.

The Court charged the jury after the usual form, and the inquirers retired. The petit jury venire is returnable on Thursday, November 18, at 10 a. m.

PARDONED.

CHARLES W. HEMENWAY AT LIBERTY.

About three months since Charles W. Hemenway, then editor of the Ogden Herald, was sentenced by ex-Judge Powers, in a criminal action for alleged libel. He was confined in the Weber County jail until yesterday, when he was released, through the executive clemency of Governor West. The following communications show the reason for the Governor's action:

OGDEN, Nov. 8th, 1886.
Hon. C. S. Zane, Salt Lake City,
Utah:

Dear Sir:—Some time ago I troubled you with a note in which I procured a letter from Attorney-General Garland. My relatives in the east expected to get his opinion respecting a libel upon myself perpetrated in your honor's district. The matter has been delayed so long, however, that I presume it has been forgotten. I hope you will pardon me for once again inviting your respectful attention to my case. While I know you did not investigate the prosecution against me, yet the fact remains that I am undergoing imprisonment for having libeled your honor, and unless you intercede and recommend my pardon, few, if any, of those who would have influence with the executive can be induced to sign a petition in my behalf. When I was first imprisoned, many Gentiles of this vicinity expressed their sympathy, and I naturally judged from that that they would willingly sign a petition for my pardon, but I find that those to whom I apply do not care to intercede in my behalf until your honor has expressed satisfaction, lest their act in so doing

be construed into an endorsement of the libel upon you or be deemed offensive to your honor.

I have been in confinement over three months now. I had been in Utah only a few months when all these libel cases were brought against me, and I did not know personally a single soul of those whom I was accused of libeling. I simply printed what others told me, in good faith, and without actual personal malice. I have already paid a fine of \$1,000 in the case, and as a further consequence of my imprisonment, I am merely deprived of supporting my family, who, in consequence, are reduced to want. I hoped to make enough to support my wife and child by the publication of a book and at the same time repair the wrongs I may have inadvertently done yourself and others. But my agents have failed to secure enough subscriptions to justify the expense of publication. Now, if I cannot get released by gubernatorial pardon, my family must suffer the chief consequences, and on their account I again appeal to your honor's aid.

I respectfully submit that my punishment has already been sufficient. I was almost an utter stranger here when the libels were written, in the employ of others, who, though equally guilty before the law, have not been prosecuted. Considering my poverty, the fines that have been inflicted upon me were severe penalties, which I could only meet in the last case, when a fine of \$500 was imposed, by borrowing money, which still remains unpaid.

It is with great diffidence that I address you this letter. I know that it is presumptuous for a mere prisoner to address a gentleman in power with the expectation of receiving attention, but I am a stranger almost in Utah, and I cannot believe that you will regard it improper for me to apply for mercy to the party whom I wronged, though not with personal malice, the more especially since that party is in this case a Judge who can afford to be magnanimous. If you will recommend my pardon now, I feel assured that your friends in this city will do so with pleasure, and I will owe to you and to them the saving of my family from inexorable want. However, I would not have you do violence to your conscience. If your honor is convinced that the conservation of the ends of justice demand my further imprisonment under the circumstances, or that further punishment will benefit or reform me enough to justify the starvation of my family, all I would say is: Do your duty, and in that event or in any event I shall cherish toward your honor only the most cordial good will.

Very respectfully,
C. W. HEMENWAY.

Weber County Jail, Ogden, Utah.

This letter was forwarded to Governor West, accompanied by the following communication from Judge Zane:

To His Excellency, C. W. West, Governor:

Mr. C. Hemenway, the writer of the within letter, was convicted several months ago in the First District Court at Ogden of the crime of libel, and sentenced to pay a fine and to a term of imprisonment which he is now serving. I was not present at the trial and am not familiar enough with the facts to make a statement of the evidence. I have been informed that the libel was upon myself. I respectfully recommend the pardon of Hemenway.

Very respectfully,
C. S. ZANE, Judge.

Upon the letter of the applicant with this endorsement of Judge Zane, the pardon was granted at once, and the prisoner emerged from his cell a free man once more. The course taken by him is one with which he is alone the person to be satisfied; but that his punishment has been more illustrative of a vindictive than a just disposition, must be patent to all who know the facts.

THE ACADEMY.

PROGRAMME OF EXERCISES—THE PUPILS.

