

THE HAMILTON CASE.

The trial of James C. Hamilton, of Mill Creek, indicted for unlawful cohabitation, was begun. Mr. Rawlins appeared for the defendant. Several jurors were challenged by the defense and ordered to withdraw from the box.

Bella Hamilton, aged 16, daughter of the defendant by the first wife, said that Belle Hamilton was her father's second wife, and as such was recognized by the family. She had one child, Florence, nearly four years old. Before Christmas, 1888, during the time her father was in the penitentiary, Belle Hamilton lived with witness' mother. Upon his release she went to live with her (witness') grandmother, and had since continued to remain there. Belle had been engaged in school teaching, but had not been in the habit of assisting witness' mother in the domestic duties. She might have come to the house on one or two occasions, while other persons were visiting there.

Cross-examined—She had never known her father introduce Belle to anyone as his wife, and was not aware of her having remained a single night in her father's house. She did not remember her father having remained away from home at night.

John Hill, Jr., Mill Creek, was acquainted with Bishop Hamilton, the defendant, and his family, and lived near them. He knew Belle, who was understood to be defendant's plural wife. During the year 1889 he saw her at defendant's house, in the day time, on three or four occasions, and once or twice this year. When Belle went there the boys took her home.

Cross-examined: She goes by the name of White in Mill Creek.

Benjamin Hill said he was at a dance last Christmas, but had no recollection of seeing defendant and Belle there dancing together. On this point the witness was pressed by Mr. Varian, but he adhered to his statement. He had never seen her at the house.

Robert Hamilton, a young son of the defendant, was called but his evidence had very little bearing on the case.

Belle White said she was married to defendant on June 14th, 1885. At that time he had a wife living. Witness never took the name of Hamilton. After the marriage she lived with her mother. She had had one child only; it was now over three years old. In the year 1889 and subsequent to 1888 she was living with defendant's mother. Prior to Christmas, 1888. She stayed at defendant's house for a short time. Witness was at the house to receive the defendant, with the others, when he left the penitentiary, but left there immediately afterwards. She called at the house on three different Sundays last spring. During the time she was engaged in teaching, her child remained at defendant's house. She did not consider she was ever lawfully married to defendant. When he was first ar-

rested they agreed to live apart, and so obey the law. Her child had not been registered. When she had gone to defendant's house she had done so publicly and openly. Defendant did not visit her at the grandmother's residence.

Cross-examined: She once went to defendant's house to visit when his wife was sick, because she could not obtain anyone else, but returned home at night, and it was against the defendant's wish that she did so. He had requested her to keep away.

Parley Hamilton, son of the defendant, gave evidence which was not material.

This was the case for the prosecution, and the jury were then addressed by Mr. Varian and Mr. Rawlins, the latter of whom pointed out that the evidence brought forward by the prosecution entirely failed to show any wrongful act on the part of the defendant.

The court took recess until 2 p.m.

Upon the court re-assembling, the jury came in with a verdict of guilty.

Mr. Rawlins asked for a stay of proceedings for one month.

Mr. Critchlow (in the absence of Mr. Varian) offering no objection, Judge Zane fixed October 18th for passing sentence.

CITY COUNCIL.

The Council met as a board of equalization first, and listened to the reading of the following:

Gentlemen: Your special committee to whom was referred the case of Fred Simon and ten others, beg leave to report that in answer to a summons all the parties appeared before your committee excepting Mary Nixon and Emma N. Davis, and after having examined into the merits of the several cases referred to us we make the following recommendations regarding the same, viz:

That the assessment against Fred Simon on personal property be raised from \$8000 to \$15,000.

That the following sums of moneys assessed against the following parties be abated, they having satisfied your committee that the moneys so assessed against them have been expended in real property that has been assessed once for the current year:

Claudius V. Spencer, \$9000; John McDonald, \$5117; L. E. Snell, \$2500; W. A. Needham, \$3000; Joseph H. Haslam, \$700; E. B. Critchlow, \$9316, and J. T. Beless, \$2000. That the \$2375 assessed against B. S. Young be abated if Mr. Young can satisfy the assessor that he had disposed of the mortgages which this money represents prior to the date of the assessment levy. That the assessment of \$2100 against Mary Nixon and \$5900 against Emma N. Davis be confirmed.

Respectfully submitted,

M. K. PARSONS

JAMES ANDERSON,

W. H. H. SPAFFORD,

Committee.

The report was adopted, which action wound up the business of the board of equalization.

The Council then resolved itself

into a municipal legislature, and transacted the following business:

Wm. Burke and others asked to have established the grade of a new street extending from Main to West Temple, between Third and Fourth South. The city attorney said the council had no control of the street, until it should be deeded to the city, and the matter was referred to the committee on streets.

The Sun Vapor Company presented an amended proposition to furnish 100 street lights, reducing the price \$1.50 each. Referred to the committee on improvements.

W. N. Cook requested action on his claim for damages sustained by his wife, who fell in a trench along which no warning lights were placed. Referred to the committee on claims.

A communication from Sarah Skewes, regarding a claim previously presented by her, went to the same committee.

A communication from police justice Laney urged an increase in the compensation of the police court clerk. Referred to committee on police.

E. O. Sissett wanted to rent a house in the Seventh Ward which belongs to the city. Referred to committee on public grounds.

Aurelius Miner presented a demand for damages for false arrest and imprisonment on July 5th. Referred to the committee on claims.

T. E. Gregg and others asked to have Second South Street near Twelfth East, graded. Referred to committee on streets.

The Utah Central Railway Company informed the Council that it was ready to lay its track on Fourth West Street, and asked that a committee be charged with locating the same, the Union Pacific having taken up much of the street. J. H. Young, Esq., made a brief address in which he stated the situation tersely and comprehensively. The matter was referred to the committee on streets with instructions to report as soon as possible.

Peter Conney put in an amended bid for a lease on the Warm Springs property for five years. He offered to pay \$75 per month during the first year, \$150 per month for the second year and \$200 per month for the balance of the term, and he also agreed to expend immediately in improving the place \$4000, and \$500 additional during each year of the lease. Committee on public grounds.

Alfred Solomon and others asked that the license of the Eastern Oil Company be revoked, giving reasons for the request. Referred to the committee on licenses.

The city engineer reported that to make a good job of the bridges proposed to be built at Liberty Park, they should be supported by masonry, which would cost \$300. Adopted.

The same officer reported that the sum of \$748.80 was due J. S. Morse & Co., for work done on the Emigration pipe line. Filed.

The same officer reported that the Utah Artesian Well company had completed another 8-inch well on the 10-acre lot near Liberty park,