

THE DESERET NEWS.

TRUTH AND LIBERTY.

No. 52.

Salt Lake City, Wednesday, January 31, 1872.

Vol. XX

ESTABLISHED 1850.

THE DESERET NEWS, WEEKLY

One copy one year.....\$5 00
" six months..... 3 00
" three months..... 2 00

THE DESERET NEWS: SEMI-WEEKLY

One copy one year.....\$3 00
" six months..... 1 50
" three months..... 1 00

THE DESERET EVENING NEWS

One copy one year.....\$10 00
" six months..... 5 00
" three months..... 3 00

GEORGE Q. CANNON,

EDITOR AND PUBLISHER.

LOCAL AND OTHER MATTERS.

FROM TUESDAY'S DAILY.

A HANDY MAN.—Dr. Newman appears to be a handy man to have at the Capital, and excellent at certifying to the piety of candidates for office. He is also celebrated for his prayers, having composed a prayer for the North Pole.—*N. Y. Sun.*

A GREAT ARGUMENT.—One of the most powerful arguments offered by the little clique of anti State gentlemen is this, "If Utah becomes a State, we shall be of no account." That's just it, with the addition that such gentlemen never were of much account.

LOST.—Christian Anderson, now living at Coalville, Summit Co., lost a sack containing clothing, bedding and other articles, when on the way to Utah last fall. The parcel was put on board the cars at Omaha, since which he has not seen it. Any person giving information that will lead to the recovery of the articles will confer a favor on the owner, who is a poor man. Address Peter Brown, Coalville, Summit County. Christian Anderson's name was on the parcel.

CARED FOR.—Utah is not being neglected this session of Congress, which shows that she is not destitute of friends, of one sort or another. Senator Sargent, says a dispatch, has introduced a bill to suppress the peculiar institution and enable the people of Utah to form a constitution and State Government. That's right. Let the State Government come along, if it is high time it did. As to suppressing the institution, we suppose the gentlemen in Congress must have their little joke about it, and, if they wish, must try to suppress it. But they may as well try to overthrow Jehovah as to extinguish truth. Let them do their duty and give us a State Government, and God will take care of the institution.

FROM WEDNESDAY'S DAILY.

GETTING CHEAPER.—Excellent Weber coal is now being sold at the U. C. R. R. depot, at ten dollars per ton.

VACCINATION or non-vaccination is an open question, and much can be said on each side. In another column will be found a communication opposing vaccination, and we publish also a statement from an exchange upon the asserted advantages of vaccination. The public can hear both sides of the question and judge for itself.

NO CAUSE FOR EXCITEMENT.—An idea is prevalent among the people of the city that small-pox has appeared and is rapidly increasing here. We took pains to inquire yesterday, as to the correctness of the rumor, and have been informed that there are at present but two cases, one in the Sixteenth Ward, and the other at the quarantine hospital, on the bench, east of the city, and that both patients are recovering.

We do not lay the above before the public to cause them to cease adopting precautionary measures, for people cannot be too careful to keep out of the way of infection from this loathsome disease, but we hope that it will have the effect of allaying any fear or excitement that may have existed on account of false rumors. People whose imaginations are worked up by the fear of catching epidemic infections are much more liable to be taken with disease than when their nervous systems are quiet and undisturbed.

PERJURY CASE.

It will be remembered that Messrs. Toms, Blythe and Burt were examined recently in Judge McKean's Court on the charge of murdering Dr. Robinson, and that one of the principal witnesses against them was Charles W. Baker. This morning said Baker was arraigned before Justice Clinton, having been arrested on the affidavit of one Leverett Bean, charging him with perjury in his evidence in the above named case. Mr. Hoge appeared for the people; Mr. Maxwell for Baker. The affidavit was read to the accused, when his counsel asked him to plead, and the case was postponed until 2 o'clock this afternoon for that purpose. Mr. Maxwell asked that the prisoner be set at liberty on bail, and bail was set at \$1,000. Mr. M. drew a cheque on Wells, Fargo's bank for that amount, and offered that as security for the prisoner, but being informal it was refused by the Court, and Baker was detained in custody.

The following is a copy of the affidavit on which Baker was arrested:

Territory of Utah, }
Salt Lake County, } s.s.

Be it remembered that on this 23d day of January, 1872, before me, Jeter Clinton, one of the Justices of the Peace for Salt Lake County, Territory of Utah, personally appeared one Leverett Bean, who was by me sworn in due form of law, and who, on his oath, did say that one James B. McKean, on the 14th day of December, 1871, at Salt Lake County in the Territory of Utah, was and for a long time prior to that time he had been, and that he now is acting Judge of the Third Judicial District Court for the Territory of Utah, and, as such Judge, he then and there had full right and lawful authority to administer oaths and to hear and inquire into crimes and offences committed in the said County of Salt Lake, Territory of Utah, and to admit to bail, or commit for trial persons accused of committing public offenses against the laws of said Territory.

