

THE DESERET NEWS.

TRUTH AND LIBERTY.

No. 38.

Salt Lake City, U. T., Wednesday, October 5, 1887.

Vol. XXXVI.

ESTABLISHED 1850.

DESERET NEWS:

WEEKLY.

PUBLISHED EVERY WEDNESDAY.

One Copy, one year, with Postage, \$2 50
Six months, 1 50
Three months, .50

DESERET NEWS:

SEMI-WEEKLY.

PUBLISHED EVERY TUESDAY AND SATURDAY

One Copy, one year, with Postage, \$3 00
Six months, 1 75
Three months, 1 00

EVENING NEWS:

Published every Evening, except Sunday.

One Copy, one year, with Postage, \$10 00
Six months, 5 00
Three months, 2 50

Papers sent to subscribers by mail have the names stamped upon them, with figures opposite to indicate when the subscriptions will expire. For instance, John Smith, 4-11-7, means that John Smith's subscription will expire on the 11th day of the 11th month of this year, or November 11th, 1887. Subscribers will please notice the figures on their papers, to see that they have their proper credits, and also to know when to renew their subscriptions, the rule being to stop the paper when the subscription expires.

PUBLISHED BY

THE DESERET NEWS CO.,
SALT LAKE CITY, UTAH.

FROM TUESDAY'S DAILY, SEPT. 27.

Dismissed.

Yesterday afternoon, in the Third District Court, the indictment against the boy Wm. Paddock, for a crime against nature, was dismissed on motion of the district attorney. He was set at liberty.

Fell From a Scaffold.

Yesterday afternoon, while Mr. Jas. Coult, of the Eleventh Ward, was engaged in plastering a house near the corner of Second West and Third South streets, the scaffolding gave way and he was precipitated to the ground. He was considerably bruised, but fortunately received no serious injury.

Rains in the Gila Valley.

A correspondent writing from Pima, Arizona, states that abundant rains have recently visited that section. Feed on the range is consequently plentiful. Crops this season were good. Different kinds of fruits, including peaches, pears, apples and grapes, are being raised, and sweet potatoes were grown this year. There is plenty of land for settlers, with abundance of water obtainable by extending canals.

A Horse Killed.

On Sunday evening, Mr. Henry Bassett, of the Eleventh Ward, was driving in a buggy, and in turning a corner his horse started, breaking one of the shaft fastenings. This frightened the animal, which sprang forward, tearing the shafts from the buggy. The horse dashed down the street, and ran into a fence. A piece of a broken shaft was forced into the side of the animal, disemboweling it. The injury was of a fatal nature, and the horse was shot.

A Narrow Escape.

A five-year old son of Roman Cannon had a narrow escape from death yesterday. The little fellow was playing with some companions, and had in his hand a strip of tin, one end of which had a sharp point. He put this in his mouth in play and just then a companion gave him a push, throwing him forward to the ground. One end of the strip struck the earth, while the pointed end was forced into the back of the little fellow's throat nearly an inch. He sprang up and drew it out, and ran to his mother, a stream of blood pouring from his mouth. He was immediately taken to Dr. Benedict, who found the injury was not dangerous, but stated it had been a very close call, for had the point gone in a little farther or moved to one side, it would have severed an artery and death would have resulted speedily.

Commissioned.

The following commissions were issued by Governor West yesterday:
A. E. Keeler, justice of the peace, Park City, Summit County.
John Brunton, justice of the peace, Bingham, Salt Lake County.
John C. Duncan, justice of the peace, Ferron, Emery County.
E. W. McIntire, justice of the peace, Price, Emery County.
J. J. Farrar, justice of the peace, Blake, Emery County.
Wm. Wood, Sr., justice of the peace, Minersville, Beaver County.
Sven Nielsen, justice of the peace, Fairview, Sanpete County.

William D. Funk, justice of the peace, Petty, Sanpete County.
Lauritz Larsen, justice of the peace, Mount Pleasant, Sanpete County.
John Jackson, justice of the peace, Fillmore, Millard County.
John T. Ashman, justice of the peace, Fillmore, Millard County.
Joshua Greenwood, justice of the peace, Fillmore, Millard County.
William Archibald, justice of the peace, Parley's Park precinct, Summit County.
Charles E. Miller, justice of the peace, Riverton, Salt Lake County.
John S. Boyer, justice of the peace, Springville, Utah County.
J. D. Alphon, justice of the peace, Panguitch, Garfield County.

Probate Court.

Proceedings in the Salt Lake County Probate Court yesterday:
Mary Ann Macknight vs. James Macknight; suit for divorce; stricken from the calendar, as the court has now no jurisdiction in divorce cases.
Estate and guardianship of Hiram Mortenson, a minor, account of guardian and petition for removal and appointment of another guardian, came on for hearing by consent of parties, and continued until September 28th, at 11 a. m.

