

as indicated by the conspicuous inscription, "American Fork," on one of the principal buildings. This is a sentiment that should be encouraged. If we must have forks, give us the American "fork" every time in preference to the imported article.

It was at this point that the excursionists met the special committee appointed by the hospitable citizens of Provo to receive and conduct them to that city. The gentlemen comprising that committee were H. H. Cluff, W. C. A. Smoot, Evan Wide, Robt. Dugdale, V. L. Halliday and John B. Twelves. The day, which had been somewhat overcast with clouds, now threatened to become unpleasantly damp, as the clouds lowered, and a storm of rain could be seen pouring down upon the mountains to the left, but excepting a slight sprinkle, just as the party were crossing the Provo River, it failed to materialize.

The choir party arrived in Provo at 10 a. m. where vehicles were met to convey them to the new theatre. This is a substantial brick building of tasteful design and capable of seating comfortably about 1,000 persons. Here the committee, assisted by Mr. C. R. Savage, billeted all those not provided for upon the hospitality of citizens who had volunteered to receive and care for them during their sojourn. This was the work of but a few moments and the guests of the city separated to rest and refresh themselves or wander at their sweet will, inspecting the new buildings in course of erection or visiting the public institutions, etc., with the understanding that all should meet again at the theatre at 1:30.

Promptly on time the people began to gather and the seats were speedily filled with an orderly assemblage of appreciative auditors.

The somewhat elaborate programme of music and singing was evidently fully appreciated, if this may be judged by the encores and applause, and in the evening the large building was crowded with distinguished citizens of Provo and their guests, who enjoyed themselves hugely in singing and dancing and recitations. The Utah Central furnished free transportation to the members of the choir, and the citizens free wagons and water, and the theatre was free to all and the musicians and singers made no charge for their services. Too much cannot be said of the courtesies extended by the railway officials, and the hospitality of the people of Provo was as unbounded as its appreciation and enjoyment by those who participated in the pleasures of the excursion.

THE S. L. & L. A. RAILWAY.

Articles of Incorporation of the Utah Division.

The Salt Lake & Los Angeles Railway Company filed its articles of incorporation yesterday afternoon with Territorial Auditor N. W. Clayton, and so far as the Utah division of the road is concerned, the organization is now ready for business. The articles of association are as follows:

Article 1.—The name of the corporation shall be "The Salt Lake & Los Angeles Railway Company."

Article 2.—The amount of capital stock of the said company shall be \$3,500,000, to be divided into 350,000 shares of \$10 each.

Article 3.—The term of corporate existence of said company shall be fifty years.

Article 4.—The number of directors who shall manage the affairs of the company shall be ten, five of whom shall constitute a quorum, and the following-named persons having been duly elected by the subscribers hereto, shall be the directors of said company, and shall hold office until others are elected, as shall be provided by the laws of the said company: Caleb W. West, W. S. McCormick, J. G. Sutherland, H. B. Houghton, James Jack, G. D. Shell, Isaac Trumbo, James Stokes, Wm. H. Hock, J. N. L. Hunt.

Article 5.—This corporation is organized for the purpose of constructing, acquiring, owning, operating and maintaining a line of railway commencing at the City of Salt Lake, Utah Territory, running thence in a general westerly direction, by the most feasible and practicable route, as may hereafter be determined, to a point on the western boundary line of Utah Territory, at or near the intersection of the said boundary line, and longitude 114 west, latitude 40 north, or thereabouts, said point being the western terminus of said line, and the City of Salt Lake the eastern terminus thereof. The counties into or through which it is intended said railway shall pass are the following, Salt Lake and Tooele. The length of the proposed railway, as near as may be, is 175 miles.

Article 6.—The actual contemplated cost of constructing said railway, together with the cost of right of way, and every other appurtenance and thing for the completion and running of said road, as nearly as the same can be estimated, by competent engineers, is \$3,500,000. The power to be used upon said road shall be steam or other mechanical power.

Article 7.—This corporation shall have the power to purchase any railroad within said Territory situated upon, along or adjacent to the line of road hereinbefore described, when the same may be sold under provisions of any deed of trust, decree of court, or may purchase the same at private sale.

Article 8.—The board of directors may adopt such by-laws, not inconsis-

tent with the laws of said Territory, as they may deem proper for the management of the affairs of said company.

