

THE DESERET NEWS.

TRUTH AND LIBERTY.

No. 47.

Salt Lake City, Wednesday, December 23, 1874.

Vol. XXIII.

ESTABLISHED 1850.

THE DESERET NEWS, WEEKLY.

One copy, one year, in advance, \$4 00
" six months, " " 2 00
" three " " " 1 00

THE DESERET NEWS: SEMI-WEEKLY.

One copy, one year, in advance, \$4 30
" six months, " " 2 40
" three " " " 1 20

THE DESERET EVENING NEWS.

One copy, one year, in advance, \$10 00
" six months, " " 5 00
" three " " " 2 50

DAVID O. CALDER,
EDITOR AND PUBLISHER.

OUR SUBSCRIBERS in the country can at any time ascertain the date on which their subscription expires by referring to the numbers attached to their name on their paper, namely, 1-6-4 means first day, sixth month, fourth year, or 1st June, 1874; 15-12-4 means 15th December, 1874, &c.

These names having no numbers close with the end of the volume.

Subscribers understanding this will be able to renew their subscriptions prior to the time of expiration, so that their papers may continue without interruption.

Local and Other Matters.

FROM WEDNESDAY'S DAILY, DEC. 16.

Snow.—Two or three inches of snow last night.

More Stealing.—Robert Kennedy was arrested last night for walking off with two pistols and a watch from the Pacific House. He is an old offender.

Found.—Yesterday two boys who live in the 19th Ward, found two Springfield rifles under a City Creek bridge, very probably the booty of some sneak thief.

Fined.—This morning A. Martin was fined \$5 by Justice Pyper for being drunk and poking his elbows through the window of Broughton's saloon.

Shooting a Dog.—To-day a man, who resides in the 12th Ward and who refuses to give his name, engaged in the pastime of tying a dog up in a tree and making a target of the brute with his pistol. Failing to kill it with that weapon, he next had recourse to a carbine. He was arrested.

Cut Himself.—This morning we learned, from Mr. Theo. Curtis, that his shop, on 2nd South Street, was broken into last night, through the window, by some person unknown. Nothing was missing, but from the blood found in and around the premises it is presumed that the burglar cut himself with the window glass.

Arrived.—About 2 o'clock this afternoon Hiram B. Clawson, Esq., and sons arrived in this City with the remains of the wife of that gentleman, the departed Mrs. Alice Clawson. The funeral will take place to-morrow.

Messrs. William H. Folsom and George Romney arrived from St. George at the same time, having traveled from there in company with Mr. Clawson.

Shoes and Things.—Somebody must be minus a number of pairs of shoes, and a quantity of raisins, candies and other things, for James Monroe and Fred Cook, of the light-fingered tribe, were found in possession of such things, and the police arrested them to-day. The thieves have turned up, now let the owner come forward, for it is not at all a supposable case that the two parties named came by the articles honestly.

Information Wanted.—Any person knowing of the whereabouts of the party named in the following will oblige by sending the information to the writer of the letter:—

PHILA., Sep. 18, 1874.

"Brigham Young, Esq.

"Dear Sir—I am desirous of finding the whereabouts of a nephew of mine, by the name of Joseph Young Erricksen, who emigrated from Copenhagen, Denmark, to Salt Lake City, on the 18th of June. He was born in Glomso, Denmark, and, I think, is now

somewhere about 16 years of age. Any information you could give me would be thankfully received, or by delivering the letter to him I send with this, directed in your care, you would oblige me much."

"Yours truly,
CHAS P. OLSEN, 223 Ella St.,
Phila., Penn."

