

# THE DESERET NEWS

TRUTH AND LIBERTY.

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## DESERET NEWS:

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## DESERET NEWS:

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### LOCAL NEWS.

FROM TUESDAY'S DAILY, AUG. 14.

**A Healthful Place.**—Probably one of the most healthful places in this county is Draper, in the southern end of the valley. The population of the ward is rather more than 600, and the only death which has occurred there within a year and a half is that of a man who was gored to death by a bull about a year ago.

**Drive Well at Kaysville.**—We learn by letter from Charles Layton, of Kaysville, that John Stacey & Sons, from the Hot Springs, succeeded in obtaining a flowing well for him on his farm on the 7th inst., by driving a pipe down to a depth of 144 feet. It yields eleven gallons per minute.

**A Kick.**—While Henry, a little son of John H. Bailey, of this city, was engaged yesterday in riding a horse and driving some loose mules, one of the animals kicked him on the leg cutting a slash clear to the bone a short distance below the knee. It was feared at first his leg was broken, and, indeed, was rather remarkable that it was. Considering that the mule was shod and a powerful animal, but Dr. Anderson being called in he pronounced the bone uninjured. The wound was sewed up, and the little boy will soon be all right again.

**Trustees Reports Wanted.**—We understand that quite a number of school trustees of Salt Lake County have so far neglected to make the annual reports on the statistical and financial condition of their respective districts to the county Superintendent, as the law requires. They should no longer delay this matter, as it is upon these that the next appropriation of the school tax will be based. Care should also be exercised in making them out that they be correct in every particular. If any of the trustees should be lacking the necessary blanks they can obtain them by applying to Wm. M. Stewart, Draper.

**A Fruitful Year.**—A trip through this county shows not only a much greater area under cultivation than ever before, but bountiful crops on every hand. Indeed, so much has been raised that many farmers seem to have more than they can do to take care of and garner their unusually heavy crops. As an evidence of the abundance raised and the little value placed upon it, one may now see forage going to seed and wasting in the streets and fields that a few years ago people would have been glad to cut and gather on shares; and the lucern yield has been so heavy this year that we have even heard of farmers offering every fourth load for simply stacking it in the field after it has been cut and cocked up.

It is certainly encouraging to see such splendid crops, but it is not pleasing by any means to see that which might support life in man and beast going to waste; and it is a fact that more is wasted in this country than would support one-half the present population the way poor people live in some of the older countries.

**School Tax Voted.**—A meeting was held at Draper yesterday, for the purpose of voting "yes" or "no" on the question of levying a tax for school purposes in that district. The opponents of the tax turned out in force and made strong fight against it, but they were outnumbered by the friends of education, and a tax of seven mills on the dollar will accordingly be collected for the support of the excellent school which is being conducted there this year. There are two hundred and eighty-six children of school age in the district, an increase of 42 over the number which last year's school census showed to exist there.

Draper has been somewhat noted for

its good schools ever since Dr. J. R. Park, many years ago, commenced teaching there, but the facilities have been greatly increased of late by the building of an excellent school house year before last. Further improvements are contemplated, one of which is the establishment of a special winter course for the benefit of those who cannot afford to attend during the warmer portions of the year. The trustees are wide awake, intelligent men, and are making the educational interests of the ward a study. Those who have opposed them in their efforts in this direction in the past will doubtless come to see after a while that they have really been standing in their own light or rather that of their children and the community generally.

### TERRITORIAL ITEMS.

CULLED FROM LATEST EXCHANGES.

—On Tuesday morning last Annie Sophia Jorgensen, wife of Rasmus Jorgensen, died suddenly at her home in Manti, Sanpete Co., of heart disease. The lady got up as usual on the morning of her death and went about her work; in fact she had started a fire and was in the act of walking across the porch of her house when she became suddenly ill. She attempted to reach her bedroom but fell prostrate on the floor. She died in 30 minutes.

—On Saturday morning as Edward Koster and Chris Meinholdt were engaged in calculating the ceiling of the Presbyterian Church, at Butte, Montana, the scaffold gave way and both were precipitated a distance of about thirty feet. Koster was badly cut and bruised about the head and partially stunned. Meinholdt did not fare so well, as he was knocked insensible, and although no bones were broken, the right side of the body and limbs were cut and bruised and he was injured internally. The accident was caused by the breaking of a rung of a ladder used in the scaffolding.

—Surveyor Hougard is engaged in the laying out of a new canal for citizens of Moroni and Mount Pleasant, Sanpete County. The canal will be taken out of the Sanpitch at a point about two miles south of Fairview and will extend along near the foothills on the west side of the river for about four or five miles where it is diverted to a tract of land lying north and northeast of Moroni; thence north to a tract of country known as "Dry Bottom," lying between Moroni and Fountain Green. The canal, when finished, will afford water for about 2,000 acres of land.

