EVENING NEWS. Thursday October 1, 1885

FRAGMENTS.

FAREWELL reunion in honor of Elder Wm, J.Woodbury in the Seventh Ward this evening.

THE Eighth Quorum of Seventies family about six months ago; the de-fendant was there. Had heard of Myra Young, but had not met her morrow evening

A GOOD girl, used to housework, and well recommended, can obtain em- of her. ployment by applying at this office.

BISHOP M. TANNER, of Provo, accidentally fell off his wagon on Tuesday, breaking his left leg below the knee.

ness' sister.

WM. C. GARRISON, an apostate from "Mormonism" was arrested in Preston, Idaho, on Saturday, charged with Theatre. polygamy.

GEORGE MELVOURIN is in Jail at Ogden, for stealing three shawls, a shirt and a silk handkerchief from Ogden merchants

A BRAKEMAN named Gechan had his right hand crushed while coupling cars at the D. & R. G. W. yard in Provo, on Rossiter, and had never heard of her. Monday. It was found necessary to Had heard of Myra Young, but had at the D. & R. G. W. yard in Provo, on never heard defendant speak of her. have two fingers amputated.

THE county superintendent wishes all the district school trustees of Salt Lake County to meet in the Thirteenth District school rooms, Friday, October 2d, at 7:30 p. m. Very important business is to be transacted.

THE photograph of "42 Islington," which we mentioned a few days since, can be seen at the Contributor office, and any person desiring a copy can obtain one by remitting two shillings, or fifty cents, to the address at Liverpool

THE funeral services over the remains of Edward Blair, whose sudden death we mentioned yesterday, will be held in the First Ward meeting-house to-morrow, commencing at 1 p. m. Friends of the deceased are invited to be present.

FRED. MCCLOY, acting manager of the "In his Power" company, which is to appear in the Theatre on the 8th, 9th and 10th inst., arrived in the city this morning, and will proceed to Provo to make arrangements for the company to appear there on the evening of the

THE board of examiners of Salt Lake County will hold the final examination of teachers for the present school year at the Fourteenth District school room, on Saturday, October 3d, at 10 o'clock a. m. All who wish cer-tificates will govern themselves ac-cordingly. Fourier in the state of the nation of teachers for the present

LOCAL NEWS.

U. S. vs. Edward Brain .- This case was taken up after the arraigntwice. ment of Mr. Miner, and the list of living as husband and wife witnesses called, there being a number

THE ROSSITER TRIAL. out of repute THE USUAL VERDICT OF "GUILTY." port of his associate's proposition, claiming that the points sought to be established must not come from the Wm. Crabtree, the first witness called by the prosecution after the empanel-ling of the jury yesterday afternoon, unsworn testimony of third parties, but from witnesses to the acts themtestified that Eliza Crabtree Rossiter was his sister, and the wife of William selves. Dwelling together as well as holding out must be shown, and this is susceptible of direct proof, which is presamed to be attainable. Rossiter; they had seven children, the youngest about three years of age. Witness had visited his sister's house one or twice a week during the past two years; had dined there with the

The principle is clear that evidence by repute is inadmissible and beyond the limit set by any court. A number of authorities were cited. Judge Harkness explained to the

for many years. Never visited the Bee Hive house, or heard of Myra Court that the objection was not to admitting repute as evidence of the relationship between the defendant and Myra Young, but of their dwelling Young Rossiter; never saw her at defendant's house, nor heard him speak together at the place indicated. Mr. Varian argued that the testimony should be admitted to show how the association of the defendant and Myra Young was regarded by members of of her. Witness' sister's children were defendant's children. Phebe Rossiter was defendant's daughter, and was married to Mr. Baddeley. The de-

fendant was living with his wife, witthe family Cross-examined by Judge Harkness The court overruled the motion and

Had been at the defendant's house in admitted the testimony as competent he evening, when he was not there; for the purpose of showing the reladefendant was employed at the tionship, but incompetent to show a dwelling together.

Mrs. Phebe Baddeley was next called. Her mother was Mrs. Eliza The prosecution rested their case here, and the defense announced that Her mother was Mrs. Eliza Rossiter; the defendant was her father. they had no testimony to offer. Mr. Varian then addressed the jury,

She left home on Sep. 12. Her young-est brother would be three years holding that the offense of cohabitation old in October. Her father had lived was proved when it was shown that a at home the greater portion of the time during the last two or three years; man had lived with more than one woman as wives, during the time stated in the indictment, whether for did not remember what proportion. one year, one month or one day, and it was not nece-He was sometimes away at nights. Witness did not know Myra Young sary to show any particular time of day. The general reputation was that both women were defendant's of day.

