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TRUTH AND LIBERTY.

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FROM TUESDAY'S DAILY FEB. 14, 1888.

### ELECTION RETURNS.

The "Liberals" Fail to Carry a Single Ward.

Promptly at 6 o'clock (sundown) last evening the polls in the five municipal wards were closed, and the struggle was over. The reports of the People's Party managers showed that they had carried every ward for the citizens' ticket, independent of any assistance from those of the minority party who favored the fusion. The counting of the judges in some of the wards lasted till an early hour this morning, the result in the whole city being as follows:

NAME.	First	Second	Third	Fourth	Fifth	Total
<b>MAYOR.</b>						
F. Armstrong	372	449	301	304	260	1736
H. W. Lawrence	174	280	49	64	293	946
<b>ALDERMEN.</b>						
<i>First Ward.</i>						
W. W. Riter	329	463	394	316	277	1789
John M. Young	171	381	44	60	287	943
<i>Second Ward.</i>						
Thos. G. Webber	313	462	390	316	283	1764
J. B. Rosborough	168	280	43	60	254	907
<i>Third Ward.</i>						
W. S. McCornick	331	485	403	321	297	1837
N. Trower	176	361	43	58	241	888
<i>Fourth Ward.</i>						
James Sharp	332	465	400	315	281	1793
P. L. Williams	169	379	45	62	257	912
<i>Fifth Ward.</i>						
G. D. Pyper	332	468	400	315	281	1791
E. B. Critchlow	167	379	45	62	254	907
<b>COUNCILORS.</b>						
LeGrand Young	333	463	400	318	281	1795
John Clark	332	462	400	314	283	1791
A. W. Carlson	332	462	401	316	280	1791
T. E. Jeremy, Jr.	332	464	400	316	284	1796
J. F. Fawcett Smith	332	463	400	316	284	1795
S. P. Teasdale	332	463	400	311	282	1788
John E. Dooly	337	481	401	315	288	1825
M. B. Sowles	337	481	402	320	297	1835
Bolivar Roberts	338	477	399	320	292	1826
R. Alf	339	476	44	57	252	899
Matthew Collier	169	377	44	54	251	896
T. O. Armstrong	168	377	41	59	213	858
T. C. Bailey	170	378	44	61	249	902
J. J. Daily	168	378	45	59	253	903
Ed. D. Swan	163	367	44	56	250	881
Lewis Martin	163	367	45	60	253	900
Obas. Reed	163	378	45	59	251	898
W. F. James	168	367	44	56	249	881

<b>RECORDER.</b>						
Heber M. Wells	333	462	396	310	280	1783
H. G. McMillan	171	381	46	66	254	918
<b>TREASURER.</b>						
O. F. Whitney	332	457	398	313	275	1785
J. R. Walker	170	383	45	64	263	925
<b>MARSHAL.</b>						
Alfred Solomon	282	405	360	288	227	1762
J. W. Greenman	100	399	59	72	292	1012
G. M. Ottinger	31	36	10	16	21	114

<b>ASSESSOR AND COLLECTOR.</b>						
Moses W. Taylor	331	457	398	310	274	1770
A. L. Williams	170	387	47	65	265	934

The result is a most gratifying one to the People's Party, and proves that since the last August election they have gained, while their opponents have retrograded. The ticket, exclusive of the four minority candidates received 860 majority out of a total of 2,716 votes. Of the votes received by the People's candidates on the citizens' ticket, not to exceed 25 came from

those outside of the People's Party, while the number who voted for the minority candidates and scratched the other part of the ticket was about 30 more, the balance of the "Liberals" going solid for the anti-fusion candidates.

The boast of the minority has been for some time that they could carry two municipal wards with certainty, and had a good fighting chance in a third. The result of yesterday's election shows that in the closest district (the Fifth), the People's candidate for alderman, George D. Pyper, came in with a majority of 27 votes out of a total of 538, and that in all the others the majorities were still heavier, ranging up to 386; the "Liberals" being thus defeated all along the line, notwithstanding the strenuous efforts made, and which doubtless brought out all their available strength. To such an extent had they deceived themselves as to the number they could rally, that last night many believed that their candidate for marshal had been elected, and a justification was proposed. This proposition was suddenly abandoned—when it was ascertained that that candidate had been completely snowed under with all of the others.

The outlook for the People is not at all discouraging. Their majority in the city in August last, when the "Liberals" were worked to the highest pitch, was 715. Yesterday, taking out what little support was given by the fusionists, it was upwards of 100 in advance of that figure, with an ability to still further increase it by more thorough work in some of the wards if it should be necessary.