Article 9.—The first meeting of the board of directors of said company may be held at the City of Salt Lake, Utah Territory. The meetings of the board of directors of said company thereafter may be held at such place or places, either within or beyond the limits of this Territory, as may be provided by the by-laws of said company.

IN SHORT ORDER.

To-day's Business in the District Court Quickly Disposed Of.

The Third District Court was in session less than an hour to-day. Five cases arising under the third section of the Edmunds law were on the calendar for trial, and all were disposed of. The first called was that against

JAMES C. WATSON,

who is charged with living with his three wives. Mr. Watson has already served one term in the penitentiary for what is made by the Edmunds law unlawful cohabitation, having been sentenced in May, 1885, to receive the extreme punishment provided by Congress. To-day he withdrew his plea of not guilty to the present indictment, and changed it to guilty. He was allowed till October 11, at 2 p. m., before sentence.

FREDERICK PETERSON

was the next defendant called. He is an aged gentleman, and is nearly blind. The indictment also alleged unlawful cohabitation, to which charge the defendant pleaded not guilty, and a jury was impaneled to try the case.

The defendant himself was sworn and testified—I am the defendant in this case; have resided in Salt Lake City 35 years; do not know Anna Anderson; know Anna Hansen Peterson; she is my wife; Annetta Halvorsen Peterson and Magdalene Christianson Peterson are also my wives; Anna and Magdalene lived in my house, in separate apartments; I separated them that way so as to conform to the law; this was in 1883; I have not lived with them, except that I had a room in the house; I took meals with my first wife alone.

To Mr. Peters—I married my first wife thirty years ago; the second, 26 years, and the third, 20 years ago; the first has no children; the second has four, and the third one; I ceased living with them in 1883; have supported them since then; have called on them once or twice to take means to them; I still claim them as my wives, but do not visit them as such because the law forbids it.

The case was submitted on the Judge's charge, in which the jury was instructed that it was necessary to show a living or associating with the polygamous wife; simply to claim a polygamous wife was not sufficient to convict. The charge was eminently impartial, and the law was set forth plainly and carefully by the Court.

The jury retired, and returned in a few minutes with a verdict of guilty. Those present who were unacquainted with jury methods in this class of cases were considerably surprised at such a result under the instructions of the court, but to one familiar with the history of the Edmunds law in Utah, an acquittal would have been as astonishing as a thunder-storm from a clear sky.

Mr. Peterson requested, and was granted, until Tuesday, October 4th, for sentence.

Next in the order of those accused of unlawful cohabitation was

HYRUM H. EVANS,

of the Sixth Ward, Salt Lake, who withdrew his plea of not guilty, and entered one of guilty to the charge made in the indictment. Sentence was fixed for October 3d, at 2 p. m.

Following Mr. Evans' case on the calendar was that against

JOHN TATE,

of Tooele. The indictment contained four counts, three of which were dismissed. The defendant pleaded guilty on the remaining count, and was given till September 29, at 2 p. m., before sentence.

JOHN GERBER,

of West Jordan, also changed his plea of not guilty of unlawful cohabitation, to guilty. October 10th, at 2 p. m., was fixed as the date of passing judgment. The court then adjourned till 10 a. m. to-morrow.

FROM FRIDAY'S DAILY SEPTEMBER 23.

Arrest at Nephi.

Mr. John Warwood, of Nephi, was arrested yesterday on the charge of unlawful cohabitation. He was placed under \$1,000 bonds to await the action of the grand jury.

Is It Another Murder?

Information comes from Park City that a miner named Hofer was found dead near there on Wednesday. The unfortunate man's head had been crushed in by a blow from some blunt instrument. He had been lying dead at his cabin for several days.

Fined for Fornication.

To-day in the Third District Court, Mrs. Sarah Carver, who was the victim of the alleged rape at Lake Park last May, by Philip Dresmark, now of Pocatello, Idaho, and who was indicted for fornication committed with the same individual subsequently, pleaded

guilty to the charge. She is a widow, her husband having died in Boston three years ago. She came to Ogden a year ago, with her two small children. The Court inflicted a fine of \$25 and costs, and in default of payment she was placed in the custody of the United States Marshal.

Probate Court.

Proceedings before Judge Smith, in the Salt Lake County Probate Court yesterday:

The marriage certificate of Thomas C. Moore and Mamie McCaull, of Evanston, Wyo., was filed by Rev. D. Kelley.

In the matter of the estate of John McGuire, deceased; order made fixing day for hearing return sale of real estate.