Estate of Christian J. Swaner, deceased; order appointing William Fuller, T. V. Williams and James T. Little, appraisers.

Estate of Jacob Malstrom, deceased, decree of monthly allowance made.

Estate of M. A. Hooper, deceased; claim of Hepworth & Son for \$3.02 allowed and approved.

Estate of James Marsden, deceased; petition for authority to compromise having been filed, an order was made authorizing a compromise.

Estate of E. M. Cast, deceased; order made appointing time and place for settlement of final account and discharge filed.

The marriage certificate of Amos B. Morton and Julia Cooper was filed with the clerk.

First District Court.

The case of the People vs. Cleon Jackson, grand larceny, was called this morning, but some of the witnesses for the prosecution were 500 miles away, so the case was passed until they could get here.

The United States vs. W. H. Walker, of Wasatch County; unlawful cohabitation; defendant was arraigned, promised to obey the law in future, and the court suspended sentence.

George Whitman was made a citizen.

Charles Miller, Frank Miller, Ed. Jones and James Mitchell were arraigned on the charge of petty larceny. Jones and Mitchell pleaded guilty and were sentenced, Mitchell, being the principal, to four months in the Emery County jail, and Jones to three months. B. W. Driggs, Jr., was appointed to defend Charles and Frank Miller, and upon examination found that although they did not participate in taking the goods, received part of them with a guilty knowledge. They changed their plea to "guilty," and were sentenced to three months in jail. The defendants were stealing a ride from Grand Junction in a freight car and opened a box of shoes and socks, the defendant Mitchell pushing the goods around to the others.

The grand jury brought in six indictments, one under United States laws, and five under Territorial statutes. The United States case was against Mr. Peterson, and should have been unlawful cohabitation. The grand jury made a departure in this case and indicted the defendant for adultery.

Frank Ellis, Joseph Mulligan and Benjamin Morris were arraigned charged with grand larceny, and pleaded not guilty; the case was set for trial on Sept. 29th. B. W. Driggs, Jr. was appointed by the Court to defend the accused.
Provo, Sept. 28th, 1887.

CONFERENCE THEATRICALS.

The Five Nights' Programme of the Home Club.

The Home Dramatic Club, appreciating the fact that the coming Conference will, in all probability, be one of the most notable ever held in this city, have arranged a great programme at the Theatre for the entertainment of their patrons from the country. A five nights' season will be commenced on Wednesday evening, October 5th, the drama of "Storm Beaten" having been selected for the opening; Thursday night "The Silver King" will be presented—its only performance; Friday evening "Storm Beaten" will be repeated, and on Saturday and Monday evenings, the 8th and 10th, the Club's latest successful presentation, "The Lights of London," will be the bill. All three of these plays have made decided hits when presented by the Club during the past season, and there is but little question that they will afford equal pleasure to our friends from the country. Lambourne's new scenery will be seen throughout, and the full strength of the company, including Messrs. Wells, Spencer, Young, Taylor, Evans, Edith Clawson, Harriet Cummings, Nettie Snell, Ivy

Clawson, and Clara Morris, will appear. Phil. Margetts will be seen in the character of "Jarvis," in "Lights of London."

ANGRY MERCHANTS.

Business Men Indignant Towards the Union Pacific.

From 50 to 60 business men, mostly members of the Chamber of Commerce, met in the hall of the latter last evening. The railway committee reported that, after repeated extensions of time, the officials of the Union Pacific had not only failed to render a final decision as to what they would do regarding the concessions in freight rates asked by the Chamber of Commerce, but had treated the committee with silent contempt, by making no communication whatever to them.

Governor West and several other gentlemen present made remarks expressive of their resentment towards the Union Pacific for its general course, and especially for what they termed the discourteous treatment of the Chamber by the officers of the road. Mr. G. F. Culmer, of the railway committee, made some pointed remarks to this effect.

Mr. Needham, freight agent of the U. P. in this city, stated that he had made repeated attempts by telegraph during the day, to get word from Mr. Munroe, but failed. He also took part in the discussion by several times making remarks in defense of the officials of the Union Pacific, but what he said had no perceptible effect.

Governor West submitted the following:

WHEREAS, on the 7th day of September, a meeting of the business men of Salt Lake City was held in the Chamber of Commerce rooms for the purpose of taking such action as might be deemed proper in regard to the unjust discrimination against our city in the matter of freight tariff, and

WHEREAS, upon that occasion the representatives of the Union Pacific Railroad were present, and represented that they were satisfied that the authorities of their road would respectfully listen and give full redress, and upon such representations the meeting was adjourned upon the appointment of a committee to confer with such authorities, to report to an adjourned meeting, and said committee reported to said meeting asking further time, which was granted until to-night. Upon the assembling of the committee to-night they report that they have had no further advice from the Union Pacific, and Mr. Needham, their representative, being present and reporting that he has no communication from Mr. Munroe, the authority in charge of the meeting;

Resolved, By this meeting, that a committee of five, in addition to the railroad committee of the Chamber of Commerce, be appointed to report to an adjourned meeting, to be held in this Chamber on Wednesday, the 28th inst., for such action as our treatment in the present and past justifies. Second—It is the sense of this meeting that such decisive action as is in the power of our people be recommended by our said committee.

