

personal interpolation and entirely foreign to the requirement and purpose of the law.

We consider the course pursued toward Mr. Simmons is another sport of that spite which the Judge seems to entertain toward all persons who do not view the polygamy question through the green of his glasses and the glare of his hostility. It is a mark of a small and narrow soul, and is quite in keeping with his irascible and undisciplined outburst in the McEars affair. It will not add to the character and repute of the Chief Justice for fairness and impartiality.

FROM FRIDAY'S DAILY APRIL 15.

Free Again.—Yesterday afternoon Brother James I. Steel, of Lake View, Tooele County, was brought down from the Penitentiary and after an examination as to his property qualifications was discharged by Commissioner McKay. He has served a six months' term for violating the Edmunds law, and thirty days' additional for the fine imposed. His sentence originally was, on a two-count indictment, to one year.

Commemorative.—The members of the Kimball family have made arrangements to celebrate the 86th anniversary of the birth of their illustrious head—the late President Heber C. Kimball. The event is to take place at Fuller's Hill, June 14th, 1887. An appropriate programme has been prepared for the occasion. It consists of speeches, instrumental and vocal music, refreshments, games, dancing, etc. A sketch of the life of President Kimball will be read by Bishop O. F. Whitney, his grandson.

Court Notes.—To-day's proceedings in the Third District Court:

B. G. Raybould, trustee, vs. Price Mercantile Company; motion to dismiss argued by Judge Sutherland and Arthur Brown; leave given to amend complaint by adding B. F. Cummings as defendant.

Eddy, Harvey & Company vs. E. A. Ireland; motion for new trial passed.

United States vs. Peter Hanson; on motion of C. S. Varian, it was ordered that an attachment issue for Jane Simpson, a defaulting witness before the grand jury.

United States vs. Dusenberry et al.; demurrer overruled.

Jonas Anderson was admitted to citizenship.

Wasatch Mining Company vs. Jos. A. Jennings et al.; motion for new trial overruled.

A Narrow Escape.—Residents of Ogden who are acquainted with Alma Keyes, at one time city marshal here, and captain of Police, now a resident of Utah, were much alarmed last evening at hearing that Mr. Keyes had been drowned in the Weber. Later, however, and to the great relief of the gentleman's friends it was learned that the report was untrue. It appears that Mr. Keyes took his team and started up the cañon to his farm. Ahead of him was another man with a team. The latter did go off into the river and his wagon box floated down the stream. This was his only loss, so far as we can learn, although he had a very narrow escape. The blind wheels of Keyes' wagon also ran off and it was with great difficulty he kept the road. The wagon box belonging to the man ahead of Keyes was seen by the engineer who runs the "holder" at Utah and he supposed Keyes had met with an accident and was drowned. The report quickly spread and the matter was investigated. Inquiry from Utah last night elicited the fact that Mr. Keyes was well and was at that time at supper.—Ogden Herald, April 14.

STILL ANOTHER FIZZLE.

MR. HOLM TAKES CARE OF AN ORPHAN, AND IS PROSECUTED.

This morning an inoffensive Scandinavian named Jens P. Holm was surprised by being placed under arrest for a violation of the Edmunds law. The warrant against him was issued on the 26th of October last—nearly six months ago—but for some reason was not served until to-day. The complaint, made last October, alleged that Mr. Holm "did unlawfully live and cohabit with more than one woman, to wit: Mrs. J. P. Holm and Mrs. Paulson," from Dec. 1, 1883, to Oct. 26, 1886. It was expected that considerable would be made out of this case; not only was it a sure (?) thing so far as the misdemeanor was concerned, but they had "got him" for polygamy, and no mistake.

Mr. Holm—Who, by the way, has taken into his family, at the request of his mother, who has to work for a living, a five-year old child, that it might be provided with a home—was arrested by Deputy Pratt, and ushered into the presence of Commissioner McKay. Three witnesses had also been summoned.—Mrs. Christina Holm, Mrs. Eugenie Erickson Zeitler, and Miss Oleica Nielson. The first two were in the courtroom, when the officials entered, and the examination was commenced.

To the Commissioner's inquiry, "What is your plea to this complaint, guilty or not guilty?" Mr. Holm replied, decidedly, "No, sir, no, sir."

