

THE JOB PINGREE CASE

REMARKS OF THE DEFENDANT AND COURT IMMEDIATELY PRIOR TO THE PRONOUNCING OF JUDGMENT.

Owing to the extraordinary interest attached to prosecutions under the Edmunds law, we are induced to publish a fuller account of the closing scene of the case of Job Pingree, of Ogden, than has yet appeared in our columns. A copious report is given in our esteemed and interesting contemporary the Ogden Herald, to whom we are indebted for the extracts following. The defendant being present in the Court of the First Judicial District to receive sentence under conviction for unlawful cohabitation, on Monday last, he was asked by the Court if he had anything to say why judgment should not be pronounced. In response he addressed the Court as follows:

If Your Honor please:

Three years ago last March this law, called the Edmunds law, was passed. I married this lady with whom I am accused of living, in 1861, and we lived together until the time of the passage of the Edmunds Bill. At that time I consulted with Mr. Tanner, a lawyer, in this city, in reference to the course I should take, so that I should be justified and not be liable to prosecution under this law. I read in my dictionary that dwelling in the same country constitutes cohabitation, but even if a man is separated from his wives the law presumes cohabitation with her. The course I have taken was recommended by Mr. Tanner, and he informed me I could go and see the children, as it was my duty to educate them and care for them when they were sick; but that I must discontinue making that my home. Accordingly, on the last day of March, 1882, being, if I recollect aright, on a Friday, I discontinued living with two women as my wives, and since then I have not been seen with them at the theatre, riding out with them, or going to meetings, or parties, or anything of this kind.

No man can say I have considered this woman as my wife since that time, or that I have been seen with them as stated. It was stated by one of my children that we have visited his house, but we did not go or come away together. It is true I undertook at that time to live within the law, and have kept it ever since according to my best understanding. The charge is preferred against me by some stranger whom I have never seen before, and I do not know that I ever saw him previously, but he was imported here, I presume, by Commissioner McKay. I was brought up on this charge and convicted on a presumption, and no doubt, if I had presumed to buy the gentlemen of the jury, and promised them \$100 in a week or two, or a month, they would have taken my word. It was supposed by many I would be acquitted, and I am half inclined to think the Prosecuting Attorney thought I would be acquitted. I do not know what your Honor's feelings were about the case.

I have on two different occasions been called upon to decide on real estate when the D. and R. G. came in here. These questions were before "Mormons" and "non-Mormons" and I endeavored in these cases to be fair and hope the gentlemen of the jury have done the same to me. If they have not I would just as soon be in my position as theirs. There is another item, my attorneys have asked to move for a new trial, I told them I would not do it, Your Honor has heard this case through and probably know as much about it as you would if it went through another trial. Hence, I do not ask for a new trial, but submit to Your Honor's disposition in regard to my case.

THE COURT.—The Court would like to know what your course in the future is to be in regard to the laws of this country. You have stated nothing on that subject, and I simply call your attention to it, that if you desire to say anything about it, you may.

MR. PINGREE.—That is something I know nothing at all about. I am now 47 years of age, and what I may do in the future, Your Honor, I cannot say. As soon as this law was passed I endeavored to keep it and have kept it according to my best understanding ever since. One thing I do know, there are plenty of men who would be willing to make a case against me. I have been a law-abiding man all my life through. I have been disfranchised now more than two years; I have paid my taxes, but cannot say who shall spend them, and, as far as the future is concerned, Your Honor, I cannot say what I would do. (Here Mr. Pingree related an historical circumstance explaining, in a measure, his position.) Your Honor is to decide by my conduct in the past. I have kept this law to a fuller extent even than my attorney instructed me to do.

