

THE DESERET NEWS.

TRUTH AND LIBERTY.

No. 19.

Salt Lake City, U. T., Wednesday, May 23, 1888.

Vol. XXXVII.

ESTABLISHED 1850.

DESERET NEWS:

WEEKLY.

PUBLISHED EVERY WEDNESDAY.

One Copy, one year, with Postage, \$2.50
Six months, 1.50
Three months, .80

DESERET NEWS:

SEMI-WEEKLY.

PUBLISHED EVERY TUESDAY AND SATURDAY

One Copy, one year, with Postage, \$3.00
Six months, 1.75
Three months, 1.00

EVENING NEWS:

Published every Evening, except Sunday.

One Copy, one year, with Postage, \$10.00
Six months, 5.00
Three months, 2.50

Papers sent to subscribers by mail have the names stamped upon them, with figures opposite to indicate when the subscriptions will expire. For instance, John Smith, 4-11-7, means that John Smith's subscription will expire on the 4th day of the 11th month of this year, or November 4th, 1887. Subscribers will please notice the figures on their papers, to see that they have their proper credits, and also to know when to renew their subscriptions, the rule being to stop the paper when the subscription expires.

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

FROM TUESDAY'S DAILY, MAY 15, 1888.

First District Court.

Proceedings before Judge Henderson yesterday, at Ogden:

The People vs. William Harris; grand larceny; verdict of guilty. In the cases of the United States vs. Joseph Poole, Martha Waters, Wm. Evans, Thomas Duce, A. L. Schanck, Mr. Teah, J. J. Watkins and James Kemp, the defendants were ordered to appear for arraignment.

Death of Benjamin Judson.

The announcement of the death of Brother Benjamin Judson, of the Tenth Ward, will be read with surprise by his friends and acquaintances, who are very numerous in this city and vicinity. He passed away at about midnight last night, after an illness of nine days. The cause of death was inflammation resulting from strangulated hernia. He was born September 19, 1829, and consequently was in his 59th year. He was a native of Bradford, England, and emigrated to Utah about 1870. He was long an employee of this office, as engineer, but during recent years has followed other pursuits. The funeral will take place at 2 p. m. tomorrow in the Tenth Ward meeting house.

The Investigation.

The taking of testimony in the suit against the Church was continued yesterday afternoon. After the evidence of Wm. B. Dougall, relative to the transfer of the Church stock in the Deseret Telegraph Company to the Stake Associations, B. H. Schettler, assistant cashier of Zion's Savings Bank and Trust Company, was placed on the witness stand and asked in regard to what amount of the capital stock of the institution was held by the Church, and the amount of money on deposit. He testified that there was a note there, from President Taylor, for \$25,000, but that the Church had no interest in the bank.

George J. Taylor was called and asked some questions in relation to the Deseret News, but had no information to impart, as he was not the witness wanted.

Today Messrs. Peters, Young and others visited Z. C. M. I., and made an examination of the books, with a view of ascertaining what has been done in regard to the transfer of the stock from the Trustee-in-Trust. Zion's Savings Bank was also visited and books examined. The stock book of the latter institution was in the hands of the secretary, and was therefore not seen.

THE GRANT TRIAL

Still in Progress in the Third District Court.

In the trial of Richard Grant, of Park City, on the charge of manslaughter, in the killing of Peter Andersen on the night of November 3d last, in Grant's saloon, the testimony for the prosecution occupied a comparatively short period of time in its introduction. The first eye-witness to the killing was S. A. Smith, who testified—I was present at the saloon when Peter Andersen was killed; was standing by the bar; Andersen stepped in at the door and Grant ordered him out; Andersen approached the bar

and Grant stepped around at the end of the bar and had his gun in his hand; did not hear Andersen say anything when Grant ordered him out; he mumbled something but I could not hear what he said; he talked broken; I was about four feet from Andersen at the time he came in; did not see the gun until Grant came from behind the bar; Grant ordered Andersen out several times; Grant came around with the gun with a half a minute after he first ordered him out; Grant said he had put him out four or five times, and he would make him stay out now.

Several other witnesses gave testimony to the same general effect, and court adjourned until today.

Today Frank J. Evans testified that he was in the saloon; heard the first shot; saw Grant fire a second time; heard Grant order Andersen out; the first shot came five or six seconds after the command to get out was given; saw no knife in Andersen's hand, and did not hear him say anything; saw him advancing toward Grant at the time the second shot was fired.

John L. Weber, policeman, testified to having seen Andersen about an hour before he was killed, and after Grant had put him out of the saloon, he was partly drunk, but walked quietly away when the officer told him to.

The prosecution rested with this witness, and Mr. Dickson asked that they be compelled to introduce the testimony of Jno. Stanley, who was dead. His evidence had been taken in writing, and was favorable to the defense.

