

## LOCAL NEWS.

FROM THURSDAY'S DAILY JAN. 29.

**More of the Mountain Meadow Massacre.**—An interesting and valuable supplement to the lecture on the Mountain Meadow Massacre, delivered a short time since by Elder Charles W. Penrose, and published by the Juvenile Instructor office, has just been issued by that same institution. It consists of the testimony of James Holt Haslam in answer to questions propounded to him by S. A. Kenner, Esq. The pamphlet can be had at the Juvenile Instructor office at five cents per copy. Of course all who have the other pamphlet upon the subject will want this, that they may have the facts fully before them.

**Not Caught Yet.**—Sheriff Belnap has not yet succeeded in capturing the escaped prisoner, Bean, but indulges in strong hopes that he will be taken before long. He called upon us to-day and desired to return thanks through the News to Marshal Phillips and his force of police, and also to Sheriff Turner and Captain Greenman for the assistance they have rendered him. The escape of the prisoners on the Sabbath day ought to prove a warning to jailors throughout the country to look carefully after their jail birds on Sunday as well as on other days—in fact to watch as well as pray.

**Theatricals in Utah County.**—We learn from B. W. Driggs, our Pleasant Grove correspondent, that the Pleasant Grove Dramatic Association will play "Foiled; or, a Struggle for Life and Liberty," at American Fork, Tuesday evening, Feb. 3d; to conclude with "A Good Night's Rest."

They will also perform at Lehi, Feb. 5th, and present the same plays as those announced at American Fork. This company are well up in their parts, and those who patronize them will not regret the outlay.

**A Convict Pardoned.**—Yesterday, Governor Murray pardoned Wm. Duffy, who was convicted about two years ago for the killing of Wm. Nugent. It seems that evidence was presented to the Governor to the effect that the killing was done in self-defense, but why the fact—if such it is—was not developed at the trial in the Second District Court is not shown. It seems from this evidence that Nugent had entered a saloon and ordered a supper from Duffy for himself and friends, after which he wanted another but refused to pay for the first. Duffy would not comply with the request, and an altercation ensued, which did not, however, result seriously at the time. After this Duffy was on his way to the cañon, when he was fired upon and slightly injured by Nugent, who had been concealed and waiting for him. Drawing his own gun he shot Nugent through the heart, killing him instantly, just in time to save himself from being shot at again.

Duffy was tried and sentenced to ten years imprisonment in the penitentiary, and had served about two years of his time.

## THE YOUNG CASE.

ATTORNEY DICKSON'S EXAMINATION OF WITNESSES BEFORE U. S. COMMISSIONER MCKAY.

About a quarter past four yesterday afternoon, most of the witnesses subpoenaed in this case being in attendance at the Commissioner's office, the court opened and the examination commenced. The first witness placed upon the stand was

Mary Pratt Young. I am 31 years of age. Know defendant. He is my husband. We were married in 1872. We are living together. My oldest child is 10 years; the youngest is four months. I know Emeline Rawlings. She has not occupied the house in which I live since about three years ago. She has never remained over night in my house since that time. She lives about half a block east of my house, in a place owned by Royal Barney. Before she left my place she occupied a room up stairs. Don't know that my husband ever occupied the room with her. Don't remember having heard my husband speak of her as his wife or as Mrs. Young. (The commissioner here explained that the defendant admitted that he had married the three ladies mentioned in the charge, but claims that they were married to him more than three years ago.) I know that my husband did not occupy the room up stairs with Emeline Rawlings, during the time she stayed with me. My husband has probably visited her since she left my house. Have never seen him take her out.

Cross-examination. Emeline moved away shortly after Mr. Young returned from his mission, six years ago next May. Her removal then would be longer ago than I at first supposed—between four and five years ago.

Sarah McMurrin—I am 13 years old and live in the 13th Ward. I am the sister of Agnes McMurrin. Don't remember how long it has been since my sister ceased to live at home with my parents. She may live there now for aught I know. My father has two houses. My Aunt Maggie McMurrin lives in one of them. Have heard that my sister was married to Mr. Young. Don't know that the rumor is true. She is a dressmaker, and has an establishment on the State Road. Have been there but once. Don't know where my sister lives. Saw no bed at her shop. Don't know that there is a kitchen there.

Miss Agnes McMurrin—I am 24 years

of age. I live on the State Road. Have lived there about three months. Previous to that time I lived with my father. I am the wife of defendant. I was married to him February 8th, 1881, in this city. I think Joseph F. Smith married us.