Mr. Dickson then called Mrs. Holm as the first witness, but the lady promptly refused, saying she was the defendant's legal wife.

Eugenie Erickson Zeitler was then called and testified—I have known J. P. Holm since before Christmas, perhaps

since October; became acquainted with his wife at the same time; they were visiting my sister's in Logan; I was there working; I came to this city a few days ago, and stayed at defendant's house; I only saw defendant at Logan one evening; I am not now married; I was in the Logan Temple three years ago; I was then married to Mr. Zeitler; he is now dead; I have never been married since; my sister's name is Anna.

"Bring in the other," said Mr. Dickson, and a lady who was unable to understand English—making an interpreter necessary—was ushered into the court room.

The witness gave her name as Oleica Nielson. She testified—I have known defendant a year and a half; my little girl lives with them; I do not live there but at Captain Paul's; I came from the old country a year and a half ago; I have been in Holm's house about an hour; was not in Logan last fall; was there in February, 1887; did not see the defendant there; I am not married to Mr. Holm; never went through a marriage ceremony with him; my little girl is five years old; I work at Captain Paul's for a living; have been there about a year and a half; was in Cottonwood two months before then; have been in Utah a little over a year and a half; "Mr. Holm has come to Paul's to see me about my little girl; he has been there three or four times; I do not go out to Mr. Johnson's to meet Holm; have been to Mr. Johnson's, but have not seen the defendant there; I never lived at Holm's house, but call there twice a month, when I can get away from work, to see my little girl; I was never married; did not know Mr. Holm in Scandinavia.

This was all the evidence the prosecution had to offer, and with an air of disgust Mr. Dickson abruptly left the room.

The Commissioner then ordered the defendant to stand up, and notified him that he was discharged, thus bringing the proceedings to a close.

MORE JUDICIAL BIGOTRY.

JUDGE ZANE TRENCHES UPON THE BELIEF OF AN APPLICANT FOR A CERTIFICATE OF GOOD MORAL CHARACTER.

The General Land Office at Washington has issued a circular in which is made the following requirements of those engaged in land office business:

"1. An attorney-at-law who desires to represent claimants or contestants before your office shall file a certificate, under a seal of a United States, State, or Territorial court for the judicial district in which he resides or in which the local land office is situated, that he is an attorney in good standing.

"2. Any person (not an attorney) who desires to appear as an agent for claimants or contestants before your office must file a certificate from a judge of a United States court or of a State or Territorial court having common law jurisdiction, except probate courts, in the county wherein he resides or the local office is situated, duly authenticated under the seal of the court, that such person is of good moral character and in good repute, possessed of the necessary qualifications to enable him to render clients valuable service, and otherwise competent to advise and assist them in the prosecution of their claims or contests."

In accordance with these instructions, Joseph F. Simmons, Esq., who has been engaged in land office business for the past ten years, requested Judge Zane to give the following certificate:

"TERRITORY OF UTAH, ss.
County of Salt Lake."

"I, Charles S. Zane, Judge of the District Court of the Third Judicial District of Utah Territory, hereby certify that Joseph F. Simmons is a man of good moral character and in good repute, possessed of the necessary qualifications to enable him to render clients valuable service, and otherwise competent to advise and assist them in the presentation of their claims or contests in cases in the U. S. Land Office.

"In witness whereof, I have hereunto set my hand and caused the seal of said court to be affixed this day of April, A. D. 1887."

The following endorsement accompanied Mr. Simmons' application:

UNITED STATES LAND OFFICE,
Salt Lake City, April 15, 1887.

Hon. Chas. S. Zane, Chief Justice,
Supreme Court of Utah:

SIR: Mr. Jos. F. Simmons has practiced before the U. S. Land Office as a land attorney during the term I have been Receiver. I have no hesitation in saying that his relations with me have in every way been pleasant and satisfactory and that I believe him to be a fair, just and honorable man.

I have the honor to be,
Very respectfully,
H. C. WALLACE, Receiver.

The Judge inquired of Mr. Simmons whether he was a believer in polygamy, and was answered in the affirmative.

Judge Zane—Is it your intention, in the future, to obey the laws against polygamy and unlawful cohabitation?

Mr. Simmons—Well, I can hardly make any expression as to my possible actions in the future.

