

THE DESERET NEWS.

TRUTH AND LIBERTY.

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LOCAL NEWS.

FROM TUESDAY'S DAILY, JULY 21

Election Judges.—The following changes have been made in the list of judges of election in Sevier County: Gooseberry Precinct.—Andrew J. Russell vice D. D. Russell, not a resident of precinct; Peter Rasmussen vice A. W. Kessler, declined.
Salina Precinct.—J. W. Phillips vice G. Willes, declined.

Disgraceful.—A drunken row is reported to have occurred in the lower district of South Cottonwood Ward Sunday evening last, the aggressors the affair having obtained their "inspiration" from a brewery in that vicinity. Some of the parties are old offenders, and in justice to the long-suffering people of that region, who have been so often shocked and alarmed by their terrorizing orgies, they ought to receive the full penalty the law to see if that will not have a salutary effect upon them. We hope to hear not only of them being prosecuted, but of the party who sold them the liquor so, contrary to law, and who is equally deserving of punishment.

Death of an Estimable Woman.—It will be seen by an obituary notice published elsewhere in this issue, that Susan Paxman, formerly Mrs. Forsley, well known in this city, a most estimable lady, has passed from life at the age of sixty-six years. She had a stroke of paralysis a couple of years ago, and has been somewhat feeble ever since. Two weeks ago she was taken from her residence in the 14th Ward to that of her son Clem, in the 20th Ward, and there peacefully rested yesterday, surrounded by loving friends and relatives. Her eldest son is now on a mission in England. The funeral service will be held at the 14th Ward Assembly Rooms on Thursday at 10 a. m.

Flowing Well.—This morning a flowing well was obtained in a locality in this city where hitherto no efforts had been made to find one. For the last six days Mr. N. P. Gray and the Gray Brothers have been engaged on the premises of Mr. Eubridge Tufts, at No. 18, Third South street, in driving a well and a quarter inch pipe, using a thirteen pound sledge hammer for the driving. This morning the pipe reached a depth of 100 feet, where a stream of good clear water was met with, and which flows out of the pipe at the rate of nine gallons per minute. Success in obtaining flowing wells continues, it will probably afford a partial solution of the question of a water supply for culinary purposes.

Burglars Arrested.—Last evening the police arrested an individual who gives his name as William Breant, on the charge of having committed the robbery at the St. James Hotel a few days ago. The bail of the accused was placed at \$300, to await the action of the grand jury. The amount has not yet been furnished.

In last evening's News there appeared an account of a burglary which was committed at Lehi, Utah County, on Saturday night. This was the only information the police in this city had of the affair, and on it they commenced to work up the case, suspecting that the thief would come to town to dispose of his plunder. The search was so far successful that last night the officers arrested the burglar, who gave his name as John Riley, and secured a part of the stolen goods, consisting of cigars, jewelry, etc. The officers of Lehi have been notified, and it is expected that one of them will arrive this evening to take charge of the prisoner.

District Court Proceedings.—Monday afternoon, July 20th: Thomson vs. Thomson; by consent, and on motion of plaintiff, dismissed at defendant's cost.
Herman Brisacher vs. O. H. Riggs,

et al.; motion of defendant Miller and intervenors for further postponement of trial argued and denied; intervenor moves for time to prepare issues to answers to intervention and postponement; Peter Shear and Mrs. Shear sworn and testified on the motion, which was overruled, and exception taken; the court orders trial to proceed.
Phillip Steinhart vs. O. H. Riggs et al.; default and decree as prayed.

Nephi L. McLean, a native of Scotland, was admitted to citizenship.
Tuesday, July 21st.—Christian G. Murdock vs. William Murdock; ten days additional time to answer the order to show cause.

Wm. L. Pickard vs. Edward Byron et al.; default and decree as prayed.
Herman Brisacher vs. O. H. Riggs et al.; trial in progress.

Max M. Beaver, a native of Poland was admitted to citizenship.

The People Protesting.—The following dispatch which we have received per Deseret Telegraph, shows a healthy state of feeling in Bear Lake County, Idaho. The loyal citizens of that region are not disposed to submit quietly and without offering any protest to the outrageous test oath by which they, for religious belief, are deprived of their rights. We trust their agitation of the question may bring it to the attention of the powers that be, and tend to show up those who have robbed them of their rights in their true light before the world, if it does not result in securing for the citizens their former privileges.

PARIS, Idaho, July 21, 1885.

