THE DESERET NEWS

TRUTH AND LIBERTY.

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rapers sent to snowcribers by mail nave the names stamped upon them, with figures ownosite to indicate when the subscriptions will expire. For instance, John Smith 4-11-7, means that Juhn Smith's subscrip-non will expire on the 4th day of the 11th month of this year, or November 4th, 15-7, subscribers will please notice the figures on their papers, to see that they have their pro-per credits, and also to know when to renews their subscriptions, the rale being to stop the paper when the subscription expires.

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THE DESERET NEWS CO .. SALT LAKE CITY, UTAH.

FROM TUESDAY'S DAILY, JANUARY 10.

A Boy Hurt. A poy nurt. Today a little boy, named Ralph Grimes, living in the Third Ward, was running alongside a wagon loaded with hay, on the State Road, when he slipped and tell. One hind wheel of the wagon passed over his right thigh, breaking the bone.

Death of Mrs. Thomas.

Death of Mrs. Thomas. Last evening, January 9th, at the family residence, in the Eichteenth Ward, Salt Like City, Mrs. Thomas, which of Commissioner Arthur L. Thomas, closed her eyes in death. The cause of her demise was consumption, from which she had been a sufferer for about four years. Although for a year past the lady's departure from th's life was under-stood to be merely a matter of time, the malady being incurable, the event of last evening is a severe blow to her husband and children, for whom a wide sympathy is fait. The deceased had the reputation of being an amiable woman, devotedly attached to her husband and family.

Old Folk's Day.

A celebration in honor of the old folks of American Fork was held at that place on Wednesday, inst. An assem-blage of old people numbering over 100, gathered at Grant's building and par-took of a teast. After the clearing of the hables an interesting programme was gone through with, ambracing ad-dresses, musical exercises, recitations, etc.

etc. The two oldest guests were Father The two oldest guests were Father William Julian and Mother Bradle, each of whom was presented with suitable gifts. The former is 93 and the latter 85 years of age. An original poem, well suited to the occasion, written by James Crystal, Esq., was read. We are indebted to Mr. Crystal for an accoupt of the pleasant affair.

 William Julian and Mother Bradie.
School of a young for the same is stated provided that an operation of the same is stated by Mr.
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A maccount of the same stated state for a same stated state of the same stated by Mr.
Builey state and sake the same state state of the same state state state of the same state state state of the same state state of the same state st determined to go back to animord for a fresh team. He unbarnessed the horses, and mounting one started off. He had ridden several miles when the animal threw him and both ran away. Being unable to catch either of them, he started hack for the place where he had left his wife and child. The could way tarribute it being where he had here this write and child, The cold was terrible, it being about twenty below zero. After wandering around all night, Mr. Criss-man found his wife and child, on San-day morning, where be had jett them. He stayed around till about ten about ten present.

o'clock, and having no wood with which to make a fre, it was decided that he should leave his family there and start on loot for Milford, as the ouly hope of saving thera. This he did, arriving at the station about five o'clock on Sun-day evening, when he related the story as given above. On Sunday moruling the horses re-

day evening, when he related the story as given above. Oa Sunday moraing the horses re-turned; and some of the people of Milford endeavored to induce the man for whom Crissman was working to send after the missing family, as the tworst was feared, but this he wouldnot do. On the arrival of the unfortunate man, how-ever, several residents of Milford promptly gave what assistance was in their power. Two men were started out on horseback, and after getting something to eat, Mr. Crissman and others started out with a team. They left about 7 o'clock Sanday evolue. The night was even colder that the preceding one, and next moraing they iound the mother and child, still alive, though almost frozen to death. They were brought back and reached Milford at 3 o'clock yesterday after-noon, fifty hours after the time they started.

TURNED OUT TO DIE.

started

An Old Man Frozen to Death in a Stackyard.

