

THE DESERET NEWS.

TRUTH AND LIBERTY.

No 20

Salt Lake City, Wednesday, June 2, 1886.

Vol. XXXV

ESTABLISHED 1850.

DESERET NEWS:

WEEKLY.

PUBLISHED EVERY WEDNESDAY.

One Copy, one year, with Postage, \$2 50
" " six months, " 1 50
" " three months, " .80

DESERET NEWS:

SEMI-WEEKLY.

PUBLISHED EVERY TUESDAY AND SATURDAY

One Copy, one year, with Postage, \$3 00
" " six months, " 1 75
" " three months, " 1 00

EVENING NEWS:

Published every Evening, except Sunday.

One Copy, one year, with Postage, \$10 00
" " six months, " 5 00
" " three months, " 2 50

PUBLISHED BY

THE DESERET NEWS CO.,
SALT LAKE CITY, UTAH.

LOCAL NEWS.

FROM TUESDAY'S DAILY, MAY 25

Divorce Granted.—This morning Judge Zane rendered a decision in the case of Lulu S. Horrocks vs. John W. Horrocks, granting a decree of divorce, and ordering the defendant to pay costs and alimony at \$20 per month, the first payment to be made on the first of June, and the others on the first of each succeeding month.

Released on Bail.—Nicholas H. Groesbeck, of Springville, Utah County, has been released on \$5,000 bail, pending an appeal in his case to the Territorial Supreme Court. Brother Groesbeck was sentenced on two counts, for living with his wives, the first sentence being six months' imprisonment and a fine of \$300, and on the second count three months' imprisonment and \$150 fine.

Mayor Sharp's Portrait.—To-day there was added to the list of oil paintings of Salt Lake City's mayors an excellent portrait of ex-Mayor James Sharp. The picture is by Mr. John W. Clawson, and is enclosed in an elegant gilt frame. It is strikingly natural and is the best executed portrait among the number, some of which are very fine. It will have a place on the west side of the City Council chamber.

Released from the Pen.—This morning Brothers Thomas Porcher and John Keddington, who were sentenced on Nov. 21, 1885, to imprisonment in the penitentiary for six months and to pay a fine of \$300 and costs for refusing to renounce their wives and children, were taken before Commissioner McKay. Both of the brethren had served the full term, less the amount allowed for good behavior, and not having sufficient means to pay the fine, remained 30 days longer. After being examined as to the amount of property they possessed, they took the required oath and were discharged.

This Morning's Fire.—At 10 minutes before 6 o'clock this morning the fire department were notified that their services were needed at Willard Birchshaw's residence on Tenth East Street, near First South. Shortly before the inmates of the house had discovered that the summer kitchen attached to the building was on fire, and with the timely assistance of neighbors the flames were kept partially in check until the arrival of the firemen, who extinguished the blaze. The kitchen was destroyed, and part of the roof of the dwelling house, the whole loss amounting to about \$300.

The fire is thought to have been the work of an incendiary, as there was little chance of it having originated in the cooking stove from the evening before. What gives color to this theory is the fact that about half-past five o'clock, on the morning of the 6th inst., the same building was discovered to be on fire, but was extinguished before serious damage was done, several firemen who reside in the locality having reached the place before it had gained much headway.

First District Court.—In the First District Court at Ogden yesterday, Barnard White and Ambrose Greenwell, who had been convicted of unlawful cohabitation, were called to receive the judgment of the court, but their attorney being absent, sentence was deferred until Wednesday morning at 10 o'clock.

Mrs. Susan Parry was arraigned on an indictment charging perjury, and pleaded not guilty.

Daniel Harrigan was admitted to citizenship.