This deponent further says that on this the 14th day of December, 1871, one James Toms, one Alexander Burt and one John L. Blythe were brought before him, the said James B. McKean, he, the said James B. McKean then and there, being and acting as such Judge aforesaid, charged upon the oath of one Samuel Gilson with having on the 22nd day of October, 1866, at Salt Lake City, County and Territory aforesaid, feloniously, wilfully, premeditatedly killed and murdered one J. King Robinson, and that the said James B. McKean, as such Judge, then and there entered into an examination of such charge, and that on said examination it became and was material to inquire whether or not the said J. King Robinson was, on the 22nd day of October, 1866, feloniously killed and murdered on Third South Street, at or near the corner of East Temple Street, in said city of Salt Lake. And whether or not the said James Toms and John L. Blythe, in connection with other persons, whose names were supposed to be unknown, committed the murder so as aforesaid alleged and charged to have been feloniously committed, and to enquire where the said James Toms and the said John L. Blythe were on the night of the 22nd day of October, 1866, and material to enquire where one Charles W. Baker was on the night of the 22nd of October, 1866. And it being so material, one Charles W. Baker appeared as a witness in behalf of the people of the United States in the Territory of Utah, and then and there was sworn by him, the said James B. McKean, as such Judge, and took upon him, the said Charles W. Baker, the following oath: You, meaning the said Charles W. Baker, do solemnly swear that the testimony you shall give on the matter now in hearing, wherein the people of the United States in the Territory are plaintiffs, and James Toms, John L. Blythe and Alexander Burt are defendants, shall be the truth, the whole truth, and nothing but the truth. And that afterward, on the examination of the charge aforesaid, before him, the said McKean, he the said Charles W. Baker gave testimony. In said testimony he, the said Charles W. Baker, then and there, knowingly and falsely, wilfully and corruptly, did depose and testify as follows, viz: as set forth in the notes of the testimony of said Baker, taken down phonographically, and afterward written out by the official reporter, appointed and sworn to report the same by said James B. McKean, which notes of testimony are annexed hereto and made a part hereof, marked "exhibit a" which testimony, so as aforesaid, given by him, the said Charles W. Baker, and each and every part thereof, was material to the issue, and was false and untrue, and that he, the said Charles W. Baker, then and there, at the time he so gave said testimony, well knew the same to be false

and untrue, and particularly was it untrue and false that he, the said Charles W. Baker, was at the Theatre on the night of the 22nd of October, 1866, that he went from the Theatre down the street, towards the Mansion House about eleven o'clock of the evening of the 22nd of October, 1866, and stopped at the corner of the street, nearly opposite the Mansion House, and that he and another man went towards Main street of said city, and that he and another man saw what he called a drunken row, and turned into a gate and there saw two men running east, whom he recognized as the said Blythe and Toms. Whereas, in truth and in fact, he, the said Charles W. Baker, was not at the Theatre on the night of the 22nd of October, 1866, and did not go south towards the Mansion House and stop at the corner nearly opposite the Mansion House, and whereas the said Baker and another man did not go toward Main street and turn into a gate and, when there, see two men run east, whom he recognized as the said Blythe and the said Toms.

This affiant further says that he firmly believes that the said Charles W. Baker, by reason of the testimony, so as aforesaid by him given, did knowingly, wilfully, and corruptly commit the crime of perjury.

LEVERETT BEAN.

Subscribed and sworn to before me, the undersigned, on this the 23rd day of January, 1872.

JETER CLINTON,

Justice of the Peace.

This afternoon, at 2 o'clock, the Baker perjury case was resumed before Justice Clinton. The counsel for the accused submitted a motion, without argument, for the discharge of the prisoner, because the affidavit on which he was arrested failed to state that he had testified falsely on any material point.

Mr. High, Deputy U. S. Attorney, read portions of the affidavit which, he said, were sufficient without argument, to refute the grounds on which the above motion was based.

The motion was over-ruled. Defendant's counsel waived any examination, and requested the court to fix the amount of bail. Mr. High suggested in view of the grave nature of the charge, that the bail be fixed at \$5,000. The court thought that exorbitant bail should not be required in any case, and fixed the amount at \$3,000.

Defendant's counsel said they were not prepared to give bail, and he asked that a mittimus be issued and the prisoner be turned over to the U. S. Marshal, to await the action of the Grand Jury on the 20th proximo.

FROM THURSDAY'S DAILY.

ABOUT TIME.—The San Francisco Pioneer says, "It is about time that men should be forced to prove their slinay talk about women, or to be made to walk up to the captain's office and settle." Just so.