Q.—Have you ever lived with your husband as his wife?

A.—No, sir.

Q.—Has he ever occupied the same room with you?

A.—No, sir, he has not.

Q.—Have you and the defendant never assumed the relationship of husband and wife?

A.—No, sir, we have not.

Mr. Dickson.—You will pardon me, but I shall be under the necessity of asking you a very plain question.

Witness—Very well.

Commissioner.—You can have the court room cleared of spectators if you wish.

Witness—Oh, never, mind; it is not necessary.

Mr. Dickson.—Have you ever had sexual intercourse with your husband at any time?

Witness (pointedly).—No, sir; I never have.

Q.—You have never had any children, then?

A.—No, sir.

Q.—Why did you marry him, then?

A.—Because I wanted to. He calls on me occasionally. He never eats with me. He calls generally about 4 o'clock, and remains only a few minutes, though he has remained at times an hour or so. (Witness described where her mother lives.) My father, mother and a little grandchild live in that house. My husband and I have never been out together. I have never received him in my bedroom. He was in my bedroom about a week ago. It is very seldom. He sometimes goes in to wind the clock. Don't know that he has ever been in my bedroom more than twice. He has been at the house several times. He went into my room once to hang a picture. Defendant has contributed to my support, furnishing me some provisions and some clothing within the last three months. Previous to that time he did not.

Cross-examination: At the time of our marriage we agreed to live separately as we were until such time as the Edmunds law was settled.

Q.—Re-direct to Dickson: You were married in February, 1881, were you not?

A.—We were.

Q.—That is as good a thing as I want. Do you know that the law was not passed until March, 1882?

A.—(Somewhat confused) I don't know when it was passed. I am not posted on legal matters.

Commissioner.—Perhaps she does not know the difference between the anti-polygamy act and the Edmunds law.

Witness to Mr. Young—I do not know the difference between the laws, nor but very little about them, only there was a great deal of talk about anti-polygamy laws at that time.

The examination was continued until this morning at 10 o'clock. To secure the defendant's attendance at that hour he was placed under \$1,000 bonds, the securities furnished by Horace G. Whitney and Horace Cummings.

## THIS MORNING'S SESSION.

The Commissioner's court convened about 10.30 this morning, and Miss Agnes McMurrin was recalled and testified—I am not acquainted with Mr. Showell (who was present), nor with his daughter. I know them by sight and I know where they live. Remember having a conversation with him in September, 1882, in which I stated that I was not married.

Mr. Dickson here presented her signature attached to a registration oath which she took in September, 1882.

Q.—Is that your signature?

A.—It is.

Q.—How can you reconcile that oath with your testimony yesterday, when you said you were married in 1881?

A.—I had not lived and was not living with any man as his wife. I remember Miss Cowan, she was present when I signed that registration oath. Don't remember that the oath was read to me. I had been previously married, but had not assumed the relationship of a wife.

Defense moved that the testimony concerning the registration oath be thrown out on the ground that it is an attempt of the prosecution to impeach their own witness.

The prosecution objected, and declared they were ready to argue the motion, but the argument and ruling were postponed.

Thomas B. Needham—I am 22 years old. Live in the 4th Ward and am a bar-tender. Know defendant by sight, also Miss Agnes McMurrin. Don't know where she lives. I have seen the house where she is dress-making. Have never seen defendant there.

Nathan Young, of 8th Ward, was next sworn—I am 26 years of age. I know where Miss McMurrin lives. Have seen defendant visit there twice—once in the day time and once about dark. Have seen them out riding once, about two years ago.

Jessie Grant was next called but was not present. Deputy Marshal Vandercook said he had served the subpoena upon her, but stated that she ran away. Prosecution demanded an attachment for the witness. The attachment was made out and the deputy departed to serve it.

Other witnesses who had not been subpoenaed were wanted, and the Court adjourned till 2 o'clock, at which time it was expected they would be in attendance.

After court had adjourned a reporter accosted Commissioner McKay and explained that Miss Jessie Grant was with Agnes McMurrin when the latter was subpoenaed, but the deputy marshal did not read a subpoena to her. The Commissioner replied that it was not necessary to read a subpoena to a witness, "and the sooner people got over that d—d foolishness the better."

## AFTERNOON'S PROCEEDINGS.

Nathan Sewel was again put upon the witness stand—I saw defendant and Miss Agnes McMurrin about two years ago returning from a Mutual Improvement meeting. They stopped at her father's gate. He did not go in. On another occasion I saw him crawl through a fence near the house in which she lived. It was about dusk and he was going to the house. I saw him ascend the steps to the back door.

