EVENING NEWS It is funny, very, very funny. To enter as coastwise and far-reaching Cartificates Issued. -- Certificates of J. P. MOHTENSEN'S TRIAL. into an agreement to obey the laws as | marine service are concerned; that we election have been issued by the Utah Published Daily, Sundays Excepted, construed by the courts, involving must assume the same importance and CONVICTED ON ONE OF THREE COUNTS. commission to the following recently treachery, cruelty and the breach of the power on the sea that already charac-AT FOUR O'CLOCK. elected municipal officers: most solemn obligations to God and terize our possession of the land; and And a second provide the second s The case of the United States vs. J American Fork, Utah County - Wil-American Fork, Utah County — Wil-liam D. Robinson, mayor; John Mc-Neil; James Clark, aldermen; Edward Robinson, James T. Gardner, James Gardner, councilors; T. A. Shelly, Recorder; Isaac Abel, assessor and his wives by a "polygamous Mormon," thus we are going to have a light and PRINTED AND PUBLISHED BY THE P. Mortensen was tried in the Third is considered not only honorable and heavy naval service that will be at District Court to-day, the following DESERET NEWS COMPANY. praiseworthy, but the positive duty once the envy and the dread of the being the jury selected : of every man in danger of going to world-a cordon of craft whose exist-Louis Martin, B. H. Cenklin, D. B. Stover, W. H. H. Bowers, J. H. Edgerly, Wm. Whitehill. A. J. Stanchfield. prison. But if a monogamous "Mor- ence and effectiveness will place us collector; J. W. Phillips, marshal. James Ashman, CHARLES W. PENROSE, EDITOR. mon" should simply promises to obey on a naval footing nearly equaling N. R. Penny, Parker Norton, J. F. Luoeck, Joseph Durkin, Lehi, Utah County - George Webb, msyor; Samuel Taylor, A. J. Evans, aldermen; Jesse Smith, John Wood-house, councilors; Thomas Fowler, the laws of the land including those that of England. Very good, but that against bigamy and polygamy, so that | was not the actual, immediate reason; · February 15, 1887 Friday he might exercise the right of suffrage, it the same arguments have been dinned Anna Helgren Mortensen was the marshal; John E. Ross, recorder; Wilwould be "scandalous," impossible in | into the ears of our national solons for first witness, and testified-I was mar- liam E. Racker, treasurer. ried to the defendant eleven years ago; live in Sait Lake City, in the Eighth Ward; have lived there eight years; I Wight, aldermea; John A. Boyle, order to retain "selt respect," and a decades past-not desaltorily, but con-HOW THEY PRACTICE OBEDIterrible violation of his "conscience." | tinuously and vociferously, and what ENCE TO THE LAW. We beg to inform the miserable good did it do? All at once, a grave THE conviction of Henry Grow in the know Mrs. Eva Mortensen; she lives across the street from me; she was across the stree scoundrels who have been defeated in and reverend senator arises in his place Third District Court on Thursday was their scheme to destroy the liberties of in the chamber, throws aside his directly against the law and the evi- the people of Utah that they might toga (and his dignity also) dence. But the blame for this rests revel in the ruin, that the "Mormon" rolls up his sleeves, looks ugly my husband went away on a mission not so much upon the jury as upon the people are perfectly able to manage and whips England as roundly as one two and a half or three years ago; 1 do H. Ballantyne, marshal. Court. This can be established beyond their own conscience; and should they man can de such a thing at a distance not remember the exact date; he came successful dispute. be in doubt as to what would of three thousand miles, because one of home about a month before he was ar-The evidence went to show that the be exactly right under any given England's family who happens to be rested, that is, I saw him then; after defendant has a legal wife and a plural circumstances, they certainly will our nearest, neighbor won't let our he came home and before he was arwife, and that he married the latter not apply for instructions to fishing smacks sell their products in rested, he called once that I remember of; the did not stay all night; he re-mained one evening; we lived together the re-indined one evening; we lived together the re-charles W. Brewerton, assessor and seventeen years ago. She has lived in such creatures as, those who now her household! The lashing, however, her own house since 1882, the pre- pretend to talk about honor and selfso far from abashing or intimidating mises being conveyed to her by the de- respect, qualities to which their would he said neighbor, only caused her to after we were married and before he collector. fendant. But as the house was unbe counselors are perfect