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# THE DISPATCH

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PROVO CITY, UTAH, SATURDAY, MARCH 4, 1891.

PRICE FIVE CENTS.

## A CHANGE IN AFFAIRS.

### The West End of Town Gets In Its Work.

### Walter Scott Appointed Watermaster and Jorgen Hansson Road Supervisor.

### Dr. M. H. Hardy, Wm. H. King and Alfred Booth Get Back Again.

The event of his name being presented, that he wished to decline.

On this showing Councillor Glazier withdrew his nomination, and substituted Jos. Strong.

Councillor Dixon nominated Jorgen Hansson for the position.

The vote showed: For Haws—Maiben, Glazier and Thomas, 3. For Hansson—Dunn, Henriksen, Dixon and Liddiard, 4.

**CITY ATTORNEY.**

On motion of Councillor Maiben, Wm. H. King was declared to be the unanimous choice of the Council for attorney.

**WATERMASTER.**

Councillor Henriksen wanted Walter Scott.

Councillor Glazier nominated T. E. Thurman.

When "remarks" were called Councillor Maiben referred to the good services rendered by Mr. Thurman, and said it would be the height of folly to change officers simply for the sole purpose of giving another end of town representation. To throw away a man of experience to place one in his place who had not the experience, seemed to him like engaging an apprentice to supplant another who had got that far along with his trade when he could be of use. He did not believe the man proposed by the west end of town would make as good an officer. He wanted the man proposing the change to act conscientiously in the matter and not go to work and elect Mr. Scott simply to give some other part of town "a show."

Councillor Glazier supported Watermaster Thurman, and paid him a fitting compliment for services rendered.

Councillor Liddiard said if Mr. Scott was an apprentice he would cast his vote for him. But he was not an apprentice, nor was he a green hand. He had had years of experience in the Council and had acted as deputy to the present incumbent.

Councillor Henriksen said the members from the west end were not putting up a fresh hand to learn the business. He believed Mr. Scott would give the office more attention than had Mr. Thurman, and he believed the city would save money by making the change.

Councillor Dixon wanted to see Walter Scott "get char!" and would cast his vote for him.

Councillor Dunn would vote for Mr. Scott. He believed he was as well up to the requirements of Provo city in regard to the irrigation interests as any other citizen of Provo. He had not a word to say against Mr. Thurman, however, and believed he had made a good officer.

Councillor Glazier did not see where Mr. Scott would make a good watermaster. He had been trying to get water up hill but hadn't succeeded.

A vote was finally called for, which showed: For Scott—Dunn, Henriksen, Liddiard and Dixon, 4. For Thurman—Maiben, Thomas and Glazier, 3. So the "solid south" got there again.

**POUNDKEEPER.**

When the Mayor called for nominations for this office, Councillor Thomas said: "You can have him on the other side!" (referring to the west end of town.)

Councillor Maiben nominated William Strong, but upon the City Marshal stating that it would be impossible for Mr. Strong to attend to his duty as a police officer as well as poundkeeper, Mr. Maiben withdrew his nomination.

On motion of Councillor Dunn the matter was laid on the table.

**SURVEYOR.**

On motion of Councillor Dunn Alfred L. Booth was re-appointed to fill the office.

**CHIEF OF POLICE.**

John A. Brown was re-appointed on motion of Councillor Dunn.

**SEXTON.**

This was again given to John Giles, on motion of Councillor Thomas.

**SEALER OF WEIGHTS AND MEASURES.**

Councillor Dixon nominated Henry Stagg, and Councillor Thomas, Joseph Farcott.

Stagg being a "West End man," he got there by the same vote as did Scott and Hansson.

**CITY INSPECTOR.**

Councillor Glazier nominated R. C. Watkins, Architect Kesting's representative in Provo, and at present supervising the construction of the Asylum work.

Councillor Maiben wanted to know from Mr. Watkins if he was a permanent resident of Provo.

Mr. Watkins, who was present, assured the Council that he was, and upon that showing he was appointed.

**QUARANTINE PHYSICIAN.**

Councillor Maiben nominated Dr. F. H. Simmons, and Councillor Dixon named Dr. M. H. Hardy.

