

aspiration from the Almighty, and sought to establish himself by the sword; but time proved him to be wrong; it is so with all others; they are all superstitious. You have no right to disobey the law because your religious belief includes an unlawful practice. You say you have not seduced your wife's sister. There is no law against adultery here; there was one, but the Church to which you belong repealed it. Legally and morally, as the American people believe, when you married your wife's sister you seduced her; you committed adultery. You must learn to obey the law. There is no reason for any exercise of leniency in your case; you say you obeyed the Edmunds law, but your plural wife has an infant a few weeks old; you cannot love her as your wife. If you choose to follow a superstition, an error, you must suffer for it. I state it to be a superstition, because I believe it is, and the great majority of reasonable men believe so. You will be sentenced to six months in the penitentiary, and to pay a fine of \$300 and costs, and stand committed until the fine and costs are paid. I should be pleased to extend leniency to such as you if you would promise to obey the law, but you cannot defy the government of the United States.

Mr. Smith was taken to the penitentiary this afternoon.

The trial of the second indictment for 1884, against

ISAAC LANGTON

was next taken up. The following jurors were sworn, all the even numbers being omitted:

J. J. Greenwald.	James Owen,
Robert Binnay.	M. M. Weaver,
Thos. R. Jones.	S. H. Conley,
Geo. Cullens.	Rudolph Alf,
A. E. Clarke.	A. Hanauer,
A. H. Kelly.	James T. Kessel.

Eliza N. Newham, the first witness, was sent for from the Marshal's office, where she had been kept, probably so that she would not forget what she was wanted to testify to. She lived next door to the defendant's house a year and a half ago; moved there in the summer, and went away shortly before Christmas, having lived there with her father for a couple of months; had been in defendant's house twice; there were two rooms and two beds in one room; knew Mrs. Langton; she had six children; saw another lady there with one child, about four or five months old; did not know her name, or hear her called by any name; there was no other man than Mr. Langton living in the house; Mrs. Langton had a child about a year old; heard quarrelling in the house when defendant was there, because defendant would not take both women to meeting; did not know his reasons for refusal; the lady referred to was Mrs. Langton's sister.

Cross-examined—The quarrelling was done in the house; witness was in the yard, and did not see them; witness was listening against the fence, close to the house; had listened there a number of times; that was her business; had not been a witness in any other case.

M. G. Thomas was next called. He lived in the 21st Ward; did not know defendant to speak to; did not know where he lived in 1883; he lived in the 21st Ward; did not know Phoebe Lindsay; was never in defendant's house.

Smiles Jackson lived in 20th Ward; knew defendant; had known him nearly two years; lived about 10 rods distant; first met him when he was building; knew Mrs. Langton; had been in the house; Mrs. Langton had several children; never saw any other lady there; did not know Phoebe Lindsay; had not been in defendant's house for about eighteen months.

Mr. Dickson—I would like to find somebody who does know Langton.

Mr. Sheeks—No doubt of it; wait until the trial is over.

Wm. S. Knappton had known defendant about a year and a half; did not know just where he first met him; afterwards became partners; had been in defendant's house several times; knew Phoebe Lindsay; defendant introduced Mrs. Langton; there were several children there; in the house there were two rooms; did not go again until 1883; did not remember whether he went in both rooms or not; did not notice how many beds were in the house; thought there were more than one; did not recollect whether there was a bed in the kitchen; had seen Phoebe Lindsay there in 1883; saw her take up one of Mrs. Langton's children; she might have taken up more than one—did not know; the child she took up was running about; could not give its age; it was perhaps a year and a half or two years old; the child called "Mamma," and Mrs. Langton answered; had also heard business talked of in the house; Mrs. Langton had six children; the eldest was about 10 years; had only seen Phoebe Lindsay once, at defendant's, and once at witness' house, with Mrs. Langton; Miss Lindsay did not have a child with her; had never seen but one baby in defendant's house.

Zadoc Mitchell had known defendant four or five years; did not know where he lived; did not know Phoebe Lindsay; had been introduced to Mrs. Langton.

Mamie Carney knew defendant; lived opposite his house; was in defendant's house once, about a month ago; Mrs. Langton had been at witness' house once; did not know Phoebe Lindsay; never saw her; there were five or six children in defendant's house; one was about two years, and one ten or eleven months old; Mr. and Mrs. Langton were there.

