

Witness—Mr. Groves, I think.
Mr. Clarke—How old is your child?
Witness—About nine—or about seven months, I believe.
Mr. Clarke—You have stated that Mr. Williams is not the father of your child, now will you tell us who is? I want to know who its father is, and I am going to have an answer if I have to wait all day for it.

The witness remained quiet for several minutes, when the commissioner informed her that he thought she was trifling with the court, and that unless she answered such questions as were put to her, he would feel compelled to send her to jail. "I don't want to be harsh with you, and I don't intend to be," said the commissioner, "but you have been asked questions that are eminently proper and it is your duty to answer them. It is in the power of the court to punish those who do not answer."

Mr. Groves—May I advise her?
Mr. Clarke—In what capacity?
Mr. Groves—Well, I merely wanted to advise her to tell the truth.

Witness again asked that she might be allowed to consult with a friend, but the request was denied, the Commissioner remarking that it would be something unheard of if a witness for the prosecution were allowed to take counsel from the defendant in the case. She then requested, after a pause of several minutes, that she might be allowed to talk to Mr. Barney. The reply was in the negative, when Mr. Barney informed the court that he saw no reason why she should wish to take advice from him as he had never seen her before the present time. As a last resort she asked that she might have a little conversation with a small girl present. This also was denied, and she was sent to the marshal's office.

Mary Ann Groves was then called. She testified that she was a married woman, being the wife of the defendant. Continuing she said: He had a wife living at the time I married him, but she has been dead twenty years or more. No ceremony has been performed since that time; have heard rumors that Miss Stuart was the wife of my husband, but do not know it; went to her house once with my husband, where I met her; her name is Mary Ann Williams; I do not know whether she is married, to my husband or not; it is about four years since I heard the rumors that she was married to my husband. Do not know when her last child was born; she has four children living, I believe, but what their names are I do not know; my husband never told me that he was married to Mary Ann.

Several other witnesses were called, but their testimony was not material. The witness M. A. Williams was again called.

Mr. Clarke—Are you ready to answer the question lately put to you?
Witness—I don't know.

The Commissioner—Are you ready to answer such questions now as the court thinks you ought to answer? Are you, or not?
A pause.

The Commissioner—I want an answer, please.

Witness—I don't know whether I am or not. I am willing to tell the truth, so far as I know.

Mr. Clarke—Well, then, who is the father of the child?
No response.

Mr. Clarke—Did you have intercourse with more than one man in the year 1887?

Witness—No, sir.

Mr. Clarke—Well, who was that man?

Witness—I can't tell.

The Court—That question is entirely proper, and the court knows you can answer it if you choose to do so.

Mr. Clarke—I submit, your honor, that she can and must tell. It is simply folly for her to make such answers.

The Commissioner—You must answer that question or the court will be compelled to inflict punishment. Will you answer?

Mr. Clarke—Were you ever married to Mr. Groves?

The Commissioner—I think that question hardly necessary; the court cannot be trifled with in this manner. The witness was then ordered committed, and the defendant's bonds were increased to \$2,000.

Mr. Groves was then arrested on the charge of polygamy, and M. A. Williams was again called as a witness. By this time she had concluded to answer the questions, and testified—Mr. Groves is the father of my youngest child; he is my husband; we were married at a private house in this city in March preceding the birth of the child; that was 1887; I don't know who performed the ceremony; I don't remember the nature of the ceremony, but I considered that we were married; the defendant has since supported me.

The witness was then required to give \$250 bail for her appearance before the grand jury, and Mr. Groves was also placed under bonds to await action on the polygamy charge.

THOMAS GUNDERSON, of Mill Creek, Salt Lake County, appeared before Commissioner Norrell this morning, on a charge of unlawful cohabitation. He pleaded guilty and was placed under bonds to await the grand jury's action.

ASAHEL L. FULLER, appeared before the Commissioner today, for a hearing on the charge of unlawful cohabitation. Mr. Clarke prosecuted, but there was no one present as counsel for the defendant. The complaint named Mrs. Jane Fuller

and Mary A. Herbst as the defendant's wives.