strangers. went on a mission prepare to fight and in fact to act finished, he had employed men to Miss Eva H. Mortensen testified The Leaguers are terribly disapas though she were prepared to take work on it, and had given them instruc- pointed at the aspect of affairs. Their My mother's name is Eva; the defendthe offensive; and to make matters tions from time to time on the watery congratulations over the pasworse, the old matron showed that she ant is my father; I live at home; my spot; he had also called there father went away in October, 1884, and sage of the emasculated bill in the was ready to assist her offspring: and with letters for his granddaughter who House, will be followed by curses both returned about a month before he was then came the calculation as to how resided there. He had not lived with loud and deep when they find how lit- long it would take a British fleet to rearrested, October 9, 1886; he came arrested, October 9, 1886; he came home; Anna Heigren did not visit mother's house after the defendant's return; have heard father speak of the plural wife, nor stopped all night the it will profit them in practice. They duce New York, Brooklyn, Boston, in her house nor had he been inside the may well confess their bitter disap-Charleston, San Francisco and some house during 1883, or 1884 or 1885 or pointment in private while they pre- other points to masses of charred since. The plural wife testified that tend to be glad in public. Their ranks and smonldering ruins; and that, mother as his wife; do not know she had not sustained the relation of are filled up with incongruous while penetration inland would when. wife to the defendant during that time, elements, but unity for any be impracticable, the loss that would The prosecution rested and the de neither had she regarded him as her fense requested the court to instruct length of time will be impossible. thus result before effectual resistance husdand. The plural wife had been Quarrels over the spoils will be the inthe jury in accordance with the lancould be offered, would be utterly irreabsent and had evaded service of sub- evitable result of such success as may gnage used in the opinion of the U.S. trievable; and then the fear that someposna because she did not want to be appear within reach, and the cessation Supreme Court, but this was not thing might be done before we had a brought into court. Defendant had of four-bit contributions will send the chauce to initiate it, hurried through slept at home most of the time menwhole concern into "innocuous de-The jury, after being out fifteen minthe bill for a navy almost before the tioned in the indictment but had passed utes, returned a verdict of guilty. suetude." Hollister will have to beechoes of Ingails' eloquence had a few nights at the shop where he Sentence was set for 2 p. m. to-mor wall the utter lack of "conscience" in ceased ringing in the galleries. worked on the Temple Block. another direction then, and will be in WO. Thus there was an entire abhard straits to maintain either his own sence of proof that the defendant Jules Verne, who was shot by or the League's reckless claims to any G. B. WALLACE, ACQUITTED had lived with more than one crazy nephew, is almost wholly recov 'self-respect." As keeper of the woman as his wives during the time "Mormon conscience" he certainly ered. The famous nevelist is about BUT IT IS AT THE DISTRICT ATTOR covered by the indictment. At most it will not prove a rampant and phefifty-three years of age, his hair is NEY'S REQUEST. could be claimed that a relationship turning white, and his once supple and nomenal success. existed between him and the plural elegant figure is beginning to give way To-day the trial of George B. Walwife which the Supreme Court of the lace, of Granger, on the charge of unto a comfortable rotundity, but his United States has declared is not in IS HE A CONTEMPTUOUS OBintelligent face is still full of youthful lawful cohabitation, took place in the STRUCTIONIST? itself criminal, and that he had called at ardor. He has hise own yacht and Third District Court, before a jury. her house occasionally for other purspends much of his time at sea. Mrs. Hannah Wallace was the first THE decision of the U.S. Supremo poses than to live with her. witness. She testified-I am married Court in the Snow case, which smashed The Supreme Court of the United to the defendant; Martha Davis Wal-District Attorney Dickson's segrega-Thieving in New York City has been States in its recent decision, published tion theory, was a tremendous snup to lace is my sister and his wife; we Breeze. developed into a fine art. A woman in the DESERET EVENING NEWS of the were married at the same time; in 1883 that despotic functionary, who has was arrested at the metropolis the 17th inst., announced that:

other day charged with picking pock-

ets at a funeral. She was clad in heavy

nourning and was gotten up in all the

uxury of inconsolable grief. Thus ar-

raved, she found no difficulty in secur-

ing admittance to every house where

been acting the role of judicial dicta-"The offense of cohabitation, in the tor to the courts of Utah. The highest sense of this statute, is committed if there is a living or dwelling together as husband and wife. It is, inherently, court of appeal asserts that the system inaugurated by Mr. Dickson of finda continuous offense, having duration; ing a multiplicity of indictments or and not an offense consisting of an counts against a defendant for one consolated act. tinuous offense is without legal prece-

there were funeral services, and then What "living or dwalling together as dent, the authorities running entirely husband and wife" was shown in the in the opposite direction. in the crush she plundered everyone. It was found that she had long driven evidence against Henry Grow? Not It is a secondary snub any. The testimony proved to the the District Attorney's satellites, most profitable trade when sh contrary. On what ground then could who have been playing "thumbs up" apprehended to his dictum in the anti-"Mormon" Miss Agnes Robertson has entered crusade. It is barely possible that those that have been performing the puppet | part for the wily attorney, She claims that she was duly married whose subtlety has, however, overshot the mark, may learn a little by late events. So far as he is concerned, Dion was married a year ago to an however, it is difficult to believe that First-You should ind defendan as long as he is entrusted with power, not guilty unless you find from the denies that a marriage ceremony ever any circumstance will ever chauge him took place between himself and Miss Robertson, but she declares that she into anything more or less than a legal perverter and obstructionist. has an abundance of documentary evi-If he could dodge around even a U.S. dence to prove the validity of her Supreme Court decision, what reason claim. Dion is supposed to be worth is there for presuming that he would about \$200,000, and is over 70 years of not resort to tactics of that character? age. Miss Robertson wants her chil-It may be put in a stronger light than dren to come in for a share of his forthat by laying down the proposition tune. flatly that he has done and does do it, according to our way of looking at things. In the case of Murphy against Chang, the Chinese giant, stands the Utah Commission, the Supreme about seven feet six inches in height. But the court would not so instruct Court of the United States asserted Hitherto he has stood unrivalled as the that the polygamous status is not tallest specimen of humanity known in criminal. This being the case it cannot modern times. But his prestige is gone be legally interfered with. In the face and he will have to take a back seat. of this enunciation Mr. Dickson keeps | There appeared in the London pavilion

County; my husband lived there a good Latter day Saint, unobtrusive but

I lived in Granger, Sa't Lake with me; Martha has not been out there, except on one birthday, Temple and attended to ordinances for his four years ago; iwas at the Commis- father and mother, as the only blood represioner's office when the defendant was sentatives in the Church. arrested; I heard that he pleaded guilty, but I did not hear him say so.

S. Young, treasurer; Zachariah Ballantyne, assessor and collector; Thos. Payson, Utah County-John J. Mc-Lellan, mayor; Jesse S. Tampr, Sam'l. Marsh, Thomas H. Wilson, aldermen; Francis M. Elmer, Samuel L. Page, Wm. S. Farmer, James Finlayson, Timothy James, councilors; J. S. Page, Pleasant Grove, Utah County-A. G. Keitch, mayor; James O. Bullock, J. L. Harvey, aldermen; Samuel Green, Sr., L. P. Lund, J. C. Christiansen,

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described as follows, to wit:

Robert Thorn, councilors; Otto L. Mayhew, recorder; W. H. Adams, treasurer; Joseph E. Thorn, mar-

anus Larsen, Henry Gardner, coun-cilors; Samuel Cornaby, recorder; William Robertson, treasurer; Beaja-min Argyle, Marshal; Hubbard Tuttle, assessor and collector.

MARRIAGES. Evans. TEW .- At Logan Temple, Febuary 9th, Charles D. Evans, Jr., son of Bishop Charles D. Evans of Salem, to Miss Anna Bell Tew, daughter of Thomas and

Rebecca Tew, of Springville. On the return of the, bride and bride groom the guests spent a most enjoyable me at the residence of the bride's parents. Fongs, recitations and music lent their aid to render the occasion one long to be re-

membered. Hearty wishes for the happyness and prosperity of the bridal pair were expressed by all present.

DEATHS.

BREEZE .- At South Cottonwood, of typhoid fever, on February) 11, 1887, Joseph

Deceased was a native of Asterley, Shrop shire, England; was born July 15, 1861; was reliable and devoted. Only four months had elapsed since he was married in Logan

Funeral services were held on Sunday, the 13th inst., at the South Cottonwood Mrs. Martha Davis Wallace testified -I am the defendant's wife; I live in meeting house in lieu of the regular meet-ing; H. W. Naisbitt, T. V. Williams and





the jury bring in a verdict of guilty. Itiwas on the instruction of the Court, which entirely ignored the ruling of the Supreme Court of the United States. Mr. Richards, for the defense, asked that the jury be instructed in accordance with that decision as follows:

evidence beyond a reasonable doubt that during the period mentioned the defendant lived or dwelt with the women named as this wives. To be guilty under the law the defendant must have cohabited with the women continuously for some period of time, a mere isolated act is not sufficient. Second—The fact that the defendant visited the house of his plural wife is not what the law presumes. Unless you find therefore that he actually cohabited with her in the relation of hus-band and wife, you must flad him not

the jury. On the contrary, they were charged to convict if they found that the defendant had a lawful wife living during the period mentioned in the indictment, and that during that time he had a polygamous wife and that he on asserting to the contrary and insists on the evening of January 10th, for the visited her and associated with her as guilty was rendered, and the real responsibility for that verdict rests upon the court.

