

## LOCAL NEWS.

FROM FRIDAY'S DAILY, MAY 7

**Death in Arizona.**—By letter from Brother Wm. Taylor, Jr., of Ferron City, Emery County, we learn that Father Lyman Stevens of that place, one of the earliest members of the Church, passed from life on the 18th ult.

**A Veteran Gone.**—By letter from Brother Wm. Taylor, Jr., of Ferron City, Emery County, we learn that Father Lyman Stevens of that place, one of the earliest members of the Church, passed from life on the 18th ult.

He was the son of Jonathan and Olive Hoyt Stevens, and was born in Danby, Tompkins County, New York, February 7, 1812. He embraced the Gospel during the second year of the Church's existence, being baptized on the 27th of May, 1831. He was ordained an Elder on the 9th of May, 1836, his certificate to that effect, which is still in existence, bearing the signatures of Joseph Smith Jr. and F. G. Williams. Another certificate in possession of the family shows that he was ordained a High Priest, May 11, 1843. He shared in the persecutions of the Saints from the time he became connected with the Church, and after being driven out from Illinois served as a member of the "Mormon Battalion." For some time he lived in Shonesburg, Kane County, where his wife died in 1874.

He was the father of nine sons and one daughter, and had 61 grandchildren and three great-grandchildren, the number of posterity at present living being 64. He was faithful unto the end, and like a shock of grain fully ripe was gathered into the garner of the Lord.

**O. P. Arnold Arrested.**—Our readers will remember that a little over a year ago—in April, 1885—Orson P. Arnold was arrested on a charge of violating the Edmunds law, by living with more than one woman as his wives, and was induced to promise to "live within the law" in the future. At that time U. S. Commissioner McKay was very profuse in his commendation of Mr. Arnold's course, but subsequent events have caused a change to come "over the spirit of his dream." Mr. Arnold did not exactly assume the position which it was evidently hoped he would do by turning and bitterly persecuting the "Mormons." For sometime past, especially since it was discovered that Mr. Arnold was on the train on which President Cannon was traveling when arrested, it has been generally understood that the prosecutor and the commissioner were endeavoring to "make it hot" for him, and in conformity with that intention, Deputy Smith arrested Mr. Arnold about 8 o'clock last evening, at the gate of the County Court House. The accused was taken before Commissioner McKay, where a complaint was read, charging him with having, from March 31st, 1885, to May 6th, 1886, lived with Mrs. O. P. Arnold and Mrs. Fanny Linnell as his wives. The amount of bail pending examination was fixed at \$5,000, and the District Attorney peremptorily refused to accept a number of responsible bondsmen who were willing to justify—among these being Dr. Benedict, David L. Davis, S. P. Teasdel, Francis Cope and Alfred Solomon. As it was getting quite late, this action on the part of Mr. Dickinson made it necessary for Mr. Arnold to be kept in custody all night, and he was accordingly taken to the penitentiary, the preliminary examination being set for 9 a. m. to-day.

About half-past 9 Mr. Arnold was again brought to the Commissioner's office, where the witnesses had assembled, and the examination was waived. Bail was furnished in \$5,000 by Messrs. James Sharp, Jas. T. Little and John A. Groesbeck. The witnesses were also placed under \$200 bonds each, with the exception of Fanny Linnell Arnold, whose bail was fixed at \$500. Mr. Arnold offered to sign the witnesses' bond, but the Commissioner angrily declared that he "wouldn't accept him if he were worth a million," adding that a court had a right to refuse a surety. Mr. Sheeks remarked, "This is no court," and went on to show the arrogant Commissioner that when a competent surety was brought, it was not for him to reject him because of personal ill-will. He reminded the Commissioner that he spoke of himself as a court, which he was not for any purpose, but only a committing magistrate, and stated that she would offer one other good bondsman, and if refused on personal grounds would test the matter. Bonds were finally given and the witnesses released.

## ROYAL B. YOUNG'S TRIAL.

**The Prosecution Fail in a Desperate Attempt to Prove Polygamy—The Utah Commissioner's Illegal Test Oath.**

## The Trial Not Yet Ended.

In the Third District Court this morning, the first case called was that of the United States vs. Royal B. Young, of this city. Mr. Young was indicted in February, 1885, the grand jury charging him with polygamy and unlawful cohabitation. The case

was set for trial at the successive terms of court since that date, but has been postponed from time to time, chiefly on account of an absent witness. The circumstances surrounding the whole proceeding were such as to make the case of more than ordinary interest. Mr. Young's plural wife, Agnes McMurrin Young, was also charged by the same grand jury with perjury, in having at the examination before Commissioner McKay, prior to the finding of the indictment against Mr. Young, testified that she was married on Feb. 8, 1881, while the prosecution alleged that the marriage took place in June, 1883. In addition to this, the late grand jury found another indictment against him with three counts, the time covered having been segregated into three periods.