Editor Deseret News:

A monster mass meeting was held here yesterday, which was called by the Democratic Central Committee, for the purpose of remonstrating against the unjust and oppressive test oath that clogs the wheels of justice and deprives us of all rights as American citizens. Although there is only one out of every thirty that is supposed to be a polygamist, this test oath disfranchises the other twenty-nine who have broken no law; consequently from fifteen to twenty thousand people in the southern counties of Idaho have been disfranchised with the evident purpose of giving the territory to the republican party at the next election. The speakers were eloquent and patriotic in their remarks, and the meeting was a grand success. A statement of grievances and petition were gotten up to be sent to President Cleveland.

RUSTIC.

UNLAWFUL COHABITATION.

THOS. PORCHER HELD TO ANSWER TO THE CHARGE.

Shortly after 7 o'clock this morning, Deputy Marshal Greenman called at the house of Thomas Porcher, of the Twenty-first Ward, and arrested him on a charge of unlawful cohabitation. The complaint alleges that the defendant has committed the offense of cohabiting with his wives, Ann Porcher and Eliza Porcher. Mr. Porcher was taken before Commissioner McKay, where a preliminary examination was held, Mr. Varian conducting the prosecution, and Judge Bennett appearing for the defense.

Robert Porcher, father of Eliza Porcher, was the first witness called. He testified the defendant was his brother; Ann Porcher was the defendant's wife; witness' daughter Eliza was 35 years of age, and had been in Utah 13 years; the defendant lived in the Twenty-first Ward; Eliza Porcher was defendant's niece and lived in the same house; witness did not know whether they were married; Eliza has had several children, but they are all dead; witness did not know who was their father; there were four rooms in defendant's house, all on the ground floor; two of the rooms were occupied as bed rooms; the main room was occupied as a living room.

Eliza Porcher testified that she had had children to the defendant; she was married to him; Ann Porcher lived in the same house as defendant, and so did witness; she had been married 15 years; had 10 children, which were all dead; she had sometimes ate at the family table; she had not sustained the relation of wife to the defendant for the past six years.

This closed the testimony, and the defendant was held in \$1,000 bail to await the action of the Grand Jury, H. C. James and Chas. Dangerfield becoming sureties.

Robert Porcher and Eliza Porcher were released on \$200 bail, to appear before the grand jury on September 8.

FROM WEDNESDAY'S DAILY, JULY 22

Judges of Election.—The following changes have been made in the list of Judges of election:

Taistle Precinct, Utah County.—A. C. Beckford, vice James Tucker, resigned.

Richfield Precinct, Sevier County.—August Neilson, vice Wm. H. Seegmiller, appointment revoked; Peter Jensen, vice Wm. H. Clark, appointment revoked.

Monroe Precinct, Sevier County.—Zenas Wingate, vice Wm. A. Warnock, appointment revoked; Andreas S. Bertelson, vice Thos. Cooper, appointment revoked.

Another Death.—Some days since we published an account of the roof of a house at Fish Lake falling in and burying beneath it eleven persons, one of whom, a four-year old son of George Cloward, died shortly afterwards from its injuries. We now learn that the mother of the child, Sister Jane Cloward, who was also severely injured by the accident, and was removed to Elsinore for treatment, died at that place on the 14th, and was buried at Burrville on the 15th. She was the daughter of Charles C. and Sarah Burr, and was born in Salt Lake City, July 18th, 1855. She leaves a husband, three children and many other relatives and friends to mourn her departure.

Awaiting Trial.—A correspondent of the Ogden Herald, writing from Elizabethton, Tennessee, says:

"The case of Elders Christensen and Garner, who are held to await the action of the grand jury upon a charge of teaching polygamy, is exciting considerable interest, public speculation being divided as to whether they will be indicted or not. The Court, in his charge, referred to the law under which they are held, expressing his doubts as to the constitutionality of the law so far as it prohibits inducing people to migrate to another State for the purpose of practicing polygamy, expressing no opinion as to the residue, but leaving the inference that he considered the remainder good."

"He said, however, in substance, that when people came to legislate respecting the opinions of men they were treading upon dangerous ground; and upon the whole gave a pretty fair charge upon that subject."

It is also stated that the popular prejudice against the Elders seems to be somewhat abating.

Receiving Stolen Goods.—Last evening Deputy Sheriff Fowler, of Lehi, came to this city to take charge of John Riley, who committed the burglary in that town. Riley, on being questioned by the officer, confessed the whole affair, and stated that he had sold forty boxes of the cigars to Jas. Keenan, proprietor of the Denver House, near the D. & R. G. W. depot, in this city; the cigars were worth, wholesale, \$36, and the price paid by Keenan was \$19—\$8 in cash, a pair of boots and some meal tickets—which Riley handed over to the police. Sheriff Fowler and a policeman went to the Denver House for the purpose of obtaining the goods, but Keenan refused to give them up or permit them to be seen, and soundly abused the officers for their visit. A search warrant was accordingly obtained, and also a warrant for Keenan, on the charge of receiving stolen property. These were placed in the hands of officers this morning, and were served, the belligerent saloon keeper showing himself to be a little more docile on this occasion. Keenan was brought to the City Hall where he was to have a hearing this afternoon.

