

Tuesday - November 17, 1885

FRAGMENTS.

Lead quotations, New York, per 100

lbs., 54.

HON. JOSE GROVER came up from

Juba last night.

HON. ABRAHAM HATCH, of Wasatch

County, is in the city.

The family of M. B. Shipp were

before the grand jury to-day.

THERE is a case of diphtheria in the

family of Mrs. Evans, 18th Ward.

R. G. Lewis, of Frisco, starts for St.

Louis to-morrow, going by way of the

scenic route.

MR. P. E. CASTANO, of Juba, will

leave by to-morrow's D. & R. G. train

for Boston.

Mrs. J. H. HARVEY, of this city,

starts for Chicago to-morrow, over the

narrow gauge.

A good man is wanted to engage in a

first-class commercial business. See

advt. of H. M.

HON. J. T. CAINE will return from his

southern tour by this evening's

Union-Central train.

SILVER quotations, corrected daily

by Wells, Fargo & Co.: New York,

102 1/2; London, 47 1/2.

The Fourth Quorum of Seventies

will meet in the Twenty-first Ward

meeting house, this evening, at 7:30.

E. M. Best, of this city, representing

W. V. Morris & Co., of Omaha, will

go west to-morrow, via the D. & R. G.

GEO. B. MARGRETT has sold out his

green grocer business to M. A. Brager.

Mr. Margrett intends launching

out in the stock industry.

The suit of W. H. Bowers vs the

London Bank still consumes the

time in the Third District Court. E.

Austin was kept on the witness

stand to-day, for the defense.

JOHN RIDDLE, who stole the horse

and buggy from Thomson & Jurgens-

on's, was brought in from the peni-

tentiary to-day. His case was being

investigated by the grand jury.

The Alvin Joslin Comedy Company,

which is to appear on the 26th, will

be accompanied by its own orchestra

band—a fine set of musicians, who win

praises by their performances every-

where they go.

By private letter from C. H. Ditt-

man, the gentlemanly agent of Her

Majesty's Opera Company, from whom

Salt Lake has had several visits in the

past, we learn that we are to be

favored with another visit in the

spring.

TO-MORROW will witness the com-

pletion of a fifth great highway

between the oceans—that of the

Atchafalaya, Topka & Santa Fe system

of railways—and a fine station is to be

celebrated in grand style at San Diego,

the western terminus. The news has

been honored with a cordial invitation

to participate.

The Christensen panorama was

well patronized in the Thirteenth

Ward last evening, considering the

stormy weather, and the audience

seemed to be delighted with the en-

tertainment. Another exhibition will

be given in the Twelfth Ward meet-

ing house to-morrow evening, com-

mencing at 7:30. We bespeak a good

attendance.

MR. J. M. HYDE, advance agent of

the Alvin Joslin Comedy Company,

who performed here to large audiences

four years ago, and are to appear

again on the 26th, for a run of three

nights and a matinee, at the Salt Lake

Theatre, in town and staying at the

Walker House. He is accompanied by

Mrs. Hyde and his little boy. They

will remain here several days, and then

proceed to Portland, Oregon.

LOCAL NEWS.

Hardly a morning cotemporary of

this city has an item from Ogden, which

says: "Gentles as well as Mormons

tried to keep out of sight of the Mar-

shal yesterday, because he had an open

venue in his pocket, returnable im-

mediately." What a piece of arrant non-

sense. "Mormons" are not the kind

of timber that is wanted in the con-

struction of an open venire jury; they

would find in accordance with the law

and the facts, seldom drink liquor, have

a profound regard for the solemnity

of an oath, and don't loaf around

court house doors waiting for such a

job. The "Mormons" don't have to

keep out of sight of deputy marshals.

Fine Work.—The badge to be worn

by the Utah delegates to the Stock

Convention at St. Louis have been

completed by E. J. Swearer & Co., of

Ontario silver contributed by Mr.

R. C. Chambers, mounted on silk, and

are really the most looking ornaments

of the kind ever executed in this city.

They are even better in number. The

design for the badge is a horse in full

trot, the pendant being an ornate

Greek cross with a bull's head in bold

relief, all in silver, the badge under-

neath bearing the words on the silk,

"Utah, 1885." Most of the

badges are now displayed in the

makers' show window, and are the ob-

jects of general commendation from

all beholders of the enterprise of the

stock people and the artistic ability

of the designers and workers. They cost

about six apiece.

Released.—We were pleased to re-

ceive a visit in the afternoon this

morning from Brother Jon Kluge, of

Ogden, just released from the peniten-

tiary, where he has served a term of

five months' imprisonment (less 25

days, by virtue of the copper act).

Brother Kluge is looking and feeling

as well as could be expected under the

circumstances, and is on his way

home as much as a "Mormon"

and as sincere in his belief

of the truth of the Gospel as when he

left it over four months ago. The first

two months of his imprisonment his

health was poor, but after that it was

very good; through the rule of allow-

ing the last month's growth of beard

and hair to be unmolested, and the

"lawn mower" not having operated on

him for two weeks previously, he now

has as much adornment in his hirsute

line as the majority of men here.

THE NIBBLE EXAMINATION.

THE ARREST IN IDAHO ILLEGAL—THE

DEFENDANT DISCHARGED.

Mr. Charles W. Nibley was present

at Commissioner McKay's office this

morning, at the time to which the pre-

liminary hearing had been continued,

and was represented by his counsel,

Kirkpatrick, District Attorney

Dickson, who has not for some time

been to notice this part of the work,

but left it to his ambitious satellites,

was present for the prosecution.