THE COURT.—I think you are in error in one regard that there are people willing and anxious to convict you whether or no the facts warrant it; that is not the feeling I take it in this community. I know it is not the feeling of the American people, or of the administration to have the law enforced with any vindictive motive, but in order to obtain obedience to the laws of the country. I, of course, cannot see why you feel that way. You had a fair trial. If you will review

your trial in an unprejudiced manner you will recollect that you did not state to the jury what you stated to the Court; you will recollect that you sat by when your own children, your own daughter, said she did not know the age of your daughter Pearl. You tell me you are a follower of the meek and lowly Jesus. It cannot be that your religion teaches you that you should allow your children to testify in the way you did. Her own mother has told me since—her mother who could not be produced at the trial—that she could, had she chosen to have done so, testified as to the age of the child. There was not one word from yourself not one word as to your having taken counsel. You and your counsel sat by, and every little fact that was proven by the prosecution was only secured by great effort. From your knowledge of men you must recognize that the testimony which was secured carries with it far more weight than that of a voluntary nature. That is the manner in which your case was presented to the jury; they deliberated for over two hours before they returned a verdict. They did it with feelings of sorrow. You and I know some of them personally; we would trust them with some of our most sacred affairs, and I believe their verdict was a conscientious one.

MR. PINGREE.—In regard to this young lady's testimony I was sorry to hear it. But I do not myself today know the ages of my children. If I had known the age of the child I would have been willing to give the information. Where a man has two or three children they are in the habit of having birthday parties, but where there are 17 children, with 17 pairs of shoes to buy and clothing for them all to be obtained and I have worked hard to obtain them, consequently birthday parties were very rare. The ages of these children were reported to me but I never put them down, I do not recollect them all. My attorneys desired I should make a statement but I told them I was acquainted with those gentlemen (the jury) they knew my course of life and I felt satisfied they would bring in a verdict of acquittal.

At this point appropriate remarks were made by Judge R. K. Williams and Mr. M. Kirkpatrick, of counsel for the defense, explanatory of the defendant's position during the trial. They also drew attention to the unexceptionable character of Mr. Pingree and his usefulness in the community, by whom he was esteemed as an honorable and upright man of unquestioned integrity. The object of these addresses was to obtain for the defendant a suspension or at least a mitigation of sentence.

They were followed by the Assistant District Attorney.

THE COURT—addressing Mr. Pingree said: "The Court has learned since your trial and the verdict of the jury that you are not without friends in this community. A greater pressure than you are aware of has been brought upon the Court in your case. The Court has been appealed to on public grounds by Gentiles as well as by "Mormons" to suspend sentence. It has been told that it is necessary that you remain here to perform your official duties in this city of Ogden. The court has studied that matter carefully and conscientiously, but it has seemed to the Court that is not a sufficient reason for a suspension of sentence, because while the public may suffer it is an example to the public. It is not more of a cause for a suspension of sentence than the fact that your family needs you and that your family will suffer. Indeed, the sufferings of your family appeals to the sympathies of the Court more than the sufferings of this community. They have made preparation; they are not put out any more if you are taken from here by the hand of the law than if you were removed from here by the hand of God. The Court has been asked to allow you to remain during the months of July and August, but it has seemed to the Court that, under the present state of affairs, when men of your faith stand here in defiance of the law, claiming that they are right, justice must be served. The people of this Territory are violating a law and must be caused to feel that punishment will be meted to those who offend, and that there will be no hesitation in regard to it. The Court has carefully considered the case, and has gone over the evidence; and the rulings, so far as I could remember them, have been considered. I have read and re-read the charge to the jury. Because of your high standing in the community I have felt that your example is much greater. It gives the court no more reason for a suspension of sentence in your case than it would in the case of a poor man who stood before this bar with no one to speak for him. Many have spoken for you; the lady whom it was impossible to find during the trial was visited by the court with the prosecuting attorney. He has made diligent enquiry since the trial to, if possible, make certain whether there was any mistake, has with him visited your home, conversed with that lady and with your daughter, and has seen the child Pearl. I say this to show you I am not passing sentence thoughtlessly. I think probably you have punishment enough so far as you are personally concerned; I understand that your position, with your sensitive nature, is exceedingly trying to you. But while you say to me that you have tried to live within the law, to-day you cannot tell me what you will do. I wish you could have done it for this reason. If

I could send forth to-day in this community, under suspension of sentence, such a man as Job Pingree, who, by precept and example would show the law must be obeyed. I should send forth a missionary of the court; I am sorry to say I cannot do it. I must consider the public, for I find those who violate this law justifying themselves, urging a violation of the enactments of the government, claiming it is unconstitutional, and setting their opinion and judgment of the law above that of the law makers.