When the trial commenced the following jurors took their places in the box: Henry Sadler, J. M. Kennelly, T. W. Whitely, S. S. Maxwell, Aaron Sullivan, J. B. Paxton, Aaron Sullivan, J. B. Paxton, Henry Seigel, D. C. Murphy, Henry Carrigan, E. A. Whittaker, L. Goldberg, Edward Roche.

Henry Sadler and E. A. Whittaker had formed an unequal opinion; excused.

L. Goldberg had an opinion that it would require considerable evidence to change, and was excused.

James M. Kennelly was challenged for cause and excused.

Niel Gillis, W. E. Blenney, W. F. Garish, W. T. Barbee and George Chandler were then called.

W. E. Blenney had a fixed opinion, and was excused.

S. C. Pancake was called as a juror, and accepted.

The jury to try the case was as follows:

T. W. Whitely,	S. S. Maxwell,
Aaron Sullivan,	J. B. Paxton,
Henry Carrigan,	D. C. Murphy,
Edward Roche,	Niel Gillis,
W. F. Garish,	W. T. Barbee,
George Chandler,	S. C. Pancake.

The indictment charges that the defendant, while having a wife living and undivorced, on June 13, 1883, married Agnes McMurrin, thereby committing the offense of polygamy; and further, that from June 13, 1883, to Feb. 1, 1885, lived with Mary P. Young, and Emma Rawlins Young as his wives, acknowledging them as such, contrary to the provisions of the Edmunds law.

Joseph O. Young was the first witness. He testified—I am the defendant's brother; I live next door to him, in the 8th Ward; I know his wife, Mary Pratt Young; they were married 12 or 14 years ago; they have four or five children, the youngest about two years old; during the three years preceding February, 1885, the defendant lived with his wife.

Agnes McMurrin Young was called. She said: I live in the 8th Ward; in February, 1885, I lived there, on the State Road, and have been living there over a year; I have known defendant 10 years; I am married to him; was married February 8th, 1881, in the Endowment House, Salt Lake City; I was then living at home, but not in the same house as at present; I lived there until over a year ago; I think I moved in the autumn of 1884; in my mother's house I occupied a room for nearly four years; my husband did not contribute to my support while I was with my mother; he has called on me several times, perhaps once a week; I never received him in my room; some of the other members of the family were always present; I sometimes went out driving with him; I have never sustained the relation of wife to him; he provided the house I now live in; he owned it, but I own it now; he first contributed to my support when I went to live where I now am; I wanted a home of my own, and suggested the change; he gave other means for my support; he provided substantially for all my wants; he did not visit me very often; he usually came in the afternoon, but never in the evening; did not sustain the relation of wife because we made an agreement to that effect at the time of the marriage. (Objected to; overruled.) This was to gain the benefit of the law of limitation; I told the Commissioner we had no agreement, but I had not remembered; I gave there as a reason that it was on account of the Edmunds law. (Objected to; objection overruled.) I made a mistake, because I misunderstood, and confounded the anti-polygamy laws. I do not know that law was being arbitrated at that time. (Objected to; overruled.)

Mr. Dickinson offered the bogus registration oath illegally imposed upon voters by the Utah Commission, in 1882. He said this was to show what had been the witness' conduct, showing the parties had not sustained the relation of husband and wife. The defense objected to this as improper evidence. The document was temporarily withdrawn.

Mr. Dickinson—Didn't you, on the 12th of September, 1882, take the oath imposed upon voters?

Objected to by the defense.

Mr. Dickinson read the affidavit, under objection from the defense. He gained his point in this, it being his only object to get the contents before the jury, or its effect upon them.

Witness—I subscribed to that oath, but do not remember hearing it read.

The defense objected to this testimony as being introduced for effect on the jury. Objection overruled.

Mr. Dickinson—What object had you in signing that document?

Objected to by the defense; overruled.