### The Provo Election.

At the municipal election at Provo yesterday, the entire People's ticket was elected, the highest number of votes cast for any one candidate on it being 309 and the lowest 286. For the "Liberal" ticket the highest was 57, lowest 31.

### In Court Today.

Proceedings in the Third District Court:

The case of the People vs. John B. Parry et al. was continued on motion of the defendants.

United States vs. B. H. Schettler; unlawful cohabitation; defendant pleaded guilty to the fourth count and the remaining three were dismissed; sentence set for Feb. 20th, at 2 p. m.

Joseph Bull, Jr., summoned as a juror, said he could not conscientiously take the oath, and was excused.

The case of the United States vs. Olaus Johnson, unlawful cohabitation, was called, but the defendant not being present, it was postponed till this afternoon.

FROM WEDNESDAY'S DAILY, FEB. 15, 1888.

### South Jordan Postoffice.

The postoffice at South Jordan, in this county, has been re-established under the name of Gale, and all mail heretofore addressed to the old name of the postoffice, should bear that of the new.

### A Correction.

Mr. Joseph Dover, who was in court on Saturday, calls attention to an error that inadvertently appeared in the NEWS. It was said that he agreed to live only with his first wife. The word "first" should have been "legal." Mr. Dover stated that he could not agree with his first wife, and the court explained that he might obtain a divorce from her and make the second the legal wife; until that time he should keep away from the second if he would obey the law, which Mr. Dover promised to do.

### Olaus Johnson Convicted.

Olaus Johnson was tried in the Third District Court today on an indictment charging him with unlawful cohabitation, to which he had pleaded not guilty. There were both "Mormons" and Gentiles on the jury.

Paulina Johnson, the second wife, testified that she had been married to the defendant 21 years; had not lived with him for the past three years; for two years before then he had been on a mission; she had lived with the first wife while the defendant was away, but moved as soon as he came home; he now lived with his first wife.

Commissioner Norrell testified that the defendant was before him on a charge of unlawful cohabitation on Aug. 1, 1887; in a conversation Mr. Johnson said he had told the officers that he was going to plead guilty; he was sworn and pleaded guilty to the complaint filed.

Deputy Sprague testified that the defendant had told him he intended to plead guilty; he made the statement voluntarily.

The defendant was sworn and testified—I was arrested last August and pleaded guilty to having two wives; I understood that was sufficient to make the offense.

On cross-examination the defendant said he had been on a preaching mis-

sion to Scandinavia, and returned three years ago.

Assistant District Attorney Zane made a brief speech to the jury, in which he made some unwarrantable insinuations against the "Mormons," and for which Mr. Young administered a deserved rebuke.

The case was given to the jury, who returned a verdict of guilty. Sentence was set for February 20th, at 10 a. m.

### STILL GOING ON.

The Land Jumpers on Arsenal Hill Increasing in Numbers.

The audacious attempt to steal the city lands on Arsenal Hill still goes on. In addition to Mr. Llock, half a score of other parties, including C. E. Mitchener, of Tooele, J. B. Durst, George Adkins, J. M. Kennelley and Richards & Co., of this city, are taking part in the grab. All day yesterday, and again today, tracts were being surveyed, from the brow of the hill, away back to the northeast of Ensign Peak; post holes were dug and barbed and plain wire being strung along on cedar posts, hundreds of which were being hauled to the ground.

This morning City Marshal Solomon went up on the hill, and after notifying those who were there that they were trespassing on city property, posted the following:

#### NOTICE.

These lands consisting of lots numbered one (1) and two (2) and the south half of section thirty (30) and all of section thirty-one (31) in township one (1) north of range one (1) east, Salt Lake meridian, not heretofore deeded and conveyed by the corporation of Salt Lake City, are the property of said corporation, and all persons are hereby notified not to trespass or enter upon said lands, or in any way place fences, posts or buildings thereon, of any character or kind.

Any violation of this notice or of the rights of said corporation, will be prosecuted according to law.

ALFRED SOLOMON,

City Marshal.

Salt Lake City, Utah, Feb. 14, 1888.

No further steps were taken publicly by the city officials today, as they understand the true situation of affairs, and will act at the proper time and in a manner that will make the land jumpers feel decidedly uncomfortable. Some of the latter attempted yesterday to make an entry in the land office, but the applications were refused, because the city has the government patent, which gives to the corporation the absolute title.

Tomorrow the trial of Marshal Solomon and eight of his men, arrested on the charge of unlawfully arresting one of the land jumpers, is to come up before Commissioner Norrell.