You have had a fair trial and you do not seek to move for a new trial. As to what I ought to do is not an easy matter to determine. These punishments are given simply to convince those who are convicted, and those who learn of them that the law must be obeyed. The sooner it is obeyed the sooner that era of peace will come which your counsel referred to so eloquently. I must disperse from the minds of this people one idea, and that is that this law is not to be enforced, and that it may be disobeyed with impunity.

Your government has to enforce that law; would it not be better for you, Mr. Pingree, to say, as a loyal citizen, that you would go forth by precept and example and urge its obedience to-day.

JUDGE WILLIAMS—It lies in this way: He has been trying to obey the law, and what he states is he does not know how the court will construe it in the future.

THE COURT—I have given him opportunity, Judge Williams; I do not want him to do anything contrary to his feelings, any more than I would do anything contrary to mine.

JUDGE WILLIAMS—Well if he says he will do a thing he will do it. He is just that kind of a man.

THE COURT—The sentence of the Court is, Mr. Pingree, that you be confined in the Penitentiary for a period of five months and that you pay a fine of \$300 and stand committed until such fine is paid.

THE SPANISH FORK HORROR.

AN INCESTUOUS AND MURDEROUS BUT PATRIOTIC ANTI-"MORMON" ENTRAPS BY HIS LUSTFUL WILES HIS SISTER AND NIECE AND LEADS ONE OR BOTH TO TAKE LIFE TO COVER UP THEIR CRIME.

A thrill of horror passed through the peaceful little community of Spanish Fork on Monday last by a series of shocking crimes being brought to light, some particulars of which we published in yesterday's issue.

Mrs. Elizabeth Craig, a poor widow woman who resides in the northern part of that town and who has made a living for herself and children since the death of her husband about four years since by laundry work, had aroused suspicion among her neighbors for some time previous by her appearance. On being questioned by them, however, she had stoutly denied that anything was wrong with her. Not seeing her about the house on the day mentioned, one of the neighbors called upon her, and though Mrs. Craig opened the door in answer to the lady's knock, it was apparent that she could scarcely walk, and her looks indicated that she had passed through an excruciating ordeal. Other neighbor women were immediately called in and Mrs. Craig was accused by them of having given birth to a child. This she denied with an oath, and though a midwife was brought and an investigation threatened, she still continued to deny it. A search in the cellar of the house, however, soon revealed the horrible truth, for there, covered up in a pile of rags, was a newly-born infant with marks of violence upon it, satisfying those who saw it that it had been murdered.

Several men were notified of the developments and appeared on the scene, among them the city prosecuting attorney J. A. Rees, Esq. To him the woman confessed that the child had been born on the previous midnight, that she had strangled it and that George Thorn, her half-brother, whom she charged with having deceived her, was the father of it. She also gave him a parcel of letters which had been written by the lecherous scoundrel to herself and her daughter Hannah from this city since coming here last spring to obtain work.

Dr. Pike, of Provo, was immediately sent for and a post mortem examination of the infant was made, which disclosed evidence of the child having been born alive and of its having been strangled, and it was also discovered that the child's neck had been pierced by some sharp instrument which had entered on one side of the windpipe and penetrated almost to the back of the neck. On being questioned in regard to this point the unnatural mother acknowledged that she had done it with a pair of scissors. She further stated that she was alone at the time of being delivered of and murdering the child, and had no help from any one, and that she had previously, according to suggestions from her incestuous paramour, sought by various means to destroy the fetus.

A telegram was immediately sent to Marshal Phillips, of this city, to arrest George Thorn, and this, as stated in our columns yesterday, was done. His trunk was also seized and found to contain letters from Mrs. Craig and her daughter Hannah,

which, together with the letters given to Mr. Rees, afford ample evidence of the most disgusting incest between himself and both women, and of his instructing them how to make away with the fruits of their intercourse.

The younger woman probably succeeded in her feticidal attempt, but, as shown, her mother failed in that and murdered her offspring after its birth. Thorn's letters also show his rank anti-"Mormon" proclivities, for which he was chiefly conspicuous during the few months he spent in Spanish Fork, and serve to illustrate the kind of men who usually howl at the "Mormons" and charge them with disloyalty and immorality.

The following letter was addressed to Miss Hannah Craig:

SALT LAKE CITY, April 17, 1885.

Dear Niece:

Well, I would like to know if all is right with you, and if you have come around all right. Now you know what I mean by this, if there is anything wrong I want you to tell me, so I will know what to do for you.

Your Affectionate Uncle,
GEORGE THORN.

The following letters were addressed to Mrs. Elizabeth Craig:

SALT LAKE CITY,
April 29th, 1885.

Dear and Loving Sister:

I received your few lines this morning, and I was glad to hear that you received the \$5.00 that I sent you all right. I am sorry to know that you are in such a fix, and that nothing will relieve you that I have sent you. I thought, are that stuff I sent would be sure to do the work. I don't know of anything that would help you to get rid of it besides unless it would be a bottle of Dr. Kennedy's Medical discovery and that you can get in the Co-op store; and take it pretty freely; and I will tell you to try jumping off the top of a fence, and that will sometimes cause a woman to miscarry; or get in the bottom of a wagon and have them drive pretty fast over a rough piece of road. And sometimes heavy lifting will cause a mishap. And there is another way, by going to a doctor and tell him what is the matter, and he could give you something that would relieve you, but that would cost about \$50. Try to get hold of a doctor book and that would tell you what to do in your case. I should have written to you before on this subject, but I was afraid Hannah would get your letters and read them, but as now she is coming away, and as I know the little ones can't read writing, and if they can they don't understand the meaning of what I am writing about. But I think if you practice at jumping off the top of your fence a few times, that will fetch it; but then when it does pass how are you going to keep anyone from knowing it, for you will have to have someone to help you out unless you can take care of yourself?

Well, I will tell you, they have been trying Angus Cannon for polygamy, and they have found him guilty, and he will get his sentence on the 10th of next May, and they are going to have another case to-morrow for the same offense, there are several who have been indicted, and some of them have come out and acknowledged to the court, and have been fined and gone to the pen, and I think it is the intention of the Government to put a stop to this kind of work or break up the Church entirely, and this in my judgment is what they ought to have done years ago. I will tell you it is the fulfilling of a piece of scripture that is spoken of in the Apostles, where Christ is speaking to his shepherds that he put to watch over his sheep, and there was a big wolf got in and devoured the sheep, and when the shepherds saw it they had not sand enough to go and drive the wolf out, but ran and hid themselves for fear they would get devoured also; and this is the way with the heads of the Church. They haint got sand enough to stand with what they preach and practice. I don't want to belong to any such Church. I will close by bidding you good night and a sweet repose. My dear sister, I am going to help you all I can.

Your Affectionate Brother,
GEORGE THORN.

SALT LAKE CITY,
May 3, 1885.

My Dear Sister:

I am sorry you cannot get rid of your complaint. I was in hopes you would have got rid of it before this time, that is if you have tried everything that I told you to do. I am afraid you have not tried jumping off the fence, or else that would have made it come. I don't hardly know what to do in your case. If I did I would help you all I could. I will see a doctor, and if he can give me something for you I will send it down to you by next mail.

Your ever affectionate brother,
GEORGE THORN.

SALT LAKE CITY,
May 8, 1885.

My Dear and Affectionate Sister:

Well, they are still going for the polygamists. They made another arrest to-day. The best thing they can do is to quit such work and submit themselves to the laws of the country and be good citizens, because the government intends to put a stop to this thing of a man having more than one

wife, by fair or foul means, even they have to resort to bloodshed.

Your Affectionate Brother,
GEORGE THORN.

SALT LAKE CITY,
July 8, 1885.

Dear and Beloved Sister:

The Mormons here raised their hands on public buildings at had made, this was a great insult to the United States government. The Mormons talk about driving out the Gentiles, wish they would start that kind of business. I wouldn't ask for fun than to help clean out the country of Mormons. When I see the flag of our country trampled upon that I feel for by such devils, it makes my blood boil all over. They talk about being good law-abiding citizens, it shows they are traitors at heart, as say down with such villains. I ought not to be let live in the country and I am ready to drive such men from our land. This is the way I feel about every good American citizen should feel as I do. You said in your last letter that Mary Ann wanted to send her some medicine like I told you, that she was in the same boat you are.

[Here follows a prescription for purpose of producing abortion, then the letter concludes with:]
Your Affectionate Brother,
Geo. Thorn.

ANOTHER VICTIM

JOB PINGREE SENTENCED TO FIVE MONTHS IN THE PENITENTIARY AND A FINE OF \$300.

OGDEN CITY, Utah,
July 13th.

Editor Deseret News:

The court room was again crowded this morning with anxious and interested spectators, most of whom present expecting to hear pronouncement by His Honor the sentence of

MR. JOB PINGREE,

who was, on the 7th inst., convicted of transgressing the Edmunds law by cohabiting with more than one woman "in the marriage relation." The verdict of "guilty" found by the Court this case surprised nearly every one, and I believe the Court and prosecution were included in the surprise parties.

Judge R. K. Williams and Mr. Kirkpatrick, of the defense, were present. The Court asked defendant anything, he had to say why sentence should not be passed upon him; defendant said he married his wife in 1861, and when the Edmunds law passed he thought he saw in it an arrangement a disposition to enforce. He consulted counsel in relation to the course he should pursue in the matter, and his legal adviser instructed him, the result of which was that though he has visited the house, he provided for his second wife, educated children and otherwise acted as a father should to them and mother, still he declares he has not within the provisions of the law.

THE EDMUNDS LAW.

No one can truthfully say that since that time associated with him in the relations of a husband and wife, considered her his wife. On the last of March, 1882, he undertook to violate the law, and has done so since, according to the best of his standing he had of it. The law against him had been preferred

BY A STRANGER,

a man whom he had never before met to his knowledge. The grand jury indicted him, and on the trial the evidence was in his expected dict of "not guilty," and he was inclined to think the Court and prosecution were of the same mind of subject as himself.

The Court remarked that Pingree had said nothing as to his course would be in the future, and asked if he desired to say anything about it.

In reply Mr. Pingree said he had been a law-abiding man all his life, a taxpayer, although he had been disfranchised more than two years, he could not say

WHAT HE MIGHT DO IN THE FUTURE.

His Honor labored fervently and incessantly for a long time to convince defendant and turn him from the error of his ways; but the dulcet tones of the Court fell dull and heavy on the ear of Job Pingree.

The Court was grieved that the defendant would not promise that he would in the future by precept and example prove to the world his determination to

HONOR THE LAWS.

And notwithstanding His Honor had been earnestly requested both by "Mormons" and "Gentiles" to suspend sentence altogether, or to postpone it during the months of July and August, he could not do either, after appropriate and timely remarks in defense of their client by Judge Kirkpatrick and Williams, the Court made a final but futile effort to reclaim Job, and then sentenced him to

FIVE MONTHS IMPRISONMENT AND A FINE OF \$300.

He was taken to the Penitentiary this evening.

The late editor of the Ogden Herald