Witness—I signed the paper, because I wanted to vote; I do not remember testifying in the grand

jury room that I held up my hand while Mr. Showell read the paper; I may have held up my hand when the paper was read; I took it because I was not living with Mr. Young as his wife; I knew he had a wife when I married him.

Objected to by the defense; as the affidavit referred to was not an oath, under the law, which prohibited only those cohabiting with a polygamist. The witness was not living with her husband, and being the wife of a polygamist, but not living with him, did not disqualify her, and the registration officer had no right to require the oath, as the U. S. Supreme Court had declared. The witness knew she was entitled to vote, and the registration officer had no right to impose additional requirements to those provided by law. The Court overruled the objection.

Mr. Dickinson—Are you hard of hearing, Miss McMurrin?

Witness—Not if you speak loud enough; Mr. Showell was eight or ten feet distant; I don't remember hearing him read about not being the wife of a polygamist; I did not pay much attention; I did not understand I was not the wife of a polygamist, nor did I intend to make such a statement; I knew I had the right to vote and I voted, that was all there was in it.

Cross-examined by the defense—I told the Commissioner I did not understand the distinction between the anti-polygamy laws; the reason I gave was that we did not live together was that we desired to have the benefits of the limitation law; I remember the prosecution of the Miles case; also the prosecution of George Reynolds; I now remember the anti polygamy agitation in 1880 and 1881; I was married Feb. 8, 1881; my mother knew of it, and so did my father; I received a certificate of marriage from Joseph F. Smith, who married us.

The marriage certificate was offered in evidence, but Mr. Dickinson objected.

Witness, continuing—I told Mrs. Jos. W. McMurrin of my marriage a short time after the occurrence; I heard a rumor of the marriage. (Objected to by the prosecution. Objection sustained.)

To Mr. Dickinson—My father and mother and sister-in-law knew of the marriage; also Joseph F. Smith and the witness to the marriage; I do not remember telling the Commissioner that I said to Mr. Showell, in 1882, that I was not married. (Objected to by the defense; overruled.)

The Court then took recess until 2 p. m.

This afternoon Agnes McMurrin was recalled and testified—I have not seen the marriage certificate for some time; I first saw it a few days after I was married; Mr. Young handed it to me; I retained possession for a long time; I knew it existed at the time of the examination before the Commissioner. (Objected to by the defense; objection overruled.) I do not remember being asked whether I had it. I never said I did not have it.

The certificate was introduced as evidence of the marriage.

Mrs. Emma Rawlins Young was called and testified—I live in the 8th Ward; for three years prior to February, 1885, I lived in my own house; I know the defendant; I am married to the defendant; I was married 11 years ago; he has three wives, Mary P. Agnes McMurrin and myself; I know of no other. (The defense objected to this evidence; objection overruled.) I do not know when Agnes McMurrin was married; the defendant told me of it four or five years ago; he also spoke of it before the marriage, and asked my consent; since the 10th of June, 1883, the defendant has not lived with me as his wife. (Objected to by defense; overruled.) Before June 10, 1883, we lived together; ceased to live together at that date, on account of the Edmunds law. (Objected to; overruled.) Made no agreement relative to it until that time. (Objection overruled.) My baby was born after that time. Ceased living together because my husband could not come to see me openly; my baby was born Feb. 29, 1884, not March 31st; there was no memorandum of the agreement; we had discussed it before that date; I felt bad at the time; the agreement was made at my house; my child died March 31, 1884; my husband was at the funeral; he did not visit me, nor has he been in the house, except when the baby was born; I sent for him; he was not present when the child was born, but the day after; the baby died in his arms; he was in the house when I was arrested, two weeks ago to-day, at 6 a. m. (Objected to by defense; objection overruled.) He had been there but a few moments before the deputies came; he came to my bedroom when the deputies came; he was not undressed and was not in bed; he was talking to a gentleman in another part of the house. Since February, 1885, I have been in a great many places; in Provo, most of the time. (Objected to as out of the district; objection overruled.) I was at Mr. James Chislett's; went there last spring; I left home in January, 1885; I left the day my husband was arrested; I went to my husband's mother's, and then to my brother Joseph's, in Taylorsville; I went in a buggy, alone; the defendant owned the buggy; he was not with me; I was at Taylorsville several weeks; Mr. Young sent the buggy to me at his mother's; his son Royal brought it; from Taylorsville I went alone to Provo, and remained there nearly a year; left there just before Christmas, and came to my sister's, Mrs. Tester's, at East Mill

