

The apology in behalf of *District Attorney Dickson* is simply distressing, and strictly in keeping with the bolstering up of persons "known to be truthful men," who are accused in the same breath of stuffing an unsophisticated editor with big stories in which "there is just enough truth" to make them "all seem plausible."

#### REPUBLISHED BY REQUEST.

In consequence of the present anti-"Mormon" crusade, the popular interest has been greatly revived in the Edmunds Act, and we comply with a very general desire in re-publishing it today.

We are pleased to note so general a wish to examine this law so as to be fully informed not only in regard to its nature, but, by comparison, to become posted in regard to the methods by which it has been and is twisted by partisan officials.

An effort is constantly made by the local anti-"Mormon" clique to make it appear, on the outside, that it is the class of cases described in the first section, that are now being worked up, which is not correct. The field in that line has been discovered to be strikingly barren, and therefore the main assault is being made under cover of section three—unlawful cohabitation. The most rabid anti-"Mormon" would not attempt to deny that that offense is common among non-"Mormons," because if he were to do so he would be subjected to ridicule from his own side. Yet the raid is made exclusively upon "Mormons." The latter have been subjected to a debased system of "spotting" and espionage, by hired informers, while not the shadow of an effort has been made to discover non-"Mormon" offenders against section three of the Edmunds Act. While honorable men are relentlessly pursued for associating with wives with whom they have lived for perhaps a score of years and raised families, "Gentiles" who are guilty of sensual crimes are left undisturbed to their immoral practices. We care not who the man is, or what his views may be, if there is a spark of manhood in his composition the anti-"Mormon" raid and its operators must be viewed by him with ineffable disgust.

The administration of this law has been characterized all through by the grossest partisan perversion. While "Mormons" have been put through a most searching catechization with regard to their belief and practice when their qualifications for sitting as grand and petit jurors was under investigation, non-"Mormons" have frequently been allowed to slip through as if oiled for the occasion, the lubricating material consisting of anti-"Mormon" bias.

The same distinction has marked the partisan application of the Edmunds Act in regard to qualifications for holding office and voting, the registration oath, illegally prescribed by the Utah Commission allowing all who have violated the third section of the law outside of "The marriage relation," unrestricted privileges.

#### LOCAL NEWS.

FROM FRIDAY'S DAILY, FEB. 13.

**A Mild Winter.**—The winter thus far in Bear Lake has been the mildest experienced there for a number of years. As a result, the stock almost invariably look well, and there is no lack of feed to serve for the balance of the season.

**A New Ward.**—A new Ward was organized at Trenton, in Cache Valley, on the 8th inst. James B. Jardine, son of Bishop Jardine, of Clarkston, being chosen and sustained as Bishop, and Andrew McCombs and Wm. J. Griffiths as Counselors. Andrew Grey was also selected as clerk.

**Returned from India.**—Elder Wm. Willes, who went some months since on a mission to India, arrived in this city on his return yesterday morning. The Elders who accompanied him still remain in their field of labor. Elder Willes will preach to-morrow evening, in the 20th Ward meeting-house, the services to commence at 6:30.

**Alpine Election.**—Returns have now been received of the municipal election held in Alpine on the 9th inst., showing S. W. Brown to have been elected as mayor; R. E. Booth and Stephen Moyle as aldermen; W. J. Strong, Albert Marsh and Fred Beck as councilors; James W. Vance as recorder; F. C. Clark as treasurer; Wm. Eastwood as marshal, and Thomas F. Carlisle as assessor and collector. We are indebted to the courtesy of Secretary Thomas for these returns, as also for the others already published.

**A Liquor Case.**—Most of the time of Judge Boreman's branch of the District Court to-day has been occupied by arguments of the counsel on both sides in the case against Hannah Brightmore, who keeps a dram shop at Grantsville. About a month ago she was sentenced by the authorities of that city to a \$100 fine and 120 days imprisonment for selling whisky without a license. Her clerk, one Honey, for doing the same thing, was given \$100 and 100 days, and both have been in jail ever since. The woman was brought to this city last Wednesday on a writ of *habeas corpus*, and has been awaiting trial ever since. Judge McBride represents the prisoner, and Hoge & Burmester the city officials.