Mr. Walden offered as an amendment a clause providing that the Chamber of Commerce of Ogden, Provo and Butte be at once advised of the action taken here, which was adopted, when the preamble and resolution were accepted unanimously. The meeting then adjourned till 8 o'clock to-morrow evening.

POKING IN FILTH.

Shocking Immorality of Harris Ventilated.

The trial of the non-"Mormon" Phos. F. Harris, on the charge of polygamy, to-day, brought out a most disgusting state of things, and the defendant, by his own confession, proclaimed the depth of depravity to which he had descended. After the conclusion of our report of the proceedings yesterday afternoon, Abbie Lawrence, the alleged second wife, continued her testimony as follows: I first met Elizabeth Harris on the 5th of last April; the defendant asked me to go and see her since the present case was assigned for trial. Elizabeth came to my house and asked me to call at the defendant's house, which I did, and met several relatives of the defendant. A short time ago I met him on the street, and we went to his uncle's house. He asked me if I was going away, and I replied that I could not as I had been attached; I was given a

TICKET TO OMAHA

by Elizabeth, and returned it to the defendant, who asked no questions as to where I got it.
To Mr. Brown—I met defendant on Third East Street, between Third and Fourth South, on August 4th, 1885; after returning from Evanston, defendant called on me, and stayed all night with me two or three times; he first suggested a marriage in September, 1885, and we have continued to speak of it ever since; before leaving this

city he took an oath before his God that he would be my husband, and we agreed to leave the city as man and wife; he said that when he got a divorce from his wife he would marry me; he gave the name of his wife as Edna Dixon; in January, 1887, I went to Ogden, and lived with defendant until April, when he was arrested; he worked at a restaurant; when I met Mr. Exum I might have stated that we were not married; told Mrs. Harris that I had left Salt Lake as defendant's wife; never urged her to get a divorce; urged defendant to plead guilty to the charge of unlawful cohabitation, to protect me, because I had told my father that

WE WERE MARRIED.

but never urged him to plead guilty to the charge of polygamy.

Clerk H. H. Henderson testified that he was the clerk of the First District Court, and occupied that position when defendant was indicted for unlawful cohabitation; was present in court when he was arraigned; defendant pleaded guilty to the indictment, and stated that he was married to his second wife in 1885.

Miss Lawrence was recalled, and stated that on the day before leaving Salt Lake she told her father that she was married to defendant; she did not believe in polygamy; she understood that if she had gone to Omaha relatives of defendant were to have met her. When defendant took the oath spoken of, he had one arm over her shoulder and held her hand with the other.

E. W. Exum testified that he had an interest in the restaurant in Ogden, in which defendant worked; about half an hour after defendant was arrested Miss Lawrence stated to him that she and defendant were not married.

R. J. McCarty identified several letters written by him

AT DEFENDANT'S REQUEST

and dictation, while he was confined in the penitentiary.

Charles Powers was called. He stated that he was confined in the penitentiary, having been convicted of burglary. He also identified letters written by him at the request of the defendant, while he was confined in the penitentiary.

This morning the case was resumed, Messrs. Peters and Clarke, appearing for the government and Arthur Brown for the defendant.

The prosecution offered in evidence other letters claimed to have been written by the defendant to Abbie Lawrence. The defense objected to the introduction of these, and after the arguments pro and con, the court overruled the objection.

With the letters, addressed to "My Dear Wife," and signed "Your Loving Husband, Tom," the prosecution rested.

Miss Lawrence was recalled by Mr. Brown, and testified—I gave those letters to Mr. Peters yesterday morning; told him of them the day before; I wrote letters to the defendant while he was in the penitentiary. (One of these letters was read, and referred to a promise made by the defendant.) Witness said—That promise was that he would take me to his home in England; I was to

GO TO ENGLAND

as his wife; he did not say he would marry me, for we had entered into an agreement to that effect; I don't know why I spoke to him first when we first met; he was a stranger to me; he asked if he should accompany me home, and I consented; this was in 1885; my baby was born March 12, 1887; I did not say to Lizzie that the defendant should have pleaded guilty to polygamy to save my good name; I did not say I would make it worse for him; the reason he gave for not taking me to his home when he came from Evanston was that he was working at the Walker house; I did not furnish the information that led to his arrest, nor did I tell my brother.

