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FROM TUESDAY'S DAILY, NOVEMBER 1.

### For Indian Territory.

Elder William T. Jack left this city this morning on a mission to Indian Territory. He will be accompanied by Elder Lorin Woolley, of Centerville.

### Arrest at Parowan.

On Sunday morning last, deputy marshals arrested George Holyoak at his home on his farm near Parowan. He, with several members of his family, was taken to Beaver on the following day, and his examination was set for today.

### Another Raid.

About 9 o'clock last night deputy marshals Pratt, Redfield and McLennan made their appearance at Springville, Utah County, and instituted a systematic raid for persons accused of violating the Edmunds law by having more wives than one. Several houses were searched, but none of the accused were found, so the deputies left empty-handed.

### Death From Peritonitis.

In consequence of statements that a case of malpractice had occurred in the Seventeenth Ward, of this city, an inquest was held there commencing at 9 a. m. today, on the body of the late Ellen Smith. The jurors in the case were Christopher Diehl, Chas. H. Lenz, and Arthur L. Foulger. After an exhaustive examination of various witnesses, including Drs. Hadley and Gardner, the jury, after brief consultation, brought in a verdict of death from peritonitis.

### Will Go South.

Elder James T. Wilson intends starting for Southern Arizona in about three weeks, and will go via the following points: St. George, Scalan's Ferry, Hackberry, and the Big Sandy, thence to Phoenix, near Mesa. Persons desiring to join him can communicate with him at 331 e. First South Street, this city. He will impart information freely and having traveled the above route three times, can fully describe it.

### A Sad Scene.

Yesterday morning there occurred at the depot here, one of the saddest scenes ever witnessed in Phoenix, when the wife of Wm. Klossen stepped from the cars and instead of being received by her husband was informed that he was dead. The grief of the poor woman was indeed pitiable to behold and many a strong man in the vicinity, felt a lump in his throat as he gazed upon the sorrow of the grief-stricken woman. The funeral took place yesterday afternoon at 3 o'clock from the Catholic church, under the auspices of the Phoenix brass band, of which the deceased was an honored member.—*Arizona Gazette, Oct. 28.*

### A Fish Story.

A married lady residing in this city who has been troubled for many months with a peculiar sensation in the region of the stomach, was given an emetic by Dr. Hacker last Saturday, and to her astonishment threw up a fish about four and a half inches in length. The fish had evidently been dead but a few hours. The lady felt instant relief after riding her stomach of its troublesome

tenant. It is supposed she swallowed the fish when it was very small while drinking water and it grew to its present size in her stomach. The doctor has the fish preserved in alcohol. It has not yet been decided whether it belongs to the trout, chub or sucker family.—*Virginia (Nev.) Chronicle.*

### Probate Court.

Proceedings in the Salt Lake County Probate Court yesterday:

In the matter of the estate of Wm. Boyce, deceased, the will and certificate of proof, the order admitting will to probate and the testimony of the subscribing witnesses were filed.

In the matter of the estate of Silas F. James, deceased, an order appointing Jane Elizabeth James, the mother of the deceased, as administratrix was made.

The marriage certificates of John Lewis May and Mary M. Young, Joseph William Wilton and Mary McFarlane, and John R. Burns and Ada E. Clawson, were filed.

In the matter of Thomas C. Jones, Eliza Jesson Jones, deceased's surviving wife, was appointed administratrix of the estate.

### Utah Plaster Paris.

Among other home industries now coming to the front is the manufacture of plaster paris, of which the Rowley Plaster Works of Nephi are making a great success. Artisans in Utah, California, Montana and Wyoming, who have used the plaster paris made at these works, pronounce it the best in the world. Ordinarily the imported article "sets" in from five to ten minutes. The Nephi plaster can be made to set as quickly, or it can be so manipulated that it will be from forty to fifty minutes in "setting," and it works "cool and easy," as the technical phrase is. It is sold at about one-fourth the price of the imported article, and the question naturally suggests itself, Why import any more plaster paris?

The Nephi plaster paris is recommended for concrete walls, floors, flags, archwork, walks, pavements, lintels, etc. The advantage of using it in building concrete walls is that the moulds can be raised as soon as filled. For this purpose one part plaster paris and two parts of lime may be used in making the concrete. The prices are as follows: Plaster for fertilizing, 40 cents; for concrete, 60 cents; for hard finishing, \$1; for casting, \$1.25, per hundred pounds. A liberal discount is allowed on car lots. See advertisement.