Councillor Maiben supported his candidate in a neat speech, in which he said Dr. Hardy's literary abilities were all right, in fact too much so, Provo, but he was not there when it came to work. Dr. Simmons, while quarantine physician, had attended to his duties most ably, and during all his administrations had never

allowed a doctor's bill to come before the Council. This must not be said in favor of Dr. Hardy.

Councillor Dixon said if he recollected right, Dr. Simmons never attended to contagious cases himself; in fact he did not believe that any physician would spoil his practice by exposing himself. Dr. Hardy had been very diligent as quarantine physician, and he had never heard any complaint against him.

Councillor Glazier was in favor of Dr. Simmons.

The vote showed: Simmons—East end, Hardy—West end, The West end got their work in again.

Councillor Dunn asked to be excused.

Councillor Glazier, in behalf of the East end, objected.

A vote was called, and the West end excused Mr. Dunn.

**CHIEF OF FIRE DEPARTMENT.**

On motion of Councillor Maiben, John A. Brown was appointed chief of fire department.

**ASSISTANT CHIEF.**

Councillor Thomas nominated Wm. Hill as assistant chief.

Councillor Glazier said there was considerable feeling among the boys against Mr. Hill, and he thought some one else should be appointed.

Councillor Maiben said it was the wish of the chief that Mr. Hill should be appointed, and the feelings of possibly one or two members of the fire department should not stand in the way.

The vote resulted in Mr. Hill's unanimous appointment.

**ENGINEER FIRE DEPARTMENT.**

Hyrum Halton secured the appointment as engineer, on motion of Councillor Maiben.

**ASSISTANT ENGINEER.**

Councillor Dixon named George Ross, and it went.

**FOUNDER.**

On motion of Councillor Maiben, Alfonso D. Ferris was appointed founder.

On motion of Councillor Glazier, the Council adjourned for two weeks.

**"THE FIRST EGGS."**

Is What the Ogden "Standard" Calls the Letter of Resignation Penned by Judge Saxey.

Judge Saxey of Provo has submitted something to the Liberal committee of that place which, if their digestion is normal, ought to make wonderful changes in their political health. Mr. Saxey tenders his resignation as chairman of the committee, and says, by way of reason for so doing:—(Here follows the letter of resignation previously published by THE DISPATCH.) Now, George Sutherland, Dan Jones, Dr. Pike, Dodd, Bachman and all the rest of you, can you answer these simple questions to the satisfaction of unprejudiced readers? If you can, speak up, quick. We are mightily interested in this very matter ourselves and more or less anxious to know what the wise heads have to say about it. If Judge Saxey is in a delusion the men of Weber County have made a serious break. But these brave words from Judge Saxey do not sound like the vapors of delusion; rather they seem like the prediction of a magnificent triumph. The letter has a snuff of power and a tone of exalted adventure about it that serves our sines to war. Its words bear the ring of a leader's signal. We feel ourselves already negotiating an alliance with the big brains of Utah county's intellectual circle, and sipping the details of attack. With such an ally under such leaders we can storm the enemy in his strong-hold. But in the presence of as much jet as you please there is no jest about this political business here. The men of Ogden have not engaged in it for fun. What is to-day, in the minds of "the enemy," but municipal capture, will to-morrow be a county revolution. It is an earnest and a determined work that we have begun and thus far it has been well done. These manly words of Judge Saxey to the people of Utah county are among the first echoes of our end. Salt Lake county will of course follow her own deliberate fashion of falling in, but the longer she delays the inevitable the more complete will be her final surrender. Ogden's declaration of war to the bitter end upon local factions has gone forth. She has "hung her banners on the outward walls," and she proposes to push the campaign into the very barracks of the opposition, and at the ushering in of 1892 leave not a vestige of these ancient encumbrances.

A closing cheer for Judge Saxey—Ogden Standard.

I. H. Bacon, of Salt Lake, accompanied by Chas. Dwell, of Denver, Colo., arrived in Provo to-day. Despite the efforts of THE DISPATCH man, the object of their visit will remain shrouded in mystery. It is expected though, that it is on business connected with the waterworks system of Provo. Mr. Bacon is also connected with the Deep Creek railroad project, which may also have something to do with his visit here.