To Mr. Clarke—He promised to get a divorce from Lizzie and make me his legal wife.

Mr. Brown opened the case for the defense by stating to the jury that the agreement with Abbie Lawrence was not a marriage; the defendant did not have any intention to commit polygamy; he entered into

A CRIMINAL RELATION

with her, to live together, but not as man and wife, as there was never any ceremony of marriage between them.

Mrs. Elizabeth Harris was the first witness. She testified—I first saw Abbie Lawrence on April 5th; she came to me and asked if I was Mrs. Harris; she said I am the woman who has caused all the trouble; she told me she was not married, because he had not been divorced; she came to me the next day also; on Sunday after, when I returned from the penitentiary, I saw her again; during the following week she again denied to me that they had been married; she asked why I did not give him a divorce, and I said I would; I afterwards recalled this and said I would not; she said if he got a divorce she

would marry him to get a name for herself and child; she told me nearly every time I saw her how bad she felt as she was not his wife; she said she told her father they were married, but told her brother they were not.

To Mr. Clarke—My husband told me Miss Lawrence would come to see me; I don't know, only I asked her when they were married; she said she would not have cared if he had married her and

SAVED HER NAME;

she said she would like to go away from here, and I gave her a ticket to Omaha; she said she could not stand the disgrace; I felt sorry for her, and gave her the ticket because she wanted so bad to get away; I have never taken any steps to get a divorce, nor has he that I know of.

Mrs. Sarah Harris, mother of the defendant, testified; I saw Abbie Lawrence first at defendant's; I asked her where and when they were married, and she said they were not married at all; she repeated this statement a few days after.

To Mr. Clarke—The defendant was taken to prison April 5, 1887; Abbie had her baby with her when I first saw her.

Thomas Harris, father of defendant, testified—I first saw Abbie Lawrence a few days after my son was arrested; she wanted Lizzie to get a divorce so she could be married to him; she said she was not married.

To Mr. Clarke—She talked about Tom being in the "pen;" she said if she

COULD ONLY BE MARRIED

to him to get a name for herself and child, she would be willing to be divorced from him immediately; I would not agree to help her do such a thing; I advanced the money to buy the ticket to Omaha; heard Abbie's father say yesterday in the hallway, about my son, "He's got his leg in for it this time;" I understood she wanted to get away from Utah; I advanced the money out of sympathy for her; I never have given her any means for herself or child; the ticket cost me \$25; that was all I gave; I wish I could get it back.

Bagley Harris testified—I am the defendant's brother; met Abbie Lawrence on the street once; I asked if she was married to my brother, and she said she was not; this was about ten weeks ago.

To Mr. Clarke—I was curious to know whether she was married or not, I had heard so much of it; she never told me they were married.

Thomas F. Harris, the defendant, was sworn and

TOLD HIS OWN STORY

as follows—There was never a form of marriage between me and Abbie Lawrence; I never said I would take her as my wife; never said we would leave the town as such; never swore I would marry her; said I would marry her if I got a divorce from my wife; I told her I was a married man; we were

CRIMINALLY INTIMATE

four months before we went to Evanston; we went on the 18th of June, 1886, and lived there; I pleaded guilty of unlawful cohabitation to hide Abbie's disgrace; she asked me to do so and I did.

To Mr. Clarke—It saved her from disgrace by keeping it from everybody's eyes; at least, I thought it would do that; I had never called her my wife; I understood my plea of guilty called her such; I took my lawyer's advice, and he told me to plead guilty; I told the judge I had married her three years ago;

MY STATEMENT WAS FALSE;

my lawyer told me to say I was married before the Edmunds-Tucker law was passed; he said somewhere about two years; I promised to obey the law in future; I expected to go to the penitentiary; did not expect any lie would save me; I am telling the truth now; I want the court now to believe I am not married, and I wanted Judge Henderson to believe I was.

To Mr. Brown—Mr. Rogers was my lawyer. This created quite a titter in the court room, from the fact that Attorney Rogers is a full-fledged

UNITED STATES COMMISSIONER;

It was remarked by an attorney that if Harris' statement under oath could be relied on, a case of disbarment should soon occur in the First District.

Recess was taken till 2 p. m.
This afternoon the defense offered a letter written by Miss Lawrence, asking the defendant to plead guilty to unlawful cohabitation.

District Attorney Peters then testified that he was in court and heard defendant say that he had married Miss Lawrence about two years ago; I told the Court it occurred in June 1886, as shown by the testimony.

Mrs. Elizabeth Harris was recalled and said—I was married seven years ago; was never married except to Mr. Harris.

This closed all of the testimony and the arguments commenced before the jury. Mr. Clarke made the opening address, and was followed by Mr. Brown for the defense. Mr. Peters will close, and the case will go to the jury this afternoon.