### FORGERY.

Two Residents of Wichita, Kansas, on Trial in this City.

An indictment was found at the April term of the Third District Court, accusing Norman E. Osborne and Howard F. Friend, both of Wichita, Kansas, of the crime of forgery. The case was called for trial today, and at the request of the attorneys for the defense, the accused were allowed a separate trial, Mr. Osborne being selected as the first defendant.

The prosecution, which was being conducted by Assistant District Attorney Clarke and J. L. Rawlins, Esq., have subpoenaed a large number of witnesses, several of whom reside in Kansas, and one, Rev. John Murphy, lives in New Jersey. The defendants are a firm of real estate agents, doing business in Wichita.

The case was opened for the people today, after a jury was secured. Mr. Varian, of counsel for defense, objected to the hearing of witnesses who had not been before the grand jury, and the objection was overruled. He then asked for a continuance, on the ground that the introduction of new witnesses was a surprise to the defendant, and he had no time to prepare to meet their testimony. The prosecution replied that the defendant was fully aware of what witnesses would be called, having known that before he left his home. The court refused to grant the continuance.

The indictment charges Howard F. Friend with having, in Salt Lake City, on the 9th of August, 1884, executed a deed from Rev. John Murphy, named as a resident of Pleasant Valley Junction, to Howard F. Friend, of Wichita, of two lots on Water Street, in the last named city, for the sum of \$48.

Mr. Rawlins stated the case for the prosecution, which was, in substance, that in 1873, Rev. John Murphy, a Catholic priest, owned the two lots named; in that year he left Wichita, his subsequent place of residence being unknown. His property was levied on and sold for taxes, but subsequently the law under which it was sold was declared void. As the "boom" struck Wichita the lots became valuable, and in August, 1884, Osborne and Friend came to Salt Lake City. On the 9th of that month the deed mentioned was executed, it being claimed that the two men forged the document, as Mr. Murphy was not then, and had not been in Utah. On returning to Kansas,

Friend negotiated for the sale of the lots with a Mr. Miller, taking in exchange therefor some farm property, and signing a contract to give a warranty deed for the lots. He gave a deed which purported to be a warranty deed, but which was found on subsequent careful examination of the contents, to be in effect but a quit claim. Mr. Miller demanded the fulfillment of the contract, but was put off, and Friend finally secured possession of the lots, then refused to give it up or to fulfill its conditions. He also took the farm property and transferred it to Osborne, who mortgaged it, and Mr. Miller was left without redress. Thus matters went on until last March, when a deed, signed by Rev. John Murphy, then residing in New Jersey, was presented, and the lots in question demanded. Mr. Murphy had never been heard from since 1873, but this new feature caused a development of the facts narrated, and an indictment for forgery followed.

The first witness in the case today was J. C. Richins, a real estate agent of Wichita, who testified to the endorsement of the county recorder on the forged instrument. Rev. John Murphy was next called to the stand and testified that the signature of his name to the deed to Friend was a forgery.

The trial will probably occupy the time of the court until tomorrow evening.

### THE EATHER CASE.

Further Developments in Behalf of the Defense.—Other Business.

The Eather case was again taken up Monday morning, in the First District Court at Provo.

J. T. Croxall testified to making an examination of the cabin on the 22d of October; McLellyn called my attention to a bullet hole in the east end of the building; put his whip through it; it was near the door and about two feet from the ground, the hole slanting downward; I went the next day with Mr. Mitchell and as we were both examining the hole I found the bullet about three feet away from the cabin; it was mashed considerably. J. Mitchell rehearsed the same transaction as previous witness about their finding the bullet; said it was the third examination he had made; did not discover the bullet hole in east end of the cabin until his attention had been drawn to it.

W. T. Stanley—Was constable at the time of the lynching; saw Flaherty at the inquest, in company with some of the lynchers; they were ordered out. Cross-examined—I have talked a good deal about this case; have said that those Irish s— of b—s have kept Bert and me from work.

### IN THE AFTERNOON

Harry Hart testified—Said: Defendant came in the saloon on the afternoon of the 7th; he was sober; did not drink at all to my knowledge.

William Royal—The defendant came to my house in the afternoon of the 7th, the day of the homicide, and it was a rather cold day. I had a fire and he sat there talking about two hours; he left about 4 o'clock; did not drink any while there and I could not detect that he had been drinking.

E. F. Dillingham—Was at Royal's house about 4 o'clock on the 7th; think it was then; saw the defendant there; he was sober.