Estate of Samuel Neslen, deceased; petition for admission to probate of a document purporting to be the last will and testament, came on for hearing; order made admitting said will to probate; and appointing George M. Ottlinger and John Sharp, Jr., executors, without bonds. George Romney, James T. Little and James Sharp appointed appraisers.

Estate of Feramorz Little, deceased; the following claims were allowed and approved: Dr. J. F. Hamilton, \$30; Edward Decker, \$192.75; W. R. Smith, \$22.10; William J. Horn, \$58.66; A. H. Cannon, \$50; W. Jennings, \$22.10; Dr. Belle Anderson, \$150; James Taylor, \$7.35; J. A. Marchant, \$100.

Estate of Edward King, deceased; order made appointing time and place for settlement of final account and of distribution.

Estate and guardianship of David U. Moffatt, et al.; bond of guardian in the sum of \$400 filed and approved.

Estate of J. A. Hunter, deceased; claim of Martin Nadel for \$20 allowed and approved.

TWO ACQUITTALS.

The Petit Jury Vary the Monotony in Verdicts.

At the opening of the Third District Court this morning, the case of the United States vs. Niels Anderson, indicted for unlawfully fencing the public lands, was passed for the present.

The trial of the case of the United States vs.

JAMES BISHOP,

of this city, was then taken up, and a jury impaneled. The defendant was indicted for the offense of unlawful cohabitation with more than one wife, and entered a plea of not guilty.

Mr. Bishop was himself sworn as a witness, and testified—I am the defendant in this action; live in the Sixteenth Ward, Salt Lake City; have lived there twelve years; married my first wife, Zina, in 1851, and have lived with her ever since; I have a plural wife, Rachael, who has lived in the same house with us for twelve years; have been married to her twenty-four years.

To Mr. Moyle—My wife Rachael has been an invalid for twenty-three years, and has never been able to be out in public during that time; her health has been such that she could not be left alone for a moment; I have not been able to provide another home for her, nor would it have been possible for me to do so under the circumstances; my first wife's family nurse her constantly; I still recognize her as my wife.

The defense presented a physician's certificate as to the condition of Mrs. Rachael Bishop, and showing that she was a confirmed invalid. The case was submitted to the jury on the Judge's charge, who returned a verdict of not guilty, and Mr. Bishop was discharged.

The trial of unlawful cohabitation against

WM. H. HAGUE,

of Taylorsville, followed that of Mr. Bishop, and a jury was called and sworn. There were three indictments in this case, and the prosecution elected to proceed on that covering a period from January 1, 1885, to December 31, 1885.

The others were dismissed.

At the request of Mr. Peters all of the witnesses except the one on the stand were excluded during the trial.

Mrs. Mary A. Hague was the first witness. She testified—I live at Taylorsville, Salt Lake County; I am the defendant's legal wife and I decline to testify in this case.

The witness was excused.

John Webster testified—I reside at Taylorsville; am acquainted with Mr. Hague, defendant; he lives about 200 yards from my home; he has lived there ten or twelve years; his wife Mary Ann lives there with him; she is not related to me, nor is Mr. Hague; I am acquainted with Belle Webster; she is my daughter; she is 23 or 29; she is not a married woman, that I know of; she has lived at home during part of the last three years; she sometimes goes out to work; she was formerly clerk in his store; I think she was thus engaged in 1885, but could not say positively; she then boarded with Mr. Hague's family; she was at home quite often; she has never had any children; she is not related to be Mr. Hague's wife; I don't know where she is now; I saw her about a month ago, and went from this city to Garfield Beach with her; she was at home about a month before then; I never saw her at Mr. Hague's since he quit keeping his store; this was before Mr. Hague was arrested; I don't know when she first went to his store; before then she was clerk in Bennion's store;

I don't believe she was ever sealed to Mr. Hague; I think I would have known of such a thing; I knew he was charged with having married her, but paid no attention to it, as such charges are so common; there is no other Belle Webster in Taylorsville; we belong to the "Mormon" Church; have seen Belle and Mr. Hague at meeting on the same Sabbath day; never saw them sitting together in meeting; Belle has been home as often as usual during the past year, but I do not know just where she is at present. Mr. Hague has no children that I know of; I don't think Belle ever lived at his house before she went to the store; she might have done, as she lived out most of the time; she is my eldest daughter.

To Mr. Sheeks—Belle has been working out for eight or nine years, and has gone out when she pleased, without my interference.