Wm. Langton was defendant's

brother; in 1884 defendant lived in 21st Ward; witness had been at his house twice; once in 1881, and once a few days ago; witness lived in the Sixteenth Ward; defendant had formerly lived there; had seen him frequently; knew Phoebe Lindsay; had never seen her in defendant's rooms; got acquainted with her in Sanpete County; had seen her once at the depot when she came on a visit her sister, Mrs. Langton; last saw her about two years ago; in Sanpete County; never saw her with a child.

Daniel Kennedy lived in the Twenty-first Ward; knew defendant; lived 12 or 14 blocks from him; had been at his house once, about two years ago; never saw Phoebe Lindsay.

Mr. Dickson—Do you know anybody who does know the defendant?

Witness—Oh, yes, sir.

Win. Carney lived in the Twentieth Ward; had known defendant a year or so; had been at his house; had never been there in 1884; was acquainted with Mrs. Langton; never saw Phoebe Lindsay.

Conrad Newham was brought as a witness from his post of observation in the Marshal's office; knew Isaac Langton; had lived next door from August, 1884, to November, 1884; had two conversations with him.

Mr. Dickson—Have you ever conversed to him about his belief?

Objected to by the defense.

Mr. Dickson thought it was proper to show that the defendant believed plural marriage right, and advocated the practice of a crime. If the defendant believed it to be his religious duty to practice plural marriage, it was probable he would follow the practice.

Mr. Sheeks argued that such a one-sided manner of admitting testimony was improper.

Objection overruled.

Witness—The defendant said Jesus, Abraham, Jacob and others had more than two wives, and it was right; witness had seen two women at defendant's house—Mrs. Langton and her sister; did not hear the latter's name; she had one child. [This witness, Newham, of gossiping proclivities, now lives in the 15th Ward, where, if any rumors such as those he testified to are obtainable, he will doubtless hasten with them to the District Attorney.]

Anna Noyce, the next witness, was 12 years old; went to Sunday School; knew it was wrong to tell what was not true; the punishment for telling a falsehood was imprisonment in the penitentiary; had seen Phoebe Lindsay on the street.

Eliza Newham recalled. In the quarrels at defendant's house, had heard Mr. Langton say "Mrs. Langton;" there were the first and second; the neighbors called them that; the quarrels were on Sunday as to which should go to meeting.

Mr. Dickson called this witness aside and asked which of the neighbors spoke of the first and second Mrs. Langton, and was answered that they were all here. These same neighbors, however, knew nothing of such a thing.

Mrs. Noyce lived half a block from defendant; knew him; did not know Phoebe Lindsay; had seen a lady there but did not know who she was; had never been in Mr. Langton's house; did not know any lady reputed to be Mrs. Langton.

Mr. Dickson argued that the question was not the fact of marriage, but the reputation of marriage—the reputation among the neighbors.

Witness had heard the neighbors speak of defendant's second wife.

The defense argued that there would be no end of prosecutions under such rumors; it was only a hard case that drove the prosecution to this.

The court, of course, held the evidence to be competent, as the District Attorney had insisted.

Witness did not know of the general reputation of defendant's relationship.

Eliza Newham recalled.

Mr. Dickson—Do you know what the general reputation was of the relationship, if any, which existed between Phoebe Lindsay and the defendant?

Objected to, objection overruled.

Witness—Do not know what reputation means. The neighbors said she was his second wife. Heard his little daughter say so.

Cross-examined—Had lived near Langton a couple of months; heard a Mrs. Glover say Miss Lindsay was defendant's second wife; did not remember where, when, or how it came about; never heard any other neighbor say so except Mamie Carney, four or five months ago; Mrs. Glover spoke of it in 1883, not before; these two were all.

Re-direct—Heard Mrs. Noyce say the ladies were first and second; heard two Carney boys say so; was not acquainted with any others, until after.

The testimony of Eliza Newham as to the general reputation was stricken out, because the witness had shown herself to be incompetent.

The court then took recess until 2 p. m.

This afternoon Mr. Wm. T. Knappton was recalled. He was a married man; never lived near the defendant; Mrs. Langton had visited his house a number of times; Phoebe Lindsay had been there once.