The case of the United States vs. John Bergen, indicted for polygamy, was taken up, and the defendant entered a plea of not guilty. At the request of Mr. Dickson an attachment was issued for Augusta Bergen, an absent witness. The attorneys for the

defense asked that the case be continued for the term, in order to allow them to get an important witness, Ann Bergen, from New York. The application was refused by the Court. Mr. Sheeks, of counsel for the defendant, then stated that they had had no time for consulting the defendant, who was undergoing a term of imprisonment, and they did not understand why the District Attorney showed such unreasonable haste in forcing the case to a trial. The application for a continuance was then amended to show that the defendant had a legal wife at the time of the alleged legal marriage in the indictment, and after further argument the case was set for trial on June 2d, the defense having the privilege to apply for a further postponement if it was desirable.

The case of E. H. Orth vs. F. A. Brown was called and a jury empaneled. This is an action for trespass and alleged cutting and carrying away of lucern hay on property of which plaintiff claims to be the owner. The defense claimed that Mr. Brown was acting as agent for Z. C. M. I., who had secured the property of a marshal's sale. Mr. William H. Pidcock, one of the witnesses, refused to answer a question, and was ordered committed to the Marshal's custody. The Court reconsidered its action, however, and Mr. Pidcock was given until to-day to decide what course he would pursue.

Messrs. Levi Minnerly and R. C. Smith, of Wellsville, Cache County, were called to receive sentence for cohabiting with their wives. Mr. Minnerly stated that he was a poor man and had a large family depending on him for support. The passing of judgment was deferred for a few hours to allow the Court to look into the matter and shortly after five o'clock yesterday afternoon the defendants were again called. They refused to give any assurances to the Court as to their future conduct, and Brother Minnerly was sentenced to imprisonment in the penitentiary for a term of five months, while Brother Smith was sentenced to undergo six months' imprisonment. No fine was imposed in either case.

JUDICIAL FANATIC AT BEAVER.

JUDGE BOREMAN'S EXTRA-JUDICIAL DOINGS.

BEAVER, May 25, 1886.

Editor Deseret News:

Since the last special, Robert McConnell has been tried. He was charged with stealing ore. The jury brought a verdict of guilty.

In the case of Peter Wimmer, charged with three cases of unlawful cohabitation, the defendant took the stand to testify in one case, on consideration that the other judgments would be dismissed. A verdict of guilty was rendered.

In the case of Wm. Bickley, charged with polygamy and unlawful cohabitation, a verdict of not guilty of polygamy, but guilty of unlawful cohabitation was returned. Under an open venire, one of the grand jurors who found the indictment against Bickley was allowed to sit on the petit jury to try the case.

The trial of Shepherd, who was acquitted at the March term, when \$1,500 cost was taxed against him, is now progressing. Six witnesses were examined this forenoon. The Court plied the witnesses with questions, when the attorney for the defendant objected to the Court being the prosecutor in this case. MOONSHINE.

FROM WEDNESDAY'S DAILY, MAY 26

Special Election.—On Monday, June 21st, a special election will be held in Juab County, to fill the vacancy in the office of Probate Judge, caused by the death of the late Hon. Joel Grover.

Special to Calder's Gardens.—The Utah Central R.R. Co. now offers a cheap rate from this city to the nearest point on their line to Calder's Gardens. Round trip tickets will be sold for 25 cents each. A platform will be placed on the line about three-fourths of a mile west of the gardens. This special rate will prove a great convenience to those desirous of visiting that popular resort.

Court Proceedings.—In the Third District Court to-day, in the suit of the Quarter Oak Life Insurance Company vs. M. T. Gabor, et al., the defendant was allowed 10 days in which to file notice of appeal. Louisa M. Graham vs. John D. Graham; defendant entered a motion to relax costs in the case.

Giovanna Cereghino vs. Antonio Cereghino; suit for divorce on trial before the court.

Sven Olson and Andrew Jaugenson, were admitted to citizenship.

Last Evening's Fire.—Shortly before 5 o'clock yesterday afternoon a stable belonging to Mr. Joseph Horne,

in the Fourteenth Ward, was discovered to be on fire, originating with some children playing with matches. An alarm was quickly given and the firemen were soon on the ground, but as the stable was covered with straw the whole structure was ablaze in a few moments and was entirely destroyed. At the time the fire broke out there were three horses and a buggy in the stable, one horse and the vehicle being saved. A span of valuable horses belonging to Mr. Wm. D. Palmer, who rented the premises, perished in the flames, it being impossible to rescue them. The whole loss amounts to about \$500, of which \$400 falls heavily on Mr. Palmer, who was not in circumstances to easily bear the affliction.

