

# **EVENING NEWS.** Wednesday, Oct. 15, 1890.

**LOCAL NEWS.**  
**The Caledonia Society.**—The members of the above Society are requested to meet this evening in the Shoe Factory, at 8 o'clock sharp. As business of importance will be presented, a full gathering of the class is requested.

**Ceiling Decoration.**—Mr. James Evans, carpenter of the Salt Lake Theatre has begun the erection of a scaffold in the interior of the building, in order to enable the decoration of the ceiling to be proceeded with. It is intended to make a fine piece of work of the ornamentation.

**Death of Bishop Ensign.**—We are enabled to publish the following dispatch:

St. George, Oct. 14th, 1890.  
 Prelate John Taylor, Wilford Woodruff and Erastus Snow.

**Bishop Marquis Ensign** died this morning at eight o'clock. He passed in peace. Funeral to-morrow at ten o'clock, at Santa Clara.

JOHN D. T. McALLISTER.

**Free Temperance Lecture.**—Mr. T. W. Glover, the noted temperance advocate, who is returning to England from Australia, has been persuaded to remain over in Salt Lake a few days and give a series of five lectures on temperance in the Theatre. The opening lecture will be given to-morrow evening at half-past seven o'clock. Admission free to all parts of the house. A crowded audience should greet the gentleman and give heed to his teachings.

**Reorganized.**—The Young People's M. I. A. of the Fourteenth Ward, met and reorganized last evening, with the following officers: President, C. Wilcox; Secretary, Geo. M. Cannon; Treasurer, Miles R. Taylor; Assistant Secretary and Treasurer, Chas. M. Cannon; Chorister, Thomas Butler; Assistant Chorister, Edwin E. Wilcox; Organist, Belle Morris; Programme Committee, Henry Elder, Jr.; W. Taylor, Lewis M. Cannon, Gertrude Brown, Aggie Campbell; Usher, John Clark.

**Opera House.**—Miss Rose Eytzinger and her excellent company repeated "Felicja" last evening to another medium sized house. This evening she appears in her great impersonation of "Leah." On Thursday evening "Leda Astray" will be presented, and on Friday night Miss Eytzinger will take a benefit, on which occasion she will play her favorite character of "Rose Michel." In addition to that splendid young actor Mr. John F. Malone, and the favorite, Horace Vinton, Miss Eytzinger will receive the support of Mr. Cyril Searle, who will make his first appearance in this city. A crowded house will no doubt greet this really great actress, and prove that our city appreciates genuine dramatic talent.

**The Joseffy Concert.**—Only a medium sized audience assembled to hear the great Joseffy at the Theatre last evening. But those present were mostly musicians who could appreciate the superior quality of the entertainment, though to some it may have been a little long and tiresome, not in duration, intrinsically, as it lasted but a little over an hour and a half, but in the abstruse character of most of the pieces rendered. One thing certain, however, it fully sustained Mr. Joseffy's high reputation as a piano player. Power, sweetness, brilliancy, delicacy of touch and marvelous execution were all portrayed by this master of the instrument, and to those who could appreciate his music it afforded an evening's enjoyment never to be forgotten. It was a pity more were not there to be delighted. Joseffy made four appearances, and played sixteen pieces, and performed with twice and Mr. Van Praak played a cello solo, both of them being encored. The piano used was a Steinway, which accompanies Mr. Joseffy on his travels.

## **TERRITORIAL ITEMS.**

**CULLED FROM LATEST EXCHANGES.**  
 —The total valuation of bullion shipments from Butte last week was larger than usual.  
 —It is safe to estimate that there are fully a thousand gold hunters in the Little Rocky region, M. T.  
 —It is stated that about 4,000 Indians who were fed at the Poplar Creek (Montana) agency a few years ago, there are only 1,500 now remaining.  
 —Some little excitement was caused at Cliff, Idaho, on the 4th inst., by an attempt to cut down one of the citizens with an ax by a party in a slight dispute that occurred there. The man got an ugly gash in the side of the neck, which, however, if care be taken, will not prove dangerous. The assaulting party is now under arrest.  
 —One of the most remarkable accidents on record happened on the U. & N. on Monday. The passenger train when going north, and when about five miles north of Camas and running about 30 miles an hour, struck a broken rail, the sleeper and one coach (each of which were well filled with passengers) were thrown from the track and on to their sides, badly wrecking both cars, and strange as it may seem, not one of the passengers was injured beyond a few "light bruises."