Mrs. Fuller testified that she was the legal wife of the defendant. She declined to testify against her husband. John Herbst testified that he was the father of the alleged plural wife. The examination to which he was subjected partook of everything except a direct nature, the questions being such as, "What is your idea about it?" "Haven't you heard that such is the case?" "Isn't it rumored or reputed that your daughter has a child?" etc. Questions were also put as to whether or not Mr. Fuller had provided for the alleged plural wife while he was absent in Tennessee.

Miss Amanda Herbst was the next witness. She testified: I have lived in the city most of the time for the past four years; have been home the past month; Mary Herbst is my sister; have not seen her for a week; it is rumored that she is married; it is said that Asahel L. Fuller is her husband; I have not seen Mr. Fuller at father's house during the past three years; he has been away most of the time, I believe; I have not seen him for three years until this morning; my sister went away last Monday, the day Mr. Fuller was arrested; she went away before he was arrested; I suppose she is all right, she will take care of herself.

Miss Laura Herbst testified—I live at Mill Creek, with my parents; my sister Mary has lived there most of the time for the past four years, she has been out sewing for various parties during a portion of the time; she has not made her home at Mrs. Fuller's that I know of; she has called once within the past month; that was before Mr. Fuller came home; she has received letters, but I do not know who wrote them; I do not know of her getting money in those letters; she did not live at Mr. Fuller's just prior to his departure from the south. (This witness was weeping during the most of the time she was being interrogated by Mr. Clarke.)

Recess was taken till 1:30 p. m. At that time one witness was called but nothing new was elicited.

The commissioner then ordered that Mr. Fuller be discharged.

FROM MONDAY'S DAILY, DEC. 3.

From Prison.

Today, Bishop John Jardine, of Clarkston, Cache County, Thomas B. Helm, of Pleasant View, Weber County, and Robert G. Fraser, of Gunnison, Sanpete County, emerged from the penitentiary. The last named served thirty days because of his inability to pay a fine of \$100 and costs; the others had a six months' sentence in addition to the fine. All were imprisoned for living with their wives.

School Funds.

Commissioner P. L. Williams has apportioned the public school money to the various school districts of the Territory, and the county superintendent of Salt Lake County will issue his orders to the school trustees on Saturday, Dec. 8, at 1 p. m., at the Thirteenth District schoolrooms. The school fund is larger than the previous year.

Attempted Safe Robbery.

An attempt was made to rob a safe in the auditor's office in Paris, Bear Lake County, Idaho, on Monday night. Entrance was gained to the room by prying the door open. The knob and combination dial, door handle and hinges were broken off. A hole was drilled through the outside plate to the combination. When discovered in the morning the safe was locked and the supposition was that it had not been opened, while some thought perhaps it had been opened by someone who knew the combination and had closed it and broken the combination off to avoid suspicion. Auditor Montanya worked all day on it trying to use the combination by holding to the spindle; about 5 o'clock his efforts were successful, and everything was found intact.

It was the only safe belonging to the county and was used by Assessor Mills as well as for keeping the postoffice funds. Mr. Montanya being postmaster, and there was nearly \$10,000 in money in it.

The indications were that it was not the work of experts but of novices. A slight snow had fallen during the night and tracks were found leading from the court house to a blacksmith shop across the street. No clue to the would-be robbers has yet been obtained.—*Eagle Rock Register*, December 2d.

Thieves at Work.

Yesterday Peter G. Burt's store, at 321 W. Fifth South Street, was broken into. A hole was cut through the wire door, and the meat market entered; from there the intruder got into the store, but did not succeed in getting away with any cash.

A short time since a sheepherder was robbed of \$32. Yesterday Deputy Marshal Cannon arrested Joseph Walkey at North Point, for having committed the offense. The accused is about 19 years of age, and is also a sheepherder. He is said to have stolen the money and spent it for a shooting outfit. He was brought before Commissioner Norrell, but being unable to furnish security for his appearance he was committed to the

penitentiary. He is to have a preliminary hearing on Thursday next.