Frederick Langton was the defendant's brother; lived in the 19th Ward; had been there three years; had been to the defendant's house once; they were not on very good terms; had had no quarrel; his brother came to the country first; they were not on visiting terms; had seen defendant at their father's; was acquainted with Mrs. Langton; had seen

Phoebe Lindsay in Teasdel's store; had seen her in the old country; never saw the defendant with her; had been at his brother's six or eight months ago; Miss Lindsay was not there.

Isaac Langton, sen., father of the defendant, testified that Isaac, jr., left his house about five years ago; knew Phoebe Lindsay; last saw her over two years ago, down south; visited the defendant's house occasionally, but had not been there for over two years; defendant's mother was dead; witness never saw Phoebe Lindsay at defendant's; she was not reputed to be his wife; never heard she had a child.

Mrs. Thomas lived in the 21st Ward; knew defendant, and his wife; did not know Phoebe Lindsay; had been at defendant's house three times in 1883; never saw Phoebe Lindsay, or heard of her.

Mr. Dickson—I submit the case. That's all the evidence I can procure.

Mr. Sheeks—I ask the instruction of the Court for a verdict of acquittal.

Mr. Dickson—By consent of the Court, I call Mrs. Langton.

Mr. Sheeks—We object to her being sworn, it being admitted by the prosecutor that she is the defendant's wife.

Mr. Dickson—I think she is a competent witness.

Mr. Sheeks—It must be with the consent of the defendant. That is not given.

This outrageous action on the part of the District Attorney, in calling the legal wife of the defendant as a witness against him without the consent of either, showed the desperate strait to which he was driven, and the utter absence of evidence against the defendant.

The District Attorney claimed that if a man committed the offense of unlawful cohabitation, it was a crime against the lawful wife, and she could be compelled to testify. This was the greatest offense which could be committed against the wife.

Mr. Sheeks argued that the offense charged was not a crime against the wife. The law related to direct crimes by one against the other. The authority cited by the District Attorney did not hold that the wife could be compelled, but only permitted to testify. In view of the fact that the wife had always been excluded, and that serious attempts were being made to make the wife a competent witness against her husband, in this special class of cases, it would be absurd to hold, that she was already competent.

Mr. Young also contended that in the light of recent attempts in Congress, the construction claimed by Mr. Dickson was utterly improper.

The District Attorney said he had had the question under consideration a long time, and the Court was probably loaded and primed, as a prompt decision was rendered declaring the legal wife a competent witness against her husband, without the consent of either, thus adding another to the long list of judicial outrages in Utah.

Mrs. Langton was sworn, and testified that Phoebe Lindsay, her sister, was at defendant's house simply as a visitor, and the jury rendered a verdict of not guilty.

FROM TUESDAY'S DAILY, FEB. 23

Primary Meeting.—The officers of the Primary Associations of this State are requested to meet at the residence of Mrs. E. C. Clawson, 75 First Street, Eighteenth Ward, on Thursday, the 25th, at 2 p. m. A full attendance is desired.

Arrested for Polygamy.—Solomon Edwards, of American Fork, who was arrested last week at Eagle Rock, Idaho, on an indictment charging him with polygamy, was brought to this city on Saturday evening, and taken to the Penitentiary.

Sudden Death.—Yesterday afternoon Willard Harper, about sixteen years of age, who has been residing with his parents in the Fifth Ward, dropped dead from heart disease. For some time past the young man has been suffering from diabetes, and shortly after 1 p. m. yesterday went out to the well for a bucket of water, when he was stricken with death, expiring almost immediately.

Ogden Cases.—W. G. Childs, of Ogden, was this morning arraigned before Judge Powers to answer to an indictment charging him with unlawful cohabitation with his wives. He read a statement which he had previously prepared, but made no promises as to future conduct and the Judge let him off with a fine of \$300 and costs. Amos Maycock, arraigned on a similar charge, was sentenced to five months' imprisonment and to pay a fine of \$300 and costs.

C. H. Greenwell and H. H. Tracy, on being arraigned on the same charge, went upon the witness stand themselves and gave such testimony as led to their immediate conviction, and next Thursday was set for sentence in their cases.

