

way to accomplish this is not pointed out, so the question is, what is necessary to cause a cessation of the polygamous relation? Can the relation exist where the parties have not only ceased to cohabit, but have separated in good faith? That is, does it exist because of the former relationship? To maintain a relationship requires some act of the mind to continue the condition—that is, consenting to recognize more than one woman as a wife. Does a man recognize a woman as his wife when she is not, and they have separated in good faith? The Supreme Court holds to the idea that there must be a recognition—that is, that a man must recognize plural wives as wives. If the parties publicly say they separate, and their conduct shows they are acting in good faith, that it is an effective separation. The question as to good faith will be for the jury to determine. The section regarding amnesty or pardon does not seem to have any connection with this question. These parties might obtain amnesty, and yet continue the polygamous relation. The evidence on that point will be admitted. The question is whether these parties have separated and in good faith dissolved the relationship.

Mrs. Hall continued—The reputation has been that he has been her husband, and that the relationship ceased in 1888, when they separated; mother understood that they had finally separated, and that she was no longer his wife; he has given her no support since then, nor recognized her in any way as his wife; they got a "Church divorce."

Mrs. Hannah Dowden testified—I reside at Sandy; I was the defendant's plural wife; we were married about ten years ago; we were divorced in June, 1888; it was a "Church divorce;" I applied for it, because I did not want to live with him; we did not get along very well together; he did not ask for the separation; he had to agree to it; he consented to the divorce.

The divorce was then introduced in evidence. It reads as follows:

"Know all men by these presents: That we, the undersigned, William B. Bennett and Hannah N. Bennett, his wife, before her marriage to him Hannah Nash, do hereby mutually covenant, promise and agree to dissolve all the relations which have hitherto existed between us as husband and wife, and to keep ourselves separate and apart from each other from this time forth. In witness whereof we have hereunto set our hands at West Jordan, Utah, this fourth day of June, A. D. 1888. Signed by W. B. Bennett and Hannah Nash Bennett, in the presence of Jos. J. Williams and Mary R. Mills."

Mrs. Dowden, continuing, in reply to Mr. Rawlins—I complained because he was not supporting me as wife; he acknowledged me as such; did not complain of his not visiting me; he came occasionally, but not very often; he neglected me; he does not recognize me as his wife; we have fully and finally separated; we dissolved partnership for good; I am not now his wife; the divorce

means what it says, at least I hope so.

Colonel Henry Page, county registrar, testified to the appointment of H. J. Crandall as deputy registrar for West Jordan precinct.

H. J. Crandall testified that Mr. Bennett took the registration oath May 13, 1889.

The prosecution rested, and Mr. Rawlins asked the court to instruct the jury to bring in a verdict of not guilty.

Judge Powers opposed the request. He said if this was not a case of illegal registration there was nothing to prevent every polygamist in the Territory from voting. They could privately agree to live separate, and getting a "Church divorce," keep it in their pocket. It is like the Idaho business, where they withdrew from the Church, only they can do it privately. This will say that the statute means nothing. I say there must be public notice of the dissolution of the relationship, in accordance with the form of law.

Judge Zane—If they agree in good faith to separate, and do it, that settles it.

Judge Powers—He has not said anything of the kind. He is just as much a polygamist as ever.

Mr. Rawlins—Counsel has no right to bring in outside considerations of a political nature. It is simply this: Has this man ended the relationship by separating in good faith from his plural wife? This has been shown to be the case, and we are entitled to the instruction asked for.

Judge Zane stated that the substance of the evidence was that the parties entered into the polygamous relation. Does the agreement overturn this arrangement? If this man intended to cease this relationship he would so express it, and I think he should go on the witness stand and say so.

The defendant, Wm. B. Bennett, testified that he had separated from his plural wife in good faith; he said: I was willing to separate; we were tired of the bargain; she applied for the decree and I signed it; my intention was to finally dissolve the relation; it was intended never to renew the relationship; when I registered, I considered that I was not a polygamist.

To Judge Powers—I married Hannah Nash in the early part of 1878; I have never had any but the two wives; I have not considered Hannah Nash my wife since the divorce; I don't know anything about the eternity part of the marriage; I don't consider her my wife, because there has been a separation.

Judge Powers—Don't you consider her your celestial wife?

Judge Zane—We'll confine ourselves to earthly matters and let the hereafter alone.

Judge Powers—Don't you consider her your celestial wife?

Mr. Bennett—I do not consider her my wife; this separation is complete so far as earth is concerned; I don't know anything about the hereafter; I intended to put an end to our polygamous relation.

Jos. J. Williams testified that

Hannah Nash had complained that the defendant had not provided for or visited her; they agreed to separate, and I got the decree; they agreed that the separation should be final; the matter was publicly talked of.

To Judge Powers—There were a couple of trials; she said she wanted to dissolve the relationship; they both wanted to separate.

Judge Zane instructed the jury to acquit, which they did.

CHICAGO LETTER.

The Pan-Americans are here. Chicago received them right royally. Her pork princes and lard barons made up a purse of \$3,700 to give them a grand blow-out. Military bands, which cost for the occasion \$150 each, discoursed "Hail, Columbia" to these weary travelers. Two long weeks have these poor fellows been on the road, listening to oratory, a dozen words of which they never comprehended. They have visited rolling mills, factories and insane asylums, until their brains are in a whirl. They have eaten pastries which conjured up visions of Cortez, Pizarro, De Soto and Dr. Cronin. They have eaten pork and beans until they beheld panoramas of Cotton Mathers, Jonathan Carvers, burning witches, hanging Quakers, Tewkesbury pauper-skinners and Ben. Butlers.

Senator Payne told them that the object of the excursion was to instruct them in the principles of our government, and to make them acquainted with our people. Senator Sherman told them that Henry Clay favored a confederacy of American nations; that President Monroe protested against European intervention in Columbian affairs; and that our Union was now prepared for a sisterhood of American republics. He told them further that Congress was a grand affair—that it would help to settle controversies without the sword; that it would cover American waters with American flags; that it would make of himself a Henry Watterson free-trader. Governor Foraker told them that Ohio was 100 years old, that Ohio was 25 years ahead of Congress, that the people were the grandest in the world, and that she was afraid neither of a subsidy nor of Tom Campbell.

Many and marvelous are the things seen and heard of by our Latin-American diplomats, but under all circumstances they have maintained the stolidity of a Chinaman or a Turk. They have expressed no surprise whatever at anything. They act as if they were among looms, and spindles, and carriages, and Pullman trains all their life. The gentleman from Quito, who is supposed to have never seen anything but pack-mules and saddle-asses, looked at the finest Studebaker carriages as if they were wheelbarrows. The gentleman from Caracas, whose drinking water at home is delivered from barrels packed on the back of a burro, expressed no surprise at our water-tower or at our contemplated high-pressure water service. Our police wagons or our calebars did