

House, in Salt Lake City, at 10 o'clock a.m. of said day, and then and there show cause, if any he have, why he should not be punished for the contempt there charged. It is further ordered that a copy of that affidavit and motion and this order be served upon the defendant at least two days before said day of hearing, by delivering them to him personally or by leaving the same at his residence or usual place of abode.

Dated this 19th day of October, A.D. 1875.

(Signed)

JACOB S. BOREMAN,
Judge.

The defendant filed the following answer, which was read by Mr Williams—

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

Ann Eliza Young,
by her next
friend,
George R. Maxwell,
Plaintiff,
vs.
Brigham Young,
Defendant.

Answer
to
order
to
show
cause.

TERRITORY OF UTAH, } ss.
Salt Lake County.

Comes now the defendant, Brigham Young, and upon his oath answers the order herein made by the Court on the 18th day of October, 1875, requiring him to show cause on this, the 23rd day of October, 1875, why he should not be punished as for a contempt in not complying with the order referred to in the affidavit of C. G. Webb, made and filed herein on the said 18th day of October, and says: That on the 17th day of April, 1875, the said Court, on the application of the said plaintiff, made and entered the order, a copy of which is hereto attached, marked "A," and made a part of this answer; that upon the return of the said order, to wit, on the 24th day of April, 1875, this defendant answered the said order, and that the said order and the answer thereto were fully heard and considered by said Court. That afterwards, to wit, on the 10th day of May, 1875, the said Court made and caused to be entered of record the decision and order, a copy of which is hereto attached, marked "B," and made a part of this answer. Defendant further avers that the \$9,500, mentioned in the said orders of April 17th and May 10th, respectively, are the same \$9,500 mentioned in the said affidavit of the said Webb, upon which the said order of the 18th day of October, 1875, was made. That by the said order and decision made on the said 10th day of May, this defendant was discharged and acquitted of and from the contempt with which he is now charged, for not paying the said sum of money.

For a further answer herein this defendant alleges that the said order of the Court herein, made on the 25th day of February, 1875, requiring him to pay to the said plaintiff or her order the said sum of \$9,500, and the further sum of \$500 per month, as in the said order provided, was wrongfully and improperly made.

This defendant denies having been guilty, or that he is now guilty, of any contempt of this Court in failing and omitting to pay the said sum of money or any thereof; and now solemnly disclaims any intentional contempt, or wilful disregard of the said order in still omitting to pay the same. But, on the contrary, he alleges that by reason of the said order of May the 10th aforesaid, and relying thereon, and also by reason of the said improper and wrongful making of the said order of February 25th, 1875, he has omitted to pay the said money, as well he might.

Wherefore this respondent prays to be hence discharged.

BRIGHAM YOUNG.

Subscribed and sworn to before me, this 22nd day of October, 1875.

JAMES JACK,
Notary Public
for Salt Lake County, U. T.

The following orders, made in the case by ex-Chief Justice Lowe, were attached to the answer, marked respectively exhibit "A" and "B" and read—

EXHIBIT A

District Court, Third Judicial District, Utah Territory.

Ann Eliza Young,
by her next
friend,
Geo. R. Maxwell,
Plaintiff,
vs.
Brigham Young,
Defendant.

Upon reading and filing the affidavit of C. G. Webb on behalf of the plaintiff and it appearing therefrom that the order of the Court heretofore made, requiring the Defendant to pay to the Plaintiff \$9,500, has not been complied with, though a copy of the same was served on the Defendant on the 27th day of February, 1875, and that the time for compliance therewith has expired, and that the same has been demanded of Defendant under an order, in writing, under the hand of the Plaintiff, since the expiration of the time fixed in said order, for compliance, and that the defendant has refused to comply with the same by paying said \$9,500, or any part thereof, and that he is abundantly able to do so. Now therefore it is ordered that the said Defendant, Brigham Young, be and appear before the Court, at Salt Lake City, Utah Territory, on Saturday, the 24th day of April inst., and show cause, if any he have, why he should not be attached and held to answer for his alleged contempt and disobedience to the aforesaid order of this Court and to abide the action of the Court in the premises.

