

# THE DESERET NEWS.

TRUTH AND LIBERTY.

No. 12.

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## DESERET NEWS.

WEEKLY.

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## DESERET NEWS.

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## EVENING NEWS.

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SALT LAKE CITY, UTAH.

FROM TUESDAY'S DAILY, MAR 27, 1888.

### Liberated.

Today Orlando F. Herron, of Pleasant Grove, Utah County, was liberated from the penitentiary, where he has served a term for unlawful cohabitation.

### Papers Served.

This morning President Angus M. Cannon was served with notice of the suit planted by Marshal Dyer as Receiver, for certain property, as named in the complaint published in the News on Saturday last. The land sought to be seized by the Receiver is about the center of the block on which the Tithing Office stands, facing on South Temple Street, and described as follows: Commencing at the southwest corner of lot 2, block 88, plat A, Salt Lake City survey, and running north 33 rods; thence east 9 rods; thence south 12 1/2 rods; thence west 4 rods; thence south 12 1/2 rods; thence west 6 rods, to the place of beginning.

### Sudden Death.

T. J. Gunderzen, a Norwegian, died at the city jail at 3:30 o'clock yesterday afternoon. He was arrested on Friday evening and sentenced to five days for drunkenness. Yesterday morning there did not appear to be anything the matter with him. About noon he was taken with cramps, and notwithstanding the fact that efforts were made to relieve him, he grew worse until death ended his sufferings. He was 64 years of age, and leaves a wife. They have not, however, lived together for some time. The deceased has been a severe sufferer from rheumatism for some years. Coroner Taylor held an inquest last evening, and the jury rendered a verdict of death from natural causes.

### Today's Fire.

At about half-past 12 o'clock today a fire broke out in the turning shop of William H. Foster, of the Seventh Ward. The shop is located almost opposite the Walker House, and the firemen were there in short order. The structure was entirely of wood, as were also most of the contents, and the whole burned like tinder. The most efforts of the firemen could not save the building, and a comparatively small amount of the tools and machinery was saved. The loss comes very heavy upon the owner, and will reach between \$400 and \$500—mostly on stock and machinery. There was no insurance. The fire started from a candle that was left by a boy who forgot it, igniting some shavings close by. The grief of the little fellow at the damage resulting was intense.

### Pardoned by the President.

Our dispatches today announce the pardon by President Cleveland, of William D. Newsum, of the Eleventh Ward of this city, and Peter S. Barson, of Clarkston, Cache County. The first named is granted a pardon on the ground of ill health. He was arrested on the charge of polygamy and unlawful cohabitation on May 8, 1885, and on conviction, was sentenced on October 17, 1885, to imprisonment for three and a half years and to pay a fine of \$300 and costs. He had but a short time to serve. Mr. Barson was sentenced by Judge Henderson, on November 21, to imprisonment for six months and to pay a fine of \$100, for unlawful cohabitation, and had less than a month to

serve, exclusive of the commitment for the fine. His plural wife died before his trial. The comment of President Cleveland upon the judge who passed sentence is a severe rebuke. It is as follows: "The death of his plural wife before conviction put an end to the convict's polygamy, and the law should have been satisfied if his sentence had been nominal."

Both men will be retained in the penitentiary until the official notification of their pardon is received, which will probably be about a week.

### Second District Court.

Proceedings in the Second District Court, at Beaver, last week: William Hutchings was tried on a charge of unlawful cohabitation, and under the instruction of the court the jury returned a verdict of not guilty.

The indictment charging S. N. Slaughter, of Beaver County, with failing to perform his whole duty as assessor in omitting to assess certain property, was dismissed, and the case submitted to the grand jury. Meantime Mr. Slaughter was required to give \$500 security to await the action of the inquisitors.

Jas. H. Hedges was tried for forcibly entering the dwelling of Wm. Crabb, of Frisco. The latter had in his possession a saddle belonging to the former, and declined to give it up, whereupon the owner broke in the door and took his property. He pleaded his own case before the jury, who returned a verdict of guilty.

In the case of the People vs. Joseph Riddle, a motion for a new trial was overruled.

Emmons Church was tried for grand larceny. About a year since Warren Case was tried and convicted for the offense. It afterwards developed that he was innocent, and he was pardoned by the Governor. Church was indicted, and after hearing the evidence the jury returned a verdict of not guilty.

Peter M. Jensen, of Parowan, was tried for unlawful cohabitation, and acquitted.