On Saturday a saddle and part of a buggy harness was stolen from G. A. Hill's stable. This morning the police arrested Martin Olsen for the offense. The property was found in his possession, but he claimed to have bought it for \$250. He was unable to give \$500 bail, and was committed to the city jail. A preliminary examination is to be held on Saturday.

Last night Charles Matthews, a boarder at the Windsor hotel, lost his overcoat, which had been carried off by a thief. The garment was worth \$85. The owner notified the police.

On Saturday night a young man named Pettit was going along the east side of Washington Square, when he was set upon by two highwaymen. One seized him by the throat while the other searched his pockets. The thieves took a silk handkerchief, a revolver, and nearly \$3 in cash. The police were notified.

THE CHURCH PROPERTY.

Probable Early Hearing of the Confiscation Case.

WASHINGTON, Dec. 3, 1888. [Special to the *Deseret News*].—Hon. E. S. Richards appeared before the Supreme Court today and moved for the advancement of the appeal from the decree of the Supreme Court of Utah, confiscating Church property. He presented strong reasons for the advancement and made a clear statement of the case. The government offered no opposition. It is believed the case will be advanced. There is a strong public sentiment against the confiscation of Church property. Mr. Richards will remain to await the decision of the court and arrange for trial.

FIRST DISTRICT COURT.

Several More Mormons Cast Into Prison.

AT PROVO.

On Saturday the time of Judge Judd was principally occupied in hearing the case of Anna Marks vs. W. H. Culmer et al.; the jury returned a verdict for Mrs. Marks, assessing her damages at \$200.

D. Hansen; poisoning cattle; sentenced to one year in the penitentiary.

Byron Brown, convicted of perjury in saying he did not believe in polygamy, was sentenced to three years in the Detroit prison, at hard labor, and to pay a fine of \$1000. An appeal was taken to the Territorial Supreme Court and bail fixed at \$3500.

AT OGDEN.

Cases heard before Judge Henderson on Saturday:

Abram Hillam, charged with unlawful cohabitation, withdrew his plea of not guilty and entered one of guilty; sentence was set for Dec. 10th.

Larsen Fastrup was arraigned on a charge of unlawful cohabitation and pleaded guilty. Sentence was set for Dec. 24th.

George Davis withdrew his former plea and entered one of guilty to unlawful cohabitation. He was sentenced to three months' imprisonment and payment of costs.

Peter Jorgensen was arraigned on a charge of unlawful cohabitation and pleaded guilty. Sentence was set for Dec. 13th.

Johanna C. Poulsen and Lena Erickson were arraigned on a charge of fornication and pleaded not guilty.

The arraignment of Gustaf Gustafson was postponed until Dec. 4th.

The case of the People, etc., vs. Charles Chase, misdemeanor, was placed on trial and soon disposed of. Defendant was accused of killing a dog. The jury brought in a verdict of not guilty.

The following Ogden City cases were set for trial: Ogden City vs. Jas. Calvert, December 6th. Z. Astell, James Berry, December 6th. Michael Drowdowitz, James Middleton, John D. Rowland, James Thompson, December 7th.

The People, etc., vs. Bashrod Wilson, was set for trial December 8th.

The grand jury filed into court and reported six indictments, four in United States and two in Territorial cases.

The case of the People, etc., vs. John McCulloch, had been ignored.

Phineas Cook was arraigned on a charge of unlawful cohabitation and pleaded guilty, waiving time for sentence. He was 69 years of age; was born in Connecticut; had lived here forty years; had three wives; the last was married ten years ago; he had not known that there was a law against it, though he had heard of the Edmunds law; had divided his property with his first wife who was not living with him now. He was sentenced to one month's imprisonment.

He was then arraigned on a charge of adultery and took the statutory time to plead.

Richard Thorne, convicted of unlawful cohabitation by his plea of guilty, was sentenced to four months' imprisonment and to pay a fine of \$100 and costs.

John Thorp was called for sentence. He had three wives; had 16 children in all. The court sentenced him to six months' imprisonment and to pay a fine of \$100 and costs.

Christian Jensen; unlawful cohabitation; sentenced to two months' imprisonment and to pay a fine of \$150 and costs of prosecution.