—A few days ago Mrs. E. S. Chase, of Wood, from an up-town produce dealer, and while preparing them for dinner discovered small, bright particles sparkling in the water. The fact was made known to her husband, who immediately instituted an examination of the contents of the pan, and found several large flakes of gold were found. Mr. Chase then "cleaned up" the washings from the potatoes and took the result to an assay office, where it was found to be very pure gold, and worth fifteen cents. The question that now agitates the heads of many is, where those potatoes raised?

## **PERSONAL.**

Mr. Max Richbaum, of Chicago, who is here on business, made up pleasant call to-day. He expects to start this evening on the return trip. Professor Rafael Joseffy, the great pianist, accompanied by Dr. J. M. Benedict, made a brief and pleasant call at the News Office this afternoon, and left to catch the west-bound train, in order to convey him to San Francisco. Bon voyage.

## **THIRD DISTRICT COURT.**

Proceedings before Chief Justice Kane, Tuesday afternoon October 15th, 1890.  
 People, et al., vs. O. E. Trojan, assault to murder; verdict of jury, guilty of assault with a deadly weapon, with intent to do bodily harm. Resolves set for Friday, October 17th.  
 People, et al., vs. Elmer Graham, et al., battery; each defendant arraigned, plea not guilty, with leave to withdraw \$500 each.  
 United States vs. Rudger Clawson; polygamy case called, empaneling of jury in progress.

## **THE CLAWSON CASE.**

PROCEEDINGS TO-DAY IN THE TRIAL FOR POLYGAMY.

At the opening of the District Court at 10 o'clock this morning, the case of the United States vs. Rudger Clawson, indicted for polygamy, was called, and proceedings in the trial of the defendant commenced. The names of witnesses summoned were read out by the clerk, and those present answered as named. Lack of space precludes the publication of the list. Suffice it that they constituted a grand array, and that the jurymen aided by a large color emblemage were in full blast immediately from the reporter's table, was sufficient to create a sense of general suffocation. Every seat was taken, and every table as well, the latter being filled with attorneys and other privileged characters. The bar, whose dancing gings kept time to their owner's own sweet thoughts, as the golden moments of our reporter's leisure trickled rapidly into the ocean of the eternal past.

An hour went by. The clerk then called the names of the following petit jurors, from which an attempt was made to empanel the trial jury: Geo. M. Turpin, George Hill, Wm. C. Winder, E. W. Loder, Ormus E. Bates, George W. Earl, Thomas Sappington, M. W. Davis, David Archibald, G. M. Forbes, D. C. Root, and F. Woodman. Mr. Woodman being absent, Carl C. Amussen was called. The twelve who were present walked into the jury box as their names were mentioned, and were sworn on their *voir dire*, after which the statutory questions were put to each of them by Mr. Harkness of the counsel for the defense. All were passed for general qualifications, and Mr. Harkness then put the usual questions as to the merits of the case, preconceived notions, bias, etc., and the jurors were all passed for competency. Assistant U. S. Attorney C. S. Varian then assumed the role of interrogator, and propounded the inquisitorial questions: "Do you believe it is right for a man to have more than one living and undivorced wife at the same time? Do you believe it is right for a man to live in the practice of cohabitation with more than one woman at the same time?" George M. Turpin, answered the first question affirmatively and was challenged; the challenge was denied by the defense, allowed by the Court and the juror was excused. Geo. E. Hill was also questioned with the same result. William C. Winder declined to answer, and was asked if he did so on the ground that his answer would tend to criminate himself? He answered no, and Mr. Varian then read the section of the Edmunds law bearing upon the challenging of jurors. He then asked the juror if he was challenged for cause and he was excused. E. W. Loder answered no to both questions and was passed. Ormus E. Bates and George W. Earl both declined to answer and were challenged and excused. Thomas Sappington was called to the first question, which awakened no little surprise and some amusement, and on its being repeated to him, digressed in his chair and said, "I said yes, I believe it all right." The crowd laughed and the prosecuting attorney heaved a sigh of relief. The juror answered the second question the same way and was passed. M. W. Davis was passed, having answered the questions in the negative. David Archibald, on being plied with the questions, turned to the Judge and with a marked Scotch accent said: "Your honor, am I here to be tried for my belief?" Sensation, laughter and applause. Judge Kane (very red in the face, and snapping sharply for order): "Answer the question."  
 "Well," said the witness, "I believe the ancient patriarchs and prophets."  
 "We don't care anything about that," broke in the Judge, "answer the question."  
 "Well," argued the witness, "I say the ancient patriarchs."  
 Again he was interrupted and asked to answer the first question.  
 "Your honor, I believe it's a revelation of God to the Latter-day Saints, that they are required to obey."  
 Challenged and excused.  
 G. M. Forbes, a non-Mormon, declined to answer, which somewhat stumped his questioner. On being asked if he had conscientious scruples, he replied that he did not think the question was put in such a shape that one could properly answer it by yes or no. He was asked to explain, and did so by saying that he was asked if it was right to violate a law of the United States, he would answer no; but he did not feel disposed to answer the question as it was propounded.  
 "Do you mean that you do not consider such things morally wrong?" asked Mr. Varian.  
 "If not necessarily mean that."  
 "You mean that it would depend more upon the law than upon moral grounds?"  
 "I do."  
 He was then told that there was a law against polygamy and plural cohabitation, and then answered that he did not think it right to violate the law.  
 Passed.  
 D. C. Root negatived both questions and passed. Carl C. Amussen answered yes to both questions and was challenged and excused. This left five jurors out of twelve called. They were sworn, after a rather long discussion by the counsel on both sides, upon some technicality regarding the challenging of jurors.