Narrow Escape.—A Brigham City correspondent, writing to Tuesday evening's Ogden Herald, gives the following account of a narrow escape from poisoning, which occurred on May 22d:

"On Saturday evening last there was an occurrence that came near being a fatal case of poisoning. A number of children who were assembled at the residence of Mrs. McDonald of Three Mile Creek, undertook to make some lemonade. Mrs. McDonald says that she scoured a brass kettle and gave it to the children, not thinking there was danger. The children procured some tartaric acid, vinegar and other ingredients and proceeded with the mixture. The acids gathered the verdigris, which turned the liquid into poison, which was drunk by eight of the children. Six of the eight soon commenced to show signs of the deadly effect of the decoction, being very sick. A messenger was at once dispatched to Brigham City for Dr. Leslie Snow, who proceeded forthwith to Three Mile Creek, and found the six children, whose ages ranged from eight years downward, very sick. He at once administered antidotes and emetics, which produced vomiting. Fortunately, the children were soon relieved and placed out of danger, and last evening were apparently getting along all right."

RESPONSE OF THE "MORMON" PRISONERS

To Governor West's Offer of Conditional Amnesty.

They Prefer Perpetual Imprisonment or Death to Dishonor.

The following is the document from the Latter-day Saint inmates of the Penitentiary, editorially referred to in yesterday's News:

UTAH PENITENTIARY,
May 24, 1886.

To His Excellency, Caleb W. West, Governor of Utah:

SIR:—On the 13th instant you honored the inmates of the Penitentiary with a visit, and offered to intercede for the pardon of all those enduring imprisonment on conviction under the Edmunds law, if they would but promise obedience to it in the future, as interpreted by the courts. Gratitude for the interest manifested in our behalf claims from us a reply. We trust, however, that this will not be construed into defiance, as our silence already has been. We have no desire to occupy a defiant attitude towards the Government, or to be in conflict with the Nation's laws. We have never been even accused of violating any other law than the one under which we were convicted, and that was enacted purposely to oppose a tenet of our religion.

We conscientiously believe in the doctrine of plural marriage, and have practiced it from a firm conviction of its being a divine requirement.

Of the forty-nine Elders of the Church of Jesus Christ of Latter-day Saints now imprisoned in the penitentiary for alleged violation of the Edmunds law, all but four had plural wives from its passage to 35 years prior to its passage. We were united to our wives for time and eternity by the most sacred covenants, and in many instances numerous children have been born as a result of our union, who are endeared to us by the strongest paternal ties.

What the promise asked of us implied you declined to explain, just as the courts have done when appeals have been made to them for an explicit and permanent definition of what must be done to comply with the law.

The rulings of the courts under this law have been too varied and conflicting, heretofore, for us to know what may be the future interpretations.

The simple status of plural marriage is now made, under the law, material evidence in securing conviction for unlawful cohabitation, thus, independent of our act, ruthlessly trespassing upon the sacred domain of our religious belief.

So far as compliance with your proposition requires the sacrifice of honor and manhood, the repudiation of our wives and children, the violation of sacred covenants, heaven forbid that we should be guilty of such perfidy;

perpetual imprisonment, with which we are threatened, or even death itself, would be preferable.

Our wives desire no separation from us, and were we to comply with your request, they would regard our action as most cruel, inhuman and monstrous, our children would blush with shame, and we should deserve the scorn and contempt of all just and honorable men.

The proposition you made, though prompted doubtless by a kind feeling, was not new, for we could all have avoided imprisonment by making the same promise to the courts; in fact, the penalties we are now enduring are for declining to so promise rather than for acts committed in the past. Had you offered us unconditional amnesty, it would have been gladly accepted; but, dearly as we prize the great boon of liberty, we cannot afford to obtain it by proving faithless to our conscience, our religion and our God.

