

LOCAL NEWS.

FROM WEDNESDAY DAILY OCT. 7.

WM. D. NEWSOM.

HE IS PLACED ON TRIAL FOR POLYGAMY AND UNLAWFUL COHABITATION.

The case of the United States vs. Wm. D. Newsom, charged with polygamy and unlawful cohabitation, was taken up this afternoon. The usual proceedings in this class of cases obtained the following jurors from the regular panel:

T. C. Armstrong, Wm. Skewes, W. C. Lyne, L. A. Scoville and Adolph Anderson.

The open venire produced James Anderson, C. P. Mason, J. P. Keat, S. C. Ewing, Samuel Paul, W. N. Cole, C. Diehl, C. S. Wilkes, and J. W. Farrell.

Louis Cohn was excused, having been a member of the grand jury which found the indictment.

W. N. Cole and Jas. P. Keat were peremptorily challenged by the defense. The indictment was then read, alleging that on November 15th, 1883, the defendant, while having a wife living, married Lucy Devereux, and since that time had lived and cohabited with both women as his wives.

At the request of the prosecution, the witnesses were excluded from the court room.

Mrs. Catherine Newsom was the first witness called and sworn, as to her competency as a witness. She testified that she was married to Wm. D. Newsom, and was his legal wife; she had been married 23 years.

The prosecution offered Mrs. Newsom as a witness, but the defendant refused to consent.

Mrs. Mary Swain was called and testified that she was a married lady; she was acquainted with Mrs. Newsom and also Mr. Newsom; had crossed the plains with them; had been acquainted in Salt Lake City; had visited the family a number of times; visited Mrs. Newsom, who was living with the defendant; did not know whether they were married; had seen them both in the house together, and had taken meals with them; they had no children; did not know who occupied the head of the table; had seen them together in the evening during the last two years, and taken dinner and supper with them; did not know any other members of the family; Mrs. Newsom had called defendant her husband; never heard defendant say where he came from; the defendant and his wife had visited at Mrs. Swain's house; they were there last Sunday, at her invitation; was last at defendant's house this morning, on Second East South, between Eighth and Ninth East streets; they had lived there the past three years, in the same house; there was a grocery store there, on the same lot, close to the house, but in a separate building; there were four rooms and a pantry in the house—only one bedroom; the bedroom was used as a sitting room; there was another house adjoining; there was no door between them; in the other building were three rooms, and the store attached; there was a bedroom, sitting room, kitchen, and an unfinished room; they had been furnished like this for four years; did not know how long they had been occupied; it was more than three years; they were occupied by Lucy Devereux; had known Lucy about four years; was introduced to her by Mrs. Newsom; had visited her in 1883 and 1884; had seen Mr. John Freeman there, but never saw Mr. Newsom in the house; Lucy had a child; did not remember the date; it was about thirteen months ago; saw the mother the day the child was born; did not see Mr. Newsom there then, or at any time; never saw defendant with the child or with Lucy; had never seen Lucy in Mrs. Newsom's house; had seen Mr. Newsom when he was speaking to Lucy, in the yard; had never seen defendant go into Lucy's house.

Cross-examined—The two houses joined about half the length of one room; Lucy Devereux had occupied the rooms, but she did not know how long; heard she had rented them; a porch connected both houses; the roofs were separate.

The case was in progress as we went to press.

FROM THURSDAY'S DAILY, OCT. 8.

Ten Years.—George Thorn, found guilty of attempting to procure an abortion on Elizabeth Craig, in Spanish Fork, some months ago, was yesterday sentenced by Judge Powers to ten years' imprisonment in the penitentiary.

Cases Continued.—The cases of the United States vs. Henry Dinwoodey, indicted for unlawful cohabitation, United States vs. Royal B. Young, polygamy and unlawful cohabitation, and The People vs. Agnes McMurrin, perjury, were to-day ordered continued until the next term of the Third District Court.

On the Decrease.—The quarantine physician reports that yesterday four more yellow flags were taken in, diphtheria having disappeared from each place. But two flags are now out, one at Jos. McMurrin's, in the Eighth Ward, where there are three children afflicted by the disease, and one at Mrs. Musser's, in the Eighteenth Ward, Miss Flo Musser being a sufferer from a very severe attack of the contagion.