It is further ordered that a copy of the affidavit and other papers annexed thereto be served upon the defendant, not later than Monday, the 19th day of April, together with a copy of this order.

Done in open Court, this the 17th day of April, A. D. 1875.

DAVID P. LOWE, Judge.

EDWARD B. MCKEAN, Clerk.

By WILLIS P. MCBRIDE.

Territory of Utah, } ss.
County of Salt Lake.

I, Edw'd B. McKean, Clerk of the Third Judicial District Court of Utah Territory, do hereby certify that the foregoing is a full, true and correct copy of the original order of Court in the above entitled action, now on file in my office.

Witness my hand and the seal of the said Court, this 21st day of Oct., A. D. 1875.

EDW'D B. MCKEAN, Clerk.

By WILLIS MCBRIDE,
Deputy Clerk.

At the District Court of the Third Judicial District of the Territory of Utah, County of Salt Lake, held at the Court House, in the city and county of Salt Lake, on the 10th day of May, A. D., 1875.

Present the Hon. David P. Lowe, Judge of the Third Judicial District.

EXHIBIT B.

Ann Eliza Young,
Plaintiff,
vs.
Brigham Young,
Defendant.

This case having been heard on the notice to appear and show cause why he, the defendant, should not be compelled, by attachment, to comply with the order of this court to pay the \$9,500 alimony *pendente lite*; now on this day the motion for attachment is denied, and the said rule to appear and show cause, heretofore made, discharged.

I, Edward B. McKean, Clerk of the District Court of the Third District, of the Territory of Utah, do hereby certify that the foregoing is a full, true and correct copy of an order made in the above entitled action, on the date mentioned in the caption thereof.

In witness whereof I have hereto set my hand and the seal of said Court, this 21st day of October, A. D. 1875.

EDWARD B. MCKEAN, Clerk.

After the reading of the above, Mr. Tilford, for plaintiff, made a long and elaborate argument, in the course of which he cited a number of cases, decided in the courts of England and America, dating from about twenty-five years before the American revolution down to 1869, showing among other things that alimony *pendente lite*, and expenses for prosecution of suit, &c., had been frequently granted to a party suing for a divorce, where marriage according to law was proven, where proof of cohabitation only was shown, and in one case where the lady demanding

said relief had been guilty of adultery.

Mr. Williams replied briefly, in support of the points set forth in the answer of the defendant, as above. He said the defendant had been brought into Court to answer a charge of contempt, and he proposed to confine himself to that. That contempt was in not paying \$9,500 ordered to be paid by Chief Justice McKean, as alimony *pendente lite* to the plaintiff in this case. This order, however, was subsequently overruled by Chief Justice Lowe, McKean's successor, and therefore the defendant had not been guilty of any contempt, and was entitled to be, and ought to be, discharged.

At 12 o'clock the Court adjourned until 2.

FROM MONDAY'S DAILY, OCT. 25.

Erratum.—In the last number of the *Star* (39), in the "Releases," read A. G. Ingram instead of J. C. Ingram.—*Millennial Star*, Oct. 4.

The New Chief Justice.—Chief Justice Alex. T. White arrived in this city last evening, accompanied by his wife, son and daughter. We bid them welcome to Utah.

The Illustrated Household Magazine is an entertaining illustrated monthly, published at a low price by the Household Publishing Company, New York.

The Sanitarian is a monthly journal, published in New York, and devoted, as its name implies, to subjects connected with health. It contains a great deal of information upon this important subject.

A Change.—The cloudiness and cool breeze of Saturday brought the mercury down to about 64, and yesterday was quite chilly most of the day. As for rain, though a few drops fell yesterday, the attempt to multiply them into a shower was a failure.

Accident.—At the end of last week, James Latimer, employed on the Utah Southern railroad gravel train, had one of his legs accidentally crushed between a couple of cars. His injuries are not considered dangerous, and he will probably be able to be about again in a couple of weeks or so.

Homestead Patents.—The following Homestead Patents have been published as having been received by Oliver A. Patton, Register of the U. S. Land Office in this City, and ready for delivery:

Joshua Terry	Samuel Bringham
Robert W. Brown	Robert P. Bringham
Azra Adams	William Parker
James Carlisle	Burr Erost
Daniel Lewis	William Bricker
Chancey Hadlock	Robert Broadhead
Girish Stanifer	David Bowen
Simon Schuerther	George Garner
James Pullen	Edward Walker
William Hallstone	John S. McAfee
	John Holmberg.