As loyal citizens of this great Republic, whose Constitution we revere, we not only ask for, but claim, our rights as freemen and, if from neither local nor national authority we are to receive equity and mercy, we will make our appeal to the Great Arbitrator of all human interests, who in due time will grant us the justice hitherto denied.

That you may, as the Governor of our important but afflicted Territory, aid us in securing every right to which loyal citizens are entitled, and find happiness in so doing we will ever pray.

AS WITNESS OUR HANDS,

Lorenzo Snow,	Geo. O. Lambert,
Abram H. Cannon,	George H. Taylor,
Hugh S. Gowan,	Helen H. Tracy,
Rudger Clawson,	James Moyle,
Wm. Wallace Willey,	Byrnm Goff,
David M. Stuart,	H. Dinwoodey,
Henry W. Nalsbitt,	Joseph McMurrin,
L. D. Watson,	Herbert J. Foulger,
Culbert King,	Stanley Taylor,
Wm. D. Newsom,	James H. Nelson,
William Grant,	Frederick A. Cooper,
John Price Ball,	James O. Poffen,
Amos Maycock,	Robert McKendrick,
Olaf E. Due,	Robert Morris,
John Y. Smith,	Samuel F. Ball,
John Wm. Snell,	S. H. B. Smith,
Henry Gale,	Geo. B. Bailey,
Thomas C. Jones,	Nephi J. Bates,
John Bowen,	John Penman,
Wm. G. Saunders,	Thos. Burningham,
Andrew Jenson,	Wm. J. Jenkins,
John Bergen,	Thomas Porcher,
Joseph H. Evans,	C. H. Greenwell,
James E. Twitchell,	Wm. H. Lee.

FROM THURSDAY'S DAILY, MAY 27

Icelanders.—On Tuesday 15 Icelanders arrived in New York per the steamship Arizona. This small company of Saints left for Utah the same day.

Increase in Rates.—We are informed that the rate of fare to Latter-day Saint emigrants from New York to this city has been increased \$5 above that which has prevailed up to the present this season.

Determined Persecution.—Yesterday the family of Brother Francis A. Brown, of Ogden, were before the grand jury of the First District, presumably in an attempt to find a new indictment for cohabitation. Brother Moroni Brown's family were notified to appear before the inquisitors to-day, for probably the same reason. Both of these brethren have served one term in the Penitentiary for their refusal to dishonor themselves, and were but recently released. The witnesses in the case against Brother A. J. Kershaw were also examined, the prosecution evidently being desirous of finding an additional indictment against the accused, who is now awaiting trial on two charges under the "segregating" process.

A New Home Literary Production.—A book has just been issued from the press of this office, which, owing to the interesting character of the contents, will doubtless find a ready sale. It is entitled:

"The martyrdom of Joseph Standing; or, the murder of a Mormon missionary. A true story. Also an appendix, giving a succinct description of the Utah Penitentiary and some data regarding those who had, up to date of this publication, suffered incarceration through the operations of the anti-Mormon crusade begun in 1884."

Mr. John Nicholson is the author, he having written the work while "a convict for conscience' sake" in the Utah Penitentiary, from which he emerged, after serving a six months' term, on March 12th. The details of the story which forms the chief feature of the book were obtained in prison from the lips of one of the chief actors in it—Rudger Clawson. It incorporates a number of thrilling scenes and situations, which verify the saying that "truth is stranger than fiction." The narrative is in reality presented, through the medium of this book, to the public for the first time.

The appendix also treats upon matters of much popular interest, especially to this community, who are doubtless anxious to take a peep into the "pen" with the mind's eye aided by this volume. The information conveyed concerning those who have been imprisoned to date under the ex-

isting anti-Mormon crusade will doubtless also be acceptable.