The organization of the Salt Lake Stake Academy was so far perfected yesterday that regular recitations were begun to-day in the Social Hall. There are 80 pupils in attendance, a number that taxes the present capacity of the building. They are divided into sections A and B, and these are subdivided into classes. All the students yesterday passed the examination requisite to admission, though there are a few of the larger ones who will require special instruction and preparation outside of school hours, in order to keep up with their classes. Following is the programme:

From 8:45 to 9 a. m. each day, open exercises, and from 12 to 1 intermission.
On Mondays, from 9 to 9:30 Bible Theology; 9:30 to 10 Composition, Language Lessons, A and B; 10 to 11 Arithmetic, A, B and C; 11 to 12 Fourth and Fifth Readers; 1 to 1:45 Penman-

ship; 1:45 to 2:15 Orthography; 2:15 to 2:45 Geography; 2:45 to 3:15 Natural History and Hygiene; 3:15 to 4 Drawing and Closing Exercises; 4 to 4:30 General Theological Repetition.

On Tuesdays, from 9 to 9:30 Book of Mormon Theology; 9:30 to 10 Language Lessons, A and B; 10 to 11 Arithmetic, A, B and C; 11 to 12 Fourth and Fifth Readers; 1 to 1:45 Penmanship; 1:45 to 2:15 Orthography; 2:15 to 2:45 Geography; 2:45 to 3:15 U. S. History; 3:15 to 4 Drawing and Closing Exercises; 4 to 4:30 Singing Class.

On Wednesdays 9 to 9:30 Catechism and Testimony; 9:30 to 10 Language Lessons A and B; 10 to 11 Arithmetic A, B and C; 11 to 12 Exercises in Pronunciation Fourth and Fifth Readers; 1 to 1:45 Specimen Penmanship; 1:45 to 2:15 Proof Reading and Orthography; 2:15 to 2:45 Map Drawing; 2:45 to 3:15 close General Theological Exercises.

On Thursdays 9 to 9:30 Bible Theology; 9:30 to 10 Language Lessons A and B; 10 to 11 Arithmetic A, B and C; 11 to 12 Fourth and Fifth Readers; 1 to 1:45 Penmanship; 1:45 to 2:15 Orthography; 2:15 to 2:45 Geography; 2:45 to 3:15 Natural History and Hygiene; 3:15 to 4 Drawing and Closing Exercises; 4 to 4:30 Domestic Meeting.

On Fridays, 9 to 9:30 Book of Mormon Theology; 9:30 to 10 Composition, Language Lessons A and B; 10 to 11 Arithmetic A and B; 11 to 12 Fourth and Fifth Readers; 1 to 1:45 Penmanship; 1:45 to 2:15 Orthography; 2:15 to 2:45 Geography; 2:45 to 3:15 U. S. History; 3:15 to 4 Drawing and Closing Exercises; 4 to 4:30 Singing Class.

The following is a list of the pupils now in attendance:

SECTION A.	
Mamie Whittaker,	Vernie Larkin,
Nellie Young,	Katie Schutt,
Clara Bockholt,	Edith Clark,
Leonora Cannon,	Mamie Clawson,
Katie Stagner,	Tamie Van Tassel,
Rose Walker,	Kenna Wilkison,
Mae Taylor,	Katie Campbell,
Annie Eardley,	Ruby Bassett,
Jennie Smith,	Mary Cannon,
Sarah McMurrin,	Dora C. Mercer,
Mamie Taylor,	Laura Hyde,
Edna Hyde,	Jos. Whitaker,
Minnie Barnes,	Brigham W. Maycock,
Clara Young,	Thos. Curtis,
Margaret D. Smith,	Arthur Iverson,
Mary Giltroy,	Arthur Sperry,
Luce Hardy,	Ralph Cutler,
Ida Copi,	Heber Sheets,
Gertie Young,	John Haverston,
Jennie Gray,	Nephil Hansen,
Frank Young,	Jos. A. Anderson,
Hugh W. Dougall,	Alex. Carr,
Richard J. Lambert,	Wm. Sears,
Hodney Badger,	Harry Jennings,
Edward Pettit,	R. Chamberlain Jr,
Nephil Morris,	Frank Crismon,
John Morris,	Leland Books,
Clarence Taylor,	Apollia Driggs,
John M. Knight,	Lorenzo Young,
Wm. Peterson,	Mary Morris,
Jacob Gann,	Edna Dwyer,
Sidney Crismon,	Mary Smilie,
Geo. W. Penrose,	Belle Armstrong,

SECTION B.

Samuel Warburton

John Gallacher



H. H. H. Horse Liniment puts new life into the Antiquated Horse. For the last 14 years the H. H. H. Horse Liniment has been the leading remedy among Farmers and Stockmen for the cure of Spavins, Bruises, Sore Joints, Spavins, Windgalls, Sore Shoulders, etc., and for Family Use is without an equal for Rheumatism, Neuralgia, Aches, Pains, Bruises, Cuts and Sprains of all characters. The H. H. H. Liniment has many imitations, and we caution the Public to see that the Trade Mark "H. H. H." is on every Bottle before purchasing. For sale everywhere for 50 cents and \$1.00 per Bottle.

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