Mr. Kirkpatrick raised the point that

the arrest could not be legally made

in Idaho, and that the order issued by a

commissioner of the Supreme Court of

Utah. To this Mr. Dickson re-

plied, with a smile, after re-

marking that in that event there could

be a suit for false imprisonment, "O

yes, it can; and in the United

States," and referred the defendant's

revel to the following section of the

Revised Statutes:

"Sec. 1014.—For any crime or offense

against the United States, the offender

may, by any justice of the peace of the

United States, or by any commissioner

of a circuit court to take bail, or by

any chancellor, judge of a supreme

superior court, chief or first judge of

common pleas, mayor of a city, justice

of the peace, or other magistrate of any

State where he may be found, and

according to the usual mode of process

of a circuit court to take bail, and at

the expense of the United States, be

arrested and imprisoned, or bailed, as

the case may be, for trial before such

court of the United States as by law

has cognizance of the offense."

A look of satisfaction came over the

face of the Commissioner, as he ap-

peared to realize the grandeur of his

office, and think of the fair, broad land

over which he was to have undisputed

sway, in cases under the law directed

against "the Mormon system of mar-

riage."

A dark cloud, however, interposed

when Mr. Kirkpatrick quietly re-

marked that there was manifestly no

such intention in the law. The section

quoted only referred to commis-

sioners, etc., "not any State where the

(the offender) may be found," and it

was not possible to give any other in-

terpretation to the statute. If Mr. Nib-

bley was to be arrested in Idaho, war-

rant should have been issued from an

Idaho court, before whom the Idaho

officer should have made his return.

Mr. Dickson, admitted the correct-

ness of this position, and assented to

the claim that the officer should have

applied to an Idaho magistrate.

Mr. Kirkpatrick then moved that the

defendant be discharged from custody.

Commissioner McKay stated that as

the warrant of arrest was not directed

to any marshal outside of Utah, the

Idaho deputy could not properly serve

it. His honor, however, exhibited

greatly disliked to be deprived, with-

out a struggle, of the great "opportu-

nity" which had a moment before

seemed all his own, and declared that

he thought he had a right to direct a

U. S. Marshal in Idaho, or in any part

of the United States, to make an ar-

rest.

At this juncture Mr. Dickson sug-

gested that if the defense would

agree, he would concede the point of

illegal arrest, and have Mr. Nibley re-

leased here, but he would, how-

ever, be inclined, as the defense wished to

dispute the Commissioner's power to go

outside of the Territory, and, on mo-

tion of the prosecution, the case was

continued until 2 o'clock this after-

noon.

At that hour, Commissioner McKay

granted the motion of Mr. Kirkpatrick,

and discharged the defendant from

custody, because the warrant had not

been served by one of the marshals to

whom it had been directed.

Another warrant of arrest was issued

and given to Marshal Ireland to serve

on Mr. Goodwin, merchant, and Dr.

Stover, of Logan, were present as wit-

nesses in the case. They were not

placed under bonds to testify before

the grand jury. The National Inter-

ior at Logan, Rev. McBeecker, was

present during the proceedings, and

manifested considerable interest

therein.

Sudden Death.—A sudden death

occurred at the residence of George M.

Scott, at the corner of Sixth East and

First South streets, at noon yesterday.

The cause of which seemed to require

an investigation on the part of the

coroner, and as this did not occur un-

til after the time of our going to press

yesterday, we were unable to give the

particulars in our last issue.

The name of the deceased was Vic-

torias Dilworth, her age about 17 years.

Her parents reside at American Fork.

For some months past she has been

suffering from a nervous disorder, tech-

nically denominated hysteria-epileptic,

which continued at intervals up to the

time of her death, she being uncon-

scious from the time of the first

spasm.

Dr. Fowler, Rose Fox, Man-

gum, Smith, and Dr. Sargent were called

as witnesses in the case and the evi-

dence adduced was such as to satisfy

the coroner and his jury—consisting of

Jeter Clinton, Alvin Duncan, and G.

Fletcher—that the death of the girl

was the result of natural causes, and

a verdict was rendered accordingly.

Commissioned.—On Saturday the

Governor issued commissions to the

following officers:

O. O. Stoddard, justice of the peace,

Canon Creek precinct, Morgan County.

James Gardner, justice of the peace,

Goshute precinct, Utah County.

M. C. Green, justice of the peace,

Woodruff precinct, Rich County.

J. B. Henry, constable, Ashley pre-

cinct, Kane County.

Neil D. Forsyth, selectman, John

W. Platt, constable, Piute, Washington

County.

Christian Larsen, justice of the

peace, Springdale, Washington County.

H. J. Jolley, constable, Kane County.

Homer A. Bouton, superintendent of

district schools, Kane County.

John S. Carpenter, justice of the

peace, Glendale precinct, Kane Coun-

ty.

Willard D. Cranney, constable, Lo-

gan precinct, Cache County.

Thomas E. Tinsford, justice of the

peace, Coville precinct, Cache

County.

James Jensen, constable, Mona pre-

cinct, Jackson County.

H. W. Hartley, justice of the peace,

Charles Mangerson, constable, Levan

precinct, Sub County.

Charles Rysaersen, justice of the

peace, Redmond precinct, Sevier

County.

W. A. Warnock, justice of the peace,

Monroe precinct, Sevier County.

S. P. Halversen, justice of the peace,

Marriott precinct, Weber County.

Thomas Wallace, selectman, Weber

County.

Fish Haven Notes.—"E. S. P."

writing from Fish Haven, says: