

A. She did live there.
 Q. When?
 A. Last season.
 Q. Where does she live now?
 A. I have not seen her for some time.
 Q. Is she related to the defendant?
 A. I don't know.
 Q. Where does she live now?
 A. I don't know.
 Q. Has she any children?
 A. Yes, sir.
 Q. Who is the reputed father of the children?
 Objected to by defendant as immaterial, irrelevant and incompetent.
 Overruled by the court. Defendant takes exceptions.
 A. The defendant.
 Q. You say that neither of these women is your mother?
 A. No, sir.
 Q. Your mother resides in Utah?
 A. Yes, sir.
 Q. And your mother is the wife of the defendant?
 A. Yes, sir.
 Q. You say that his home is in Rexburg?
 A. He has no home in Rexburg; he lives there.
 Q. Is your mother the first wife?
 A. Yes, sir.
 Q. And she resides in Utah?
 A. Yes, sir.
 Q. Do you know where your father resides in Rexburg?
 A. Yes, sir; with his children.
 Q. With the children of these three women who are there?
 A. No, sir; he resides with the children of Jane Ricks.
 Q. That is the place where he makes his residence?
 A. Yes, sir.
 Q. That is the building opposite the co-op. store?
 A. Yes, sir.
 Q. Has he made that his residence this year?
 A. Yes, sir, since she died.
 Q. Where did he make his residence before that?
 A. With his children.
 Q. Which ones?
 A. He has made his home with all; he has stayed with me.
 Q. Has he not made his home with the same children where he is now?
 A. Only the married one.
 Q. Where is he?
 A. On Teton Island.
 Q. How far is that from Rexburg?
 A. About three miles.
 Q. Your father's business is in Rexburg?
 A. Yes, sir.
 Q. Do you mean to say he resided at the island with his business in town?
 A. Yes, sir, at times.
 Q. Where did he reside the rest of the time?
 A. Among the children; he resided with the married children all the time; he would change about.
 Q. Since Jane died he has moved to that house?
 A. Not entirely.
 Q. He resides with Ellen part of the time?
 A. He does not that I know of.
 Q. You don't know?
 A. No, sir.
 Q. Has Ellen any young children?

A. Not that I know of.
 Q. How often do you see Ellen?
 A. I don't think I have seen her three times. I was at her place about six weeks ago.
 Q. Was she at home then?
 A. No, sir.
 Q. Where was she?
 A. I don't know.
 Q. Who was at that place?
 A. Her children.
 Q. You did not see her that day?
 A. No, sir.
 Q. What was the last time you were at Tana's house?
 A. I don't think I have been at the house for a year.
 Q. When did you see her last?
 A. I don't remember exactly; I have not been at home very much.
 Q. Where was she when you saw her?
 A. I saw her at my house.
 Q. She lives there most of the time?
 A. She goes down below at times.
 Q. Do you reside at Rexburg?
 A. Yes, sir.
 Q. How far from the Co-op. store do you reside?
 A. Just one block.
 Q. In what kind of a house do you live?
 A. In a log house.
 Q. How many rooms are there in the house?
 A. There are three rooms.
 Q. How much family have you?
 A. I have four children.
 Q. Have you any other family, besides your wife and children?
 A. No, sir.
 Q. Were any other members of the family there?
 A. No, sir.
 Q. When was your mother in this Territory last?
 A. I don't remember exactly; it was somewhere about a year ago this fall.
 Q. She has not been here since?
 A. I don't think she has.
 Q. Look at this map and see if this would represent the Co-op.?
 A. Yes, sir.
 Q. What house is this?
 A. Ellen Ricks'.
 Q. What house is this?
 A. Jane Ricks'.
 Q. That is where the defendant now lives?
 A. Yes, sir.
 Q. Whose house is this?
 A. Tana Ricks'.
 Q. Do you know how many children your father has?
 A. No, sir.
 Q. Is it pretty hard to count them up?
 A. There are some of them I don't know; I could not count them up.
 Q. Do you know how many wives he has?
 A. He has four commonly known as his wives.
 Q. Yes, sir; they are commonly reputed as his wives?
 Defendant objects to the common repute in both questions and foregoing answer and asks that the answer be stricken out.
 Overruled by the Court. Defendant takes exceptions.
 A. Yes, sir.
 CROSS-EXAMINATION.
 Q. Has your father lived with

any of these women during the past year?
 A. I don't know.
 Q. Before the death of Jane, his residence was with his married children?
 A. Yes, sir.
 Q. And not with any of these women?
 A. I don't think he has.
 Q. He has lived with you and the others?
 A. Yes, sir.
 Q. Since Jane's death he has lived in the residence she used to occupy?
 A. Yes, sir.
 Q. And with her children?
 A. Yes, sir.
 Q. And to your knowledge he has not lived with the other women during the last year?
 A. No, sir.
 Q. How old is the youngest of Jane's children?
 A. About 11 or 12 years.
 Q. How old is the youngest of Ellen's children?
 A. I don't know which is the youngest, I guess it is about the same age, about 11 or 12 years.
 Q. How old is the youngest of Tana's children?
 A. About 14 or 15 years.
 Q. The youngest of any of the children of either of these women is then at least 11 or 12 years old?
 A. Yes, sir.
 Q. Your father has not lived with any of these children?
 A. No, sir.
 RE-DIRECT EXAMINATION.
 Q. Your father might have lived with these children without your knowing it?
 A. I have never seen him about there.
 Q. How long would he stay with you?
 A. He would come over at night or to dinner, or breakfast, or supper.
 Q. Then where would he go?
 A. I don't know; he would go to the children.
 Q. He would come and stay over night with you?
 A. Yes, sir.
 Q. Did you ever have him stop with you for a week or two at a time?
 A. No, sir.
 Q. Did he ever pay you for board?
 A. No, sir, but he often helps me out a little.
 Q. You never had a contract for board, though?
 A. No, sir.
 Q. Do you state upon your oath that Ellen's child, the youngest, is 11 or 12 years old?
 A. Yes, sir, that is what I said.
 Q. You know her youngest child?
 A. I don't know which is the youngest.
 Q. Are you very well acquainted with her family?
 A. I have not been there for a year till last threshing time.
 Q. It might have been 3 or 4 years before that time you were not there?
 A. No, sir.
 Q. Do you know all of Ellen's children?
 A. No, sir.
 Q. She might have had a child younger than that and you not know it?
 A. She might have half a dozen.