The court ruled that the defense could introduce the deposition in its own case, and this was done.

John Stanley's testimony was to the effect that on the night of November 3, 1887, he was in Grant's saloon; saw Grant put Peter Andersen out of the saloon three times that night; Grant was behind the bar when the deceased came in at the door; witness was seated near the door; Grant ordered Andersen out; on the third occasion Andersen raised a knife and threatened Stanley; he had been drinking, but was not drunk; the knife blade was three or four inches long; Andersen turned back to Grant, and said "You s— of a b—I'll kill you;" Grant came around the bar; deceased advanced toward Grant, when the latter fired; Andersen made another step, and Grant fired again; Andersen turned and fell out of the door, dead; he was about ten feet inside the door when the shots were fired; did not hear Grant say anything after he came from behind the bar; the threat was made before he came around; Andersen was not beliterous when he first came in, nor until Grant ordered him out; then he became excited.

The defense read in evidence the depositions of six residents of Bodie, California, to the effect that Peter Andersen, there known as Andrew Petersen, was considered as a crank; when under the influence of liquor, he was a dangerous and quarrelsome man, and had a bad reputation generally.

W. J. Moss, of Park City, testified—I knew Peter Andersen, the deceased, in Virginia City, Nevada, in 1877; he was then called Andrew Petersen; he is the same man.

James Allywart testified—I knew Andrew Petersen, or Peter Andersen, in Bodie, Cal., in 1886; he was a quarrelsome man when under the influence of liquor; saw him in Park City in 1887.

The deposition of John Murtha, who is now in Montana, was read. Murtha was in a saloon across the street from Grant's on the night of the shooting; Andersen was in there and was rather noisy; Thompson, the saloon-keeper, said Grant had Andersen's watch; the latter said he would snoot Grant if he didn't give up the watch; Thompson and Murtha were fooling with Andersen, who was intoxicated; Thompson actually had the watch and \$10 of Andersen's money, taking care of it; Andersen asked Murtha if he had a gun, and said he would get his watch from Grant or kill him.

Wm. Peck's deposition was also read. He testified to seeing Grant throw Andersen out of the saloon; did not see the shooting.

Joseph N. Cohen testified to the finding of a knife near Andersen's body; the blade was open at the time; it was a large-sized pocketknife, the blade being about two-and-a-half inches long, and very dull.

The trial was still in progress this afternoon.

FROM WEDNESDAY'S DAILY, MAY 16, 1888.

Discharged.

Charles W. Nibley, of Logan, had an examination yesterday before Commissioner Goodwin on the charge of unlawful cohabitation. After hearing all the testimony, the Commissioner discharged Mr. Nibley, there not being sufficient evidence to warrant holding him to the grand jury.

Mining Company.

The articles of incorporation of the Hidden Treasure Mining Company have been filed with the Territorial Secretary, and a certificate issued.

The president of the company is H. H. Wadman, vice-president J. P. Folkman, secretary and treasurer J. J. Driver; these, with D. J. Evans, Geo. H. Maycock, Peter Kasey and Sidney Stevens, form the board of directors. The capital stock is placed at \$600,000, and the property to be developed is on the north fork of the Ogden River, Weber County.

Another Fence Factory.

Arthur L. Cummings, J. W. Hardy, James McGhie, Jr., Jesse W. Fox, Jr., and Moroni Hodgson have recently organized the Salt Lake Fence Company, and are now in the field with a combination fence of pickets or lat and wire. The factory is now in operation at No. 137 s. First East Street, where orders for field, chicken, garden, street, and every other kind of fence, will be filled promptly and at low prices. The young men who form the company are full of energy, and deserve success. Call and see them.

A Rough Road.

E. R. Young, Esq., came in from Wanship, Summit County, traveling in a buggy through Silver Creek and Parley's cañons. He had a pretty rough time of it, as the roads through both these cañons are so badly broken up by sheep that it is very unpleasant traveling. It is estimated that not less than 500,000 sheep have passed eastward through Parley's and Silver Creek, en route to the vicinity of the headwaters of the Bear River, and in passing along the roads and on the mountain sides have rolled down an immense quantity of broken rock, which in places renders the roads almost impassable. It will take considerable work to replace the roads in good condition.

That Banner.

The dismissal of the libel proceedings against Mr. Duval and others, for displaying the banner caricaturing a white man who refused to respond to the call for the boom fund, did not doally close the transaction. After the case had been dismissed and the costs paid, Duval applied to the justice for the libelous banner, saying he wished to take it back where he got it from. As under these circumstances this would cause the offensive picture to be again displayed in the public streets, the court refused. Later in the day Messrs. Stanton, Young and three others made a formal demand on Justice Pyper for it, and were again met with a refusal. Then a document was served on Marshal Solomon, ordering him to surrender the banner, but as the Marshal didn't have it, there was no surrender. Subsequently a suit was started before Commissioner Norrell, against Justice Pyper and Marshal Solomon, for the banner, but, to day this was dismissed. There is something very remarkable in the efforts to regain possession of the caricature.