Coal Oil Rectifier.—Everybody knows that great danger attends the careless handling or using of coal oil, and that life is frequently sacrificed thereby. There is a gentleman now staying at the Salt Lake House, in this city, who has the sole proprietary right of what is called "Fay's Coal Oil Rectifier, or Non-Explosive Powder," which, it is said will purify and remove all danger of explosion from any coal oil into which it may be poured. Mr. Smart, the gentleman above referred to, called at this office this morning, and, in presence of several of the employes, tested the qualities of the powder. He took out the burner from a lamp partially filled with oil, into which he poured some of the non-explosive powder. He then lighted the wick and blew the blaze into the lamp, but with no more effect than if he had blown it into so much water. Mr. Smart says that this powder renders all kinds of coal oil perfectly safe, there being no danger of explosion or fire if a lighted lamp, containing it, be knocked over by the carelessness of children or others. Another advantage claimed by the use of the powder is that no lamp glasses are ever broken by the heat of the blaze of a lamp containing it, for while it does not diminish the illuminating power of coal oil, it decreases the heat of the flame one-third, thus enabling a flame to be turned on to its full capacity when lighted without fear of fracturing the glass. Fifty cents worth of the non-explosive powder is sufficient to remove danger from ten gallons of oil.

District Court Proceedings.—This morning, after the disposal of some *ex parte* business, U. S. District Attorney Carey announced that he was ready to go on with the trial of John Beegan, for larceny from the person of J. Sharp, committed in February, 1873.

After some delay the following were empaneled a jury to try the case:—

John H. Tibbitts, B. M. DuRell, Jos. W. Watson, A. M. Mortimer, J. A. B. Crossgrove, M. H. Brady, James T. Little, Solon Richardson, Henry Emery, W. H. Walker, Henry E. Bowring and A. L. Hale.

Messrs. Samuel P. Teasdel, Henry Saddler, James Watson, Andrew Smith and John Y. Smith were sworn on the part of the prosecution.

The substance of Mr. Teasdel's testimony was that on or about the 15th of February, 1873, himself and Mr. Saddler were walking eastward along the south side of the Temple Block, about midnight, when they met a man named Sharp and a party named Davis, going in the other direction. Soon after Beegan, Dunn and another man passed them also. Almost immediately afterwards cries of "help" were heard, when Beegan and Dunn were seen standing over Sharp, who was on the ground. Beegan and Dunn then ran rapidly across the street southwards, then eastward, turning the corner of the Council House, and going down East Temple street.

This evidence was corroborated by Mr. Saddler, who positively identified Beegan.

Mr. Watson testified to having seen Beegan and Dunn hurry past him on East Temple street, near Savage's Art Gallery, and to have seen Messrs. Teasdel, Saddler, Sharp (the party who was robbed), Davis and others, to having gone in search of Beegan and Dunn, and seeing officers Andrew Smith and J. Y. Smith coming out of what is now called Headquarters Saloon, with Beegan and Dunn under arrest.

Officer A. Smith's testimony was to the effect that he received information from Sharp, on the night in question, that the latter had been robbed, and in consequence he arrested Beegan and Dunn.

Officer John Y. Smith corroborated the testimony of the previous witness, with the addition that he heard Sharp charge Beegan and Dunn with robbing him of \$90, at the time the arrest was made.

The prosecution here closed their case.

Mr. Dilley moved for the discharge of the prisoners, giving certain grounds for the motion.

Motion was overruled, defendant excepted.

The defense did not introduce any witnesses.

The arguments of the counsel then commenced and it was expected the case would soon be given to the jury.

A Dignified Court.—In some parts of Tooele County there are occasional court proceedings that for general raciness are probably unparalleled in the history of even western jurisprudence. The other day we had a *bona fide* description of one of those interesting scenes from Mr. F—, who recently went to Dry Canyon for the purpose of collecting a debt.

This same F., in addition to other numerous graces, has, when he pleases to assume it, an irresistibly persuasive way with him. A full battery of this proclivity he brought to bear on the party owing the debt, and before the latter knew what he was about he had acknowledged judgment before the Justice of the Peace for the precinct, and as soon as he had departed, F. asked the functionary for an execution, to which he at first demurred, but finally gave it. This was placed in the hands of an officer, and goods in possession of the debtor sufficient to cover the claim were levied upon.

No sooner was this done than a third party stepped up and claimed the goods as his property. F. then demanded a jury trial to determine whom the goods really belonged to, which was granted, and the case came up before the before-mentioned august personage, yclept a Justice of the Peace, a genuine "broth of a boy" from the "Green Isle."