A Bad Case.—It will be remembered that Ephraim M. Bleak, a young man of twenty-three years, son of James G. Bleak, of St. George, came to this city in March last to obtain treatment in the Deseret Hospital for a diseased leg, caused originally by his foot being cut with an axe and subsequent blood-poisoning. Immediately after coming here the leg was amputated below the knee, and for some time afterwards, owing to his extreme weakness and the bad state of his blood, his life was despaired of. However, with careful nursing he recuperated somewhat, and of late has been able to move about in the open air a little, but as the knee joint continued to greatly trouble him, fears were entertained that the bones were decayed. Yesterday he was placed under the influence of chloroform, and an examination was made, resulting in the discovery that the bones of the knee joint are so badly decayed that further amputation will doubtless be necessary as there seems to be no possibility of saving that portion of the limb. It is a sad case. The young man's mother has been here with him during all of his suffering, bestowing all the care possible upon him, and of course feels very anxious over the new developments in this case, but is willing and even anxious to have anything done that will be likely to save his life.

T. O. ANGELL, JR., ARRESTED.

CHARGED WITH UNLAWFUL COHABITATION.

This afternoon, while Mr. T. O. Angell, Jr., assistant Church architect, was on his way to dinner, he was met by Deputy Collin, who served a warrant of arrest upon him, on the charge of unlawful cohabitation. Mr. Angell was taken to Commissioner McKay's office, where the witnesses were notified to appear for the preliminary examination.

The complaint alleges that Mr. Angell has cohabited with Elizabeth Pyper

and Johanna Gregory, as his wives, contrary to the provisions of law. The defendant waived examination, and was admitted to bail in \$1,500, to await the action of the grand jury, Wm. B. Preston and James Moyle becoming sureties. The witnesses were released on \$200 bonds to appear and testify before the grand jury.

FROM THURSDAY'S DAILY, JULY 23

THOMAS WALTON UNDER ARREST.

HE IS CHARGED WITH A VIOLATION OF THE EDMUNDS LAW.

At about six o'clock this morning, four deputy marshals—Greenman, Sprague, Collin and Miller—made their appearance in the settlement of Bountiful, Davis County, armed with warrants and subpoenas *ad lib.*, and began their search for victims. Deputies Greenman and Miller soon learned the whereabouts of Mr. Thomas Walton's residence, and calling there, served a warrant of arrest upon that gentleman and subpoenaed Mrs. Electa Walton, Sarah Walton, John Coles and his son, Henry Coles.

The accused, with the witnesses, was taken before Commissioner McKay at noon to-day, for the preliminary examination. The complaint charged Thomas Walton with the offense of unlawful cohabitation with his wives, whose names are given as Electa Walton and Ellen Coles Walton.

The defendant asked that the preliminary examination be waived, but the District Attorney refused. Mr. Walton then asked for an attorney, and Mr. Richards was sent for, but it being reported that he was sick, the examination of witnesses was commenced.

Sarah Walton, aged 14, was called. Knew Electa Walton, and defendant; lived in Bountiful, at defendant's house; had lived there three years; Mrs. Walton and her husband lived there, and had one child; witness knew Ellen Coles, who lived in Bountiful, about half a mile from defendant's, at her father's, Ellen Coles had no children.

John Coles testified: He had seven daughters, one was named Helen, aged 20; knew defendant for about two years; she was present; his daughter was married to John Penman, Jr.

A puzzled look came over the face of the District Attorney at this announcement, but after a moment's hesitation the idea seemed to strike him that witness said he had other daughters, and that possibly the plural wife was one of them. He then asked:

Do you know any other Ellen Coles?

A. No, sir.

Witness' daughter had been married to John Penman about twelve months; one of his daughters was named Annie; she was married to Wm. Reeves, of Centerville; his daughter Elizabeth was married to Thomas Walton, she had no children.

Q.—Is she a pregnant woman?

A.—I don't know.

Q.—How long since you saw her?

A.—About seven days ago.

Q.—Does she live there?

A.—She does not.

Q.—How long since she lived there?

A.—About seven days.

Witnesses' daughter had lived in Ogden before then; she had lived at Remington's in this city; did not know when she was married to defendant; thought it was about five months ago; based his belief that the marriage had taken place, on his confidence in defendant.