## BEFORE JUDGE BLACKBURN

### Red Swazey Found Guilty of Grand Larceny.

### More Indictments and Arraignments For Unlawful Cohabitation.

### A Burglar and Jail Breaker Sent Up for Five Years by His Honor.

The First District Court opened at 10 o'clock, Monday.

J. C. Williams was arraigned on a charge of assault with intent to commit murder. He pleaded not guilty. A. G. Sutherland was appointed to defend him.

Don R. Coray was sworn in as a grand juror vice M. M. Keign excused.

The grand jury came into court and reported five indictments, the following being ignored: The People vs. Moses Gibson, grand larceny; the People vs. Daniel O'Connor, concealing property with intent to defraud.

John M. Murdoch was arraigned on a charge of unlawful cohabitation. He took until to-morrow morning to plead.

John A. Mower, charged with unlawful cohabitation, took until to-morrow morning in which to enter his plea.

The petit jurors were excused until Tuesday morning at 10 o'clock.

Jas. Harrington, of Tintic, was admitted to citizenship.

Thos. Jones was arraigned on a charge of house-breaking, committed at Pictile, by entering the store of Hyrum Lundquist. He pleaded not guilty.

E. L. Bramballe was arraigned on a charge of embezzlement, by appropriating \$5008, the funds of the Kansas Life Insurance company. He pleaded guilty, and said he was ready for sentence. He was sent up for one year, the term of confinement to begin today.

Court then adjourned until Tuesday morning at 10 o'clock.

**TUESDAY.**

J. A. Mower withdrew his plea of not guilty to the charge of adultery, also charged by indictment with unlawful cohabitation, to which he pleaded not guilty.

Benjamin Bennett, who had been convicted of larceny, came up for sentence. King indicated his character before the Judge, who sentenced him to pay a fine of \$100 and costs.

William Howard pleaded guilty to a charge of unlawful cohabitation, and promised to obey the law in the future. He was fined \$100 and costs.

Martin Olsen and Richard Jenkins were arraigned on a charge of unlawful cohabitation and took until 2 o'clock in which to plead.

The case of the People vs. Rod Swazey came up for trial. He is charged with stealing cattle in Emery county, some time in November, 1885. Varian prosecuted and A. G. Sutherland defended.

The grand jury here came into court and reported one indictment. The case against C. K. Hansen, unlawful cohabitation, they ignored.

The Swazey grand larceny case was then resumed.

Fredrick Otterson testified: I live in Castle Dale; know Rod Swazey about November 1, 1885; I was living in Emery county and owned three head of cattle, and lost two of them; saw them in my field in October, 1885; saw them after that time in San Rafael cañon, where I was hunting; this was about fourteen days after my boy was with me when we found them. They were branded with a large one and bar beneath, that reached from the back to the flank. There were a great many other cattle there branded R. O. Saw the Swazey cowboys there. None of them claimed the calves at that time. The other calf that was lost, belonging to Larsen, was there, and was branded with an anchor, the E. L. being blotted out.

To Sutherland: The brand E. L. is E. Larsen; it looked fresh, as though it was not bleached up; the other brand had been put on since the E. L.; do not know who the anchor brand belongs to. The case was brought before the court at Orangeville. No one claims any calves at that time. Rod Swazey said that he had bought the calves of Thomas Smith, and claimed to have a bill of sale of them.

Peter Otterson, one of the former witnesses, testified: Was in Castle Dale in the summer of 1885; know the calves spoken of; they were branded; we turned them out in the field after the harvest; the land is not enclosed; E. Larsen had one calf in our field; in the latter part of October we hunted for them down the river; they went to the San Rafael and found the calves; they were branded as my father has described; the brands were fresh; Larsen's calf was there with the E. L. blotted out, and the anchor brand over it; we caught the calves and tied them up, and next day drove them home; a few days after there was

a hearing in the court when Rod Swazey claimed to have bought the calves of Thomas Smith and produced what he called a bill of sale.