Mr. D. C. Howey, a Bear River ranchman, arrived in Rawlins, Wyoming, with him was Mr. Fraker, a brother ranchman, who had in charge a horsethief named Partridge, alias Wilson. Partridge was convicted of horse-stealing in Colorado some time ago and sent to the penitentiary. His sister, living at Wyoming station, just west of Laramie, succeeded in getting him pardoned out, and he thereupon stole \$160 and a watch and chain from her and a horse and saddle from some one else, and skipped. A few days ago he stopped at the house of the ranchman mentioned above and asked for enough cartridges to fill two revolvers, which were given him. After his departure Mr. Fraker recollected that Stock Detective Ben Morrison had given him a description of a certain horse-thief for whom a reward of \$250 was offered, a short time previously, and that his visitor answered exactly to the description given, so he loaded a shotgun with buckshot and started out after him. He found him camped on the river a short distance away. He had two horses and was just saddling up when Fraker approached and dropping the gun down on him, said: "I guess I want you." "I guess not," replied the thief, who drew his two revolvers and began returning the ammunition he had borrowed a few moments before. The ranchman also fired, killing the thief's horse, behind which he was standing, and wounding Partridge in the leg. The fellow emptied his revolvers and Fraker fired the other barrel of his gun; Partridge ran to the river, jumped in and swam across, followed by Fraker. The wound in the thief's leg was bleeding terribly, however, and weakened by the loss of blood and fearing that he would die if he was not attended to at once, Partridge made no further attempt to escape capture.

### THE SNELL CASE.

NO FURTHER DEVELOPMENTS—A CONTINUANCE TAKEN.

Mr. Kirkpatrick continued his argument yesterday afternoon, showing that even Congress did not have the power to authorize Commissioners to exercise judicial functions such as would be necessary in a punishment for contempt.

Mr. Varian replied, contending that the position assumed by him was the correct one. He did not pretend to say that the question was so clear that it might be seen entirely through.

At the close of the arguments, the Commissioner reserved his decision, and Fred. J. Senior was called as a witness. He had been engaged with the defendant, Snell, about a year ago; the defendant then lived on Third South Street; Eliza Shafer lived at the store; witness had been there on several occasions; had been in the kitchen, in the morning and in the evening; had seen Mr. Snell there; never seen him in bed; had seen him in the kitchen; saw him taking his meal on one occasion; had never been there when Mr. Snell had retired; had seen him go back and forth from the store to the kitchen, morning and evening; it was after the store was open; did not know whether he slept there or not, of his own knowledge; nor whether Eliza did, though he presumed she did; had never called at the store out of business hours to see Mr. Snell; did not know whether he had seen defendant at the store after hours or not; had not had any conversation at Mr. Watrous' office during the last few days in reference to this matter; was not now in partnership with Mr. Snell; had opened the store many times; others sometimes opened the store; had seen Mr. Snell eating breakfast; Mr. Snell was alone; Eliza Shafer was in the store; the salt mill was below the U. C. depot; witness had been introduced to Eliza Shafer by the defendant, a number of years ago, as his wife, he thought; she came to the store after that; had seen defendant in bed in Mr. Gray's residence; could not say whether he was alone or not; this was perhaps three or four years ago; witness was not able to remember exactly; it must be four years ago; had not stated within the last few days that it was less than three years ago; had not seen defendant in bed at any other time, unless it might be at Mrs. Snell's; recollected hearing of the passage of the Edmunds law; could not say whether this occurrence was before or after; had not heard Mr. Snell since that time speak of Eliza as his wife.

Did she have anything to do with that?

Mr. Kirkpatrick—We object to that; that is not cohabitation.

Commissioner—You may answer.

Witness—No, she had not; did not know whether Mr. Snell lived at the store or not; had seen them together in the rooms; they were upstairs once, when witness was putting in some glass; witness was never in the room; had been in the kitchen; heard defendant, since the introduction, call her his wife; this was about five years ago, and not since.

Cross-examined—Witness did not remember any one else taking meals there.

H. McCoy, was called. He knew Mr. Snell; had had business with him; knew where the store was; had been there, and in the kitchen; had seen both there; did not remember having been introduced to Eliza Shafer, or having heard Mr. Snell call her anything else but Eliza; had seen them taking meals together; had been in the rooms once when they were being fitted up had been at the former residence once, to see Eliza, on defendant's business; understood she did the business in defendant's absence; had seen them out together; did not know whether or not Mr. Snell lived a part of the time at the store.