Fire at Tooele.—Our correspondent J. D., informs us by letter from

Tooele that a fire occurred at that place on the 6th inst., which entirely consumed the house of Mrs. John Dunn, Sr., a poor widow. The neighbors did their best to save the property, but owing to an insufficient supply of water in the ditch they were unable to do so. Among other things consumed in the house was a quantity of dried peaches, which the old lady had toiled to accumulate as a means of procuring her winter's provisions.

No Indictments.—Dispatches received from Green River announce that the grand jury failed to find indictments against the perpetrators of the Rock Springs massacre, or any of them, stating as the reason that there was no evidence produced to justify it. This is a splendid commentary on "justice" as it is in the Territories; in Utah indictments are ground out as if by machinery, for differences of opinion; in Wyoming they fail to present even one case with a mass of murders to work upon.

Conference Minutes.—The following account of the proceedings in Conference at Logan yesterday afternoon and this morning was received as a special telegram to the News this afternoon:

The speakers yesterday afternoon were Apostle F. M. Lyman and Elder Seymour B. Young. Their remarks were of a general character, and referred more particularly to the trials the Saints were at present called to pass through.

Brother Lyman, in unmeasured terms, deprecated the actions of certain men, who, for many years, had been looked upon and considered staunch in the faith, and who had wavered in the hour of trial, and hesitated not to go back upon the sacred covenants they had made with their wives. He attributed all such faltering to a neglect of religious duties, and asserted that no man who had lived his religion and enjoyed the Spirit of God would ever be found willing to renounce any principle of his faith, even in the face of imprisonment. He exhorted the Saints to be faithful, and said all would yet be well.

Brother Young endorsed the sentiments contained in the Epistle of the First Presidency; he spoke of the early days of the Church, and bore a faithful testimony to the work of God.

This morning, Thursday, the speakers were Apostle F. D. Richards and Bishop John Q. Cannon. The former delivered an elaborate discourse upon the fundamental principles of law as laid down by Blackstone, and made special reference to the unconstitutionality of laws that had been passed against the Latter-day Saints in regard to their marriage relations. He spoke of the trials some people were called to pass through at the present time, and exhorted the people, by drawing inferences from the sufferings of the former-day Saints, to strict faithfulness to all the laws of God. When celestial marriage was revealed there was no law against it. Congress had passed laws to entrap the Saints, who had no desire to break any constitutional law of the land.

THE NEWSOM CASE.

A VERDICT OF GUILTY ON BOTH COUNTS.

WEDNESDAY AFTERNOON.

Orson P. Arnold was sworn; he knew the defendant, and also Mrs. Newsom; first saw them in the Commissioner's Court about eight months ago; was never introduced to Mrs. Newsom.

George Rodford was called. He knew the defendant and Mrs. Newsom; first saw them in 1865, when crossing the plains from Nebraska to Utah; had not received any introduction; Mr. Newsom was an employed hand, and his wife was traveling with him; they were in the next wagon to witness; had heard defendant call Mrs. Newsom his wife; said he came from Cape Colony; did not know where they were married, or for how long.

Lizzie Devereux was the next witness. She was living at Rowland Hall; came to Utah a little over two years ago, in the summer of 1883; had lived at various places since then; knew Mr. Newsom and Mrs. Newsom; was first introduced to defendant on the street, and was introduced by her sister Lucy to Mrs. Newsom, in the latter's house, in presence of defendant; had never heard defendant speak of his marriage; did not know Mrs. Newsom's name; Lucy came to Utah over four years ago; when witness came she was living with Mrs. Austin; Lucy left there in November, 1883, and went to Mr. Newsom's; witness had visited her sister, who occupied the house next to the store; always saw her in the kitchen; there were three other rooms; Lucy occupied the bedroom; there was another house very close, occupied by the Newsoms; had seen the latter in Lucy's rooms, during last year, many times; this was in the daytime and evening; had never been there at night; all had used one kitchen part of the time, and ate together, before and after the birth of Lucy's child; the child was about thirteen months old, named Mucella Maud; never heard it called any other name; when the child was born, Lucy lived in her own rooms; Mr. and Mrs. Newsom were there about that time; had seen defendant with the child, but never heard him call it his; he had had the child in his arms; had not seen Mr. Newsom in Lucy's bedroom, but had