To Sutherland: Cid Swazey was called for examination and discharged. The case was then put upon Rod. We took our calves back home and have kept them there since; there are many herds of cattle passing through the country eastward.

Don C. Sealey: Live at Castle Dale; the Larsen calf was born in February, 1885, and I sold it to Larsen's wife; it was branded E. L. by them after the sale; saw it after the return from San Rafael, and the E. L. was branded over with what was said to be Cid Swazey's brand; Rod claimed that he branded the calf with Cid's iron, because he owned him a calf; that the branding was after dark and he did not see the E. L. brand; Rod Swazey said he bought the calf of Thomas Smith.

To Sutherland: The Swazey's live about ten miles from the San Rafael valley; Cid claimed at the time of examination he could produce a bill of sale of the calves; did not see him show it before the court.

Mr. Olsen testified to having hunted for the calves spoken of, because of having lost one himself; he saw the Larsen calf and stated it had been branded as described.

R. H. Sealey testified: The anchor brand belongs to Cid Swazey. Their company brand is R. D. Am experienced in cattle business. The Larsen calf, after it came from the San Rafael valley, looked as though the brand had been blotted out.

Court here took a recess until 2 o'clock.

**AFTERNOON.**

John A. Mower was sentenced to three months' in the penitentiary, and to pay the costs of the prosecution for adultery.

Martin Olsen was fined \$50, having pleaded guilty to the charge of unlawful cohabitation.

Jas. Fitzgerald was arraigned on a charge of assault, committed upon Wm. P. Bennett in Provo. He pleaded not guilty.

Richard Jenkins pleaded guilty to the charge of unlawful cohabitation. Sentence was set for Monday next.

Geo. F. Churchill was arraigned on a charge of burglary. The offense is alleged to have been committed at Momb, by entering the Maternity home in which G. L. Sutherland was appointed to defend him.

Abel Hatch was called as a witness for the defense in the Swazey grand larceny case, and testified: Was employed by Cid Swazey at the time of the alleged stealing; saw Rod Swazey talking with Thomas Smith about buying some calves; Rod showed what he said was a bill of sale of the calves in the justice's court.

Sidney Swazey: I was tried at Orangeville for stealing calves and was discharged; Rod testified in court that he had bought the calves and had the bill of sale for them.

Rodney Swazey, the defendant, testified: I bought calves from Thomas Smith at Watsonville, in 1885, at the time we were driving toward the San Rafael valley. Did not brand them until we reached the valley. Never saw Smith before. Paid him \$21 for them. Was present at the trial of Sid Swazey and testified as to where I got the calves and produced a bill of sale. Mr. York and Alex. Sutherland has since seen the bill of sale. Have since lost it.

Jas. York testified to Rod Swazey having shown him a bill of sale of some calves which bill was signed by one Smith.

The case was submitted to the jury after twenty minutes argument on both sides.

J. D. Brown was arraigned on a charge of assault with intent to commit murder. He pleaded not guilty.

The jury in the Swazey grand larceny case brought in a verdict of guilty.

**WEDNESDAY.**

Ras P. Johnson pleaded not guilty to the charge of embezzlement.

The E. W. Jones embezzlement case was then taken up.

Mr. Cox, superintendent of district schools, testified to a number of orders having been issued to the amount of about \$800, which were unpaid by Mr. Jones into the districts. The excuse the collector gave was that not enough funds had been collected.

Trustees of the various districts confirmed this testimony, but no evidence had been brought into the case to show that the defendant had misappropriated any of the funds of the county.

Mr. Varian stated that all the evidence procurable had been introduced, none of which would tend to convict the defendant of the crime charged.

The Judge presiding instructed the jury to return a verdict of not guilty.

Mr. Mower was arraigned on a charge of embezzlement, and pleaded not guilty.

The grand jury came into court and reported nine indictments, and returned the following: The United States vs. Elizabeth Anderson, larceny; People vs. Rowland Nelson, grand larceny.

Geo. Thomas was arraigned on a charge of big larceny, committed at the residence of R. H. Dodd in Provo. He

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