The commissioner stated that he had always been doubtful about exercising the authority of the judge of the district court, but had no doubt about having authority to exercise the same power in contempt cases as did justices of the peace. He would like a decision by the Supreme Court, and would take steps to obtain it agreeable to counsel. Suggested that it be made on habeas corpus. There were many phases of the case, and the opinions were conflicting.

A continuation of the case was taken until 10 a.m. to-day, at which time Peter Ferguson was sworn as a witness, and testified that he resided in Ogden; had lived in Salt Lake; had known Mr. Snell for nine or ten years; had worked for him, principally in the salt business; knew where defendant's stores were located; since defendant had moved, witness had been to the new store; this was within the last three years; the last time was about a year ago last spring; was not now, and did not expect to be connected with Mr. Snell in business; at the time of his visiting the store, he just called in; knew Eliza Shafer; saw her and defendant there; there was a kitchen at the back of the store; had taken supper there, upon Mr. Snell's invitation, with defendant and Eliza Shafer, who prepared the meal; stayed there that night; retired about nine or ten o'clock; slept in the kitchen, on a lounge; did not know who made the bed; believed Mr. Snell went upstairs; did not remember his taking off any wearing apparel; did not know where Eliza Shafer slept; witness arose next morning and went out; when he returned, saw Eliza Shafer there; saw Mr. Snell about an hour after; believed he came in and put on his shoes; they all took breakfast together; this was in the spring of 1884; had been em-

ploved in the old Idaho store about eight years ago; had never heard Mr. Snell speak of Eliza Shafer as his wife; thought articles from the store had been charged to Eliza Snell; did not know of Eliza bearing the name of Snell.

Cross-examined—Did not know in which room Eliza Shafer slept, or where Mr. Snell slept; did not pretend to know where they slept; had never heard Mr. Snell say she was his wife; articles charged in the store were charged to Eliza S. Snell; this was eight years ago; had not seen any charge on the books within the last eight years; did not know whether or not any one else took meals there.

The prosecution rested their case, and Mr. Kirkpatrick asked that the defendant be discharged, as there was no testimony of marriage, of holding out, or of dwelling together, within the dates named in the complaint.

Mr. Varian thought that there had been testimony showing a marriage, and living under such circumstances as to require explanation; and that the witness who could of all others prove innocence had refused to testify. He thought sufficient probable cause had been shown, and that the question of contempt should be decided before a final disposal of the case.

The Commissioner excused Mrs. Emma Snell and Mr. Ferguson from further attendance, and continued the case until Saturday morning, at 10 o'clock. Fred. Senior was also excused until sent for.

FROM WEDNESDAY'S DAILY, AUG. 12.

**Icelanders on the Way.**—By telegram from New York we learn that a small company of Saints from Iceland have arrived at that port and left last evening for Utah, in charge of Elder George F. Hunter.

**Witnesses Bound Over.**—Quite a number of witnesses in polygamy and unlawful cohabitation cases are being subpoenaed and bound over to appear at trials during the September term of the Third District Court.

**Diphtheria.**—One of the children of Mr. Hughes, of the Eleventh Ward, died last evening, from diphtheria. Another child in the same family is suffering from the disease.

A new case of diphtheria is reported to the quarantine physician this morning, in the family of Mr. Kerney, in the Twenty-first Ward.

**Attempt at Suicide.**—By letter from J. L. Townsend, Payson, written August 11th, we learn that on Sunday evening, about 5 o'clock, Mr. James Stark, of Payson, attempted to suicide by cutting his throat with a pocket knife. He was temporarily insane from a sunstroke which prostrated him a few days previous. Dr. Pike was called, who sewed up the wound, the windpipe and jugular being nearly severed. The patient will probably recover.

**Getting Too Ripe.**—A gentleman just up from Alpine informs us that much of the grain in that region is over ripe and still uncut, owing to the farmers having fallen into the habit of depending almost entirely upon self-binders doing the harvesting, and those machines not being able to get through brackage or other causes, to get along fast enough. When the people used to harvest in the old-fashioned style, with cradles, they generally had their grain gathered in better season and with less waste than now, though there was more labor involved.

**Escape from the Penitentiary.**—Yesterday afternoon, as the inmates of the Penitentiary were returning from working in the field, two of them, John Watrin and — Walters, made a break for liberty. The guards gave chase, and Walters was captured after a race of about a mile. Watrin, however, made good his escape, and has not been heard of up to the present. He was serving out a four years' sentence from March 7, 1883, for placing obstructions on the D. & R.G. The U. S. Marshal has offered a reward of \$250 for the return of the prisoner.