The clerk then called the following names of jurors, whose names were called into the box: Silas Pack, Louis Orville, Jacob H. Jensen, George Hardman, George W. Richmond, Chas. Gilmore and Benjamin Green. They were sworn on their *voir dire*, and were then put to general qualifications on questions put by the defense, but in the inquisitorial process by the other side, all but two were excused for admitting a belief in the rightfulness of polygamy, or declining to answer; these two were Gilmore and Richmond, who answered in the negative were passed. Louis Orville again being a "Mormon," but stating that he did not believe it right for a man to have more than one living and undivorced wife, or to live in the practice of cohabitation with more than one woman, at the same time. He also said he believed in upholding the laws of his country, and knew of nothing that would prevent his giving a fair and honest verdict in the case, on the evidence to be presented. But he was peremptorily challenged and excused, the prosecution using its legal prerogative (for three such challenges) in his case.

Gilmore and Richmond, the latter of whom posed heroically for effect in answering that "the laws of his country made polygamy a crime, and he believed in upholding them first, last and all the time," were then sworn, thus making seven jurors entitled to places in the panel.

The court then took recess till 2 p.m. Promptly at that hour the court resumed and proceedings were resumed. Juror Davis being fifteen minutes late, kept the court waiting, and received a slight reprimand as the clerk. He then called the foreperson. The foreperson, F. Woodman, Joseph H. Proctor, William G. Neal, William H. Hays and D. W. Scribner. Of these, Mr. Proctor was

excused for admitting a preconceived opinion as to the merits of the case, and Mr. Neal for admitting a belief in the rightfulness of plural marriage, when properly regulated. The others were passed and sworn. J. J. Farrell, whose name was last one left on the panel, was called and took his seat. Wm. Smith and James Cullenan, two jurors for whom bench warrants had been issued, had not appeared, one being in Alta and the other at Farmington. As the passing of Farrell, even if effected, would give but eleven jurors on the panel, an adjournment was necessitated until 10 o'clock to-morrow, to give time for Smith and Cullenan to arrive. This was done accordingly. The question is now, in the event of but one, or neither of the three remaining jurors, being accepted, and the peremptory challenges all being made, will the Court cause an open venire to issue?