Judge Zane—Well, I cannot give a certificate to any one who will not say he intends to obey those laws,

Mr. Simmons—Ask for a certificate of good moral character. I have never broken any law, and this is not an office I am seeking for. I have taken the oath of allegiance as required by Section 3478 of the Revised Statutes. This is only for my moral character to pursue my vocation in this business.

Judge Zane—Well, unless you will make that promise, I cannot give you the certificate.

After a few words more in the same strain, the interview closed.

FROM SATURDAY'S DAILY APRIL 16.

A Bad Character.—We are informed that a man who is described as light complexioned, of slender build, about five feet eight inches in height, one eye blind, and of German birth, is going about in Salt Lake and Davis counties, and obtaining lodgings at houses under various pretexts; and that he is of a class of individuals that the public would do well to keep at a long distance. Look out for him.

Thrown from a Buggy.—Yesterday Mrs. D. C. Rushton and her brother-in-law, Fred. Rushton, a boy about twelve years of age, were driving along Fifth South Street, in the Sixth Ward; the horse they were driving, owing to the breaking of a piece of the harness, started suddenly forward. This frightened the occupants of the buggy, and in their hurry one of the reins was drawn tight, causing the horse to turn suddenly. Mrs. Rushton and the boy were thrown out into the road, and were severely bruised about the head and body. Their injuries, though painful, are not dangerous. The horse ran away, damaging the vehicle considerably.

A New Hinge.—Mr. P. P. Pratt, of this city, has invented, and taken steps to procure a patent for a new self-acting hinge. The device is simple, strong, effective and can be placed on the market at a low figure. Each hinge consists of a stationary belt and a spiral thread which works in a slot. When the gate or door closed this slot is at rest, but opening it either way—it is a double-action—raises part of the hinge, so that when liberated it closes itself automatically. The advantages of the new invention over devices for a similar purpose now on the market can be seen at a glance, and it will, without doubt, give thorough satisfaction.

Probate Court.—Proceedings in the Salt Lake County Court yesterday:

In the matter of the estate of James Robbins, deceased, an order has been made appointing Louis H. Farnsworth, J. F. Lees and Henry T. McEwan appraisers.

In the matter of the estate of William Counsell, deceased, letters of administration have been granted to Matilda Counsell and Arthur Parsons, John P. Isaac and Mark Barnshaw named as appraisers.

George E. Chandler has been appointed administrator of the estate of A. F. Guiltz. The appointment was made upon the petition of Mary Guiltz.

The marriage certificate of William James Huskinson and Josephine Garn, both of Sugar House Ward, Salt Lake County, has been filed with the Probate Clerk. Judge Smith performed the ceremony.

In the matter of the estate of Elizabeth Ann Whitney the administrator has applied for an order for sale of real estate, and an order to show cause why such sale should not be made was issued.

Court Notes.—Proceedings in the Third District Court to-day:

Henry Altmann et al. vs. George I. Bock; demurrer to answer sustained.

Wasatch Mining Company vs. Joseph A. Jennings et al.; ten days' stay to perfect appeal.

John J. Olson was admitted to citizenship.

Court then adjourned till Monday.

DICKSON DECAPITATED.

HE TENDERS HIS RESIGNATION—AFTER IT IS ASKED FOR.

HIS SUCCESSOR APPOINTED TO-DAY.

"The mills of the gods grind slowly,
But they grind exceeding slow."

The latest event to cause a slight sensation in the public mind, as well as to create a feeling of genuine satisfaction to the community at large, was the receipt, yesterday, by District Attorney Dickson, of a dispatch from the Department of Justice, indicating that his immediate resignation would be acceptable at headquarters.

To this peremptory summons, Mr. Dickson vouchsafed a reply, placing himself at the disposal of the powers that be, at least so far as the office which he has held for two and a half years is concerned.

It is a matter of considerable speculation as to who will be the next occupant of the position thus made vacant by the Administration, and many possible candidates are suggested. It will be safe to say, however, that the selection will fall on some who is not, and has not been, connected with affairs within the Territory.

Where will the lightning strike next? There are several other officials who are very uneasy at the close proximity of the official executioner, and the work is not yet completed.

Since the above was in type, a dispatch has been received from Wash-

ington announcing the appointment of George S. Peters, of Ohio, to succeed Mr. Dickson.

A DISASTROUS RUNAWAY.