Creek; traveled with Mr. Young's buggy, driven by Mr. Young's hired man; I had been at my home one night; I then came home two evenings before I was arrested; I came to town several times but never saw the defendant; he did not come to Provo; he came to my bedroom when the deputies came; I have been supported by Mr. Young. (Objected to; overruled.) After we agreed to separate I did not recognize him as my husband; I ceased to do so June 10, 1883; I was sometimes called Mrs. Young. My husband provides for my little girl and myself, all the time, and sends me means. While I lived home, my husband sent me money and provisions, and whatever I needed. I was ill when my child was born, but not at any other time. I have had three children; the second is five and a half years old, and is the only child living. I own the house I live in; Mr. Young bought it for me. Before I was arrested, I asked Mr. Young to get the buggy for me, and he came to tell me it was ready. I was going to my sister's. I moved around of my own free will. I sent for Mr. Young to get the buggy, but did not ask him to come.

Cross-examined—Mr. Young has not lived with me as my husband since June 20, 1883; he had taken the advice of attorneys on the subject. He treated me as a friend but did not cohabit with me, and I never went into public with him. Mr. Young never advised me to keep out of the way of the officers, but advised me to stay at home. I did not want to get into the courts.

Deputy Cuddihie was called and the trial was still in progress when we went to press, and will probably not be concluded until to-morrow afternoon.

## FROM SATURDAY'S DAILY, MAY 8

**Killed.**—A twelve year old boy, named Charles Welch, was accidentally run over and killed by a Utah Central train, at Ogden, yesterday.

**Dismissed.**—The case of the United States vs. Agnes McMurrin, charged with perjury, was dismissed in the Third District Court this morning, there being no evidence that the accused had committed the offense.

**Sentiment of the Crusade.**—The following special to the *Herald* appeared in that paper this morning:

Paris, Idaho, May 7th, 1886.

Dubois, United States Marshal of Idaho, remarked on the street that he had a jury empaneled to try illegal cohab cases that would convict Jesus Christ if he were on trial. The attorney defending a case of illegal cohabitation had Dubois placed on the witness stand and he hesitatingly admitted that he did make the remark.

**Deputy Registrars.**—The following deputy registration officers have been appointed by the Utah Commission:

James P. Anderson in lieu of Christian Peterson, for Bear River precinct, Box Elder County.

Wm. J. Barton in lieu of John H. Meredith, resigned, Kaysville precinct, Davis County.

A new precinct has been established in Box Elder County, called Junction, and Mr. H. H. Chase was appointed deputy registration officer at that place.

Three new precincts have been established in Summit County, and a deputy appointed as follows: Woodland precinct, Geo. F. Reynolds.

## ROYAL B. YOUNG

**Convicted of Living With His Wives—The Polygamy Charge Dropped.**

**A Three-Count Indictment Proceeded With—An other "Impartial" Jury.**

After the close of our account of the proceedings in the case of the United States vs. R. B. Young, yesterday afternoon, Deputy Cuddihie testified that he had peeped through the window of Mrs. Emma Rawlins Young's bedroom, and seen a man's clothing on a chair; heard Mrs. Young say she would come out when she got her clothing on; the window was up about eight inches. Mrs. Young could not refrain from characterizing this statement as untrue.

On cross-examination by the defense, Cuddihie said: I have been a deputy since February 1st; before that I was deputy sheriff at Butte; had been in the real estate business in Belknap, Montana; had worked as a carpenter; had been a deputy in Leadville, also a policeman; had been in the mercantile business in Michigan from 1872 to 1879; knew Mr. Young well; have talked with him frequently—perhaps a dozen times; am familiar with his voice; I saw him come out of the room that morning, and supposed the voice was his; the chair was three or four feet from the window; I supposed they were his clothes on it; he came out in about ten minutes; I did not ask him whether he had been in bed or not.

Deputy Marshal Greenman testified—On the morning Emma Rawlins Young was arrested, we went to her house between 5 and 6 o'clock; Mr. Pratt admitted me; I searched all the open rooms, and came to a room opening from the dining room; Pratt said he didn't know where the key was; I sent Vandercook to the window outside, and a moment later I heard him tell

someone inside that if they didn't open the door he would come through the window; a lady's voice responded, "Wait till I get some clothes on;" she (Miss Rawlins) came out in about ten minutes; I did not see Mr. Young in the room.