seen him taking supper with them; this was last year; witness had remained in her sister's house all night, and slept with her, before the birth of her child; went there on invitation of both defendant and Lucy; had never heard them refer to each other as husband and wife; Mr. Newsom was reputed to be the child's father; Lucy went to her rooms in Newsom's in November, 1883; witness was there the same day with her, and also the defendant; there was nothing said about a marriage; Mr. Newsom invited witness there; she remained until about 10 p.m., and went home alone, leaving Mr. and Mrs. Newsom and Lucy there; the Endowment House was spoken of, and of the three having been there. She testified that on the day that her sister Lucy went to live in Newsom's house nothing was said of getting married; the witness had never seen Mr. Newsom's writing; her mother, Lucy Devereux, was living in England; had heard Mr. Newsom speak of having written a letter to witness' mother; did not say what it was written about; defendant asked witness if she had heard from her mother; her mother afterward wrote her what it was about; the conversation with Mr. Newsom took place in Lucy's sitting room; never heard of any other letter.

Mr. Miller, Marshal Ireland's clerk, testified that he had seen the defendant write his name. (Mr. Varian here showed witness a letter.)

Judge Harkness asked Mr. Miller how many times he had seen defendant sign his name, and answered, three times; this was all the acquaintance with his writing.

Mr. Varian—State, Mr. Miller, whether or not this signature I have shown to you is Newsom's signature. Objected to by the defense.

Mr. Varian argued that it was proper testimony to prove the handwriting, and read from authorities to sustain his position.

The question was submitted without argument by the defense, and the court overruled the objection.

Mr. Miller replied that the signature referred to was that of Mr. Newsom; it was very similar.

By the defense—Mr. Miller said his opinion was based on a comparison of the two signatures, made within fifteen minutes of the signing of the pay roll.

The defense moved to strike out the testimony of the witness.

The motion was overruled by the Court.

Marshal Ireland was next placed on the stand, and testified that he had seen the defendant sign his name three times, and that he believed the signature to the letter to be the same. Defendant had signed the pay roll in the Marshal's office. Witness had compared the papers at the time, and his belief was from knowledge at seeing defendant write and making the comparison.

The prosecution then offered a letter purporting to have been written by the defendant in Utah, to Mrs. Lucy Devereux, in England.

The defense objected to its introduction.

The Court overruled the objection, and Commissioner McKay read the letter, dated March 8, 1884, placing the date of defendant's marriage with Lucy Devereux on November 13, 1883.

Lucy Devereux was next called and sworn. She lived in the 11th Ward, on the corner of Ninth East and Second South Streets, on the same lot as Mr. Newsom; there was a passage between her house and the store; there was no porch to her house; witness had a child; she was not married.

Varian—Who is the father of your child?

A—I refuse to answer.

Varian—Have you been in the Endowment House?

A—Yes.

Varian—In November, 1883, were you married or sealed to W. D. Newsom?

A—No, sir, not then.

Varian—When were you sealed to him?

A—In November, 1881.

Varian—That would be four years ago?

A—I guess it would.

Varian—How long had you been in the country?

A—A few months.

Witness went to live at Mrs. Austin's when she came to Utah; did not know defendant's writing.

Varian—Have you lived with him as his wife?

A—I refuse to answer.

Varian (showing letter)—Did you ever see that letter?

A—No—oh, yes, in the jury room; not before.

Witness first met defendant at Mrs. Austin's, where he came to see her; was not married; was sealed for time and eternity; moved in November, 1883, to Mr. Newsom's house; she rented the rooms, and provided for herself; had always had rooms of her own.

Varian—Since the 15th day of November, 1883, and prior to the 1st of April, 1885, have you occupied the same bed with him?