JAMES M'CLAREN SERIOUSLY INJURED.

At 6:30 last evening (April 15th,) James McLaren, type founder of this office, met with a serious mishap. His little boy had already climbed into his father's wagon, which was standing in the Tithing yard, and the latter was following him, but had scarcely got seated when the team took fright and dashed out of the west gateway. They ran down East Temple Street and on reaching the vicinity of the Deseret National Bank corner collided with the Pacific Express Co's wagon, overturning it. Mr. McLaren was thrown out with great violence, striking on his head, which was very badly bruised. A wheel passed over his abdomen, inflicting internal injuries. The little boy escaped almost without a scratch. The wagon was more or less wrecked. Brother Joseph Keddington, of the Tithing Office, took charge of the injured man and conveyed him to his home, a short distance beyond the western suburbs of the city.

ONE MORE FIZZLE.

JOHN NEEDHAM ARRESTED AND DISCHARGED.

Early this morning the deputies called on Mr. John Needham, of the Eighth Ward, and arrested him on the charge of having violated the Edmunds law by living with his wives. Several witnesses were subpoenaed, and the case was brought before Commissioner McKay, before whom D. W. Reach had made complaint alleging that the defendant had, from May 1st, 1884, to April 1st, 1887, lived with Mrs. John Needham and Mrs. Rose Needham as his wives. A plea of not guilty was entered.

Miss Mary Needham testified—I am twelve years old; my mother's name is Rose Needham; we live in West Jordan; do not remember living anywhere else; I have a brother eight years old; I also have a brother 15 years of age; I live with mother; my older brother lives in the city; he works at Teasdel's store; I go to father's house in the city to see him; my father does not come to West Jordan; my father did not tell me how to answer; I can swear to that; I know it is wrong to tell an untruth; I have told the truth; he spoke to me, and asked me how I was; he didn't speak to me of mother; when I come to the city it is by train; mother does not come in; father's other wife is called Aunt Martha.

Martha Rose Turner testified—I was married to Mr. Needham 16 or 17 years ago; he had a wife then, Martha Mills Needham; I have lived at West Jordan five years; before then I lived at the defendant's house in the Eighth Ward; I left this city in the spring of 1882; I have three children; my husband supports us; I also work for myself; it is a long time since I last saw my husband until this morning; it is over a year; I then met him in the street; I had not then seen him for a long time; it is four years since he was at my house; I have not been at his house during the past four years.

Mrs. Millie Tingey testified—I am the defendant's daughter; my mother's name is Martha; I left her house about two years ago; father's second wife left about five years ago; I have visited her at West Jordan, perhaps three years ago; I have not seen her at mother's house since that time.

Mr. Dickson remarked to the court, "I move that the case be dismissed," and left the room.

The Commissioner then ordered the defendant discharged.

FROM MONDAY'S DAILY APRIL 18.

Changed Their Pleas.—In the cases of the United States vs. Alexander Edward, Richard Collett and James Woods, all indicted for unlawful cohabitation, called for trial in the Third District Court to-day, the defendants came forward and changed their former pleas of not guilty to guilty. Sentence in all three cases was fixed for Saturday, April 30th.

Cases Continued.—In the Third District Court to-day, Mr. F. S. Richards moved for a continuance, until the September term, of the cases of the United States vs. Wm. Blood, J. R. Barnes, James C. Watson, Hyrum H. Evans, Edwin Rushton and Charles Burgess, all indicted for unlawful cohabitation. Mr. Dickson made no objection, and the motion was granted.

Going to England.—Brother Jos. Bull, Jr., purposes leaving on the 8th of May for a visit to England, on which he will be absent till next autumn. While in the old country he will busy himself collecting genealogical data. If there are any who wish him to do anything in that line for them he will be at their service. Those who desire to secure his good offices in that regard should make arrangements with him before May 7th. His address is 237 N. First West St., Salt Lake City.

Provo Points.—Our Provo correspondent, under date of to-day says the deputies have been searching the town for the last few days in quest of their usual prey. Some of their attempts have been futile, but they caught three

or four. The following have come to the knowledge of our correspondent: Thomas Harding, Joshua Davis, and George Gee, who were taken before the Commissioner and bound over.

The jury in the McBride case returned a verdict of murder in the second degree on Saturday night at 9:30.