Charles S. Burton testified that he had known Myra Young for ten or twelve years, and defendant about the before the Edmunds law passed, and it same time; had often visited the Bee was not probable that they had sepa-Hive house. Had never heard Myra Young called Mrs. Rossiter. Had seen defendant and Mrs. Young torether, but not at meals or at night; had seen Myra Young with a child seven-but not at meals or at night; had seen Myra Young with a child seven-ter the termination of termination of the termination of termination of the termination of termination of the termination of termination of

teen years old, and one two years old. Never heard Mr. Ros-siter speak of Myra Yonng as holding The defense here objected to the implication that the defendant was to be ield responsible for the absence of any relation to him. The defendant and Myra Young had both had dealings witnesses The court held that the absence of at the store, but never knew of the defendant paying Myra's bills. Had heard that Myra Young was defend-ant's wife; did not know by what name witnesses might be referred to only to explain why the prosecution had not roduced them Mr. Varian continued his argument,

the little boy was known. contending that the defendant main-Cross-examined by Judge Harkness tained and acknowledged Myra Young. Had seen defendant at the Bee Hive as his wife, and was reputed to have house: knew his business called him lived with her as such. The Court took a recess until 2 p.m. This afternoon Mr. Varian made an argument in favor of his right to foithere. Never saw Myra and the defendant going to the Theatre together. Re-direct-Never saw them in the store together: never saw defendant's

low the line of argument which had been objected to by the defense, and asked the Court to instruct the jury to picture in Myra Young's room, and did asked the Court to instruct the jury to that effect. Mr. Kirkpatrick, in behalf of the de-fense, said that the request of Mr. Varian was an ingenious attempt to shift the burden of proof upon the de-iendant. It had been shown by the evidence that the relationship of mar-riage existed; this relationship the defendant had never denied. But there had been no evidence to prove ot know where she was now. Henry Snell was Myra Young's brother-in-law; he never heard her called by the name of Rossiter, had seen half a dozen children with her; last saw her about eight months ago. Mrs. Chas. S. Burton was Myra Young's sister. Did not know whether Myra was married or not; had heard that she was married to Mr. Rossiter

there had been no evidence to prove conabitation. Visits had been shown, and the Court had said that it was the she had one child, Russell; did not know its other name; did not know whether defendant was its father; did. not know where Myra was. right and duty of a man to provide for Mrs. J. D. Spencer was also Myra and support his family. No dwelling Young's sister. Did not know together had been shown, and this was

the central figure of cohabitation. Judge Harkness, for the defense, ad-dressed the jury. The indictment had charged cohabitation in the mar-riage relation. The defendant dic not deny the fact of the marriage, but pleaded not guilty to the

the table. Russell was four years old. ther element. He would not allow Did not know where Myra was; it was is attorneys to deny the marriage or understood she had gone away. Cross-examined-Mr. Rositer was very often in the house; had not seen the fact that Russell Rossiter was his child and had been legitimized by the Edmunds law. That law did act require the defendant to declare that the child's mother was not his wife, and it him eating at her sister's more than Re-direct-They were reputed to be was his moral duty to support them

both. The law, however, forbade a dwelling together, but did not pro-

stronger than presumptions growing DR. J. W. CULBERTSON, Physician and Surgeon, of Indian-apolis, Indiana, will visit profession-Judge Kirkpatrick followed, in sup-

Aly, Salt Lake City at the Continential Hotel, Thursday, October 1st, to re-main ten days. All afflicted with any disease of the Eye or Ear, Catarrh, Cross Eyes, Ciub Foot, Spimal Curva-ture, Piles, Rupture or Chronic Diseases, etc., can consult him free of charge. Artificial Eyes inserted. Remember the dates.

'My daughter has taken the medicine faithfully, according to directions, and her health and spirits are now perfect. The humor has all gone from her face. I wish every anxious mother might know what a blessing Ayer's Sarsaparilla is in such cases.