A—I refuse to answer.

Mr. Varian insisted on an answer to this and the first question declined.

"Who is the father of your child?"

The defense objected to the question as immaterial.

The Court overruled the objection, for the reason that the birth of the child was an indication of a marriage relationship, and instructed the witness to answer.

The questions were then read to the witness, who still remained silent, and,

at the request of Judge Harkness, was given until to-day at 10 a.m. to consider the matter, to which hour the Court adjourned.

When the case was taken up this morning, the questions were again read to the witness, and she replied that the defendant, Wm. D. Newsom, was the father of her child, and that he had occupied the same room with her; she had but one child; she believed in a God; would say on her conscience she was sealed to defendant before November, 1883.

John H. Freeman was called. He lived at 324 Eighth East; knew defendant and his wife; had known them four or five years; had lived there from November, 1884, to April, 1885, in an upper room; knew Lucy Devereux; saw her at Newsom's house; he introduced himself; she lived in a house on Newsom's lot; there were three rooms in the house; had been in the house many times; had taken meals there; saw defendant around the place; knew the child; it was an infant when he went to live there.

Lucy Devereux was called for cross-examination by the defense—She was sealed to the defendant in 1881; there was never any other ceremony; they had agreed to keep the ceremony a secret.

By the prosecution—Married defendant on a few months' acquaintance; she joined the "Mormon" Church in England; they agreed to keep it secret; Mrs. Austin knew of it two years before she left, and they had a disagreement about it; recollected going to Newsom's; Mrs. Newsom was there; did not remember her sister calling there; had not talked of having been through the Endowment House; did not remember her sister's call; did not know of defendant's having written to her mother in England; (showing witness' letter) did not know anything of the letter when it was written; did not know whether defendant wrote or not; it was not true that they were married November 13th, 1883.

By the defense—The cause of the disagreement with Mrs. Austin was because the latter had accused her of being defendant's wife. Prosecution rested.

Wm. D. Newsom, the defendant, was called for the defense. He knew Lucy Devereux; she was sealed to him in November, 1881, in the Endowment House; there had been no other ceremony; she was then living at Mrs. Edward Austin's; his first wife did not know of it; Lucy still continued to live at Mrs. Austin's; first acknowledged his relation with Lucy to his first wife sometime before they lived together; there was an understanding that it should be kept secret. (Examining the letter); denied having written the letter; it was not his signature, but was very similar.

Cross-examined by the prosecution—Was sealed to Lucy Devereux; it was the usual ceremony; they made a covenant when they were sealed.

Varian—Is there any promise or covenant in the sealing?

A—That is not for you to know.

Varian—I do not want you to violate a secret. Did you make promises and covenants together, or assent to such?

A—Yes.

Varian—There was no other form or covenant?

A—No.

They had lived together as husband and wife; the Court had decided it to be concubinage; his first wife was not willing, at the time of the marriage; had been acquainted a few months with Lucy before the marriage; first met Lucy at Mrs. Austin's house; the courtship lasted a little over a month; was sealed without the consent of his wife; did not know another W. D. Newsom—Wm. David Newsom; the letter was not his writing; heard Lizzie Devereux' testimony; had not particularly noticed it; was thinking of other things; if she said they talked of being in the Endowment House Nov. 13th, 1883, it was not true.

The defense then rested, and Mr. Varian delivered the opening address to the jury, asking a verdict of guilty on both counts.

Judge Harkness then made a short argument for the defense. He did not deny the cohabitation count, but held that the polygamy charge was barred by limitation, as shown by the evidence of the only two witnesses who had a knowledge of the facts in the case.

Mr. Kirkpatrick followed for the defense, and the arguments before the jury were closed by Mr. Varian for the prosecution.

The Court then charged the jury that, to convict for polygamy, it was necessary for the second marriage to have occurred within three years prior to the finding of the indictment. The jury should take into consideration the letter which had been written. If they believed the defendant had lived in the habit and repute of marriage with the women named in the indictment, within the dates therein named, they should find the defendant guilty. They were the sole judges of the credibility of witnesses, and whether or not their statements were consistent. They should draw only reasonable conclusions from the evidence.