A new frame house was put up this afternoon. Up on the ridge a Salvation Army man named Anderson took up a section of land, and is fencing it. Another Colorado estate man, White, is following his example. Several tracts are already enclosed.

There were on the hill today something like 150 men engaged in fencing in tracts of land. Beside this half a dozen tents were put up, the occupants of which were endeavoring to lay claim to the adjoining land. Several parties are endeavoring to obtain possession to the same piece of ground, and some bad blood is being engendered. In fact, it will be no surprise if the contestants soon get to fighting and work each other serious injury.

### THE LEGISLATURE.

#### COUNCIL.

Feb 14, 1888.

Howe presented a minority report objecting to the passage of the bill, as he deemed the measure unfair and unwieldy.

Bryan moved the adoption of the minority report, and that the bill be put upon its passage.

Marshall deemed it a measure favoring the lordly stockman as against the toiling farmer, and he opposed it.

Woolley favored the majority report in order to get it before the Council for discussion.

Read for information and filed for second reading.

Bryan presented a report from the committee on public health on H. F. 33, relating to the removal of dead carcasses, recommending its passage.

Report adopted and the bill filed for second reading.

Woolley presented a report of the judiciary committee on H. F. 17, revising proceedings in justices courts, and providing for appeals, amended, recommending its passage.

The report was adopted and the bill filed for second reading.

Shurtliff, from the committee on elections, reported on H. F. 24, recommending its passage.

Report adopted, read by title, and filed for second reading.

Woolley, from the committee on judiciary, reported on H. F. 37, a bill providing for the release of the right of dower, recommending its passage.

Report adopted, read by title, and filed for second reading.

Wimmer, from the committee on

counties, recommended the passage of H. F. 38, determining disputed boundary lines.

The report was adopted and the bill filed for second reading.

Wimmer, from the committee on highways, reported on C. F. 26, a bill pertaining to highways, recommending its rejection.

The bill was read for information and rejected.

Woolley presented by request C. F. 27, a bill providing for the regulation of fees of clerks in district courts. Referred to the committee on judiciary.

H. F. 24, to prevent crimes against the elective franchise, was called for second reading. It was read the second and third time under suspension of the rules and passed.

Councilor Smoot was excused on account of attendance at a funeral.

H. F. 17, revising the proceedings in justices courts, was read a second time and filed for third reading.

H. F. 27, relating to barbed wire fences, was called for second reading. Bryan favored its passage for reasons set forth.

Woolley proposed amending the title so as to read, "A bill to increase the profits of the barbed wire men," and moved to strike out the first section.

Olsen had taken pains to learn the general feeling in regard to those fences; the farmers wanted three wires and a pole, an effective fence, otherwise it was a trap to injure stock.

Howe hoped the bill would not become law. It was impracticable for poor farmers to make such expensive fences. Two wires were as good as four in certain cases. Two wires with a ditch were better than four without. He thought that all those farmers not sent to the pen by the Edmunds-Tucker law and the fish and game law, would be landed in there by this barbed wire fence law.

A member observed that if the wire fence was dangerous to animals, perhaps Mr. Howe would suggest that the man who owned the horse should lead him to water for safety. Mr. Howe said he would; he thought it better for the man to herd his horse than for the farmer to herd his garden patch.

After further discussion, humorous and otherwise, by Tattle, Young, Marshall, Carlisle and Bryan, Shurtliff, at 4:40 p. m., moved to adjourn till 2 p. m. tomorrow.

Woolley notified the Council that the members of the reform school committee would go to Ogden tomorrow.

The Council then adjourned.

February 15, 1888.

A communication was received from Fredrick Kessler giving a full list of the property belonging to the Territory in his possession. Referred to the committee on penitentiary and reform school.

A message was received from the House notifying the Council of the passage of H. F. 20, a bill providing for the removal of county seats. Read first time and referred to the committee on counties.

A communication was received from the House stating that the amendment by the Council to H. F. 41 was not concurred in. The Council, after some discussion, restored the section required by the House, and the bill passed.

Olsen presented a report of the special committee appointed to ascertain the discrepancies, if any existed, in the report of the auditor of public accounts and that of the treasurer. The committee reported that after a thorough examination they found that no errors existed and gave explanations of the accounts as rendered. The report of the committee was accepted and the committee discharged.

Olsen reported that the special joint committee had audited the accounts of the auditor and treasurer, and found them correct, and had cancelled and destroyed the warrants after comparison with the stubs, etc. The report of the committee was accepted.