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D. Bockholt ex-clerk Probate and County Court, Salt Lake County, Utah, attends to the administration of es-tates of deceased persons, draws wills, deeds, leases, mortgages, etc., and pro-Cures loans on real estate. Office at residence, 355W. 2nd South



of absentees

Lecture to Ladies .- Dr. Ellis R. Shipp will deliver the initial lecture of the series to be given to her class just organized to-morrow afternoon, at 4 o'clock, at her office, 18 Main Street, and invites all ladies who are inter-ested in the study of obstetrics (to at-

case had been given to the jury, the Brigham Young estate. Had never case of the United States vs. A. Miner heard anyone say he lived there; this was called, and the defendant arand Annie Adams, was then the defendant pleaded not guilty. Two the defendant pleaded not guilty. Two the defendant pleaded not guilty. Two Eva Davis testified that Myra Young Eva Davis testified that Myra Young

Teachers' Institute .- The follow-

ing is the programme for the Teachers' Institute for Oct. 10, 1885:

Institute for Oct. 10, 1885: Principles underlying reading-Wil-liam M. Stewart. Discrete for Oct. 10, 1885: Principles underlying reading-Wil-liam M. Stewart. Discrete for Oct. 10, 1885: Principles underlying reading-Wil-liam M. Stewart. Principles underlying reading-Wil-Never saw the defendant in Myra's bedroom, and had not seen the child for several months. liam M. Stewart. Song (duet)-Misses Clara and Kate

Snedaker.

What do trustees expect of a teacher? A trustee

Educational article-C. F. Wilcox. Point out the detects in the A BC method of teaching reading; and what are the advantages gained in employ-ing other methods? Cecelia Sharp.

RACHEL EDWARDS, Secretary of Programme Committee.

The Theatre .- There was a good sized and thoroughly good-natured audience in attendance on the initial performance of the "Rag Baby" at the Theatre last evening. Through the lateness of the company's arrival and the necessity of some little rehearsal with the orchestra after they got here, the curtain did not rise till a quarter past nine, and it fell on the last act patchwork order; it has a shadowy not in the morning, but at plot which serves as a kind of hat-rack meal times with Myra. Defendant after midnight. The piece is of the upon which to hang all kinds of "tiles," new and old, good, bad and doubtful. That it is full of fun and is on the whole a rather enjoyable entertainment is certain, for more aproarious laughter and other demonstrations of approval have tention to the fact that the defense **marely** been heard in any place of would move to strike out this and all similar evidence. amusement. The honors of the piece go to Frank Daniels almost from the start; as "Old Sport," with an undying admiration for Sullivan and an unconquerable desire to meet the champion pagalist, he was the very ing the child there; it was essence of drollery in every word, look two or three years ago that I serve 20 days on the city gravel bank. and act. The singing was uniformly was then an infant. indifferent, but as first-class vocalism .was not demanded, this need not be taken into account

The same performance will be pregented to-night.

Prostitutes Fined .- Yesterday aftermoon eighteen inmates and proprietors of houses of prostitution were arrested and fined in various sums from \$25 to \$99 each. That these arraigaments do not occur more frequently, and that the law against prostitution is not so rigidly enforced as to greatly

John D. Spencer had lived at the Bee Hive house for the past three years. hibit visiting or providing for the Myra had lived there at the same time. family. The question at issue, then, The "Contributor."—The August number of this excellent magazine is before us, and a hasty glance at its contents convinces us that they are entertaining and instructive as usual. Lecture to Ladies.—Dr. Ellis R. seen Mr. Rossiter there. The child Russell lived there: seen Mr. Rossiter there. The child Russell lived there: Myra was its reputed father. Had never seen Mr. Rossiter there. The child Russell lived there: Myra was its reputed father. Had never seen Mr. Rossiter there. The child Russell it was the law in this closing argument, seen Mr. Rossiter there. The child Russell it was the law in this court

house. Mr. Varian, in his closing argument, said that it was the law in this court that consbitation could be committed seen Mr. Rossiter there. The child in the day time, by associating together as husband and wife. Sexual commeree was not a necessary element. I was improbable that at the passage of the Edmunds law the defendant had changed his habits; it was contrary to human nature. The inference was that ested in the study of obstetrics (to at-tend, free of charge. The Miner Case —After the Rossiter to call him there. Under-the call him there collector for the relations had been discontinued. The

The Miner Case. -After the Rossiter to call film there. Under been no public been discontinued. The stood that he was collector for the relations had been discontinued. The defendant had not, in court or out of ourt, evidenced any separation, and u the absence of such act, the inference was rather a conclusion of his mind. Re-direct—Had never heard defendraigned. The indictment charging un-lawful cohabitation with Laura Miner and Annie Adams, was then read, and ant could go into court and have his unlawful marriage annulled, to cut off

was her sister; she occupied part of the Bee HiveHouse; yad seen Mr. Rossiter the record of the court the record of the court. Mr. Kirkpatrick asked if he would there; Myra was reputed to be his wife, and they were reputed to occupy the house as husband and wife. Presumed be understood as claiming such a ourse necessary.