Stackyard. At Descret, Millard County, on Sun-day night, an old man named Swenson was frozen to death. Parties up from that place today state that the unfor-tunate man was Siyears of age, and for some time past has been living at the homes of his children, first visit-lug one and then another. On Sunday, it is alleged he was at his daughter's house at Doseret, and some words passed between them, in which the old gentleman was or-dered away. Though the words were not intended to have the effect they did on the old gentleman, he was con-siderably offended, and went out and made his bed in the haystack, 'do' which place he retired when evening came. During the night the thermometer went down to 23 degrees below zero, and on Monday morning his relatives, who had no idee but that he was safe at one of his children's hences, were horrified to find him frozen to deat 1. Further particulars, or whether there is any different'version of the causes which led Mr. Swenson to seek a sleep-ing place hi the stack, were not ob-tainable this afternoon. tainable this afternoon.

IN THE SUPREME COURT.

Business Deferred Because 10 Judge Henderson's Absence.

Judge Henderson's Absence. The Territorial Supreme Court, which asjourned to meet at 10 a.m. teday, did not commence its session till 10:80. Judges Zane and Boreman were on band promptly, and atter waiting half an hour for Judge Hen-derson concluded to proceed. The case of Thompson vs. Thomp-son, formerly set for hearing on Jan. 12, was postponed to the 19th. The case of Geo. Mumford vs. Dick-ert & Meyers Sulphur Co., set for the lita, was postponed to the 10th. Messrs. Thurmsn and Sutherland and Wm. Creer presented an applica-tion ior a writ of prohibition, forbid ding Commissioner John E. Hills to hear and determine a civil case brought before him. The soil is brought by the West Field Irrigation Co. against Wm. Holt, of Spanisk Fork, Utah Cousty, ior \$7.96. The point raised in issue as stated by Mr. Thurman was that the Commissioner had no jarisdiction in the matter. The Territorial statute provided that an action of this kind should be com-menced in the precinct where the de-fendant resided, and no justice outside of that precinct could have purisdiction of the commencement of the suit. The Edmunds-Tuczer law gave totl. S.Commissioners jurisdiction concurrent when justices, and as Mr. Hills rented and has dis office outside of the precinct where the defendant re-sided, he could not assume this ex-tended to where the defendant re-sided, he could not assume this ex-

The application of the attorneys for the defense, to have the supersedeas bond fixed in the soit of the United States vs. the Caurch of Jesus Christ of Latter-day Saints, on appeal to the United States Supreme Court, was de-ferred owing to the failure of Judge Handerson to appear. Henderson to appear.

THERE is a message at the Western Union Telegraph Office for Johan Nill-son, miner, of Stockton, Urah. He is supposed to be in Suit Lake City at

FREE TUESDAY'S DAILY, JAN. 11. THE LEGISLATURE.

Delivery of the Governor's Mes sage in Joint Session.

COUNCIL.

The business done in the Council after we went to press yesterday was as follows:

as follows: At 3:40,the Council took a recess, subject to the call of the chair. Busi-bess was resumed at 4 o'clock, when a message from the Honse was read, announcing its organization; another announcing its adoption of a resolu-tion providing for a joint commit-tee to wait upon the Governor; an-othet announcing the concurrence of the House in the resolution providing for a minute cierk. On the nomination of Shurtliff, G. E. Blair was elected minute cierk.

On the nomination of Shurtliff, G. E. Blair was elected minute clerk. Shurtliff moved that the sergeant-at-arms be instructed to horst the na-tional flag during each day of the ses-sion. Carried. Marshai moved that the rules of last session be adopted during the pleasure of the Council. Carried. Woolley, from the committee ap-pointed to wait on the Governor, re-ported that His Excellency would meet with the Assembly to-morrow at 3 p.m.

p.m. Adjourned till to-morrow at 2 p.m. Benediction by the chaptain.

HOUSE.

After we went to press yesterday the House transacted the following busi-

ness:

ness: After the drawing of seats had been concluded, a message from the Council was read, stating that it had organized, and naming its officers. A message from the Conncil was read annonneing the passage by that body of a concurrent resolution pro viding for a minute clerk for anth house at a compensation of \$5 per day. Ou motion of Richards the House cou-curred. curred.