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**Another Forger Sentenced.**—Albert Kershaw, who was indicted several months ago on two charges for forging D. & R. G. time checks, and who has been in the custody of the Marshal ever since, appeared in the District Court this morning and entered a plea of guilty in both cases. He begged the Judge to take into consideration, in fixing the sentence, that this was his first offense, that he had served his country faithfully as a soldier for about three-and-a-half years, that he had previous to this act held sacred many positions of trust, and had borne a good character; and, last though not least, he had already served some 8 months in the penitentiary subject to the same rules and treatment as persons already convicted. He, therefore, prayed that the penalty of this crime be made as light as the statute would allow.

Judge Zane, after questioning the defendant closely regarding the affair and tendering him some good if not timely advice, sentenced him to one year's imprisonment on each charge—two years in all.

**From Bear Lake.**—From President Wm. Budge, just down from Bear Lake Valley, we learn that the Saints in that region are by no means discouraged, notwithstanding the atrocious legislation recently enacted against them by the rabid anti-"Mormon" law-makers of Idaho. They have not become alarmed and abandoned their homes yet, nor are they likely to do so. Their cows continue to calve and their poultry to lay, and the thrifty housewives keep on marketing their butter and hen fruit just the same as if those solons had not met. In fact, no one would suppose, to pass through the Bear Lake settlements and notice the cheerfulness, tranquility, and thrift apparent on every hand, and the preparations being made to plow and plant and continue to raise stock and engage in manufacturing, that they were the people so lately proscribed by the thunderbolts of laws hurled by the Idaho Legislature.

**Wasatch County.**—We had a call from President Abram Hatch, of the Wasatch Stake, last evening, who reports all quiet in his diocese. Cash is very scarce there, and not much sale for farm products: flour is selling as low as \$1.50 per 100 lbs. The result is, most of those who can afford to do so, are holding on to their grain. There is no suffering among the people for want of food, though some are obliged to curtail their wants in other directions. There is no scarcity of feed for stock, and the animals kept up generally look well. The people of Provo Valley never think of wintering stock on the range in that region, but they have about 16,000 head being herded in the eastern part of the county, where the snow never falls to any great depth, and where they are doing unusually well this winter. The snow is now about twenty inches in depth on the level in Provo Valley, and doubtless much deeper in the mountains, though it is not generally thought in that region that so much has fallen yet as did last winter.

**Court Proceedings.**—In the cases of the United States vs. Agnes McMurrin, Royal B. Young, and Angus M. Cannon, on the charges before mentioned in the News, the defendants came into court this morning and pleaded not guilty.

In the case of Edward Robertson vs. L. R. Cropper et al., the demurrer to the answer was overruled.

The case of Nettie G. Powell vs. A. T. Powell was referred to P. Denney to take testimony and report.

In the two cases of the People vs. Albert Kershaw, for forgery, the defendant pleaded guilty and was sentenced to one year's imprisonment for each offense, the second term to commence at the expiration of the first.

#### JUDGE BOREMAN'S COURT.

The demurrer to the complaint in the case of J. A. Truelson vs. J. J. Snell et al., heretofore submitted was overruled, an exception taken, and 10 days allowed to answer.

The motion to strike out part of the answer in the case of Wm. White et al. vs. Joseph Haywood, heretofore submitted, was sustained, and 10 days allowed to amend it. Exception was taken.

The demurrer in the case of Marian Merrill vs. M. H. Davis was sustained, and an exception taken.

M. H. Pope vs. J. W. Mason. The default was set aside, and defendant allowed 10 days to answer.

N. C. Thompson vs. R. Warnock. The motion to strike out part of the answer was withdrawn, and the defendant is allowed until the 18th inst. to file amended answer.

#### THE HORN SILVER CAVE.

CONSIDERABLE EXCITEMENT ON THE STREET

Rumors were afloat on the street today to the effect that the Horn Silver mine had caved in and several men had been killed and others severely injured. A reporter called at the Company's office and met Mr. Walker, who handed him a letter, which is all that has been received. The following is a copy:

FRISCO, Utah, Feb. 12th, 1885.

Mr. Walker:

The long dreaded and expected cave in the mine came last night, fortunately hurting no one. What damage it

has done I cannot yet tell. I refuse to allow any one upon the levels where any loose ground is.