Probate Court.

Proceedings in the Salt Lake County Probate Court yesterday:

In the matter of the estate of John Hagel, deceased; order made appointing Wm. Fuller, T. C. Patten and S. P. Newman appraisers. Accounts of executors examined and held under advisement.

Estate of Richard Stringam, a minor; order made appointing time and place to hear petition for order of sale of real estate.

Estate and guardianship of Brigham Pyper et al., minors; orders made of sale of real estate, and appointing Adam Speirs, Orson H. Pettit and J. W. Fox, Jr., appraisers.

Estate of James Toms, deceased; order made appointing Elizabeth Toms administratrix, upon filing a bond in the sum of \$500.

Estate and guardianship of Eliza Swamer et al., minors; order made of sale of real estate.

Estate and guardianship of Julius A. Rockwood et al., minors; order of sale of real estate made.

Estate of E. A. Harmon, deceased; order made authorizing executor to pay \$20 per month to the widow of said deceased.

Estate of James Robbins, deceased; order made appointing time and place for settlement of executors' accounts.

CRUSHED TO DEATH.

One Man Killed and Two Severely Hurt at Coalville.

A terrible and fatal accident occurred on the Union Pacific at Coalville at noon on Saturday last. There has been a narrow gauge track up to the Home Coal Company's mine, and the railway employees have been engaged in changing it to a broad gauge. Mr. Wilds, the section foreman, and his men were coming down from the mine, for dinner. They were riding on a trolley, which had no brakes, and were coming down the steep grade at about twenty miles an hour.

Mr. Wilds had in his hands a piece of 2x6 scantling, to be used as a brake. On reaching the Coalville road he attempted to apply the rude brake, when it caught in some way, and the timber snapped in two. Mr. Wilds was hurled forward on the track and the next instant the trolley, with its load of eight or ten men, came crashing against him.

The unfortunate man was in a terrible situation. He was so caught by the wheels of the car that it was stopped almost instantly. All but two of the men sprang off, and escaped with slight injuries. Mr. Wilds, with the other two, was pinned to the track. Mr. Morby, who was close by, rushed forward, and with the superhuman strength which came with the excitement of the moment, he caught up the trolley and threw it to one side, with apparently very little effort. The car was so heavy that subsequently he could not budge one end of it.

The two men who went over with the car, and whose names we have not been able to ascertain, were pretty badly shaken up. One was taken to his home, but the injuries of the other, among which were a broken shoulder and broken leg, were so serious that he was sent to the Union Pacific hospital at Ogden.

The most careful attention was paid to Mr. Wilds, who was horribly crushed about the breast, where the whole force of the terrific blow was received. He suffered great pain whenever moved. He was taken to the home of his grief-stricken family, and a telegram sent to Evanston for a surgeon.

From the first, Mr. Wilds' injuries were known to be fatal, and at 4 o'clock on Monday morning he died.

The man who was taken to Ogden had been in the employ of the railway but two weeks.

Brother Wilds was about twenty-five years of age, and leaves a wife and three small children. He bore an excellent character, and his sad end is deeply regretted by a large circle of sympathizing friends.

LEFT WITH THE JURY.

Closing Hours of the Grant Manslaughter Case.

In the continuation of the manslaughter case against Richard Grant, yesterday afternoon, a number of witnesses testified to the good character of the defendant, who was, at the close of his case, called as a witness, and testified: My name is Richard Grant, commonly known as Dick Grant; have lived in Park City since 1875; have a wife and four children; the youngest 11 and the eldest 16; first came to the coast in 1831, going to California; after leaving California went to British Columbia, thence to Montana; and then came to Salt Lake; from there to Ploche, Nevada; thence to Ophir, and then to Park City; was night foreman at one time of the Ontario mine, but resigned in 1881; went back to Montana for a while, returning to the Park the same year; I then went into the saloon business, but have done nothing since this trouble; I never had any sort of trouble with anyone before this time; I may have been out with the boys; I challenged a man to fight once, but he backed out; I went to the saloon on the evening in question about 5 or 6 o'clock; knew Andersen by sight, but never knew his name; had never met him until the night of the homicide; it was about 7 o'clock when he first came in that evening, when he went straight to the club room and gave a terrific yell; I told him to shut up; he came out; I then put him out; he turned around and said, "You s— of a b—," and then went off; he wanted whisky, but I refused to give it to him; half an hour afterwards he came back again and asked for whisky; I told him to go over to the "Scandinavian" where he could get all he wanted for money; he then went away; soon after he returned in company with another person; I refused to sell him anything, and told him to go out; after a struggle, I put him out; at that time a policeman came along, and I supposed he would be arrested; he came back the fourth time about 10:30; I was behind the bar; Andersen rushed in the door, throwing it back against the wall; he had something in his hand, and he turned round and said he would "kill the s— of a b—;" I took down the gun, and when he came towards me, I pulled it on him; he kept coming and I fired again; he then turned quick and walked toward the door, where he fell and rolled.