King moved that the House proceed to the election of minute clerk. Car-

to the election of minute clerk. Car-ried. Moyle nominated O. F. Whitney, who was elected by acclamation. A message from the Council was read, announcing the appointment of Councilors Woolley and Young to act in conjunction with a flag committee of the House to wait upon the Gover-nor and inform him that the Council and House were ready to receive any communication he might have to make.

Carried.

Carried. Creer offered a resolution providing for the adoption of the rules of the last session. Carried. The committee appointed to wait on the Governor reported that His Ex-cellency would meet with the assembly at 3 o'clock p. m. tomorrow. Richards offered a resolution asking the anditor to furnish members' with the compiled and session laws. Car-ried.

a recess of thirty minutes. Carried The scrgenut-at-arms announced His Excelency, the Governor, who took a seat at the speaker's desk.

President Smith called the joint ses-sion to order, and the rolls of both bonses were called. The chaplain of the Council offered

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hstory of the "Mormen" people, cli-ing the fact that in Ohio, Missouri and filinois, there was trouble between them and their neighbors, and that the "freoressible conflict." continues in Utab. It charges them with wrong treatment of the offi-clais of the government for doing their duty, and accuses them of rebellion. It declares that the reason why such a condition exists is be-cause a theocracy rules to Utab, in temporal and spiritual, religious and political matters. The message condemus in strong, not to say radical, language, the eccle-siastical control which it alleges exists in Utab. It also treats upon the sub-ject of polygamy in a similar strain. It declares that the people of Utab have, by the act of registration and by the approval of a state constitution containing a prohibition of polygamy, abjured that institution, and it urge -thorong hand good failt abandonment of it, and deprecates obedience to priestly authority. The message refers to the alleged conflict between certain laws of the Territory and the Orkanic Act, and recommends the enactment of laws that will end the necessity for the Utah Commission. It predicts disas-ter to the people of Utah unless the guaranties that have been made are carled out..

FROM WEDNESDAY'S DAILY, JAN. 11.

The Charge.

President Jacob Gates, who was ar-rested at Provo on Dec. 5th by four deputes, charged with adulters. He did not waive examination, but was bound over at the request of the prose-cution, who had no witnesses.

Suicide.

A report comes from West Weber, Weber County, that John Jones a resi-dent of that place, had committed sui-cide by hanging. He was about 34 years of age. The canse of the deed was domestic trouble. It is said tha his wife ran away last week with man haved Graham.

The Blockade,

A message from the Council was read, anulting the appointment of conncilors Woolley and Young to act in conjunction with a like committee of the House to wilt upon the Gover-nor and inform him that the Council and House were ready to receive any communication he might have to make. Hatch and King were appointed on behalf of the House. A message from the Council was read, inviting the House to meet with them in joint session at 3 p. m. tomor-row, for the purpose of bearing a com-munication from the Governor. A similar resolution had just been sent by the House to the Council and action was deferred upon it until word should be received from the Council and the chamber of the House being the arcer it was deemed the better place in which to hold the joint session. Richards offered a resolution providing Crarried.

Fined for Mine Jumping. Today, before Commissioner Norrell, three men from Morgan County were tried for Jumping a mine, by taking possession of what is known as the General Grant tunnel. The complaint was made by ex-postmaster John T. Lynch, who alleges that Peter Poulson Niels P. Thomsen and John Chritchley, in the county of Morgan, Utah, did unlawfully interfere with the Norway Irou Mielog and Manufacturing Com-pany, by taking possession of the min-ing property of the company and pre-venting its agents from working the same.

d fendants, Mr. Podlsen, was a stock-holder in the company. The directors were John T. Lynch, president; J. R. McBride, vice-president; B. A. M. Froisetn, secretary and manager; W. W. Rivers, treasurer, F. G. Lyngoerg, Wm. H. Hooper and J. C. Harvey. Messrs. - Mikesell and Carter tes-tified that they were employed on Dec. 19 h, to drive the tunnel in 50 feet; we left the tunnel on the atternoon of Jan.