The roll of jurors and witnesses is called daily in the court, to meet the requirement of a legislative act that all jurors and witnesses in attendance shall report daily to the clerk of the court.

FROM WEDNESDAY'S DAILY, MAR. 28, 1888

### A Prolific Ewe.

A correspondent states that Lars Jensen, of Glenwood, Sevier County, has a ewe which lately gave birth to four lambs, all of which are alive and doing well.

### \$500 Awarded.

The jury in the suit of Alfred Lambourn vs. Mulloy & Paul, rendered a sealed verdict last evening. The plaintiff asked for \$5,000 damages for the injuries he had received. The verdict was opened in court this morning. It gives Mr. Lambourn \$300 damages.

### Indian Bones and Relics.

A few days ago, in plowing a tract of land about six miles west of the city, a human skull and other bones were unearthed, and also a quantity of Indian arrow heads, stones, axes, etc. In the same vicinity a considerable quantity of such relics have been found. Chris. J. Johnson, Esq., brought the skull to this office. It was undoubtedly that of an Indian, but its conformation gave evidence that it had been the seat of a considerable degree of intelligence.

### Third District Court.

Proceedings before Judge Zane today:

J. G. Sutherland, Esq., presented resolutions of the Salt Lake City Bar Association upon the death of Morrison R. Waite, Chief Justice of the United States, and moved that the resolutions be spread upon the court journal.

Motion seconded by George S. Peters, United States District Attorney.

Ordered by the Court that the resolutions be spread upon the journal, and that out of respect to the memory of the late Chief Justice, court be adjourned until tomorrow at 10 o'clock, and that the court room of this court be draped in mourning for the ensuing term.

### From the San Juan Country.

President F. A. Hammond, of San Juan Stake, reached this city yesterday morning. He reports the people in that region to be in a prosperous condition generally. The country is rapidly developing, and is displaying many attractive resources. It has many inducements for settlers, among which are plenty of good land, water and timber. There is also a good prospect of lucrative employment for laborers for some time to come, as some extensive canals are in course of construction in that region, and two railroads are heading that way.

Brother Hammond would be pleased to answer inquiries concerning that

section, or persons living there, having friends in this city, interested in their welfare. He can be found at Hon. W. W. Riker's, in the Ninth Ward, or at Mr. John Groesbeck's, in the Seventeenth Ward.

### Stock Company Organized.

The Burton Stock Company filed its articles of incorporation last evening with the clerk of the Third District Court, and a certificate of incorporation was issued today. The incorporators are Robert T. Burton, William S. Burton, Charles S. Burton, Willard C. Burton, Theresa H. Hills, Lafayette G. Burton, Walter J. Burton, Henry F. Burton and Alfred J. Burton, all of Salt Lake City.

The capital stock is placed at \$50,000, shares of the par value of \$50 each, and Salt Lake City is named as the principal place of business. The object of the corporation is to "carry on and conduct the business of breeding, rearing, buying, selling and handling all kinds of live stock, and a general dairy and agricultural business and the obtaining of lands and other property necessary to the successful operation of said business."

The first board of directors is as follows: Robert T. Burton, president; William S. Burton, vice-president; L. G. Burton, treasurer and secretary; Willard C. Burton and H. F. Burton.

### Probate Court.

Proceedings before the Salt Lake County Probate Court yesterday:

In the matter of the estate and guardianship of Charles W. Needham, a minor: bond of Jonathan W. Needham, guardian, in the sum of \$1000, filed and approved.

Estate of Heber Kimball, deceased: proof of posting notices of time and place of hearing made; order made allowing and approving executor's accounts as filed.

Estate of Robert L. Campbell, deceased: order made confirming sale of real estate; proof of posting notices of time and place of hearing made.

Estate of John Larson, deceased: proof of posting notices of time and place of hearing made; order made appointing Karl Larson administratrix of said estate, upon giving a bond in the sum of \$500.

Estate of David Williams, deceased: proof of posting notices of time and place of hearing made; order made appointing John P. Isaacs and David Harmon administrators of said estate, upon filing a bond in the sum of \$500; orders made of publication of notice to creditors, and appointing appraisers.

Estate of Siasen A. Chase, deceased: proof of posting notices of time and place of hearing made; order made appointing Miriam G. Chase administratrix of said estate, upon filing a bond in the sum of \$500.

Estate of John R. Morgan, deceased: proof of posting notices of time and place of hearing made for the use and support of Jane George, formerly Jane Morgan, widow of said deceased.