At 12:15 p.m. the jury retired to their room, and at 2 p.m. returned a verdict of guilty on both counts in the indictment. Saturday, the 17th instant, was set for pronouncing the judgment of the Court.

—The Bear Lake Democrat will hereafter appear as the Southern Idaho Independent.

FROM FRIDAY'S DAILY, OCT.

Death at Mountain Dell.—W. W. Taylor, who learned of the death of the daughter of Brother W. W. Taylor, Mountain Dell, which occurred this morning. She was at Sunday School and meeting on Sunday last, and was in perfect health, but on Monday was taken ill with inflammation of bowels, from which she suffered cruelly until death relieved her. She was a bright promising girl, her death has cast a gloom over the little village in the canon, and over her acquaintances elsewhere, far as the news of her demise has extended. We extend our condolences to the bereaved parents.

Antidote for Poison.—Mr. Weeden, writing to us from Salt Lake, Oct. 14th, says:

"I have heard there is a reward of \$1,000 offered for the cure of a scorpion sting, and here it is, reward on 'Moisten common soda with water, make a plaster a little larger than the swelling and apply immediately, two minutes; then make another change, and the cure is complete."

We have also received a communication from another party who claims to have in his possession a never-failing antidote for the sting of the scorpion, or poisonous insect, from any other venomous insect, which can be carried about the person for immediate use. He does not inform us what the remedy consists of, but wants to know who it is that offers the reward. This we are unable to tell, as our informant, a lady from Arizona, merely told of the fact, out stating the name of the individual who is willing to so invest his money.

Jvan Stephens in Boston.—Private letter from Brother Stephens we learn that he is along well in his musical studies, the New England Conservatory Music, in Boston. He says:

"I have been saved one or four terms by passing a successful examination in 'Harmony,' at the first week. I hope to pass the same in 'Counterpoint' at the first term. I study voice and the piano also under an excellent teacher; have comfortable lodgings and am feeling quite well. I have a little chat about 'Mormonism,' young men, students and others, invariably let them know that I am proud to be a Latter-day Saint, and they never seem to think of me when our chats are over. They did, I would only be sorry to hear, and not myself."

He is very anxious to have his mer pupils and other friends write to him, and they should all means, though it is a long way, whether he will find time in the of his studies to correspond with them. His address is New Conservatory, Franklin Square, Boston, Massachusetts.

From the "Old Dominion."—Elder Jens Jensen, of Mendon, George A. Biglow, of Millville, returned night before last from a mission to the South, paid us a visit yesterday. They started upon a mission on the 27th of February, and were both assigned to the Y. M. conference, where they continued labor up to the time of being called to return home, the first of the month separately and in different parts of the South, and in various other places, and in the missionary field has been after the ordinary style, labored devotedly to sow the seed, meeting frequently with aging circumstances in the total indifference, unreasoning, and more or less active opposition, but being encouraged by a consciousness of the disapproval of their labors and by the finding an honest soul to receive their testimony and in the principles of the Gospel. A number of that State are noted for hospitality, and the Elders met with kind treatment, a few instances were of sleep out in the woods, cause of bitter prejudice, and them from obtaining lodgings, prospects generally for proselytizing in Virginia are not very bright, though in a few districts a slight disposition to investigate the truth.

THE HANSEN CASE.

THE USUAL VERDICT OF A COURT.

In the examination of witness in the Hansen case, continued from report of yesterday, A. C. Jensen testified that he was the father of Katrina Jensen; he came to Utah years ago; his daughter did not live with him; she came the year and was married to Hansen; had seen her in Hansen's house; she lived there; there were two in the house, and a cookstove in each; both women lived in the house; Anna Maria Hansen was defendant's wife.

Cross-examined—Was at Hansen's house about two months since, about half a mile from Hansen's land; had no desire to put out in the penitentiary in order to live.

Anna Katrina Jensen was called and was married to the defendant; were two rooms in Hansen's house and Anna Maria Hansen lived in the house; and witness in the other; lived in the dugout since Anna