To Mr. Hoffman—I heard that Andersen was 47 years old; I never knew anything about him before this occurrence; there was plenty of time for him to drop before I gave him the second shot; I went right behind the bar; I knew that Andersen was dead; he walked six or seven feet from the door after I shot him; I had no ill will towards Andersen, and he had never injured me in any way; I honestly believed that when he came towards me he intended to injure me; I was satis-

fied he had a knife in his hand before I shot him; I shot to kill; I aimed at the centre of his body, and that is where I hit him; after I hit him the first time I waited a second or two to see if he would turn, when he didn't I fired the second time.

The prosecution then introduced a number of witnesses, who testified that Andersen, the deceased, was of a quiet, peaceable disposition.

This morning the arguments before the jury began, Mr. Hoffman opening for the prosecution. Mr. Snyder followed Mr. Hoffman, and Mr. Dickson then made an exhaustive plea for his client. Mr. Clarke made the closing argument, which had not concluded when we went to press.

FROM THURSDAY'S DAILY, MAY 17, 1888.

Grant Acquitted.

About 5 o'clock yesterday afternoon the jury received the case of Richard Grant, of Park City, for manslaughter, in killing a Swede named Peter Andersen, Nov. 3, 1887. The jury deliberated about two hours, and then returned a verdict of not guilty.

Ankle Broken.

The Fifteenth District school took an out in Liberty Park yesterday, but the pleasure of the pupils was marred by a painful accident which befel one of their number. While playing a game of base ball, Earnest Morris, son of Elias Morris, Esq., a boy aged about eleven years, had his ankle broken. The precise nature of the injury was not ascertained until the boy had returned home and a physician had made an examination.

Another Burglary.

Some time during last night the home of Mr. W. E. Stahl, No. 244 e., Fourth South Street, was visited and partially ransacked by burglars. The intruders gained egress by cutting a wire screen and opening the window, which was unfastened. All of the silverware and some money were taken, and the thieves got off without leaving any clue. The officers were notified this morning.

Third District Court.

Proceedings before Judge Zane today:

Henry C. Woodrow vs. Comet Mining Company; on motion of J. R. McBride, it was ordered that a commission issue to the United States consul at London to take testimony.

Wm. Perego vs. Thomas Smith et al.; continued on motion of the defendant.

John Casey vs. W. Snyder et al.; on trial before the court.

Title Abstract System.

Mr. Isaac M. Waddell has just copyrighted a system for keeping abstract books, of which he is the inventor. An examination of the method enables us to state that for simplicity and thoroughness it appears to be as near perfect as it can be made. By it the entire history in every detail of real property registered under it can be discovered or ascertained with surprising facility, and in such a manner as to guard against errors. The plan has been examined by a number of leading attorneys who pronounce it the best system they have ever inspected. The gentleman who invented and formulated it is to be congratulated upon his success.

L. Cottrell Arrested.

Last evening Larned Cottrell, of this city, was arrested on the charge of embezzlement. It is alleged that he improperly retained several hundred dollars belonging to the Sioux Falls Nursery Company, in whose employ he has been. He was released on \$1000 bail to appear for preliminary examination before Justice Pyper at 4 o'clock this afternoon. Mr. Cottrell has always been regarded as a straightforward business man, and he will doubtless show a clear record in this affair. He says that all there is to the charge is an effort on the part of the company to get out of paying him for services. He has funds, belonging to the company, which he is ready to turn over just as soon as they will make a proper settlement with him, but says he will not turn all over and then have payment for his services refused.

Spokane Falls (W. T.), May 15.—The boldest burglary ever committed in this part of the country was perpetrated this morning about 4 o'clock. Mrs. A. M. Cannon, wife of the leading banker of this city, was aroused from sleep and found a stranger in her room. He was rifling the clothing at the foot of the bed. Mrs. Cannon gave the alarm and the robber fled, pursued by Mr. Cannon. In the chase the burglar jumped through a plate-glass window, 66 by 30 inches. Cannon pursued the burglar some distance, but was not sufficiently fleet-footed. R. S. Clark, Cannon's stepson, took six shots at the thief. The latter smiled as he passed around the corner. The thief carried off about \$600 worth of jewelry and a small sum of money.