Estate of John S. Roberts, deceased: proof of posting notices of time and place of hearing made; order made assigning the whole of the estate for the use and support of the widow of said deceased.

Estate of Alexander D. Pyper, deceased: order approving agreement of the heirs of said estate for partition of real estate made.

Estate of B. L. Cutler, deceased: order made appointing time and place to hear petition of Annie S. Cutler, for letters of administration.

Estate of Lewis Robinson, deceased: order made appointing time and place to hear petition of Clarissa M. Robinson, asking that letters of administration be issued to William Groesbeck.

### TAKES STRYCHNINE.

Mrs. Erickson Makes an Attempt to End Her Life.

Is it epidemic? The number of persons who have recently become victims to the suicide mania suggests an affirmative answer to the above query.

The latest development in this line is a sad case that occurred in the Nineteenth Ward of this city today. Mrs. Erickson is a lady who lives near the tannery, and has been highly respected. No one believed her capable of an attempt at self-destruction, and when the report went out about 11 a. m. today that she had taken strychnine, it was accompanied by a statement that it had been done accidentally. She is the wife of Carl Erickson, a mason, and is under 30 years of age. Her husband also bears an excellent character, and their domestic relations have been amicable. She is the mother of four or five children, who are all young.

For a number of years Mrs. Erickson has been suffering from dyspepsia, and this morning she was attacked by severe pains. She sank into such a state of melancholy that it must have unbalanced her mind, for she sent for a quantity of strychnine with which to end her mortal existence. On receiv-

ing it she put some—how much she did not know—into a glass, and pouring water over it, drank the deadly dose.

When the poison began to take effect, which was in a very short time, she evidently repented of her rash deed, and medical aid was at once summoned. The physician learned that she had taken five grains of the drug. Emetics were administered, and every effort made to rescue the woman from death. The convulsions were checked after a time, and this afternoon the doctor left her resting easily. She will recover.

### SEVIER VALLEY.

Numerous Improvements and General Prosperity.

Elder Andrew Jensen has just returned from a trip to the south during which he visited the principal settlements of Sevier and Sanpete counties in the interest of his monthly periodical *The Historical Record*. He reports many improvements in the valley of the Sevier. During the last three years a great many large and substantial buildings have been erected, town sites enlarged, new ones laid out and large tracts of the desert country reclaimed for farming purposes. A new canal which taps the river above Joseph City and in which the settlements of Elsinore, Inyovury and Richfield are principally interested, has been completed as far as Elsinore, and will shortly be pushed to Richfield. Under this canal several thousand acres of very good land lying above the older canals, will be brought under cultivation.

The townsites of Elsinore has been extended about half a mile northward, and that thriving little place has now about one hundred families. James I. Jensen, who formerly acted as Counselor to Bishop Sylvester, succeeded the latter in the Bishopric last fall.

### SALINA

presents as prosperous an appearance as any of the settlements on the Sevier. The salt works there are the means of bringing considerable ready cash into the place. James S. Jensen, of Redmond, has recently been appointed Bishop of Salina. A new bridge has just been completed between Redmond and Gunnison, about two miles north of the first-named place. Besides bringing the valley of Redmond into the main road of travel, this also shortens the general distance to the settlements south at least two miles. To the enterprising citizens of Redmond belongs the honor of building this bridge and making several miles of new road on either side of it, the county only having furnished the timber. The farmers throughout the Sevier Valley are jubilant over the splendid prospects of an abundant harvest, the large snow deposits in the mountains being the principal ground on which they base their hopes in this direction.

In passing through Elsinore, Elder Jensen attended a conference of the primary associations of the Sevier Stake, and listened to exercises on the part of the children and some excellent instructions on the part of the officers and leading Elders present. Among the exercises was an interesting dialogue of home production ably rendered by about half a dozen juveniles.

### CHIEF JUSTICE WAITE.

Appropriate Action of the Courts and Members of the Bar.

There was a large attendance of the members of the bar at the Third District Court this morning. After the opening business, Judge J. G. Sutherland arose, and amid the impressive stillness that pervaded the room, addressed the Court as follows:

May it please the Court, my brethren of the bar have devolved upon me a painful duty, the formal announcement to this Court of the death of Morrison R. Waite, who has filled for fourteen years the exalted position of Chief Justice of the Supreme Court of the United States. Last week he was in his seat, and read a learned opinion in pronouncing the judgment of that court. Before the end of the week he had vacated that chair forever. His forensic and judicial labors are finished—well finished. Though he had seen his three score years and ten, he still retained in full vigor his great faculties. The measure of his usefulness seemed not to be filled.