Miss Fanny Frame testified—My maiden name is Webster; John Webster is my father; I am acquainted with the defendant; he is a neighbor of father's; he is a farmer; he once had a store in Taylorsville and gave it up about a year ago, after his arrest; my sister Belle was clerking for him, and I think was there when he was arrested; I do not know how long she was at his store—perhaps a year; before then she was at the co-operative store in Taylorsville; her home was always with mother; she was at Mr. Hague's part of the time, and with other neighbors part of the time; do not know how much time she spent at Mr. Hague's; she did not board with him; she was away from home pretty often—perhaps half the time; her habits have been the same for several years; she has been a school teacher at Granger and Taylorsville; I attend church; have seen Mr. Hague there; never saw him and Belle together, that is, specially in each other's company; we are all friendly with Mrs. Hague; I was married last February; am not related to Mr. and Mrs. Hague; they have no children; I last saw Belle about a month ago; the people of Taylorsville Ward were at Garfield that day; Mr. Hague was there, but was not in the same car as Belle; 25 or 30 of us were together; did not see Belle talking to Mr. Hague; she is not married; I would know it if she was; she is not related to be Mr. Hague's second wife; never heard such a thing in the family; she is not sealed to him that I know of; she was through the Endowment House about 13 years ago; one of her sisters and some others of the neighborhood went with her; she went to get her endowments; that is not a marriage; Mr. Hague did not go with the company; I saw them start; Belle has no children; such a thing is not likely as she is not married; I do not know that Mr. Hague has a second wife; never heard him speak on the subject of plural marriage; Belle's home is still with mother; she has been away much of the time; she is not in hiding; she sometimes comes home for two or three weeks at a time; she takes care of herself.

Miss Samira S. Harker testified—I live in Taylorsville; Joseph Harker is my father. (The witness here broke into tears, and gave her testimony with difficulty.) I am acquainted with Mr. Hague; he has kept a store; I am slightly acquainted with Belle Webster; have not seen her for a long time; do not know where she is; do not know when she was home last; did not see her at Garfield; did not see any of her father's family there; do not know that Belle clerked for Mr. Hague; have never seen her in the store; I don't know anything of the case; don't remember having seen Belle at Mr. Hague's house; no one has talked to me of my testimony.

Mrs. Susan Harker testified—I live in North Jordan; have been acquainted with Mr. Hague for about twenty years; the last witness is my daughter; I know John Webster and his family; have not seen Belle Webster for about three years; do not remember having seen her at church; have not seen her since Mr. Hague's arrest; she clerked for him when he kept store; I suppose her home was at her father's; don't know whether she took meals at Mr. Hague's or not; have not visited Mr. Webster's lately; have been at Mr. Hague's; his wife is my daughter; he has only one wife that I know of; I do not remember seeing Belle in Mr. Hague's house; saw her in the store; she is not related to be his wife; never heard of such a thing; never spoke to Mr. Hague of plural marriage, nor he to me; do not know whether he believes in that doctrine or not; he reopened a store a few weeks ago; he also owns some sheep; Belle Webster has never been recognized in Mr. Hague's family as his second wife that I know of.

Necess was taken till 2 p. m.

This afternoon John W. Webster was called and testified—I live in Taylorsville; Belle Webster is my sister; I live at home; know Mr. Hague; have been in his house, but not during the past year; father keeps the postoffice, and Mr. Hague occasionally comes there for mail; I do not know where my sister Belle is now; was with her at Garfield in the latter part of August; I do not remember seeing Mr. Hague there; Belle went out with us; I could not say whether she came from home, or met us at the depot; she returned to Salt Lake in the evening; she has been at home several times during the past year; she has been in the city working—at least that is my understanding; she was clerk for Mr. Hague, in his store; I think she quit two years ago, but don't know; think he closed his store some-

time in 1886; couldn't say the time or whether my sister was there or not; do not know how long she was clerk—perhaps a year and a half or less; her home was with mother, where she boarded; she also took meals at Mr. Hague's; I never paid any attention, and couldn't state the facts; she generally stayed home at nights; she is not married that I know of; in 1885, and before then, it was not reported that she was Mr. Hague's second wife; she has no children; I think she taught in 1880, in Granger; she has not, to my knowledge, been sealed to Mr. Hague; he never spoke to me of it; I have seen them frequently at parties; he never takes her; she accompanies me.