Mr. Varian answered, No; but if he did not, society would require him to e very guarded in his conduct. visits of the defendant were to carry the inference that the association was Cross-examined - Last saw Mr. Rossiter at the house at an evening gathering. Could not remember who told of the marriage or the living tocontinued, or they should have an ex-planation, without which it was evient there had only been an attempt to

conceal the association. This conduct had been in the relation of husband and wife, to the scandal of society. If there was any one who should be interested in clearing the quently The Court then adjourned until 10

o'clock this morning, the jury being placed in charge of a bailiff. At 10 a.m. to-day, after some prelim-The Court then charged the jury that

inary business had been disposed of, the prosecution proceeded with the case of W. A. Rossiter, continued from resterday Alfales Young was the first witness

called to the stand, his testimony becalled to the stand, his testimony be-ing substantially as follows: I know the defendant and Myra Young, the latter from childhood; she is my sis-ter. She has been living in an actition to the Bee Hive house, and I have fre-quently visited there. Think I know she is married; that is, she is the re-muted wife of defendant; have seen a state of the sta there had been sexual intercourse, would indicate that she was his wife He could not take meals or associate so as to show to the world that the relationship of husband and wife ex-isted. The jury were judges of the credibility of witnesses, and should consider the evidence impartially, and presided at table as host and my sister as matron. She has a child a little over three years old, and Rossiter is its reputed father. Q_{-} Does he live there part of the time?

warranteo At half-past three the jury retired to Objected to by Judge Harkness, for their room the purpose of cailing the Court's at-After being out twenty-five minutes,

the jury returned, and reported a verdict of "Guilty as charged in the indictment

Witness continued in response to another question-Myra and the child bear the name of Rossiter. Cross-examined - Remember the marriage of Mrs. J. D. Spencer; was at the recording death and the property was at the reception; don't remember see-A. W. Cooley was fined \$5 for drunken-

was then an infant. Spencer Clawson testified: I know Rossiter and have known Myra since she was a child. My wife is her sister. Have visited her and seen Rossiter there more than once. Have been

there by his invitation at dinner partles, there by his invitation at dinner parties, which occurred at 3 p. m. Myra is known as Mrs. Rossiter, and I under-stood she was married to him. He has been in my house when she was there, but don't know that he went away with her; have not seen them in company elsewhere. Never heard him speak of her as his wife or introduce her as her as his wife or introduce her as such. Have seen them conversing together; may have seen the child with them

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both wives, in the habit and repute of marriage, they should find him guilty. It was not necessary to believe that FILES! FILES !! FILES !!! Sure oure for Blind, Bleeding and tching Piles One box has cured the Worst cases of 20 years' standing No one need suffer five minutes after using William's Indian Pile Ointment its theories tamors, allays Itching, acts is poultice, gives instant relief Pre-pared only for Piles, itching of the orivate parts, nothing else Noid by iruggists and maried or receipt of of the 500 and \$1.60 ruggists and manee rise, 50c and \$1.60 For sale by Z. C. M. I. Drug Dept FRAZIER MEDICINE Co. Prop's, Claveland, Obio

A WALKING SKELETON.

Mr. E Springer, of Mechanicsburg traw such conclusions as the evidence ., writes : "I was affi cred with lung fover and abscess on lungs, and re-luced to a valking skeleton. Got a free trial both eef Dr. King's New Discovery for ()usumption, which d'd use so much good that I bought a dollar bottle. After using three bottles, found myself once more a man, com-Nine days were allowed before the passing of sentence, which will be pronounced on Saturday, October 10. plittely restored to health, with a hearth appetite, and a gain in firsh of 48 lbs." Call st Z. C. M. I. Drug Store and zet a free trial bottle of this certain cure for all Lung Diseases. Large JOS. LEE, a vagrant, was sentenced bottles \$2.00. in the Police Court this morning, to

> A STARTLING LETTER FROM TEXAS.

TEXAS. IRENE, Hill County, Texas, June 29th, 1885. Gentlemen.—It affords me great pleasure to send you the report of the wonderful popularity of your BROWN'S SARSAPARILLA and Dandelion with Iodide of Potassium, in this section. First, I sent an order for a dozen and soon sold it all. Its med-ichal effec~ made it all. Its med-ichal effec~ so on your it is bortiles at a GROSS s 1 have now only 15 BOTTLES LEFT, parties taking six bottles at a time. Dr. J. F. Myrick, one of our leading physicians, testifies to having cured himself and one of his children of RHEUMATISM by its use. I will soon serd for another GROSS. Yours very truly. To Brown Medicine & Manf'g Co., ing Machine and Music Dealers, have

