

and moved that the indictment be dismissed, which was done.

On Feb. 5 Judge Sandford ordered the Marshal to bring from the penitentiary John W. Price, to plead to an indictment for unlawful cohabitation. Brother Price is undergoing a term of imprisonment on a former conviction of having lived with his wives.

Before Judge Judd at Provo Feb. 4, Charles Onkey was called for sentence on a charge of unlawful cohabitation, to which he had pleaded guilty at the last term of court. He made no promise, and was sentenced to four months in the penitentiary.

Released From Prison.

On Feb. 1 Joseph B. Forbes, of American Fork, made application for release from the penitentiary, where he has served a term of four months for unlawful cohabitation, and 30 days for the fine imposed. On the hearing before the commissioner he was released.

Brother James Butler, of Spring Lake, was released on Feb. 1, having served a sentence of five months for unlawful cohabitation. No fine was assessed in his case.

Bishop Hans Jensen, of Manti, was liberated from the penitentiary on Feb. 2, having served a sentence of five months for unlawful cohabitation. He has also paid the costs, which amounted to \$43.50. The Bishop informs us that all the brethren now in the "pen." are in the enjoyment of excellent health, and quite cheerful.

On Feb. 4 Bishop Paul Poulson and Lewis Olsen, of Sanpete County, were liberated from the penitentiary, where they have been imprisoned for living with their wives. Each one was sentenced to four months' imprisonment and to pay a fine of \$200 and costs. They served 30 days for the fine.

Brother J. C. Breinholt, of Redmond, Sevier County, was released from the penitentiary February 5, upon the expiration of his term of 90 days for unlawful cohabitation, and 30 days additional for non-payment of the costs, \$44. No fine was imposed in this case. Brother Mons Nielson, of Ephraim, Sanpete County, was also discharged from the "pen." Feb. 5 having served his sentence of four months for a like offense and an extra period of 30 days for non-payment of fine and costs, amounting altogether to \$200.

A Natural Nobleman.

On February 3d, Father William Paul, a well known and respected veteran, breathed his last at his residence in the Twenty-first Ward in this city. Although particulars are not at hand, we presume that the cause of the demise of this exceptionally good man was not any special disease, but a general decay of the powers, superinduced by old age; he being, if memory serves us aright, about 86 years old. Up to a few days of his death he appeared well preserved, considering his advanced years, and though physically feeble, his mind retained much of

its native clearness, if not vigor. He was by profession an architect, contractor and builder, and in these several lines possessed marked ability. He was conscientious to a phenomenal degree; this peculiarity, as is usually the case, standing in the way of his material advancement personally. Elder Paul was devoted to his religion, being a devoted Latter-day Saint; and his greatest pleasure in life was derived from the performance of his duties. The love and respect entertained for him were universal wherever he was known. He was meek and unobtrusive. If he ever had an enemy we have never been made aware of it during an acquaintance of twenty-two years. He has gone to his rest to await the resurrection of the righteous, among whom he is entitled to be numbered.

Grand Jury.

On the afternoon of Feb. 4, a grand jury for the Third District Court was impaneled, with remarkable expedition, as follows:

John Tiernan, D. W. Scribner, S. W. Mosley, James E. Caine, Matt Cullen, Neil Gillis, J. H. Clive, Charles Hempstead, Wm. Whitehill, J. G. Bechtol, W. S. McCornick, A. J. Lowe, Herman Baniberger, Furgus Furguson, J. W. Carrigan.

The court appointed W. S. McCornick foreman, who was sworn, and the final oath was administered to the whole grand jury, when Judge Sandford proceeded to charge them.

His charge was a terse, lucid, concise and complete statement of their duties as grand jurors.

Motion For Rehearing.

In the Ogden registration case Jan. 31, a motion was made for a rehearing before the Territorial Supreme Court. The city of Ogden bases its claim for a rehearing upon the allegations that:

"The court erred in sustaining and affirming the judgment of the District Court of the First Judicial District, and in adopting the opinion of the lower court, because the lower court held that there is no authority in the city council of Ogden City to require the registration of voters in precincts or wards, and that as the plaintiff and appellant only complained that he had not been registered in the fifth municipal ward of said city, and the registrar stated that he had been registered as a voter of the city at large, that that was all that the plaintiff and appellant was entitled to.

"The lower court based its decision upon this point: That certain sections of the territorial statute of 1888, relating to the incorporation of cities: viz: Sections 16, 17, 18 and 19 of Article 1, and Section 1 of Article 6, which purport to change the government of cities, and the manner of selecting the members of the council, by authorizing the voters of each ward to elect certain members of the council, instead of selecting the entire council at large, were not applicable to Ogden City, and that therefore the city council

had no power to provide for registering and voting in wards. In this conclusion the court erred, for the sections of law referred to do not in any manner affect the question presented by the record in this cause.

"The question whether each voter should vote for all the aldermen and councilors—composing the common council—as provided in the original charter of the city, or whether they should vote for ward councilmen and justices of the peace, (as provided in the general act of March 8, 1888,) was not before the court in this action, as shown by the record, and was not involved in the decision of this controversy, any further than the opinion of the court, in regard thereto, was invited by both parties while passing upon the question presented by the record.

"The only question before the court was this: Had the city council of Ogden City power to require the city registration officer to enter the names of the voters of the city upon five ward lists, instead of upon one list for the entire city. The decision of this question in the affirmative would not, in any manner, affect the number or kind of officers to be elected, nor the manner of selecting them, for the voters in each ward, throughout the entire city, could vote for each and every member of the common council and for each and every other officer to be elected, just as they always have done.

"The appellant claims that no part of the act of March 8, 1888, purports to affect the matter of registering voters, and that the act is wholly inapplicable thereto. The original charter of the city confers the power upon the council to divide the city into as many political subdivisions—to be known as municipal wards—as the council shall deem necessary for the convenience and welfare of the electors of the city.

"The territorial election law requires the city council of Ogden City to provide, by ordinance, for the registration of the voters of the city, but leaves to the council to determine whether it will best suit the convenience of the voters, and preserve the purity of the ballot, to have all the voters registered on one list, and have them all vote into one ballot box; or whether they shall be registered in wards, or subdivisions of the city, and vote in their respective wards.

"If this court is of the opinion that the law of 1888 does not change or affect the composition of the common council, then the court should have held that the city council of Ogden City had the power to require the registration of voters on ward lists and the polling of votes in each ward, but that each elector has a right, under the charter, to vote for all the officers to be elected, and that the officers named in the charter are the proper officers to be elected."

Snow Needed.

We are informed by Mr. John Horton, of Rockport, Summit County, who called at our office Feb. 2, that all along the Weber River from Coalville the snow at present upon the ground does not