J. H. Brown, of Logan; unlawful cohabitation; called for sentence. He was 58 years old; was naturalized some five years after he had entered into polygamy; married his last wife in 1883.

Court—Do you hold any position among your people up there?

Mr. Brown—I am a Seventy.

Court—How is it that so many of your people from Cache County plead ignorance to the laws concerning polygamy? Don't you teach them that it is wrong?

Mr. Brown—Your honor, I prefer to take the judgment of the court according to your ideas of the matter, than to be humiliated in open court.

Court—The sentence in your case is that you be confined in the penitentiary for a period of four months and pay a fine of \$200 and costs.

Wm. Skeen, convicted of unlawful cohabitation, was called for sentence. He promised to obey the law, and the court suspended sentence during good behavior, on condition that defendant pay the costs of prosecution.

Garrett Woolverton was arraigned on a charge of unlawful cohabitation, and pleaded not guilty. The case was set for trial Friday, Dec. 7.

John Kelley and John Andrews were arraigned on two indictments charging burglary alleged to have been committed at the Chapman House and the Central Hotel. They pleaded not guilty. Their trial was set for Saturday, Dec. 8th.

Robert Creshaw was arraigned on a charge of unlawful cohabitation, and pleaded guilty. Sentence was set for Dec. 24th.

Stephen Nye was arraigned on the charges of unlawful cohabitation and adultery. He pleaded guilty to the former and not guilty to the latter. Sentence for unlawful cohabitation was set for Dec. 24th.

John W. Lindstrom, John P. Bjorklund and Wm. C. Joseph were admitted to citizenship.

IN UTAH STAKE.

Yesterday's Meetings of the Quarterly Conference.

SUNDAY FORENOON.

The wisdom of the authorities in changing the time of holding our Stake quarterly conference from Saturday and Sunday to Sunday and Monday was apparent from the large attendance of Saints at the opening session this morning at 10 o'clock, when President A. O. Smoot called the assembly to order.

After singing, and prayer by Bishop John Brown, of Pleasant Grove,

BISHOP O. E. WHITNEY

made the opening remarks of the conference. He enjoined upon the Latter-day Saints union in all things, and urged powerful considerations for attending our meetings and to our duties generally. The fallacy of liberty in division was dwelt upon at length. The Spirit of Truth does not tell the truth at one time and falsehood at another, and it is our only safe guide. Wished the people to post themselves upon events made known by the daily newspapers, as well as in history and science. Honesty of purpose should characterize Latter-day Saints; then there is no hypocrisy. Let each search himself through, that if any deceit is there it may be rooted out.

In other pursuits of life men go at their labor with full purpose of heart, but the work of God is neglected by many such. Practice must prove the sincerity of our professions. A knowledge of the truth can be had only by honesty, and darkness is doubly dark when the light of truth has been extinguished. This work never was intended to stand still and it never has done so. The only way to keep in its light is to go onward. Every ordeal has left it brighter. Not quantity but quality is what God wants. Let me tell you, you are not justified in committing sin because of the misdeeds of others. No one stands between a man and his God. There is one key to truth and that is the Holy Ghost. God will honor more that man who comes freely with his gift than he who comes with trembling and fearing his gift will be stolen.

The principle of tithing was dealt upon by the speaker as a blessing and as a means of proving ourselves. We shall need the benefit of obedience to every such principle if we endure to the end. Do right for the right's sake and for the honor and glory of God. Because we do this the world do not understand us. Let us go on with the work of God, and to do this we shall have to be continually growing as this work has grown within our knowledge. We must expect persecution, for innovation has always met with it. History has only one page; the people worship the dead Prophets and mob the living ones. Let us stay far from bigotry, and expect greater progress than we now dream of. Live by every word of God today and you will be prepared for His teachings tomorrow. May God grant that such may always be our condition.

After singing, benediction was pronounced by President Jacob Gates.

SUNDAY AFTERNOON.

President David John called the congregation to order, and Elder Wm. H. Kelsey, of Springville, offered the opening prayer.