He has singularly endeared himself to the legal profession, and to all classes in our country. He was learned, but he was as kind as learned. All his faculties and gifts were happily adjusted to make a great and good man. His loss is universally mourned. It seemed fitting to the bar that the announcement should be made to this Court, and that resolutions expressive of the general sense of loss should be admitted to a place upon the journal of the court. I offer two resolutions:

Resolved, That in the death of Morrison R. Waite we sadly recognize the loss to our country of a great and good man;

a worthy and broad-minded citizen; a learned and upright judge; a dignified and affable Chief Justice in the highest judicial tribunal, and the legal profession a distinguished member;

That as a mark of respect to the deceased, and as a testimony of the general sense of the melancholy event, the courts of this Territory be moved to cause the court rooms to be draped with mourning during the ensuing term.

I ask, your honor, that these resolutions be admitted to a place upon the journal, and that upon the adoption of these resolutions the court adjourn for the day.

United States Attorney George S. Peters then said:

If your honor please, in seconding the adoption of these resolutions, I do not know that I can add anything to what has already been so truthfully stated by Judge Sutherland, and so truthfully set forth in the resolutions that we have just heard read. I may be permitted to add, however, if your honor please, that the citizens of the adopted State of the late Chief Justice, without regard to party affiliations, deeply deplore the death of Judge Waite. And I think, if your honor please, that it is but a fitting recognition of his great life, and a fitting testimony to his services that these resolutions be adopted.

The Court asked whether there were any others who desired to offer remarks, and Judge C. W. Bennett arose and said:

May it please the Court, but a word. I had a slight acquaintance with the Chief Justice socially. It had been my privilege to attend upon the court several times during the time he was Chief Justice. From the knowledge of him as Chief Justice upon the bench, and from knowledge which I have gained in association with him socially, though not intimately, I heartily concur in the expressions contained in the resolutions, and the remarks of the chairman of the committee who has just now presented them.

It is a fitting occasion—in this court especially—that notice should be taken of the death of one so eminent and so nearly connected with the judiciary of which this Court is a part. It seems to me that the office of Chief Justice of the Supreme Court of the United States is about the summit of human glory, so far as it is attainable in our profession. Now the last Chief Justice, following a long line of illustrious predecessors, has gone to that land of shades to test the realities of the future. He went leaving behind him an illustrious name as a lawyer and judge. More than that, he has gone hence, his death regretted and deplored, certainly by the bar throughout the country, and quite as certainly generally by the people of the country.

While it may not be claimed that the Chief Justice was a brilliant man or the greatest lawyer who has lived, it will be conceded by all that he was a very learned lawyer, a most excellent judge; that he had a mind well poised, learning almost inexhaustible, and laborious patience almost unequalled. The temper of his mind was such that he brought always clear judgment to his aid in deciding the cases presented. Of stalwart frame and resolute mind, he brought such a measure of industry to his labors that those labors seemed to be, and in fact were, herculean. He was able to work from early morn till late at night, and his work was always intelligently and well done. Leaving that work and going into the social circle, he was the life of the circle into which he went. He had that peculiar faculty of mind which enabled him to work steadily and well, but to lay it aside at the proper time and indulge in those social pleasures which so much endeared him to those who came near him. I think we may safely say that one of our greatest men laid down life's burdens when Chief Justice Waite was called hence. I favor the resolutions.

Chief Justice Zane then said: The Court heartily concurs in the sentiments expressed in the resolutions, and agrees with the bar in the estimate placed upon the life and character and public services of the late Chief Justice Waite. The numerous opinions that he has written are now and will be recognized in after ages as a valuable contribution to the great science dedicated to the ascertainment of human rights and human duties, the protection of mankind, and the preservation of the liberties of the human race. These opinions, published in the reports of the high court over which he presided, and his spotless and stainless private and public life, will constitute an enduring basis upon which his fame will rest secure through coming ages. They will stand after the disintegrations of time shall have crumbled the marble or the brass raised at his tomb.

The motion is allowed, and the resolutions and the remarks of members of the bar will be spread upon the records of the court, a copy thereof sent to the widow, and copies furnished to the public press of the city for publication.

Out of respect for the memory of the late Chief Justice this Court now adjourns until tomorrow morning at 10 o'clock.