To prosecution—I know he was sober or I would have noticed it. Mrs. Marks—Flaherty, the deceased, came to our store on the evening of the lynching; it was after dark; he came to the store and spoke very low to me; said he wanted to see me; I replied that I was busy and referred him to Mr. Marks; did not hear what he said or what he wanted; I have not told any one what he wanted at that time. Witness denied telling what Mr. Flaherty said when he came in the store.

### AFTER THE LYNCHING.

After her memory was refreshed she said he was talking about annoyances whether everything was quiet or not. This was when he came back some time after the lynching.

Glennsore re-cross-examined—Was working at the Mammoth at the time of the lynching; did not return to work. Witness denied having told any one that he was going to leave—as a fugitive from justice; or to avoid having anything to do with the case, etc. Told Mr. Love what I was going to do over to west Tintic.

To prosecution—I did not secrete myself at all; said all the time I would be ready when the case came up.

R. V. Tone—Witness impeached the testimony of Johnson. "Did not tell me he was going to West Tintic."

Christofferson Neilson was admitted to citizenship. Phoebe Hollands was arraigned on a charge of fornication and entered a plea of not guilty. She is a young girl of about eighteen summers. The person implicated with her is one Gagers, who entered a plea of not guilty. This is another way of disposing of polygamy, as she is alleged to be Gager's plural wife.

### AT OGDEN.

James Allen vs. Wm. Johnson; a verdict for \$105 in favor of the plaintiff.

Utah Produce and Commission Co., vs. James Thompson; continued for the term.

D. P. Tarpey vs. Wm. Johnson; motion by the defendant to file an amended answer. Argued and taken under advisement by the court.

In the divorce case of Louisa Pearson vs. Henry D. Pearson; an order for a decree of divorce was given.

The court at Ogden adjourned till Wednesday.

FROM WEDNESDAY'S DAILY, NOV. 2.

### Dead.

Isaac Fink, a young man who has been in the employ of L. Goldberg, clothier, for two years past, died this morning, the immediate result of a surgical operation performed upon him. The operation was undertaken in hopes of saving his life, but his strength was not sufficient to enable him to pull through.

### Arrest at Smithfield.

On Monday Nels Gillinscog was arrested at Smithfield, Cache County, on the charge of unlawful cohabitation. He was taken to Logan and placed under bonds to await the action of the grand jury. The deputies also searched James Meikle's house, but the owner was not at home, and thus escaped arrest.

### ANOTHER MURDER.

A Succession of Homicides Due to a Love Affair.

Following is a dispatch dated Albuquerque, N. M., Oct. 29th:

"News has been received here of the killing of Wm. Bonner, a cowboy who belonged to the Graham faction, in Tonto Basin, Arizona. When his body was discovered it was lying about fifteen feet from a road which was traveled frequently by cowboys, and was covered with sagebrush. From the appearance of the body, it is evident that he was ambushed and killed, probably by members of the Tewksbury gang, as he belonged to the Graham faction. With Bonner's death ends a list of twenty men who have been shot and killed in the past two months.

It is stated on good authority that Bonner was the party who recently held up the stage between Fort Apache and St. Johns, securing quite a sum of money. He is said to be one of the parties who robbed the Atlantic and Pacific train at Navajo station a short time ago. He has participated in all manner of crimes that have stained the annals of Arizona, and there is no question but his death is a welcome one.

The murders which have occurred in Tonto basin, and which from their bloody nature have startled the civilized world, can be traced to a love affair in which a daughter of old man Blivens figured. From all accounts it seems that when the Blivens, Graham and Tewksbury families settled in the Tonto basin, Miss Sallie Blivens, who had in years gone by learned to love William Graham, but had not seen him since childhood, on again meeting him renewed the affection. This did not meet with recognition from her parents, but she persistently defied them and would see her lover. From her persistence in casting father, mother, brothers, sisters and home aside, she was the instrument through which envy and hatred arose, and from which at least twenty men have died violent deaths. The gangs have nearly all been killed off by herif's posers or at the hands of each other, and with this latest death it is hoped Tonto Basin, which is a good grazing country, but the numerous murders in which have retarded immigration to Arizona, will soon be settled with good men."

### FIRST DISTRICT COURT.

Eather Tells His Own Story of the Homicide.

In the Eather case Henry Adams gave further testimony as to examining for bullet holes; noticed bullet marks on the door frame where the opening was toward the bullet hole in the east end; did not see this hole on my first examination; found from the books of the Beck mine that Flaherty did not work there after July 25, 1886.