**Arizona Items.**—Brother J. T. Johnson, writing from Tempe, Maricopa County, Arizona, says no rain has fallen in this place since March. The thermometer ranges from 110 to 115 degrees in the shade. One case of sunstroke occurred on the 1st instant, but was not fatal. Notwithstanding the extreme heat, there is a breeze during the hottest portion of the day, rendering it quite free from suffocation. On Sunday night one squaw was killed by lightning, at her home four miles above us on the river.

No deaths in our midst for some time, although we have had some sickness among women folks and children. The prosperity of the people is good and everything moves quietly.

**Sudden Death.**—M. D. Rosenbaum, a well-known citizen of Brigham City, who for some time past has had part of his family at Mink Creek, north of Franklin, in Idaho, and been doing a small business there in merchandising, dropped dead in the street at the latter

place on Saturday last, about 2 p.m. The cause of his death is supposed to be heart disease, as he complained of a pain at his heart previously and had been for some years subject to fainting spells. The body was brought to Brigham City for interment, and the funeral took place on Monday afternoon, being very largely attended.

Brother Rosenbaum was of Jewish birth, and came to this Territory from Carson, Nev., in 1857. He subsequently embraced the Gospel in this city, and removed to Brigham City, where he has since done business as a merchant and filled many responsible positions.

He went on a mission to Germany a few years since, and while laboring there for the spread of the Gospel was arrested, imprisoned and banished.

He was a very good man and was greatly respected by his acquaintances. He leaves a large family—two wives and fourteen children, who have the sympathy of the public in their bereavement.

**From St. George.**—We had a brief visit this morning from Brother A. R. Whitehead, of St. George, who arrived in this city yesterday from his southern home. One object of his trip up here was to bring to the Territorial Insane Asylum a young woman from St. George by the name of Esther Mudd, who has been demented for the past two and a half years.

Brother Whitehead has charge of the cotton and woolen factory at Washington, which is doing a tolerably fair business now. But little cotton has been raised in "our Dixie" during the past few years, but the decline in the price of other products has been such as to cause the people to take a little more interest in cotton culture. Last year the factory purchased some 5,000 or 6,000 pounds of home raised cotton. This year there was rather more planted, but for some cause it has failed to do well. Other crops as a rule have done very well this year throughout the southern part of the Territory. Fruit of various kinds is very abundant. The white and Isabella grapes, however, are not so good in St. George this year as usual, as the fruit is badly mildewed, owing, it is supposed, to the dampness of the weather in the spring. There was much more rain in that region in the early part of the season than ever before.

This has been a good season for stock in the south, and more people are turning their attention in the direction of stock raising than heretofore.

**Destructive Fire.**—At half past 9 o'clock last evening the fire alarm was sounded, and the fire brigade with their apparatus, promptly appeared at the Jennings building on First South Street, half a block east of the Deseret Bank, from which dense volumes of smoke were issuing. The fire was located in the second hand store of Mr. Andrews, and in a few moments had communicated to the paper stock in J. C. Graham & Co's. printing office, which was separated by a board partition. The flames also reached the roof of Kelsey's real estate office, but were checked there without much damage having been done. The dense smoke caused by the burning printer's ink drove the firemen out of the rooms several times, but they kept closely to work, and rendered effective service. Chief Ottinger and his men deserve praise for the good judgment and activity displayed, their work being performed in an excellent manner. It was found impossible to save anything from the second hand store, and but little material from the printing office could be got out. The printing presses in the basement, were not injured to any great extent, but the stock of type, paper, and the goods in the second hand store are a total loss.

The origin of the fire still remains a mystery. It doubtless began between the room used as a sleeping room by Mr. Andrews, in the rear of the store, and that used as a workshop. No fire had been in the building for several weeks, but last evening Mr. Andrews, in fixing some bicycles, made use of a small alcohol lamp, which he positively states he extinguished before leaving the store, at 7 p.m.

While working on the burning building, Mr. Clem Horsley tripped, and sprained his ankle. Mr. Andrews, who was on the ground early, endeavored to effect an entrance through the door, when a large piece of glass fell from above, striking him on the left hand, cutting several severe and painful gashes and almost severing one finger.

The losses are about as follows: T. W. Jennings, owner of the building, \$1,500; insurance, with H. J. Grant & Company, \$1,500. Mr. Andrews, \$1,500; insurance with Hugh Anderson, \$1,000; J. C. Graham & Co., \$5,500; insurance, with S. W. Darke & Co., \$2,000. Total loss, \$8,500; insurance \$4,500.

Do not be deceived; ask for and take only B. H. Douglass & Sons' Capicum Cough Drops for Coughs, Colds and Sore Throats. D. S. and Trade Mark on every drop.