Cross-examined—There was a man sleeping on the bed in the dining room; I didn't see who it was.

The prosecution rested their case with this witness, and Mr. Sheeks announced that the polygamy count had been abandoned.

Joseph O. Young was called for the defense, and said—I saw the defendant on the morning of Miss Rawlins' arrest. We were both out at the barn feeding our horses. I saw him come out of his house on Main Street, and after coming to the barn where I was, he went to Miss Rawlins; I saw him come from his house at about 5:30; I went with Mr. Greenman to the house, and saw Mr. Young come out.

Cross-examined—I saw the defendant come out of that bedroom door; I am his brother.

Emma Rawlins recalled—The clothes on the chair were those of a gentleman who came in late the night before, and who took of his coat, hat and boots and left them by the fire, that being the only room in which there was a fire. I don't know his name; he was some one that Mr. Pratt knew; he came to my room because I was the only one up; he did not leave his vest or his shirt there; he did pull off his boots.

This closed the case, and Mr. Sheeks stated that the defense were willing to submit it to the jury without argument, but Dickinson and Varian refused, and the latter made the opening speech. He was followed by Messrs. Sheeks and Rawlins, and Mr. Dickinson closed with a vicious attack upon the defendant, and lady witnesses that has no parallel in his past record in this court.

The Court then charged the jury, who returned a verdict of guilty. The names of these jurors are as follows:

T. W. Whitely,	S. S. Maxwell,
Aaron Sullivan,	J. B. Paxton,
Henry Carrigan,	D. C. Murphy,
Henry Seigel,	Niel Gillis,
W. F. Garish,	W. T. Barbee,
George Chandler,	S. C. Pancake.

The time of fixing the date for passing sentence was set for this morning, and court adjourned.

This morning an additional indictment against Mr. Young, covering the time subsequent to the former indictment, and including three counts for the one offense, was taken up for trial. The following jurors were called to the box, all those who sat on the last case being omitted: K. J. Handy, N. Treweek, Fred. Anderson, Cornelius Hunt, C. E. Brim, D. R. Firman, W. E. Blenney, E. A. Whittaker, Edward Roche, J. M. Kennelly, L. Goldberg and Henry Sadler.

Of the twelve E. A. Whittaker was peremptorily challenged by the prosecution, and Edward Roche by the defense; eight were excused for having an opinion in the case, and the remaining two, N. Treweek and Cornelius Hunt, were sworn.

This exhausted the list of jurors, and an open venire for 20 additional names was issued, returnable at 2 p. m.

This afternoon the following names were returned: Joseph Foreman, W. C. Lyne, W. L. Pickard, W. S. Clays, James Hickey, H. A. Cummings, M. A. Harkness, E. Springer, W. Keating, J. M. Harvey, Louis Reggel, J. B. Cecil, J. W. Campbell, W. W. Chisolm, T. C. Armstrong, George A. Lowe, J. J. O'Toole.

Of this number all but six were excused for various reasons, and at 3 p. m. another open venire was issued. Up to the time of our going to press the following jurors had been secured:

N. Treweek,	Cornelius Hunt,
H. A. Cummings,	E. Springer,
J. M. Harvey,	Geo. A. Lowe,
J. W. Campbell,	W. W. Chisolm.

## GOVERNOR WEST HONORED.

## A BRILLIANT RECEPTION TO UTAH'S EXECUTIVE.

The reception ball given by the municipal government in honor of His Excellency Governor West, equalled in brilliancy anything of the kind that has ever taken place in this city. When the short time allowed the various committees to perform their work is considered, one is led to marvel that so complete and successful an affair could have been arranged; great credit is due the Mayor, the Council, the City Officers and others who labored so energetically to bring about such a gratifying result.

The Theatre had been handsomely decorated for the occasion, Manager H. B. Clawson taking an active part in fitting up the interior. The ball floor was set for twenty sets. A platform for the musicians was placed at the south end of the auditorium, and just above them in the centre of the first circle, the Sixteenth Ward Brass Band was stationed. The dancing music was supplied by a band of selected performers from the Theatre and Opera House orchestras, led by Professor Weihe, with James Currie as prompter. Over the proscenium, depending from the flies and extending the whole width of the stage, was a large green banner on which was wrought with snail-flowers the words: "Welcome Governor West." The two stalls to the left were converted into a dais, carpeted and set with furniture, and adorned with plants and flowers. Over all was draped in tasteful style the Stars and