The surface ground has been working all along. The snow and rain storms have helped it, and last night at midnight the surface settled, and the jar or concussion caused a cave on the sixth level and so shook up things that the shaft has pinched the cages fast.

I find the seventh level all right this morning, and the damage may not be very great, but I can tell nothing at all about it. When things settle we will examine and see what we can do, but we have had so much trouble from the broken and caving surfaces, and it is so difficult and expensive to do anything in our soft hanging walls, that I may decide to abandon this shaft and discontinue hoisting ore until we can get up bins and arrange to take it out of shaft No. 3. I have spent too much money trying to hold up this shaft already.

The engine and galleys frame have not suffered at all. The boilers have settled, not enough, however, to break the steam pipes. No damage whatever about the new shaft or new machinery.

Yours, etc., H. C. HILL, Manager.

#### WEATHER REPORT.

PER DESERET TELEGRAPH LINE.

Franklin, Idaho—Storming very hard, and wind blowing a gale.

Richmond, Utah—Snowing, drifting, therm. 32. Snow on level about one foot deep.

Smithfield—Snowing, drifting. South wind therm. 30 above.

Logan—Snowing and drifting from south. About 5 inches snow on ground. Brigham—Snowing and drifting. South wind, therm. 30, snow about 11 inches.

Ogden—Snowing little, about 12 inches snow on level.

Kaysville—Cloudy and cold, strong south-east wind, not drifting.

Provo—Cloudy, snow about 10 inches deep.

Payson—About 2 inches snow on ground, clear, cold north wind.

Nephi—Snow 12 inches on level, cloudy and mild this morning.

Mt. Pleasant—Snow about 6 inches deep, cloudy and cold.

Manti—It is fine and clear, some snow.

Spring City—Snow about four inches deep, cloudy, appearance of more snow.

Guntison—Snow about four inches deep, sun shining.

Silver City—A foot or more snow fell Wednesday, cloudy this morning.

Monroe—Clear, cold, about three inches snow.

Fillmore—Cloudy, snow about five inches deep.

Moroni—Snow four inches deep, cold and cloudy this morning.

Beaver—Cloudy, snow about two inches deep.

St. George—Clear and pleasant.

Hebron—Ground bare, pleasant days, cold nights.

Pioche, Nev.—No snow, hazy and mild.

Glenwood—About three inches snow, cold and cloudy.

Frisco—Clear, no snow now.

Deseret—No snow, but cloudy.

Spanish Fork—Cloudy, about four inches snow.

D. AND R. G. W. LINE.

Ogden to Clear Creek—Cloudy and calm.

Soldier Summit—Cloudy, strong north wind.

Coalmine—Blowing and drifting.

P. V. Junction to Grand Junction—Clear and calm.

Bingham—Threatening to storm, snow six feet on level and drifts 30 feet deep.

Wasatch—Cloudy and threatening, three feet of snow on level.

Alta—Six feet of snow fell since Wednesday.

ALONG THE OREGON SHORT LINE.

Granger to Montpelier—Snowing hard, high wind, drifting badly, thermometer 32 above.

Montpelier to Pocatello—Snowing, high wind, drifting badly over the entire district; snowing hard at Squaw Creek; thermometer 22 above.

Pocatello to Shoshone—West wind, 34 above.

Shoshone to Medbury—District clear, calm, mild, 42 above.

Medbury to Huntington—Cloudy, light wind, 28 above.

Shoshone to Ketchum—Partly cloudy, cold west wind.

FROM SATURDAY'S DAILY FEB. 14.

**Arrest of a Robber.**—To-day John Cohn stole a number of silver-plated spoons from Lowe & Clasby, near the Opera House. He was arrested on his way to the railroad depot by officer Salmon. The same thief stole a couple of diamond rings from Swann Bros., a few days ago. All the stolen property has been recovered.

**He is a Citizen.**—An article appeared in a newspaper a day or two ago to the effect that Charles H. Roberts, who was elected Marshal of American Fork, was not a citizen. We were to-day shown a letter by Secretary Thomas, signed by W. G. Higley, deputy registrar officer, for American Fork precinct, stating that Mr. Roberts is a citizen, and has produced his naturalization papers.