Mrs. Elizabeth Harker testified—My husband and Mrs. Hague are brother and sister; I know Belle Webster; she has been at my house working; this was three or four years ago; have seen her at Mr. Hague's store, but not at his house; I attend the "Mormon" meetings; may have seen Mr. Hague and Belle at meeting on the same day; have not seen her for over a year; she is not married that I know of; I do not know of Mr. Hague having a second wife; I don't know anything of the report in either of the families; never heard as early as 1885 that she was his wife; I know nothing of any sealing; don't know whether she has been through the Endowment House or not.

Mr. Peters then asked for Belle Webster, but there was no response, and the case was submitted to the jury.

The Court remarked that the evidence was insufficient to convict, and instructed the jury to find a verdict of not guilty, which was done and the defendant was discharged.

Commissioned.

A. L. Jackson, justice of the peace, Juab Precinct, Juab County.
Amos C. Larke, justice of the peace, Newton, Cache County.
James Lofthouse, justice of the peace, Paradise, Cache County.
John A. McIlister, justice of the peace, Logan, Cache County.
James Kirkbride, justice of the peace, Smithfield, Cache County.
Alma M. Matthews, justice of the peace, Providence, Cache County.
Niels Christensen, justice of the peace, Hyde Park, Cache County.
John S. Carpenter, justice of the peace, Glendale, Kane County.
John T. Woodbury, justice of the peace, St. George, Washington County.
John W. Taylor, justice of the peace, Promontory, Box Elder County.
Erastus F. Carter, justice of the peace, Park Valley, Box Elder County.
Niels Jensen, justice of the peace, Bear River, Box Elder County.
D. R. Matthews, constable, Providence, Cache County.
James W. Hurren, constable, Hyde Park, Cache County.
Frank A. Little, constable, Milton, Morgan County.
Joseph Johnson, constable, Coalville, Summit County.
William Yates, constable, Call's Fort, Box Elder County.
John T. Sullivan, constable, Tintic, Juab County.
George A. Black, constable, Deseret, Millard County.
John J. Hutchins, constable, Slaterville, Weber County.
James E. Taylor, constable, Levan, Juab County.
John Sidwell, constable, Nephi, Juab County.
George Criddle, justice of the peace, Littleton, Morgan County.
H. H. Smith, justice of the peace, Malad, Box Elder County.
B. S. Darr, justice of the peace, Eureka, Juab County.
Heber W. Hartley, justice of the peace, Levan, Juab County.
Joseph Yates, justice of the peace, Call's Fort, Box Elder County.
Julius Jordan, justice of the peace, Silver Reef, Washington County.
Charles H. West, justice of the peace, Hoytsville, Summit County.
Jedediah G. Bingham, justice of the peace, Wilson, Weber County.
William T. Stewart, assessor and collector, Kane County.
Robert Bodely, selectman, Uintah County.
Wm. E. French, sheriff, Uintah County.
William Ashton, assessor and collector, Uintah County.
Isaac Grace, superintendent of district schools, Juab County.
Robert C. Land, selectman, Washington County.
M. H. Hardy, superintendent of district schools, Utah County.
Samuel Francis, recorder, Morgan County.
John T. Woodbury, superintendent of district schools, Washington County.
Isaac C. McFarlane, surveyor, Washington County.
H. A. Chaffin, prosecuting attorney, Piute County.
N. W. Crookston, sheriff, Kane County.
Thomas C. Collier, superintendent of district schools, Millard County.
H. K. Roundy, surveyor, Kane County.
W. T. Stewart, prosecuting attorney, Kane County.
H. S. Jolley, sheriff, Kane County.
Joel H. Johnson, clerk, Kane County.
G. D. McDonald, superintendent of district schools, Kane County.
Ben L. Lethland, selectman, Kane County.
F. E. Merrill, superintendent of district schools, Summit County.
George Crane, treasurer, Tooele City, Tooele County.
John Dunn, recorder, Tooele City, Tooele County.
Alvin Walters, councilor, Tooele City, Tooele County.
Louis Strasberg, poundkeeper, Vernon, Tooele County.

Arrested.

Thursday Afternoon Deputies Exum and Steele came down from the north having in their charge Bishop Hans Funk, of Newton. An indictment has been found against Mr. Funk and he was placed under bonds to appear at the next term of the First District Court for arraignment. The charge is unlawful cohabitation. — Ogden Herald.