## **CITY COUNCIL.**

Proceedings of the City Council, Tuesday evening, October 14th, 1890, Mayor Sharp presiding.  
**PETITIONS.**  
 F. Auerbach & Bro. asked the use of a portion of the public street opposite 148 S. East Temple Street (the old Patton & Boyan premises) and also in front of 67W Second South Street, next to the Eagle Foundry, for a period of sixty days, the occupancy of a portion of these streets being found necessary for the construction of a new building, repairing the old one, etc. Granted under the usual restrictions.  
 Erasmus Snow asked that the Nineteenth Ward water ditch be fenced where it runs above his new house. A petition signed by the committee on irrigation. Referred to the committee on irrigation.  
 A petition from Edward Benner, T. R. Jones and John T. Lynch, comprising a committee of the trustees of Salt Lake Acad. my, was read. It asked that the trustees be allowed to place a public drinking fountain at the outer edge of the sidewalk on Third South Street, immediately in front of Hammond Hall, and that a continuous supply of water be granted through the main line of charge, to supply said fountain. The petition was received and granted.  
 A petition signed by A. Millett, Misser and 147 others representing that there was no public place in the south-eastern part of the city upon which to play ball and indulge in other exercises and that complaints were frequently made by citizens because the streets in that part of the city were used for that purpose. They asked that a portion of the south-eastern part of the city be set aside for public use as recreation grounds. Referred to the committee on public grounds.  
 Andrew H. Case petitioned for renewal of his lease of Tenth Ward public grounds for the year 1891, on the same terms as heretofore, viz.: \$125 per annum. Referred to the committee on public grounds.  
 A petition from Dr. John R. Park asked that one of West's maps of Utah which he understood the city would soon be in possession of, be donated to the Desert University; also that a copy of Sloan's map of the Territory of Utah be donated to that institution, as both were much needed.  
 Mr. Clark moved that the petition of Dr. Park be received and referred to the Mayor, to exercise his discretion in the matter. Carried.  
 E. M. Reynolds represented that his new map of Utah would soon be completed. That it was drawn to a scale of eight miles to an inch, mounted on cloth and rollers and would show all the public land surveys to date, county boundaries, cities, towns, settlements, railroads completed and projected, and would also be a mineralogical, geological and topographical map of the Territory, and would possess every feature that goes to make a map valuable. It would contain much material not made use of by any other publisher. He proposed to devote a similar space upon the lower margin to that upon his former map of Utah, for a revised plat of Salt Lake City, and in consideration of extra expense incurred in so doing, desired an appropriation of \$150, for the purchase of twenty-five copies of his map, which would be at the rate of \$60 per copy; retail price \$8 each. Referred to the committee on finance.  
 Renewal of liquor license was granted to L. L. Duncan, P. Tompkins and Geo. Whitcomb, and a new license to the California Wine Co., J. Woolf and Co.  
 The committee on public grounds reported that the assessor's map of the relative to lot 3, block 7, plat D, were correct, and that having failed to file at the proper time, and having no adverse claimant, they recommended that the Mayor issue a deed to plat on payment of proper charges. Adopted.  
 The committee on police, having reported that the assessor's map of the relative to lot 3, block 7, plat D, were correct, and that having failed to file at the proper time, and having no adverse claimant, they recommended that the Mayor issue a deed to plat on payment of proper charges. Adopted.  
 The committee on finance reported that they had examined the statement of Alderman Spier of the police department for August, and recommended that it be filed. Adopted.  
 The committee on finance, to whom was referred the petition of Joseph A. West, of Ogden, asking the city's patronage for his new map of Utah, etc., reported that in their opinion such as the one described in the petition of Mr. West, would be a valuable addition to the city's collection of maps, and would supply a much needed want, recommended the Mayor to purchase the map at the price named in the petition. Adopted.  
 The committee on license to whom was referred the petition of Mrs. Mary Tobias, asking permission to run a small grocery business free of license, reported that she had been licensed for a period of six months. Adopted.  
**MISCELLANEOUS.**  
 The following amendments were appropriated:  
 To Davis, Howe & Co., for 20 street lamps, at \$17, \$340.  
 To the contingent fund for the Supervisor of Waterworks, \$500.  
 To the contingent fund of the Chief of Fire Department, \$100.  
 To the contingent fund of the Supervisor of Streets, \$100.  
 Mr. John W. Young being present, stated that the engineers of the Salt Lake & Fort Douglas Railway had finished a profile of the location made on the street traversed by the road. He asked leave to introduce the same for the consideration of the Council. The profile was thereupon received, and on motion was referred to the committee on streets and alleys, with the Mayor associated. Adopted.  
**Funeral.**—The funeral services over the remains of John Bruce, the young man who was killed Monday afternoon by the upsetting of his load of wood in Emigration Canyon, were held in Sugar House Ward at 1 p.m. yesterday afternoon. There was a thronged meeting and the remarks of the several speakers were of a nature to console and instruct, and were listened to with rapt attention. Those who addressed the meeting were Patriarch Lorenzo D. Young, Bishop George Dunford, Elders Loughead, Dee, and Bishop Apollo Driggs. The interment took place in the City Cemetery.

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## **BUSINESS NOTICES.**

**WANTED PROMPTLY.**

Bids for 24 cords limestone rock, 10,000 good bricks and 20,000 good adobes.