NOTICE TO BEE-KEEPERS.—On account of the pleasant weather which we have had the past few weeks, I have found the bees have begun to brood and I would recommend all those who have light stocks of bees to remove them immediately into some dark quiet place, where there is no frost, and that is free from artificial heat, so that the young broods will not chill. S. H. Putnam, Salt Lake City, Utah.

Per Deseret Telegraph.

PARIS, Utah, Jan. 24th. 8.40 p.m.—The line is once more in working order. It had been down over a month.

There is about two feet of snow, with a hard crust; for the last week the weather has been extremely cold. The roads are open to Evanston.

What stock are on the hills, east of Bear Lake are reported in a starving and freezing condition, with not enough hay in the valley to carry them through if the weather continues cold.

BAKER'S AFFIDAVIT.—The following affidavit of C. W. Baker, witness in the Robinson murder case, will, doubtless be interesting to our readers:

Territory of Utah }
Salt Lake County } ss

Be it remembered that, on this the 3rd day of January, 1872.

Personally appeared, Charles W. Baker, who was by me sworn in due form of law, and who, on his oath, did say that he is the identical Charles W. Baker who was a witness in an examination before the honorable James B. McKean, Chief Judge of the Supreme Court of the Territory of Utah, commencing on the 14th day of December and terminating on the 23rd day of December, 1871, at Salt Lake City; wherein John L. Blythe, James Toms, Alexander Burt and Brigham Y. Hampton were charged

with the murder of J. King Robinson, at Salt Lake City, in the County of Salt Lake and Territory of Utah, on the 22nd day of October, 1866.

He further says that the testimony which he then, on said examination, gave was wholly untrue and false. He further says he was hired to give said testimony by S. Gilson. That it was agreed between him and the said S. Gilson and others.

That he was to be paid the sum of five hundred dollars, no matter what might be the event of the proceedings, and one thousand dollars for each person that was or might be convicted.

That during the time he was engaged in said testimony and detained, his board was paid by said Gilson and others, at the Revere House, in said city.

He further says he had a plat of the grounds and of the street in the City of Salt Lake, near to the place where the murder was committed, furnished him by S. Gilson.

Which plat, before he gave evidence, was, by him, carefully studied, so that he might understand it.

He further says that since he so gave his testimony he has carefully reflected on the enormity of the crime he has committed, and is aiding in carrying out, and he has concluded to make amends, so far as it is now in his power.

He therefore voluntarily now makes this statement, upon his oath.

He further says that, on or about the 16th day of December, 1871, he had a conversation with Thomas Butterwood, who then informed this affiant that he was hired to give his testimony, in the above named case, and that his testimony was not true.

(Signed) C. W. BAKER.

Subscribed and sworn to before me this third day of January, A.D., 1872.

JOHN T. CAINE, Notary Public.

Territory of Utah, }
County of Salt Lake } ss

This certifies that I have carefully compared the above copy of affidavit of C. W. Baker with the original, as sworn to before me, on the Third day of January, 1872, and find the same to be a true copy in every particular.

As witness my hand and notarial seal, this fifth day of January, 1872.

JOHN T. CAINE, Notary Public.

AN IMPORTANT MATTER.—A matter of great importance to farmers has been in consideration for some time by the people of Cache Valley. They are beginning to realize that in disposing of their surplus produce it is not in accordance with the principles of self preservation and sustenance to deal in markets so far removed from the actual consumers of their products as they have done. It is expected that steps will soon be taken in this direction, and the wisdom of such a move can be seen at a glance.

Hitherto the people of Cache have dealt to a great extent with sub-contractors, the latter often being only transients of the Territory, thus allowing such to appropriate a large proportion of the profits of their hard earnings, and which could as well have been retained by themselves.

There is a certain railroad town in Box Elder county which has to a great extent been maintained in existence by the patronage of the people of Cache and Box Elder Counties, by the latter selling their grain, butter, eggs and other products to them, while the traders of that railroad town have sent those products to markets east and west, making handsome profits therefrom.

The question under consideration by the people of Cache Valley is whether they can find a short cut to those markets east and west along the lines of railroad, without having to reach them in such a roundabout way. The question appears easy of solution, for certainly if the people find those markets, and of course they can, they can of course sell as cheap or cheaper than those who supply those markets at second hand, and purchasers will always buy where they can do so at the cheapest rates. The Cache Valley farmers are certainly smart enough to be able to deal with markets without the intervention of a second party, or sub-market.

This matter presents a field for the adoption of the principle of co-operation, for each individual farmer of course could not expect to accomplish anything in this way separately. It is to be hoped that the measures in contemplation by the good people of Cache will soon be put in operation.

Calino woke in the middle of the night and groped everywhere for the box of matches; he shrieked in anger: "Ain't I a fool for not leaving out at least one match to enable me to hunt for the box."