The Sacrament was administered by the Bishopric of the First Ward of Provo.

PRESIDENT JACOB GATES

was the first speaker. He dwelt at considerable length on the history and growth of the Church, and the present duties and privileges of the Saints. It has been contended in all Gospel dispensations that works must be mixed with faith, and thus we teach. But the world do not like to hear of Prophets living in our day. We find the organization of the Gospel very efficient in the government of the people, and we speak as Paul does regarding any one who preaches anything but the truth.

The speaker compared the condition of the Church to the parable of the ten virgins. Exhorted the Saints to stand ready. My testimony is that the Gospel is all it professes to be. May God help us.

PRESIDENT DAVID JOHN

felt thankful for the spirit at our conference. As was said this morning, our course has always been upward and onward, and we may expect nothing else now. Still all that can be shaken will be. Our pretensions will not admit of common-place virtue; something more than is expected of the infidel ought to be seen in the conduct of the people who have received the plan of redemption. He had just heard that three ministers of Ann Arbor had announced last Sunday to their congregations, that they had in their midst a secret meeting of "Mormons" where the Sacrament was partaken of, saying that such conduct must be stopped. This is nothing new for "Mormonism." Our young folks attending the University there are just getting a taste of the experience of the Latter-day Saints from the first.

We do not care for the outside pressure, if we can only keep ourselves pure within. We wish to reach the hearts of the people here. To this end word was sent out to all the wards to have the people visited at home, but up to the present no word has come back. Now President Smoot has received the sanction of the Twelve Apostles to send out in the Stake a number of special missionaries to do this work. We have urged the Saints to pay their tithing honestly regardless of what may become of it. If we keep this law the destroying angel will be kept from our midst. We call upon the Bishops to receive these missionaries in the proper spirit, and to go with them from house to house to visit the people occasionally. We call upon the people to throw their minds upon the love of Christ and the goodness of God.

The speaker referred to the sacrifices made for the Gospel by the Savior and His Apostles in former as well as in latter days. In view of this we should arouse from our lethargy. If we don't pay our tithes to the Church, we'll pay them some other way, ten times over. Let us be true and faithful. I ask you, my brethren in this Stake, act up to your duties or resign. The speaker bore a powerful testimony of the Gospel.

PRESIDENT A. O. SMOOT

announced that some of the Twelve were expected this morning and are looked for this evening. The wave of infidelity passing over the world is reaching the Latter-day Saints. We are drifting into the civilization of the world, and it is not with the young alone. For many years after coming here we were a very moral people, but to a degree we have abandoned these principles. Shall we not lay aside our evils? If we do not I tell you, God will rebuke His people. Let us pay our tithes and build our temples and work for our dead.

The speaker announced a general Priesthood meeting for the evening.

The choir sang an anthem and President H. H. Cluff pronounced the benediction.

Provo, Dec. 2, 1888.

In Search of his Sister.

There is a young man, a native of Switzerland, in the city, who is on an anxious errand—the search of his sister. His name is Rudolf Reusser, at present working on the gas works. He tells the following story:

His family lived at Thun, that beautiful and quaint lakeside town in the Bernese Oberland (see "Tramp Abroad.") The family, as most families in that region of country, was numerous. One of them was his daughter Elise, who was married to one Gottfried Farny. The latter, who had joined the Mormon Church, left for Utah in 1882, with his wife and their two children followed in 1883. Since that time their relatives in the old country only heard once from them and at present their whereabouts are a mystery. Please address Rudolf Reusser, care of *Utah Daily Union*.—*Utah (Ogden) Daily Union*.

First District Court.

Proceedings at Provo on Wednesday, before Judge Judd:

The attention of the court the whole day was given to the case of Anna Marks vs. W. H. Culmer et al.; Mrs. Marks makes a claim of \$8000 damages, \$3000 for damages to goods and \$5000 to her person. A formidable array of counsel is presented, Messrs. Varian, Thurman, Evans and Sutherland appearing for the plaintiff, and Arthur Brown and John R. McBride for the defendants.

Morton Peterson was admitted citizenship of the United States.