

After the disposal of six indictments against the Mayor, twenty-three persons stood up for arraignment. Four of these, Messrs. Isaac Goff, Orson F. Whitney, J. D. Lyon and Rulon S. Wells, had just given bonds. The indictment reads as follows:

Territory of Utah. In the District Court within and for the Third Judicial District of the Territory of Utah, County of Salt Lake:

The People of the Territory of Utah against Francis Armstrong, Elias A. Smith, Elijah M. Weiler, John C. Cutler, John R. Winder, Jesse W. Fox, Sr., Jesse W. Fox, Jr., Rulon S. Wells, George Romney, Joseph W. Romney, Orson F. Whitney, John Nicholson, Brigham Y. Hampton, Nathaniel V. Jones, George M. Cannon, Abraham H. Cannon, William S. Burton, Charles S. Burton, Stephen R. Marks, Louis Hook, Joshua Midgely, Isaac Goff, Hyrum Goff, Silas T. Smith, Walter J. Lewis, Heber S. Cutler, James McGee, Lorenzo D. Young, Alonzo Young, Jesse M. Smith, Rawsel Bradford, W. N. Williams, W. F. Murphy, E. H. Richards, J. D. Lyons and A. Gardner, whose other or true names are at present unknown.

The said defendants Francis Armstrong, Elias A. Smith, Elijah M. Weiler, John C. Cutler, John R. Winder, Jesse W. Fox, Sr., Jesse W. Fox, Jr., Rulon S. Wells, Geo. Romney, Joseph W. Romney, Orson F. Whitney, John Nicholson, Brigham Y. Hampton, Nathaniel V. Jones, Geo. M. Cannon, Abraham H. Cannon, William S. Burton, Charles S. Burton, Stephen R. Marks, Louis Hook, Joshua Midgely, Isaac Goff, Hyrum Goff, Silas T. Smith, Walter J. Lewis, Heber S. Cutler, James McGee, Lorenzo D. Young, Alonzo Young, Jesse M. Smith, Rawsel Bradford, W. N. Williams, W. F. Murphy, E. H. Richards, J. D. Lyons and A. Gardner, whose other or true names are at present unknown, are accused by the grand jury of this court, by this indictment, of the crime of conspiracy, committed as follows:

The said Francis Armstrong, Elias A. Smith, Elijah M. Weiler, John C. Cutler, John R. Winder, Jesse W. Fox, Sr., Jesse W. Fox, Jr., Rulon S. Wells, George Romney, Joseph W. Romney, Orson F. Whitney, John Nicholson, Brigham Y. Hampton, Nathaniel V. Jones, George M. Cannon, Abraham H. Cannon, William S. Burton, Charles S. Burton, Stephen R. Marks, Louis Hook, Joshua Midgely, Isaac Goff, Hyrum Goff, Silas T. Smith, Walter J. Lewis, Heber S. Cutler, James McGee, Lorenzo D. Young, Alonzo Young, Jesse M. Smith, Rawsel Bradford, W. N. Williams, W. F. Murphy, E. H. Richards, J. D. Lyons and A. Gardner, on the 27th day of September, A. D. 1888, at the County of Salt Lake in the said Territory of Utah, and within the Judicial District aforesaid, unlawfully, fraudulently and deceitfully did conspire, combine, confederate and agree together, to present for allowance and approval,

to the Mayor and City Council of the City of Salt Lake in the county and Territory aforesaid, with intent to induce said mayor and Council to appropriate and pay out of the public moneys in the treasury of said city, \$9,697.94 and thereby to defraud the people of said city and the treasury thereof of the said sum or \$9,697.94, a certain false and fraudulent claim and account, purporting on its face to be a claim and account in the said sum of \$9,697.94 for the value and purchase price for a one-sixth interest in a certain dam in the Jordan River hereinafter mentioned and the property in and right to use one-sixth of all the waters then flowing and thereafter to flow in the Jordan River, a water course running through said city and county: That they the said defendants and each of them, then and there well knew that they or either of them had no right in said dam nor right of property or use in any of the waters of said river which they or either of them could convey to the said city of Salt Lake.