Q. Do you think he ought to have been married to her?

A. That's going too far.

Q. How long is it since Walton got your consent to marry your daughter?

A. About five months ago.

Q. Where did they get married?

A. I don't know.

Q. Did they make a trip to Logan at that time?

A. I don't know.

Q.—About how much of the time during that five months did your daughter live at home?

A.—She was sometimes here and sometimes there.

Q.—Where did she go after the defendant asked your consent?

A.—She went to Centerville, to her brother John's.

Q.—Did you ever know of her having lived at defendant's house?

A.—No, I do not.

Q.—Do you know where your daughter is at the present time?

A.—No, I do not.

Q. Were you home when your daughter left?

A. Yes, I was in the lot.

Q. Do you know where she is?

A. No.

Q. If you desired to communicate with her, could you do so?

A. No, I could not.

Q. Not if you were on your death bed?

A. No.

Q. Do you know of anyone of whom you could inquire of her whereabouts?

A. Yes; of her husband.

Q. You say you would not allow the defendant any liberties with your daughter, unless they were married?

A. No, I would not.

Q. What liberties do you mean?

A. If you will ask me a fair question, as a gentleman, I will answer you.

Commissioner McKay stated to witness the testimony given, and instructed him to answer the District Attorney.

The witness answered that he would allow an intimacy between them if they were married, that he would not allow if they were not married; defendant and witness' daughter had not occupied the same room at any time; if any one, even the District Attorney, came to see his daughter, he would have him watched; defendant had never taken witness' daughter to a ball, but had taken her out evenings; witness had eleven children.

Q.—I ask you, in your judgment, was your daughter a pregnant woman?

A. I should think, with your age, you would know I could not answer that.

Q. What do you think?

A. I do not believe she is.

Defendant had never introduced Elizabeth Coles as his wife; thought she was, from the freedom between them; had never seen him caress her or kiss her; he had acted the perfect gentleman.

Q. Have you no other reason to believe that your daughter is married to Walton than that he has gone out walking with her occasionally?

A. I can't answer.

Q. If you pay attention you can.

A. I am so ignorant I cannot answer; I cannot say yes or no.

The District Attorney asked the question several times, and after considerable cross-firing, the witness replied: I should fully believe they were married.

Q. Why?

A. Because he acted the part of a gentleman.

Q. Do you believe a man could not act a gentleman unless he was married?

A. No.

The Commissioner suggested to the District Attorney to again press the question, to which the witness said he could not answer, except that going out to walk was the only reason. The witness' wife was living, and had been subpoenaed to appear before the grand jury, but not to come to-day.

Deputy Collin stated she had been subpoenaed to come here, which Mr. Coles disputed.

The defendant stated that Mrs. Coles was hard of hearing.

Mr. Dickson asked for an attachment for the witness, Mrs. Sarah A. Coles, which was issued, and given to Deputy Greenman to serve, and that officer started out.

Sarah Walton was recalled. Had known Elizabeth Coles about a year; defendant was witness' father; saw Elizabeth Coles about two weeks ago; had seen her at defendant's house; was there some time ago; it was over two weeks ago; she stayed about 15 minutes; had never stayed there two days; had stayed there over night, once or twice; did not know how long ago, or when she first came; it was not before Christmas, nor very often since; there was one bedroom in defendant's house; Elizabeth Coles occupied the room with witness when she stayed there.

Henry Coles testified: He was 18 years old; lived at his father's house; was brother to Elizabeth Coles, whom he saw about a week ago; was not home when she left; was told she had gone off; did not know where; had known defendant about three years; had seen him at his father's house; he had been there teaching about two months ago; defendant had never stopped nights there; had seen him with Elizabeth, in the house, at the gate, and out driving together once; never heard defendant address Elizabeth; never heard him call her wife, or her call him husband.

Sarah Walton again recalled. Her mother had died about five years since; did not know Electa Walton then; she was married to her father about four years ago; had heard defendant speak of the marriage; called Mrs. Walton Electa; defendant did not tell witness he was going to be married.

In answer to the District Attorney, Deputy Collin said it would take three hours to serve the attachment, till after which time an adjournment was taken.

The defendant's bonds were fixed at \$1,000. David Lewis was examined for surety but rejected.

Frederick Blake, of St. George, then proffered to be one of the bondsmen, and was examined. He stated that he was owner of a sawmill situated near the Arizona line, but did not know whether it was in Utah or not.

At this statement Commissioner McKay "let his angry passions rise," and sharply told Mr. Blake that he didn't want persons around there, who didn't know anything. (There were probably enough of that kind in stock.) He then brusquely exclaimed: "You can sit down!"

To this Mr. Blake coolly remarked, "Oh, I've got other property in St. George." He was finally accepted as a surety. Mr. Walton also signed the bond, and was released until 4 p. m.