Again were F.'s powers of persuasion brought into play, this time upon the jury. He showed, in almost professional clearness, that the bill of sale held by the aforementioned third party did not amount to as much as the most infinitesimal "hill of beans." True, that same bill of sale was dated considerably backwards, but it was for a superlatively intellectual and intelligent jury to say whether they would allow themselves to be misled by such an attenuated subterfuge, when it was a fact that the goods were found by the officer attaching them in the possession of the defendant, and while the latter was dispensing them to the general public. Such irresistible logic and eloquence were not lost on the jury, for they returned a verdict for F.

When the finding of the jury was announced, the Court sprang to his feet and, in all the dignity, though minus the paraphernalia, of his office, he exclaimed, "Gentlemen of the jury, I mane to say that yer virdick is not in ackardance wid the law, and yez must retire and reconsider it."

In vain did the persuasive F. protest that the voice of the jury should close the lips of the Court, in vain did he state that it was a constable's jury and case and that the justice could not interfere.

The intelligent but pliable jury retired again and soon returned with a verdict for the defendant.

During a part of the proceedings, when the justice was speaking another party poked in his say, when the indignant official exclaimed, in infuriated tones, "Don't yes know that it's the height of bad manners to spake whin the Court is spakin." The party addressed did not desist, when the Court said, "If you don't shtop I'll hit yes in the mouth." That last argument acted as a closer.

The next incident was the entrance of an individual who was in that peculiar condition that caused his steps to be singularly irregular, and his utterance exceedingly defective, a state generally superinduced by imbibing too much bad whisky. This person was acquainted with F., on whom he seemed to have a vague

idea somebody was "putting up a job;" so he announced that that person was of that quality generally denominated first-class. He said his own acquaintance of law was something not to be sneezed at, and, reaching to the table, he caught at some papers, when the Court shouted, "Sit down, will yez," and another party behind him seconded the Justice's mandate by saying, "Sit down, you d—d fool." "Do you call me a d—d fool?" said he, and he drew back and let the Court's seconder have one direct from the shoulder. Then ensued a scene which could not be called elevating, for it was a kind of rough and tumble affair, and included some lowering. During the progress of this part of the drama F. stood in a corner, poising a formidable cudgel, which is an inseparable companion of his. After or was restored F. soon found himself the only occupant of the room, all the others, including the Court, having adjourned to a saloon to "take a drink." Shortly after the re-assembling of Court the proceedings terminated.

F. then told the Justice that he would give bonds sufficient to indemnify the party whose goods were attached. At first he seemed willing to accede to this arrangement, but afterwards told F., that he had concluded not to take bonds from him. "Then," said F. "I am to understand that you are in collusion with those other parties to keep me out of what justly belongs to me. I must say," he concluded, "that the 'Liberal' party has great reason to be proud of its officers."

FROM THURSDAY'S DAILY, DEC. 17.

From Sanpete.—Judge Peacock, of Manti' is in town.

Cold Snap.—Last night was by far the coldest of the season. Water standing in vessels was thickly frozen over and many of the water ditches are ice-bound.

Guilty.—Yesterday afternoon, after being out about one hour, the jury in the case of the People, etc. vs. John Beegan, returned and brought in a verdict of guilty as charged in the indictment.

Encouraging.—Elder F. M. Lyman writes to a friend in this City, from Derby, England, under date of Nov. 17th, and speaks very encouragingly of the prospects of the work in that part of the world, especially in Wales, where himself and Elder J. H. Smith had a short time previous been visiting.

Fined.—Fred Stockfled and Jas Munroe, the fellows who stole the shoes and things yesterday, had their trial this morning before Justice Pyper. From the evidence produced it appeared that the thieves had taken the goods out of Mr. James Sellers' wagon, while it was standing in front of Walker Bro's store. Only a portion of the articles was found. The Justice sent them up for fifty days each, to work for the city.

District Court Proceedings.—Of the jury empaneled yesterday to try the case of the People, &c., vs. John Beegan, for manslaughter, for the killing of Ned Doyle, a question was raised as to the legality of two of the panel, Aaron De Witt and Anthony Metcalf. The ground of the objection to those two jurors was that, at the time they were drawn and placed on the jury list, they were not citizens, but had been subsequently naturalized. On this ground Mr. Dilley, for the defendant, interposed a challenge for cause, which was overruled, Mr. Dilley asking the Court to note an exception.