In commenting upon the ruling of case we remarked: "We shall see whether the courts or the District Attorney will pay any attention to it. They are very strenuous in their efobey the law 'as construed by the tribunal. In the recent decicourts;' now let them manifest their as construed by the highest court in in the sense of this statute (Edmunds the land." We have not had to wait law) is committed if there is a living or very long for an answer. Almost as dwelling together as husband and soon as the query was propounded, wife." This being the case, it follows

mon" the tubborn and obdurate "Mormons."

that it is the duty of a polygamist first time, the tallest man whose height his wife. In ten minutes a verdict of to sever the marital connection with has been recorded in modern times his plural wives; in other words to The London Standard says of him: break up the status. The highest tri- The new giant is an Austrian named bunal of the land having asserted the Winkelmeler, and his height is S

non-criminality of the polygamous feet 9 inches, which is over one the court of last resort in the Snow status, that position is one with which foot more than that of Chang, the Chinese giant. Winkelmeier was born the District Attorney has no business. Mr. Dickson continues to show what at Freidburg, near Salsburg, Upper done. appears from our standpoint to be his Austria, in 1865, his parents being in contempt for the superior court un- an humble station in life. He is the forts to make defendants promise to der still another decree of that youngest of a family of five children, none of whom are of abnormal stature, sion in the Snow case the court nor are his parents or grandparents unown obedience and respect for the law says: "The offense of cohabitation usually tall. His fingers span two octaves on a piano, and the stretch of his arms is enormous.

the Seventeenth Ward; have eleven children; the youngest is 14 years of visited me, but called in once in three Lavina Woods Johnson, in her 76th year. suit against the veteran author and or four months to see the children;

playright, Dion Boucleault, for divorce may have taken a meal, but I do not April 24, 1811. Death was caused from inremember it; he has not lived to the defendant twenty years ago and with me for over six years; when seeks the divorce on the grounds that the defendant was before Commissioner McKay he said that, accordactress known as Miss Thornton. He ing to the rulings of the court, he might be guilty; one of my children is in Arizona, another in this city; two boys were home in 1884; one works at the glass works, the other at Mr. Haynes; Maud, the youngest, is at

home.

witnesses, and the Court so ordered the jury being allowed to separate.

This afternoon Martha Davis Wallace was recalled and said\_There was othing particular to cause a separation with my husband six years ago, only I did not wish to live with him; I have never passed a night with him since.

Mary Wallace Garpett testified-I am Mary Wallace Garpett testified—1 am daughter of the defendant; he is 70 A particle is applied into each nostril; no pain, agreeable to use. Price 50 years old; I do not remember seeing cents of druggists. him at my mother's. Martha Wallace's, during 1884.

Mr. Dickson said that in view of the weakness of the evidence and the ex-treme age of the defendant, he would aak the court to instruct the jury to find a verdict of not guilty, which was done. Police Court.-Frank Engler and weakness of the evidence and the ex-

May White were each sentenced to 30 days in the city jail for vagrancy. John Rees was up for baltery on March 16th, 1880, have levied upon the fol-John Rees was up for battery on John Kammermann, committed on Tuesday night. The evidence showed that there had been a general family row. The accused was adjudged guilty, and sentence was suspended. The case against Elbridge Tufts, for selling liquor on Sunday, was set for 3

The case against E. P. Davis, of th

night, Feb. 12th, while the show plow having two of his ribs fractured. No

Arraignment.-This afternoon Bar will plead on Monday at 10 a. m.

JOHNSON .- At6 a. m., in the 14th Ward age; during 1884, my husband has not at her residence, 138 w., Third South Street, She was born in Wayne County, Indiana, juries received from a fall. Funeral at her residence on Monday, 21st, and 11 a.m. Friends are invited.

**Prophylactic in Sickness**,

"Typhoid Fever has broken out here again, but wherever Darbys Prophy-lactic Fluid has been freely used there has been no fever."-M. B. Lancaster, P. M., Ed. Central Alabamian. "The finid is not merely a deodorizer.

but a disinfectant-a destroyer of the Mr. Dickson asked that the case be continued until 2p.m., to get other NEW York EVENING Post.

> Cocaine, Iodoform or Mercurial in any form in the treatment of catarrh or hay fover should be avoided, as they are both injurious and dangerous. Iodoform is easily detected by its offensive odor. The only reliable catarrh remedy on the market to-day is Ely's Cream Balm, being free from all poisonous drugs. It has cured thousands of acute and chronic cases, where all other remedies have failed.

## CITY TAX SALE.

lowing named property, to wit: All of Lot Four (4), Block Five, (5) as plotted in plot G, Salt Lake City Survey, and will sell the same, or so much thereof as may be necessary, to pay the Taxes and Costs, at Public Auction, in front of the City Hall, Salt Lake City, on the 10th day of March, 1887, at Twelve o'clock M. M. W. TAYLOR, Collector.

Collector