Sandberg, Burton & Gardner. Manufacturers all kinds of spring beds.

Dr. Murphy, with his Herbs and Roots, has removed his office to the Old Constitution Building.

**WHOLESALE CLOTHING BUYERS.**  
 Will find the largest and best selected stock of men's and boys' clothing, manufactured by myself and expressly for this market, now ready and offered to the trade at lowest eastern wholesale prices. A full line of hats, boots, gents' furnishings, goods, blankets, quilts and gloves direct importations from the manufacturer, which I will sell to the trade at lowest prices. Orders promptly filled. L. GOLDBERG.

## **TAILORS WANTED.**

Some first-class pants and vest makers can find employment at Buckle & Sons' tailoring establishment, No. 233 Main Street, opposite Walker House.

## **EYE AND EAR.**

Dr. Ira Lyons, 24 W., 3d South St.

Orders for Weber Coal from Home Coal Company taken by Telephone either by H. Dinwiddie or at yard. (Yard telephone No. 300.)

BUELL'S Patent Adjustable Bed Springs, manufactured and for sale at No. 63 W. First South Street. Call and see. BUELL & ROBERTS.

## **CONNECTION FIELD PUMPKINS.**

For six dollars per ton delivered within the city limits in quantities of not less than one ton, but prefer hauling thirty-hundred to each load. Leave orders with James Shelmire, line city weigh master at Washington Square.

## **DWYER'S BOOK STORE.**

Just received, a large assortment of

Alphonse Chamber's Encyclopaedia, Writing Desks, Autograph Albums, Toys, Dolls and Children's Plush Pursuits, Ladies' Sewing Machines, and Educational Supplies at Dwyer's, at very low prices.

## **NIGHT SWEATS.**

Headache, fever, chills, malaria, dyspepsia, cured by "Wells' Health Renewer." \$1.

## **CAUTION.**

George Manwaring is the only agent authorized by us to sell the "New Adjustable Spring Bed" in this city. We warrant this to be the best spring bed in the market, and to give satisfaction. We are not responsible for the cheap, inferior springs scattered over the city by others.

— ALSO THE —  
 Celebrated Marysville and San Jose, Cal., White and Colored FAMILY BLANKETS, IN GREAT VARIETY.

## **The Pavilion Skating Rink.**

The proprietors of this popular place of amusement have retouched their splendid floor, renewed their large stock of skates, changed the house band and open their doors to the public on Wednesday evening at 7 o'clock.

Special care will be taken to see that no improper, objectionable or disorderly conduct is indulged in. The rink will be as free from all annoyance and unpleasant associations as they would be in their own parlors.

Three sessions daily: From 10 to 12 in the morning, 2 to 5 in the afternoon and 7 to 10 in the evening.

## **GLOBE BAKERY.**

Go to the Globe Bakery for your holiday Cakes, Cakes, Fruits, etc. They can make and bake anything at low prices.

Sandberg, Burton & Gardner. Repair all kinds of woven wire mattresses.

## **"ROUGH ON PAIN" PLASTER.**

Porous and strengthening, improved, the best for backache, pains in chest or side, rheumatism, Neuralgia, etc. Drests or ointment.

## **HIGHEST CASH PRICE.**

Paid for fresh fruit at DUNST & VAN HORN.

## **Line in Baking Powder.**

Prof. R. A. Witthaus, M. D., Medical University, Buffalo, N. Y., who is the highest authority, says that "Calcium Tartrate (improperly called Tartaric Acid), advertised as the line found in Baking Powder is derived from the wines that produce Cream of Tartar. It is a constituent of the grape and other fruits, and is absolutely harmless."

## **FOR SALE.**

A fine lot of Eastern Bucks, thorough bred and graded Merino will be here 20th of September, cheap for cash.

dsaw lm Geo. NAYLOR & SON.

## **MISS MARTHA MELLON.**

Desires to inform her many friends and the public generally that she has commenced business for herself, and she is prepared to furnish and make to order the latest and best styles of hair work. See can be found at Mrs. B. Long, 10-12, 20-22 Main Street, Salt Lake City.

Home made and imported turpentine at Sandberg, Burton & Gardner's, opposite 2. C. M. I.

Mr. George Dunford informs us that it is 30 years ago this month that he brought his first stock of merchandise to this city, and that he is better able to supply the people with Boots, Shoes, Hats, Caps and Gents' Furnishings than ever before, and we advise his numerous friends to call and see him.