The message purports to review the history of the "Mormen" people, cit-ing the fact that in Ohio, Missouri and had jumped the tunnel; we went up and iound them there; they said they them and their neighbors, and that the "irrepresentible conflict." continues the Utah. It charges them with cials of the government for doing their duty, and accuses them of rebellion. It declares that the reson of our tools.

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of our tools. Fred. Kngston testified that on the morning of Jau. 1st he, saw Mikesell and Oarter in possession of the mine, and Oarter in possession of the mine, under a contract with Mr. Froiseth. Mr. Poulsen tastified that the mine bad not been worked for two wears, and was subject to relocation under the law; under these circumstances he went and relocated the mine; took possession at 12 o'clock at night Jan. 1st; I owned 667 shares in the Norway Company; I was not present at the last election of of-ficers; knew work was being done on the mine on Dee. 31st. Mr. Chritchley tes ified that he had heen hired to work at the mine by Mr. Poulsen; he lives at West Porterville; he told Mikesell he had possession but did not say he would allow no one there on tab officer. The Commissioner discharged Mr.

there but an officer. The Commissioner discharged Mr. Uritchley, and fined Messrs. Poulsen and Thomsen \$50 cach, in default of which they were ordered into custody. The detendants gave notice of an ap-peal and were required to give bonds in the snm of \$100 each.

THE CHURCH CASE.

The Government Claims There is No Appeal to the Supreme Court.

The application of the defendant eorporation in the suit of the United States ve. The Church of Jesus Christ of Latter-day Salnts, for fixing the supersedeas bond, on appeal to the Supreme Court of the United States from the appointment of a receiver, was heard by the Territorial Supreme Court day

Supreme Coart of the United States from the appointment of a receiver, was heard by the Territorial Supreme Court today. The arguments on behalf of the Church were made by J. L. Rawins and Le Graad Young, and for the Gov-ernment by District Attorney Peters. The latter's claim was that the ap-pointment of a receiver was simply an interlocutory order of this court, from which there is no appeal. Messrs. Rawillos and Young main-tained the position, in which they were well fortified by reason and law, that the refinal to allow an appeal would prevent a further contest of the case on the part of the Church. To say that the appointment of a receiver in the present case could not to be ap-pealed from was virtually to take all of the Church's property entirely out of its control and beyond its reach for-ever. It would finally settle the valid-ity of the law dissolving the Church corporation, without giving an op-portunity to be heard before the United States Supreme Court. If the Court sustained the position of Mr. Peters, it would give the receiver ab-solute power to take Church property substontely without the right to contest that action in the courts. Surely this cont would mot perpetate such an act of manifest and gross injustice. The defendant corporation did not ask for the property to be taken out of the finds of the receiver, but it did ask the right of testing the law before the highest tribunal in tho isud, a right which no reasonable and fair-minded person could deny. It was a matter in which all of the people were tuterested, and should be decided in the interests of justice. The court took the matter under ad-visement.

Justice. The court took the matter under ad-

Chaplain Hammond.

Ulaplain Hammond. The Fort Davis (Texas) News of the 6th inst. says: Chaplain B. C. Hammond is relieved from the department of Texas and or-dered to report for duty at Fort Douglas, Utah. This change is made at the chaplain's request, and is one with which he is much cleased. He will leave soon. Mr. Hammond is stationed at this post about three years, and has made himself during that time many true friends among our citizens, who will deeply regret his our citizens, who will deeply regret his departure,

More Arrests.

More Arrests. On Tuesdav, J. II. Clinger, of Lake View, was arrested on a charge of un-lawful cohsbitation, and on Wednes-day appeared before the Commissioner for examination. David Evans, E-q., prosecuted the case and Mr. E Booth defended. The evidence was so firmsy that the Commissioner had to dis-charge Mr Clinger. Bishop Lorenzo Argyle, of Lake. Shore, was arrested yesterday at that place on the U. C. charge and brought to Provo, where he was bound over in

o Provo, where he was bound over in temporary bonds to appear for exami-nation before Commissioner Hills on the 20th of this month.—Utah Enquir-

er, Jan. 5