Subsequently Messrs. De Witt and Simons were challenged peremptorily by Mr. Dilley, when the panel was filled and the following were sworn a jury to try the case:—W. H. Hill, F. Merrill, W. J. Jacobs, E. B. Fullmer, A. Best, Edmond Eldridge, Geo. Naylor, Richard B. Margetts, H. S. Greeley, A. Metcalf, W. Rowell and Samuel Kahn.

Messrs. B. Groo, John Y. Smith, John Hardy, Andrew Smith and Dr. Tibbitts were sworn witnesses for the prosecution. Officer John Y. Smith, being the

first witness placed on the stand, testified that on the afternoon of the evening on which the killing was done, which was about the close of 1871 or beginning of 1872, he heard the deceased, Ned Doyle, threaten to take the life of Jack Beegan, and the witness communicated the fact to the prisoner. Subsequently himself, R. Groo and John Hardy went down to the vicinity of the Revere House saloon. They saw Ned Doyle and Mrs. Miller at the bar, when Beegan entered the hall of the Revere House and went to a side door of the saloon, from which position he fired several shots from a pistol at Doyle, hitting him. Doyle staggered against the wall, drew his pistol and fired at Beegan, hitting the latter in the arm.

Dr. Tibbitts, the next witness, testified that on the day of the killing he saw Beegan at the Elephant corner, when Doyle came down the street on horseback, Beegan retreated towards a store, and witness knew there was trouble between the two men. Afterwards he was told that a man had been shot and had been taken to witness' office. Witness expected to find Beegan, but it was Doyle. The wound that caused the latter's death was in the lungs, which were perforated by a bullet of large size.

Mr. Byron Groo saw Doyle on the afternoon of the day on which he was killed, carrying a pistol in his hand. He understood that there was likely to be some shooting between the prisoner and deceased. He saw Beegan pass down Main Street, and Doyle and Mrs. Miller following about ten rods behind him. The parties all turned eastward along Second South Street, Beegan passing the Revere House saloon, and Doyle and Mrs. Miller went into that place. Witness, Officer Smith and Mr. John Hardy had followed down after the parties and were on the sidewalk, when Beegan entered the saloon, and the shooting took place as described by Officer Smith.

The testimony here closed for the prosecution and Mr. W. Hyde was placed on the stand for the defense. This witness heard Doyle say, on the afternoon of the day on which he was shot, that he would make Beegan fight or he would "kill him anyhow." Doyle had the reputation of being a fighting man, and carried weapons.

Mr. Edwin Gilman saw Doyle, on the day the killing took place, hunting for Beegan to make the latter fight or kill him. Witness told Beegan of this, Doyle being in front of a saloon and Beegan at the rear, when Beegan retreated. On the same day he saw Doyle and Beegan meet on the street, when the former drew a revolver and was about to strike the latter with it. Beegan said, "Don't murder me, I'm not armed." The two then agreed to have a pugilistic fight, and, after Doyle had taken off his coat and given his pistol to a bystander, and the two were about to commence the encounter, Doyle drew a dagger from his pocket and stuck it in Beegan's face, when the latter retreated into an adjoining house.

Mr. W. Kirby was sworn and examined, but his testimony did not materially differ from that of previous witnesses.

After brief arguments of counsel the Court charged the jury, and they retired at 2 o'clock, when the Court took a recess till 3.

Shortly after three the jury appeared in Court and brought in a verdict of guilty, with a recommendation of the prisoner to the clemency of the Court.

Vick's Floral Guide for 1875 is a beautifully got up, profusely illustrated seed and plant catalogue of 132 pages. Its contents are "Introductory," "Philosophy of Vegetation," "Classification of Flowers," "Flower Beds," "Formation of Clubs," "Useful Tables," "Suggestions," "Annuals," "Climbers," "Everlastings," "Ornamental Grasses," "Perennials," "Greenhouse Seeds," "Bulbs and Plants," "Vegetable Department," "Priced Catalogue," "Everlasting Flowers, Chromos, etc." This is a work which every one who owns or works a garden should have. It is itself a splendid work of art. Published by James Vick, Rochester, N. Y.