H. F. 27, on barbed wire fences, was called for second reading, but at request of Marshall was deferred till the return of absent members of the Council.

A substitute for H. F. 33, providing for the removal of dead animals, was read second time and filed for third reading.

H. F. 35, on selection of jurors, was read the second time and filed for third reading.

H. F. 37, relating to the relinquishment of the right of dower, was passed under suspension of the rules.

H. F. 38, determining disputed county boundary lines, was read the second time and filed for third reading.

H. F. 17, a bill defining the method of procedure in justices courts and providing for appeals to district courts in criminal cases, was read the third time by sections and passed.

Marshall presented by request a communication from Mr. Zera Snow, with a bill for services rendered to the amount of \$200. Referred to the committee on claims and public accounts.

On motion of Marshall, the Council adjourned till 2 p. m. tomorrow.

### HOUSE.

February 14, 1888.

King moved to strike out section 4 as a repetition of a part of section 3.

Allen favored striking out, but Richards, Creer and Rouche opposed.

The House refused to strike out. Moyle moved the suspension of the rules and the third reading of the bill. Carried.

On motion of Lund the bill passed by a vote of 20 ayes, 2 noes.

The Council passed H. F. 24, to prevent crimes against the elective franchise, with amendments, which the House proceeded to consider. They were mere verbal changes and the House concurred in all of them.

C. F. 23 was brought up in connection with H. F. 53, both substantially alike, the question being on the recommendation of the committee to reject the latter. The House so ordered. C. F. 23 was, on motion of Richards, ordered to be printed, pending second reading. It refers to the payment of a given sum to each prisoner released from the penitentiary.

The bill providing for a geological survey of the Territory was brought up.

Moyle was not opposed to the bill, but called attention to what he deemed some objectionable features of it.

A general discussion of the objects and scope of the bill ensued, in which King, Allen and Rouche took part, Rouche advocating the measure.

Some unimportant amendments were made, including a section making the act effective immediately, and it was filed for third reading.

On motion of King the House adjourned at 4:30 p. m.

Feb. 15, 1888.

Opening exercises. The minutes were slightly amended.

Howell and Richards were excused.

Farnsworth introduced a petition asking for an appropriation for roads in Garfield and San Juan counties.

Hatch introduced a petition asking for a local option law. Referred to committee on elections.

The agricultural committee reported adversely on the bill providing for a scientific survey of the Territory. Filed for consideration on the second reading of the bill.

Thurman, of the judiciary committee, reported adversely on H. F. 4, for the punishment of polygamy, bigamy, etc. The majority of the committee think that, in view of the legislation by Congress upon the subject, the Territorial Legislature would have no right to pass any act in relation thereto. The report is accompanied by a preamble and resolutions expressive of the sense of the majority of the committee.

Thurman said he would not insist upon action on the report and accompanying resolution, of which the following is the text:

Whereas the government of the United States has enacted laws prohibiting and punishing bigamy, polygamy, unlawful cohabitation, adultery, incest and fornication, and said laws are in force and supreme in the Territory of Utah; and

Whereas, it is the opinion of His Excellency the Governor of Utah, as well as a majority of the members of the present Legislative Assembly, that said laws upon the subjects named are exclusive and cannot lawfully be added to, diminished or duplicated, so far as said punishment is concerned, by Territorial legislation; and

Whereas, it is the opinion of a majority of the members of said Assembly, that any law passed by said Legislature prohibiting or punishing any or all of said offenses, would not only be in excess of legislative power, in the respect above referred to, but would be unconstitutional in its operations; and if not unconstitutional, would be oppressive in that it might subject the citizen to be twice tried for the same offense, and

Whereas, a bill has been introduced and is now pending in the House of Representatives of said Legislature by which it is proposed to prohibit and punish each of said offenses already prohibited and punished by the laws of the United States as aforesaid, and

Whereas said Assembly for the reasons above named, have rejected and do hereby reject and disapprove of said bill, and in order that their action herein may not be misunderstood or misrepresented, and for the purpose of emphasizing and reiterating in the most solemn manner within their power as a legislative body the declarations and intentions of the people of Utah concerning the prohibition of said offense.

Resolved, That said Assembly be in favor of a just, humane and impartial enforcement of said laws of the United States in the same manner as other criminal laws are enforced, under the Constitution and laws of our country to the end that said offenses may be effectively prohibited.

Howe made a speech upon the report, opposing its adoption, and Thurman replied to him.

The people of St. George propose to construct a new canal this year, to take