Wide Awake is one of the best illustrated magazines for girls and boys published in America. It is much like the *St. Nicholas*, though lower in price. It is beautifully illustrated and printed on good paper, and can hardly fail to become a general favorite with the juveniles. The number before us contains seventy pages and upwards of forty illustrations, besides a page of music. Published by D. Lothrop & Co., Boston.

Hurt His Head.—This afternoon a lad named Eccles, son of Brother Henry Eccles, was standing under a couple of openings in the upper floors of the new Bank building, when a half brick descended from a distance of thirty-five feet from where he stood, striking him on the side of the head and inflicting a cut, from which the blood flowed in a copious stream. He had the wound plastered up, and the injury was not so severe as to disable him.

More Missionaries.—Yesterday afternoon, at the meeting in the New Tabernacle, Elder John Taylor presented the following names of additional brethren, called to go on missions:

Owen Dix, Thomas Mathews, Lyman S. Wood and Thomas E. Jeremy.

The congregation voted to sustain those Elders in going on the missions to which they are appointed.

Young vs. Young.—At the afternoon session of the District Court, on Saturday, the attorneys in the matter of Young vs. Young, wherein the defendant was required to show cause why he should not be punished for contempt, in not complying with an order requiring

him to pay alimony *pendente lite*, continued their arguments, C. H. Hempstead for the defendant, and J. R. McBride closing for the plaintiff. At the conclusion of the reasoning of the attorneys, his Honor Judge Boreman announced that he would probably deliver his decision in the case on Wednesday, when he desired that the defendant should be present.

Another Trip.—Hon. A. P. Rockwood has just returned from another trip, in collecting statistics of the material resources of the Territory. This time he has been to Wasatch, Summit and Morgan Counties. He is meeting with success that exceeds his most sanguine expectations. Day after to-morrow he leaves for Sanpete and Sevier Counties, and from the latter he will proceed to the more southern ones, and expects to be gone about five or six weeks. He visits every settlement in the Territory, so that the information he collates will be reliable and complete, and consequently valuable.

A Smash.—There was considerable of a smash on Saturday evening, on the tramway of Wasatch and Jordan Valley railroad, which extends from Fairfield Flat to Alta, in Little Cottonwood Cañon. Up this tramway, the empty cars are hauled by mules, and in descending the mules are led down behind the loaded cars. On the way down the grade on Saturday, one of the brakemen imagined the brake of his car was broken and jumped off to save himself. The car, having free scope, dashed forward on the others in front of it, knocking several of them off the track and through the snow sheds, and killing four mules on the spot.

Rapid Cure for Catarrh.—We find in the last "Annual Record of Science and Industry" a remedy for catarrhal cold, which, from its constituents, should prove more or less efficacious. It is given on the authority of Hamilton, who says it will remove the severest affection of the kind in about ten hours. The recipe is as follows: 10 drops of carbolic acid, 7.5 drops of iodine, and the same of chloroform. A few drops of this mixture are to be heated over a spirit lamp, in a test tube, the mouth of which is to be applied to the nostrils as soon as the liquid vaporizes. The operation is to be repeated after an interval of two minutes, when the patient will deliver a number of vigorous sneezes, and then his troublesome symptoms will quickly disappear.—*Ex.*

Tabernacle Meetings.—Yesterday afternoon the congregation was addressed by the following Elders, who were called at the recent conference to go on missions to various parts of the world, and who will soon leave for their various fields of labor—

Theodore McKean, William McLaughlin, Joseph F. Simmons, E. W. East, John Morgan, Junius F. Wells, Knud H. Brown, Hans Thurneson, Platte D. Lyman, Thomas Callister, Hamilton G. Park, Thomas Harris and I. M. Coombs.