Silas Pullen—Flaherty did not go on the night shift as usual to work on the night of the lynching.

W. L. Dykes—Examined the cabin; cut out the board where alleged third bullet was fired; produced it in court; bullet hole through the inch board and cloth lining.

George Tollman—Saw Flaherty at the inquest held over the body of Fisher, July, 1886.

### THE DEFENDANT

Eather went on the stand and told his story; Am 22 years old; have lived in Tintic 15 years; am a miner; was at

Eureka July 6th, 1886; was in jail with Fisher; dressed his wounds, etc.; saw a crowd there; about 125 men were about the jail at 10 o'clock; I was a witness in the case and identified a number of the defendants.

Saw Mike Flaherty on the street after the lynching, and was asked if I knew any of the boys that were there, I said, "No, I don't want to know them either;" at that he (I called him Coffey; it was Flaherty) advanced toward me, and said, "Now you will have to get out of this;" I reminded him that I carried a gun and knew how to use it; did not see him again until the 7th of October, this year.

The day Flaherty was killed I got up in the morning about 9 o'clock; had a drink of whisky; went then to the saloon, to see the papers; did not drink there; was at Wilson's to dinner; had only one drink during the forenoon; and only three drinks during the day; I was at Royal's cabin nearly all the afternoon; from 2 to 4 o'clock I was there; Gil Johnson came and we went up to Leech's cabin; Leech gave me \$20 and asked me to go for some whisky.

### WE ALL HAD DRINKS

around when I came back; I showed Mr. Johnson my pistols and tried to sell him one. It was about 5 o'clock and Flaherty took one of the guns to his room; gave it to Donahue who put it in the bed; I sat down and read awhile; then they asked me to recite some Irish pieces; I did so; recited two; then Leech played a tune or so on his flute. They wanted more whisky; that was all gone, and Jack sent me out for more, and gave me six dollars; he wanted some crackers and oysters too; this was about 8 o'clock; I was gone about fifteen minutes and returned with the whisky, and all took a drink. They then asked me to recite some more; I recited a long piece; then I said: "I guess I'll go and get another book;" as I started to go, Donahue said: "You G—d—s—of a b—; how easy I could down you now," and drew his gun on me.

I jumped to the south side of the room, and he

### SNAPPED HIS GUN

on me. It did not go off, and he said: "Any an that will carry a gun in a mining camp is a G—d—s—of a b—." I then said: "That's a cowardly act, to get the start of a man like that." I stood there for a second or so, and Donahue snapped his pistol the second time. Flaherty said: "Bert Eather, you are a G—d—s—of a b—," and passed through into the next room; he returned in about three seconds; Donahue had his gun on me and snapped it on me; it was the third time; as Flaherty was coming through the door he had his pistol in his left hand passing it to his right, and I grabbed the pistol from his hand; he then caught me under the arm; I grabbed him by the shoulder, and wrenched him towards the bed; I then drew up my gun and

### SHOT HIM

through the head; held the muzzle of the gun about four to six inches from his head; was wild, hardly knew what I was doing; I heard a gun snap behind me, and as quick as I shot Flaherty I whirled around and shot at Donahue; he shot at the same time; had his gun on me when I looked around; the shots put the light out, and Leech lit a match in a few seconds; I saw Donahue falling over on the bed, his face burned. I thought I had killed him. I then went out and went down to the saloon; did not return to the cabin.

The witness here named several places that he went to; related the shooting at each place; got a horse and rode to Diamond, from there to Santaquin, and from there to Provo.

Was cross-examined to the same effect.

### Accident on the D. & R. G.

Gunnison, Colo. Oct. 31.—An accident occurred on the Denver & Rio Grande Railroad last evening on Marshall pass, by which the engineer and fireman of "A. Light" engine were seriously if not fatally injured. The regular passenger train left Salida with the "helper" in front, as usual, to assist in pulling the heavy train over the pass, and after the range was crossed and Sargent had been reached the "helper" was detached and it started to recross the pass to Salida. The engine reached the summit in safety and began the descent on the other side, when by the springing of the rails it left the track and rolled down the hill a distance of about forty feet. George Mosley, the engineer, was caught under the engine, but miraculously escaped instant death. However, he received injuries which may yet result fatally. His right leg was broken just above the knee, and he was otherwise bruised, besides being badly scalded about the back and head. Clint Parks, the fireman, was thrown out of the cab when the engine tipped over, and received a broken arm and some bad bruises about the head and shoulders. The injured men were taken to the hospital at Salida.—*Denver News.*