The case of the people vs. Joe Young begins to-day. The charge is murder in the first degree.

The Hand of Death.—Sister Electa Bullock Smoot, wife of A. O. Smoot, Jr., died at Provo, this morning, at 3 o'clock, after a brief illness. Everything was done for her that could be, to ward off the blow aimed at her life by the fell destroyer, but human skill was completely baffled, and all efforts were unavailing. She leaves her husband, who is almost heart-broken at the event, several small children too young to realize the sad loss they have sustained, and a host of relatives and friends to mourn over her apparently untimely taking off. The deceased was a woman of many excellent and amiable qualities, beloved and respected by all who knew her. The funeral will take place at Provo on Wednesday morning at 10 o'clock.

Expensive Neglect.—The citizens of Minersville, Beaver County, expended a considerable sum in erecting a dam in the Beaver River for the purpose of making a reservoir, and J. H. Dupax "gobbled" it. We learn from the *Utonian* that the people had neglected taking proper steps to secure the right of possession, and Dupax, wishing a good mill-site, located there. If rumor proves true, Dupax now holds the key to Minersville, so far at least as water is concerned. It is thought the people should have been more awake to their own interests. Later intelligence informs us that the citizens of Minersville have once more purchased the ground, or that is whatever rights Mr. Dupax held. It seems a rather peculiar proceeding of our friends in that place, and looks as though they were paying double for their whistle. Dupax is a farseeing Israelite, and taking advantage of the negligence of the Minersvillians, jumped into possession of the location of their dam. Had proper means been taken by the people this might all have been avoided. We live to learn.

DIFFICULTIES OF NEW SETTLERS.

**MUDDY, EMERY CO.,
Utah, April 7th, 1887**

Editor Deseret News:

On April 5th the noted Muddy Irrigation Company finished its job through the tunnel, which proved to be 1,240 feet long instead of 1,115, as heretofore reported. Beside this there is a prospect several hundred feet long.

There was great rejoicing at the completion of the work. To-day a big dinner was provided at the house of A. C. Pettey, president of the company.

As joy and sorrow is pretty well blended in this life about 1 o'clock p. m. a serious mishap occurred. A big hole was torn out of the south end of the long levee, not on the main ditch, but a new one across a hollow near the head of the ditch. This reservoir was the most expensive job connected with the work, as it carries 12 feet of water. A heavy head of water had been collected together for a number of weeks prepared to go through the tunnel to some land nearby, for this year, but all hope is now blasted for this season. An immense quantity of earth and hundreds of loads of willows went down in the break. The damage is enormous, and the members of the company generally are poor men.

It is doubtful whether the levee will be repaired. One season more without a crop for hand-to-mouth people is lamentable.

C. CHRISTENSEN.

DEATHS.

HAWKINS.—At her residence No. 648 E 7th South Street, Salt Lake City, of old age and dropsy, Charlotte S., widow of the late S. H. Hawkins. Deceased was born March 10th, 1803, at Titchfield, Hampshire, England, was baptized October 22nd, 1843; emigrated with her family the following year; buried her husband and one son on the journey to Utah, where she arrived with her family September 24th, 1852. She died as she had always lived, even under the most trying circumstances; true to the principles of the Gospel of Christ, leaving two sons and two daughters, and about fifty grandchildren and great-grandchildren to mourn her loss.

Utah Journal, please copy.

URE.—In the Fifteenth Ward of this city, April 17, 1887, of pneumonia, Alvin, son of Robert A. and Leonora Ure, aged 1 year and 11 months.

HOGAN.—At Bountiful, Davis County, April 9th, 1887, Richard Erasmus, son of Joseph and Sarah A. Hogan, born March 24th, 1887.

MORGAN.—In Provo, April 7th, 1887, of pneumonia, Adelbert John, son of Joseph and Sarah Morgan, of the Seventeenth Ward, of this city, aged 4 months.

SORENSEN.—At Mendon, Wednesday, March 30, Nicholas Sorensen, aged 87 years, 9 months and 23 days.

Also, on same date, Matene Sorensen, his wife, aged 80 years and 9 days.

They were both buried in one grave. Both have been members of the Church since 1855. They received the Gospel in Hauge, near near Porø, Denmark. They lived and died faithful Latter-day Saints.—*Utah Journal.*