That the said defendants and each of them so fraudulently and deceitfully conspiring, combining and confederating together did also agree among themselves at the time and place last aforesaid that they would falsely and fraudulently pretend to the said Mayor and City Council, in support of the false and fraudulent claim aforesaid, that they the said defendants were the owners of and had the right to use and convey to the said city, in the aggregate one sixth undivided interest in said dam and of all the waters flowing or to flow in the river aforesaid, and in pursuance of such representation that they would offer to deliver to the said City Council a deed, pretending and purporting to convey the interest aforesaid:

And the grand jury aforesaid, upon their oaths allege:

That in pursuance of said conspiracy, combination, and confederacy the said defendants and each of them, thereafter on the 6th day of October, 1888, fraudulently and deceitfully presented to the City Council and Mayor aforesaid, a false and fraudulent claim and account with intent thereby then and there to defraud the said city and treasury thereof for the sum of \$9,697.94, then and there pretending to the said City Council and Mayor that the said account was a just and true one, and fairly and truly represented the money value of the interest and ownership in the said dam and waters of the said Jordan River, and the said defendants then and there pretended and represented to the said city council and mayor, that the said defendants between them owned a full one-sixth of said dam and of all the waters then flowing and thereafter to flow in said Jordan River, and that the same was then and there of the value of \$9,697.94 as in said account represented and stated, and that they could and would make a good and sufficient deed of the said interest, conveying to the said city for its use, one-

sixth of said dam and the waters aforesaid; Whereas, in truth and in fact, the said defendants did not have any interest in said dam, or right to use any of the waters of the said stream, nor was such right or interest vested then or at any other time in any of them, nor could they or any of them make a good and sufficient deed thereof, all of which the said defendants and each of them well know, and so the grand jury doth say:

The said defendants did commit the crime of conspiracy against the statute in such case made and provided and the peace and dignity of the People of said Territory.

JNO. T. LYNCH,

Foreman of Grand Jury.

C. S. VARIAN,
U. S. Attorney.

By WM. MCKAY,
Ass't. U. S. Attorney.

Endorsed—Witnesses: Heber M. Wells, Rulon S. Wells, Orson F. Whitney, Bolivar Roberts, Public Records and Documentary Evidence.

Of the thirty-six persons named, twelve have not been arrested. These are, Joseph W. Romney, deceased; Wm. S. Burton, Charles S. Burton, Walter J. Lewis, Heber S. Cutler, James McGhie, Jesse M. Smith, Rawsel Bradford, W. F. Murphy, E. H. Richards, A. Gardner and Jesse W. Fox, Sen.

The next arraignment (with the exception of ex-Selectman Samuel Bennion, deceased) was on the following indictment:

Territory of Utah. In the District Court within and for the Third Judicial District of the Territory of Utah, County of Salt Lake.

The People of the Territory of Utah against Elias A. Smith, Francis Armstrong, Elijah M. Weiler and Samuel Bennion.

The said defendants, Elias A. Smith, Francis Armstrong, Elijah M. Weiler and Samuel Bennion, are accused by the grand jury of this court, by this indictment, of the crime of conspiracy, committed as follows: The said Elias A. Smith, Francis Armstrong, Elijah M. Weiler and Samuel Bennion, on the 5th day of June A. D. eighteen hundred and eighty-eight, at the County of Salt Lake in said Territory of Utah, and within the Judicial District aforesaid, were members of the County Court of Salt Lake County and Territory of Utah, that is to say, the said Elias A. Smith, was the duly elected, qualified and acting Probate Judge of said County and Territory, and the said Francis Armstrong, Elijah M. Weiler and Samuel Bennion were the duly elected, qualified and acting Selectmen for said County and Territory; that the said defendants, on the day and year last aforesaid, composing the County Court of said County and Territory as aforesaid, were charged by law with the duty of examining, settling and allowing all accounts legally chargeable against the said County, and with the duty of ordering warrants to be drawn on the County treasurer thereof; that on the day and year last aforesaid, the said Elias A. Smith, Francis Arm-