The volume has been placed at a low figure for a home literary production. It comprises 160 pages, is printed in clear type, on excellent Utah paper and is stoutly bound in cloth covers. The price is sixty cents, and can only be had from the author and duly authorized agents. It will be mailed to any address on receipt of price in cash or postal note (stamps not preferred).

Normal Alumni Association.—A meeting of the Normal Graduates of the University of Deseret was held in the main "class room" of the University building last evening. The meeting was called to order at 8 o'clock by Elias S. Wright, who nominated Dr. J. R. Park for Chairman. The nomination was seconded and carried unanimously. Dr. Park, upon taking the chair, expressed his thanks for the honor conferred, and called for the nomination of a secretary. George M. Cannon was chosen to fill that office, and the chairman briefly explained the object of the meeting to be the formation of a Normal Alumni Association of the University, and called upon Prof. Orson Howard to speak upon the subject.

Prof. Howard spoke of the good to be derived by the formation of such association and introduced the following resolution: "Resolved, That we, the Normal Graduates of the University of Deseret proceed at once to organize ourselves into a society to be known as the Normal Alumni Association of the University of Deseret."

Remarks were made upon the subject by Waldemar Van Cott, B. H. Roberts, Mrs. Stewart (nee Miss Vincent), Wm. M. Stewart, J. B. Toronto, J. H. Paul, Mrs. Vinnie Dunford (nee Miss Clayton), D. R. Allen, C. F. Wilcox and Jos. T. Kingsbury.

The resolution was then adopted unanimously.

On motion of Mr. Van Cott, Prof. Orson Howard was elected President of the Association.

A brief recess was then taken, after which a roll call showed graduates of the following number for the years mentioned were present: 1876, 7; 1877, 4; 1878, 9; 1879, 2; 1880, 3; 1881, 6; 1882, 4; 1883, 2; 1884, 14; 1885, 8; 1886, 10—total 60.

A committee on nominations reported the following, each nomination being voted upon separately, and unanimously sustained: First Vice President, B. H. Roberts; Second Vice President, Waldemar Van Cott, Secretary, George M. Cannon; Assistant Secretary, Miss Ada Faust; Treasurer David R. Allen; Business Committee and Committee on Constitution and By-laws, J. H. Paul, Wm. M. Stewart, Saldie Tripp, Jas. H. Moyle and Virginia Snow.

The Secretary was instructed to prepare a list of the members of the Alumni and the address of each member. Any graduates who have changed their name or address will confer a favor by sending a notice of such change to the Secretary at Salt Lake City.

Mr. B. H. Roberts was chosen to deliver an address at the next meeting, after which the meeting adjourned.

[Special to DESERET NEWS.]

OUR BEAVER BUDGET.

ANOTHER ACT OF THE JUDICIAL BURLESQUE.

BEAVER, U. T., May 27, 1886.

At 10 a. m. President Shepherd was called to receive sentence. His attorney motioned for a new trial on the grounds of new evidence discovered to impeach the testimony of Mrs. Olcott, from whose false statements the jury brought in a verdict. The motion was denied. Shepherd was sentenced to six months in the Utah "pen," and fined three hundred dollars and costs.

The attorney for the defense motioned for a new trial in the Bickley case, on the grounds of one individual being on the grand jury when the indictment was found and on the petit jury when defendant was convicted. The motion was overruled and Bickley was sentenced to six months in the Utah "pen," and fined \$300 and costs.

Wm. J. Cox and Peter Wimmer were each sentenced to six months and fined \$300 and costs. All are to stand committed till the fines and costs are paid. No promises were asked for and none given.

George Hales, for libel, was fined \$100 and costs.

The case of unlawful cohabitation against him is postponed until the September term.

McConnell, for stealing ore, was sentenced to two years in the Pen.

In the matter of F. Case of Salt Lake, for obtaining money under false pretenses, there was a verdict of guilty. He is not yet sentenced.

The trial of B. F. Spear is now progressing. He is accused of receiving money under false pretenses. At the close of this trial the court will adjourn.

The parties destined for the "pen" started at 2 p. m. in charge of deputy marshals Franks and Smith.

MOONSHINE.