From the South.—A company of eleven returning missionaries from the Southern States, accompanied by a small company of immigrants from that region—all under the direction of Elder George J. Woodbury—arrived in the city by last evening's D. & R. G. passenger train, and have been about town to-day. The immigrants will mostly continue their journey to-morrow morning to their various destinations in different parts of the Territory, and the Elders will separate and betake themselves to their homes, where they will all receive a

heartily welcome from families and friends after an absence from the Territory of two years and upwards, in the service of their Master. We will publish sketches of the Elders' experience while abroad hereafter, our space being too limited to-day to admit of our doing so now.

ANOTHER EXPLOSION.

Almy the Scene of Another Catastrophe.

Narrow Escape of a Large Number of Men.

Only six weeks since a terrible explosion occurred in mine No. 4, at Almy, resulting in the death of eleven persons, and on Sunday, about 11:55, mine No. 3 at the same place was the scene of another catastrophe of a similar nature but less serious in its consequences. It seems the mine had been reported free from gas on Saturday evening, but at the time of the occurrence it had accumulated on the 6th level and was ignited by a man named James Moon, who was not aware of the danger, thoughtlessly lighting his lamp. The explosion caused the wildest excitement both in the mine and among the friends of the miners on the surface, and efforts were immediately made to rescue the large number of miners employed below, who it was feared were killed or seriously burned. Investigation soon disclosed the fact that only four persons were burned very badly, though quite a large number had their hair singed, and within two and a half hours after the explosion all were safely landed on the surface. James Moon was burned considerably about the face; Archibald Buchanan received severe injuries about the face and hands, and Bishop Bowns and James Martin suffered somewhat. The injuries to the others were slight and consisted of being slightly burned and almost suffocated with the foul gas, from which they readily recovered.

SENTENCED.

Henry Dinwoodey and Joseph McMurrin Sent to the Pen.

The cases in which judgment was to be pronounced in the Third District Court this morning were those of Brothers Joseph McMurrin, Wm. H. Lee and Henry Dinwoodey. Mr. Dickson, under whose left eye there was a slight discoloration, from a blow received from a 16-year old boy last evening, moved for judgment, and the first called was

HENRY DINWOODEY,

whose sentence had formerly been suspended, because Mr. Dickson had "reason to believe" that he would obey the law.

On Mr. Dinwoodey's coming forward, the Court said—You are aware, Mr. Dinwoodey, that you have pleaded guilty to the crime of unlawful cohabitation, and that this morning was set for sentence. What is your intention as to obeying the law in the future?

Mr. Dinwoodey—I have nothing to say, your honor, farther than I have already stated.

Court—You are not prepared, then, to say whether you will or will not obey the law in the future relating to unlawful cohabitation?

Mr. Dinwoodey—Nothing more than only to continue as I have been doing.

Court—You will, then, be sentenced to imprisonment in the penitentiary for the term of six months, and to pay a fine of \$300 and costs, and stand imprisoned until paid.

Mr. Rawlins, attorney for

WM. H. LEE,

asked the Court to defer sentence for three days to enable Brother Lee, as guardian for his orphan grandchildren, to make provision for them during the term of his confinement. Sentence was fixed for Friday, Feb. 26th.

JOSEPH M'MURRIN

was next in order. The Court put the usual question to the defendant, as to his intention to obey the law in the future.

Brother McMurrin replied—I do not know, your honor, that I have anything particular to say. I embraced the principle of plural marriage in connection with my religious faith, and I still adhere to my faith. For me to dispense with any one principle would be virtually a relinquishment of the whole, and—

Court (interrupting)—Well, you sometimes get wrong principles into your head. You will be sentenced to serve a term of six months in the penitentiary, and to pay a fine of \$300 and costs of prosecution, and stand confined in prison till the fine and costs are paid.

The prisoners were placed in the Marshal's custody, and were taken to the penitentiary to-day.

A new star in the firmament, Red Star Cough Cure. It banishes coughs and throat troubles, contains no morphia or opium and is safe and sure. Price, twenty-five cents.

"SAFE, reliable and pleasant to take," that excellent preparation, Dr. Henley's Celery, Beef and Iron. For sale by Z. C. M. I. Drug Store, and all Druggists.

What do the Druggists Say?