The remarks of those Elders showed that they are imbued with a truthful conception of the nature of the work they have to perform in going forth into the world to preach the principles of salvation. Each of them bore a strong testimony to the truth of the great latter-day work, speaking with much assurance. The meeting was a very interesting and impressive one, and could scarcely fail to impress even strangers with the idea that there must be some powerful motive force, in what is called "Mormonism," that does not appear on the surface, to cause men to unhesitatingly leave their homes and friends and travel thousands of miles in distant lands to promulgate the principles of the system among their fellow creatures. It is a spectacle that is not produced by any other system extant, and of itself appears sufficient to cause unprejudiced people to inquire into the extraordinary cause which produces so remarkable a result.

Fatal Accident.—Bishop Easton and family, consisting of his wife Agnes, an infant child and his eldest son, Charles, aged eight years, were returning from Salt Lake city, on the 18th inst. When at Dalton's ranch, in Wildcat cañon, he had hitched the mules to the wagon, and Mrs. Easton and the child had got into it and the bishop was in the act of getting in, when

the mules started to run; the boy, who had the lines in his hands, tried to hold them, but the more he pulled the faster they ran, when the footboard gave way and the boy fell on the doubletrees between the mules and the wagon. The father was running by the side of the mules and making a desperate effort to catch the boy; he called to his son to hang to the doubletrees, but he fell, and both wheels passed over him. The wheels struck him on the top of the right shoulder, passed down over the heart and off the right side. After the wheels passed over him, he sprang to his feet but instantly fell dead. The mules continued to run toward the west hills until their heavy load in the loose ground stopped them, Mrs. Easton and child remaining in the wagon all the while. Fortunately two gentlemen named Moyes and Paramore, who were returning from Pine Creek, came along just at this time, and took the corpse and the bereaved parents into their wagon and conveyed them to their home in Greenville. Mr. and Mrs. Easton have hosts of friends in Beaver, who deeply sympathize with them in their bereavement.—*Beaver Enterprise*, Oct. 19.

Brainard's Musical World for October contains "The Madge Waltz," "Willie Darling," "Northern Ohio Fair Gallop," and "Dear Old Home," besides a large amount of interesting reading matter, among which are articles upon the "Four Overtures to 'Fidelio,'" "Musical Unions," "The Upright Piano," "The Lancaster Saengerfest," etc.

Correspondence.

Fine Fall—Good Crops—Good Health—Preaching—Schools—Improvements.

MIDWAY, Oct. 19, 1875.

Editor Deseret News:

The weather in this region continues to be beautiful and warm. A more pleasant Fall has never been known by the oldest inhabitant of this valley.

The crops of all kinds as a general thing yielded well. They were gathered in good condition, and are now nearly all thrashed and the grain stored away.

The health of the people is good. I do not hear of any sickness at the present time. There have been but two deaths for a long time. Those alluded to were both infants—the first a daughter of Bro. David Van Wagoner, and the other one died a few days ago, a daughter of Bro. John Robertson, the little one that was left by his much lamented wife, who died last February.

Bishop McKee and Elder Joseph E. Taylor, of your city, were at this place on Sunday last, the 11th inst., and gave us some very good instructions. Truly it is quite a treat for us to have the privilege of listening to such teachings as fell from the lips of those brethren last Sunday. It is but seldom that we are visited by any Elders from your city. Elder McBride of Richfield is here. He has been portraying before us the principles of the United Order in a very plain and spirited manner. He visited Heber City on Sunday and spoke to the Saints on the same subject. He will leave here to-morrow and will journey southward, I think.

All is peace here. A goodly number have been baptized into the United Order and are living their religion to the best of their abilities, I believe.

We have two day schools in this place pretty well attended, and one Sunday school, also well attended, but not quite so well attended as it might be. However, it is far more prosperous now than it was some time back, and I earnestly pray that it may grow and increase until it shall be second to none in the mountains, considering the size of the place. Some new houses and barns are being built and many more in contemplation. Our settlement is steadily on the increase, no whiskey or any thing of the kind sold in the place, consequently we are a sober, and, taking us all together, with but very few exceptions, we are a pretty good people.

MIDWAY.

It was an affecting case. It was in Indiana; and she applied for a divorce. "Did he give you clothing enough?" said the judge. "I lived with him nineteen years," said she, "and all the clothes which he ever bought me were a bunch of hair-pins and a tooth-brush."