**Of Interest to Pensioners.**—Order for medical examination for increase of pension have been received from the Interior Department in this city

for John McCarthy, private Co. E 48 N. Y. Vols.; Wm. Dykes, private, Co. R, 1 Wisconsin; and Ebenezer Lander, private, Brown's Co., Mormon Battalion.

By calling on E. M. Bynon they will be advised how to proceed.

**Sentence Suspended.**—When the case of George Pettit, charged with robbery, came up in the District Court this morning, the defendant, a young man of about 18, withdrew his plea of not guilty and pleaded guilty to petit larceny. From the evidence it seems that the amount stolen was only \$7, and that he was scarcely responsible for the act when it was committed. He is a weak minded person, and the circumstances under which he committed the theft were not of such a nature as to throw much blame on the defendant. He is an orphan and several testified to his former good character. The sentence was therefore suspended and the defendant liberated.

**The Crismon Case Dismissed.**—By reference to the minutes of to-day's court proceedings it will be seen that the case of Salt Lake County against George Crismon, was dismissed on motion of Judge Snow in behalf of prosecution. This, however, does not end the suit. One of the primary objects of the prosecution was defeated when Judge Twiss dissolved the writ of restraint upon some \$12,000 in county warrants held by the bondsmen. The case as originally entered was in such a shape that a decision in equity could have been obtained; but it will now be entered on its legal bearings only, and the decision, whatever it may be, will be based strictly upon the bearing the law has upon it.

**Robbed in a Saloon.**—James Sullivan came down from Ogden this morning, and was at the City Hall when a reporter called and heard Sullivan tell the following story: "Between daylight and nine o'clock Thursday morning, while I was asleep and under the influence of liquor in a saloon, in Ogden, a man and boy took \$35 in bills and some loose change from my pockets and told the bar tender they were friends of mine and would take care of the money until I sobered up. When I awoke I discovered that my money was gone, and asked the proprietor of the place if he knew who had taken it. He described the men to me and I started at once in search of them, but as yet have been unable to find them. I learned from some parties in Ogden that the men had been seen with the money near the depot and that they had purchased tickets for Salt Lake, via the Rio Grande."

The police have a description of the men, and are watching for them to put in an appearance.

**Lost in the Snow.**—A party of nine men with teams, in the employ of Bishop D. B. Brinton, have been snowed in at Mill D, in Big Cottonwood Cañon for some time past, and as their provisions were almost entirely exhausted and the snow continued to increase, they concluded to make a desperate effort on Wednesday last to break the road and work their way down the cañon. One of the party, an old man by the name of Thomas Elsey, remained at the mill to cook some provision and follow on after the other eight men, who started with the teams to break the road. He was expected to overtake them by noon on that day, but he has not been heard of since, and fears are entertained that he was caught and buried in an avalanche. The balance of the party had great difficulty in making their way out of the cañon, and did not succeed in doing so until Thursday, although men were sent from the settlement to assist them; and even then they had to abandon their wagons and follow down the bed of the creek to reach the valley.

A good deal of concern is felt for the safety of Elsey, although some are inclined to think that he is still safe at the mill. He has lived with the family of C. N. Bagley, on Big Cottonwood, for a number of years, and is a bachelor.

Efforts are being made to reach him, whether alive or dead.

**Personating Officers.**—The case of Ellis Sargent has attracted considerable attention for the past day or two, owing to the fact that he has been detained by two men, Messrs. Mix and Baldwin claiming to be officers from Colorado, without any apparent warrant of law until yesterday, when application was made to Judge Zane for a writ of *habeas corpus*, with a view to the release of Sargent.

Then the Messrs. Mix and Baldwin produced a requisition from Governor Eaton, of Colorado, on Governor Murray, but the latter, not seeing his way clear in the premises, began an investigation of the matter, after which he decided not to issue the necessary papers for the return of Sargent.

His reason for thus deciding was that he had received official information that the men who were attempting to take him were not duly authorized officers; in fact, that the real name of the man who represented himself as Sheriff Baldwin was Harty. It seems now that he seized Sargent through getting possession of a dispatch sent here from Mr. Waltz, chairman of the County Commissioners of Custer County, Colorado, directed to Sheriff A. T. Baldwin, telling him that a reward of \$500 was offered for Sargent, whom he wished to be held until he arrived in Salt Lake, his intention being to start the next day.

