

be severe, and in view of your advanced age, and that you have but one wife and will obey and observe the law, I will fix your punishment at a fine of \$50 and the costs of the prosecution. You will stand committed till the fine and costs are paid.

The total amount was \$96, which was afterwards paid by Mr. Van Natta, and he was set at liberty.

The following business was transacted in the Second District Court before Judge Anderson at Beaver, May 14th:

In the case of James Henrie, convicted of unlawful cohabitation at Beaver, yesterday, Judge Anderson sentenced him to pay a fine of \$300 and costs.

Henry Sudwick, of Kingston, Piute County, was called for sentence on a charge of incest. Five years ago he married his niece, and has since lived with her as his wife. He is now 75 and she is 40. When arraigned he pleaded guilty. Judge Anderson gave him a severe lecture for marrying his niece, and sentenced him to the penitentiary for the term of three years. He was placed in the bastille today.

A list of persons to serve on grand and petit juries for the September term was drawn.

In the case of George Harrison, arrested for unlawful cohabitation, the defendant was required to give \$1000 bail to await the action of the Third District grand jury, and the alleged plural wife, Mary A. Arthur, was placed under \$500 bonds.

Mr. Solomon, who was acquitted on Tuesday of the charge of grand larceny, was re-arrested at Beaver yesterday on the same charge, but on going before the U. S. commissioner he was released.

The case of the United States vs. Jens P. Holm, indicted for adultery, was taken up and tried. The offense was alleged to have been committed with Olrica Nielsen, who was claimed to be the defendant's plural wife.

The first witness was a girl named Tilly Smith. She said she lived at Mr. Holm's three years ago; that it was the repute in the family that Olrica was the plural wife; that Mr. Holm said to his wife, in witness' presence, on a number of occasions, that he was going to see Olrica, and that she had heard defendant call Olrica's child his "fat baby boy."

The next witness was Josephine Nielsen, a bright little girl between eight and nine years of age. She gave her testimony in a frank, unhesitating manner. She said that Mr. Holm was not her father, but she sometimes called him "grandpa" because she was so well acquainted with the family. He had never been at her mother's home to remain over night, and she did not regard him as her papa; in fact, her own papa was alive, and lived with her mother, though he was away from home much of the time, working in the mines. She last saw him about a month or two ago, and when he went away he gave her \$5 to buy a new dress. She was sure that he

and Mr. Holm were not the same person, and that Mr. Holm was only a friend.

Mrs. Olrica Nielsen testified that she was married in Denmark to Christian Nielsen, ten years ago; that three or four years ago they went to the Logan Temple; that he was the father of her children; that he was away working in the mines much of the time; and that he had last been at home about two months ago.

This was all the evidence, and the court ordered the jury to return a verdict of not guilty.

In the case of the United States vs. James C. Hamilton, of Mill Creek, the defendant was arraigned on a charge of unlawful cohabitation with Mrs. Isabella Hamilton and Mrs. Belle White Hamilton. He entered a plea of not guilty.

The case of the United States vs. Wm. D. Newsom, indicted for unlawful cohabitation with Mrs. Catharine Newsom and Mrs. Lucy Devereux Newsom, was taken up for trial and a jury called.

Before taking the evidence, the names of the witnesses were called. When that of Lucy Devereux was reached there was no answer. She had not been subpoenaed, and the officers reported that she could not be found. She had given \$200 bail when before the commissioner, and this bond was declared forfeited. Her friends say she was never notified, and did not know of the trial or she would have appeared. It is said that she is now on the way to Salt Lake.

The first witness was George Reeves, who testified—I was at Mr. Newsom's once; I understood that Mrs. Kate Newsom was his wife; I heard that she was his first wife; I have seen Lucy Devereux once or twice, saw her go in and out of Mrs. Kate Newsom's house; this was in 1888; have no idea what relation Lucy Devereux was to the defendant.

Mrs. Catharine Newsom testified—I am the defendant's legal wife, and do not wish to testify. Excused.

David John testified—I know the defendant and his wife and Lucy Devereux; about five years ago Lucy lived at the defendant's house; I can't say when I last saw her there; I testified before the grand jury; about that time I saw him at the gate to her house; it was one night a few weeks after he came to the penitentiary; he was dressed in soldier's clothes; Lucy was also at the gate; she is reputed to be his wife.

To Mr. Moyle—I am sure it was Newsom in soldier's clothes; it was about 9 p.m.; he was alone when I passed him, but he had been talking to her; it was within two months after he came from the penitentiary; I don't know of Lucy having any children subsequent to his release from prison.

Mrs. David John testified—I know Mr. Newsom and his family; Lucy Devereux was reputed to be his second wife; when he came out Lucy moved to another house; I saw Mr. Newsom on the occasion stated by my husband; he was in soldier's

clothes; he was leaning on the fence, a little distance from the gate, and Lucy was taking a baby carriage through the gate.

D. N. Swan testified that Mr. Newsom was released from the penitentiary April 4th, 1888, having been pardoned by President Cleveland.

Arthur Cabbie testified—In the winter of 1889 I took Lucy Devereux to the depot; Mrs. Newsom employed me; I did not see Mr. Newsom; Mrs. Swain went to the depot with us.

To Mr. Moyle—I took her from the corner house; Mrs. Newsom lived in a different house, on the same lot.

Mrs. Mary Swain testified—I went to the depot with Lucy Devereux and her little boy, in October, 1888; Mr. Newsom was not home at the time; last fall there was a baby there; it could walk in October, 1889; I judge it was about a year old.

To Mr. Moyle—The baby I saw was reared by Mrs. Newsom; she got it when it was a few days old.

To Mr. Varian—Lucy did not bring the child to my house when the officers came; Mrs. Newsom brought it; she had a tussle with Deputy Springer; he bolted into the house and took hold of the child.

Deputy Springer testified I arrested Mr. Newsom in 1889; adjoining the store I found Lucy Devereux and two children; Mr. and Mrs. Newsom were in the yard at the rear of the store; Mrs. Newsom was frightened; she took the youngest of the two children and ran across the street; I ran after her and got the child.

To Mr. Moyle—I had no warrant for the baby; Mrs. Newsom claimed that it was her child; I told her she had no business to go out of the house with it.

Deputy Cannou testified that he arrested Mr. Newsom, and saw two ladies there; the one supposed to be the second wife told him her name was Bailey.

Mrs. Stein testified—Lucy kept the store with Mrs. Kate Newsom; I lived in the house adjoining the store, Mrs. Newsom had a young baby there, and Lucy had two older children; Mrs. Newsom and I were not good friends; Mrs. Newsom told me a midwife gave her the baby when it was a few days old.

To Mr. Moyle—I only saw Lucy at the store.

Mrs. E. W. Stam testified—Lucy Devereux and Mrs. Newsom lived in separate apartments; I saw a baby with Mrs. Newsom; it was about a year old when Mr. Newsom was arrested.

Mr. Varian—Are you a married woman?

Witness—That has nothing to do with the case.

Mr. Varian—You do not go by the name of Tuckett?

Witness—No, sir.

To Mr. Moyle—I am not on friendly terms with the Newsom family.

To Mr. Varian—I came to court because I had to.

Miss Mary Dixon testified—Miss Lucy Devereux was at my home in Provo last November; she had two