They know what the people call for, and they bear what their patrons say as to whether the medicines they buy work well or not. Martell & Johnson, Rush City, Minn., say, "Brown's Iron Bitters gives entire satisfaction to our customers." Klunkhammer & Co., Jordan, Minn., say, "We sell more Brown's Iron Bitters than all other bitters combined." L. E. Hackley & Son, Winona, Minn., say, "All our customers speak highly of Brown's Iron Bitters." A. C. Whitman, Jackson, Minn., says, "Brown's Iron Bitters is giving good satisfaction to purchasers." These are only a few. We have hundreds more just as good.

Out of Sorts.

Many persons feel unwell, not absolutely sick, but in a state of discomfort. The liver is out of order. Take Simmon's Liver Regulator. This unfailing specific for liver disease has restored more people to health and happiness than any other agency known on earth. No one can take the Regulator and remain long unwell. Rev. R. G. Wilder, Princeton, N. J., says: "I find nothing helps so much to keep me in working condition as Simmon's Liver Regulator."

Dr. Henley's Popular Remedy, Celery, Beef and Iron,

Has the largest sale, and has relieved and cured more persons afflicted with nervous troubles than any one known remedy.

For sale by Z. C. M. I. Drug Store, and all Druggists.

Angostura Bitters is a household word all over the world. For over 50 years it has advertised itself by its merits. It is now advertised to warn the public against counterfeits. The genuine article is manufactured by Dr. J. G. B. Siegert & Sons.

Syrup of Prunes

will check all those premonitory symptoms of chronic diseases such as habitual constipation, sour stomach, dizzy head, palpitation of the heart, sick headache, heavy load at the pit of the stomach, etc. Price, 75 cents per bottle. Sold by Z. C. M. I. Drug Store.

Wasting Diseases.

How many hundreds and thousands of people in the world drag out a miserable existence through suffering from the many ill flesh is heir to, simply because they have not been able to find the right remedies. First comes loss of appetite; then begins a diminishing of nerve power, the blood becomes disordered and the whole system is soon disorganized. Dr. Henley's Celery, Beef and Iron would restore the sufferer in a short time, as celery strengthens nerves, beef gives nourishment, and iron tones up the stomach.

The disfiguring eruptions on the face, the sunken eyes, the pallid complexion, indicates that there is something wrong going on within. Expel the lurking foe to health. Ayer's Sarsaparilla was devised for that purpose, and does it.

AN END TO BONE SCRAPING.

Edward Shepherd, of Harrisburg, Pa., says: "Having received so much benefit from Electric Bitters, I feel it my duty to let suffering humanity know it. Have had a running sore on my leg for eight years; my doctors told me I would have to have the bone scraped or leg amputated. I used, instead, three bottles of Electric Bitters and seven boxes Bucklen's Arnica Salve, and my leg is now sound and well."

Electric Bitters are sold at fifty cents a bottle, and Bucklen's Arnica Salve at 25c. per box at Z. C. M. I. Drug Store.

DEATHS.

SCHMIDT.—In the Twelfth Ward, of this city, after an illness of a few days. John P. Schmidt, aged 83 years.

DERRICK.—In the 12th Ward of this city, Feb. 17, 1885, of spinal affection, Mary, wife of Z. W. Derrick; born Aug. 12, 1812, in Langthorp, Yorkshire, Eng. She lived and died a faithful Latter-day Saint.

The funeral service will be held in the 12th Ward meeting house to-morrow, (Friday) at 12 m. Friends of the family invited to attend.

YEATES.—In the 20th Ward of this city (at the residence of her son-in-law, Robert J. Knight) February 17, 1885, of old age and dropsy, Mrs. Jane Yeates, relict of the late George Yeates. She was a native of Herefordshire, England, where she embraced the Gospel in 1852, was for some time a member of the Buckley Branch, Birmingham Conference, and migrated to Utah in 1865, being a faithful Latter-day Saint up to the last.

Funeral service to-morrow (Friday) at 2 p. m., at the 20th Ward meeting house.

ESTRAY NOTICE.

I HAVE IN MY POSSESSION:

One dark red Cow and Calf. The Cow, five years old, crop off left ear, under bit of right ear, branded it, inside circle, left bit, white star in forehead.

If not claimed in ten days will be sold at public auction to the highest responsible bidder, at Woodruff Estray Pound, Rich Co., Utah Territory, on Tuesday, February 23d, 1885, at 10 o'clock a. m.

MARCOUS C. VOSE,
Estray Pound-keeper.
Woodruff, Feb. 13, 1885.