Hardy took the cue, and in company with Mix, seized Sargent, doubtless

with the view of squeezing \$1,000 out of him, which he could only hope to do by frightening him. Since his little game was discovered Harty is making himself scarce. Mix was about town looking for him this afternoon to get \$25 to pay for the rent of the room and board while they had Sargent confined.

According to Sargent's statement he has no reason to fear being taken back to Colorado, as the charges against him are merely of a technical nature. It is claimed, however, that while Treasurer of Custer County, Colorado, in the year 1882, and charged with the duty of collecting county taxes, he received from certain persons taxes which he failed to account for, and for which he was indicted at the September term, 1884, of the District Court of the Sixth Judicial District of the State of Colorado. Sargent left the State of Colorado about eight months ago, and remained undisturbed until last Friday, when he was seized by the two men as already related.

Sargent is now in the custody of a deputy marshal, and Governor Murray has communicated with Governor Eaton, of Colorado, who promises to find out from Commissioner Waltz and let him know the contents of the telegram said to have been sent by him.

#### COURT PROCEEDINGS.

CRIMINAL BRANCH BEFORE JUDGE ZANE.

The defendant in the case of the People vs. George Kellogg entered a plea of guilty to the charge of grand larceny, and was sentenced to one year in the Penitentiary.

A motion for a new trial in the case against Wm. F. Williams, for assault, etc., was overruled and an exception was taken. The court sentenced defendant to a fine of \$25 and costs, and to stand committed until paid.

In the case of A. Thompson et al. vs. M. F. Brown, the jury found a verdict of \$150 in favor of the plaintiff.

The People vs. Geo. Pettit, charged with robbery, was brought up this morning. Defendant withdrew the plea of not guilty, and plead guilty of petty larceny. The court suspended sentence for the present.

CIVIL BRANCH BEFORE JUDGE BOREMAN.

In the case of John W. Lowell & Co., vs. J. G. Snyder, a motion for a change of venue was argued, submitted and taken under advisement.

On motion of Judge Snow, for plaintiff, the case of Salt Lake County vs. George Crismon, was dismissed without prejudice, Mr. Williams for defendant not objecting.

Demurrer to the complaint in the case of the United States vs. O. J. Averill, was argued, submitted and taken under advisement.

G. W. Oglesby vs. D. Dunn. Demurrer to complaint was submitted without argument and taken under advisement.

Lars Jensen was admitted to citizenship.

#### AVALANCHE IN COTTONWOOD.

ALTA DESTROYED AND SEVENTEEN PERSONS KILLED.

The following startling intelligence was received by telegraph this afternoon, as a special to the News:

"At a quarter past eight last night, a snow slide came down through Alta, destroying three-fourths of the town and killing sixteen persons, including five children. Full particulars to-night."

Additional.—It had been snowing for a week almost without intermission, and the snow is now 12 feet deep on the level.

The slide was 20 to 100 feet deep and 70 feet wide.

The news of the catastrophe was brought to Wasatch by H. C. Wallace, Leo Moore and L. H. Merrill. They left Alta at half-past 9 a.m. and reached Wasatch at 2.30 p.m.

Nine people were dug out last night alive, being thus rescued from a living tomb. This morning three other survivors were rescued, and four dead bodies were also exhumed from the great body of snow. It is known that there are still twelve in the slide and probably several others who may have been overlooked in the reckoning of the list or missing. Following is the list of fatalities: James Watson, Andrew S. White, Jerry Reagan, Barney Gilson, David P. Evans, Tim Madden, Fred Cutlinan, Mrs. Ford and child, Mattie Hickey, four children of Ed. Bails, and two Chinamen.

The D. & R. G. W. will run a snow plow and coaches to Wasatch early to-morrow and bring the bodies to the city. There being a force at Alta digging out the bodies.

#### THOUSANDS SAY SO.

Mr. T. W. Atkins, Girard, Kan., writes: "I never hesitate to recommend your Electric Bitters to my customers, they give entire satisfaction and are rapid sellers." Electric Bitters are the purest and best medicine known and will positively cure Kidney and Liver complaints. Purify the blood and regulate the bowels. No family can afford to be without them. They will save hundreds of dollars in doctor's bills every year.

Sold at fifty cents a bottle by Z. C. M. I. Drug Store