Parley Williams—I have known defendant for several years. I have conversed with him on the number of wives he had. He told me about two years ago that he had two wives. He did not mention their names.

Miss Jessie Grant was then called, and to the Commissioner, said: I was in the house with Miss McMurrin when she was subpoenaed and the officer simply told me I was subpoenaed and that I must accompany Miss McMurrin to court; but I always thought an officer was obliged to read the subpoena to the witness. I entered the room and left it while he was serving the subpoena paper upon Miss McMurrin.

Deputy Vandercook.—I told her twice that she was subpoenaed—once in the house, and once in the yard. She went into the house and locked the door.

Witness was then sworn and testified. I work with Miss Agnes McMurrin. Defendant has frequently visited her, but never remained long—generally about half an hour. She always receives him in the room where I am. Have never seen them go into another room together.

Here the prosecution rested and the witness was excused. She had scarcely left the stand, however, before the Commissioner called her back and told her that the Court considered that she was properly subpoenaed and that she was guilty of contempt of court, and that under the circumstances it seemed necessary to make an example of witnesses who acted in such a manner. If she were a man the penalty inflicted would be much heavier than the Court in this instance would give. The Court decrees that you pay a fine of \$25, and be held until it is paid.

The Commissioner then said regarding the case of Mr. Young that he would like to hear the reporter read the evidence that had been given, and that he would at 4 o'clock give his decision.

A warrant had been issued charging Miss Agnes McMurrin with perjury, and the counsel for the defendant, Mr. Bennett, wished the examination of this case to proceed at once. Commissioner suggested that as the grand jury were about to convene, the examination could be waived and the case given to that body. The defense would not agree to this and the time for the examination to commence was fixed at 10 o'clock to-morrow morning. Miss McMurrin was placed under \$1,000 bonds to appear at that hour.

At four o'clock Commissioner McKay announced his decision, which was that the accused was discharged on the cohabitation count of the complaint, that he be held in bonds of \$2,000 to answer to the Grand Jury on the charge of polygamy. The sureties were furnished and Mr. Young was set at liberty.

## FROM FRIDAY'S DAILY, JAN. 30.

**Three Burglars Caught.**—The police have arrested James McConnell, George Boynton and George Ross, three out of the four men they have suspected as being the robbers who broke into George Careless' house Tuesday evening, stealing jewelry and other valuables, most of which has been recovered. These prisoners' boots exactly fit the tracks made in the snow on the night of the burglary. Two of the men are convicts who were recently pardoned by Governor Murray. The officers are sure these are the men they want. There is still one more at large who will probably be captured before night.

**Commission Revoked.**—Charles F. Blandin, the lawyer of this city who was disbarred from practicing in the courts of the Territory, by the recent ruling of the Supreme Court, is also deprived of authority to act as a notary public, as will be seen by the following:

TERRITORY OF UTAH, } s.s.  
Executive Office. }

To all whom it may concern:

Know ye that, whereas one of his bondsmen, having heretofore requested that he be released from obligations, and it now appearing to me that there exist good and sufficient reasons, now, therefore, the commission issued to Charles F. Blandin on October 3d, 1884, appointing him a notary public in and for Salt Lake County for the term of two years, is hereby revoked.

Attest my hand and the great seal of the Territory of Utah, this 29th day of January, 1885.

ELLI H. MURRAY, Governor,  
by ARTHUR L. THOMAS, Secretary.

**Narrow Escape.**—Mr. R. C. Chambers arrived from Park City this afternoon, and in answer to our reporter's in-

quiry regarding a rumor of an accident in the Ontario mine, said: Yesterday morning early, eight miners working on the drain tunnel of the six hundred-foot level of the mine attempted to enter the tunnel too soon after a blast had been fired, and were met by the fumes moving outward. They were all prostrated. An alarm was given and the men were carried out in a helpless condition. Six of them were at work last night, and the other two are expected on duty to-day. This is a common occurrence in mines where Hercules powder is used.

**Caught in the Act.**—At a very early hour this morning, two soldiers were seen crossing the street eastward from Walker Brothers' store corner. One carried a large barrel, which was partly filled with wine. When at the east end of Smith's drug store, the man dropped the barrel and it rolled towards the ditch. Nightwatchmen Dobson and Hilton, suspecting something was wrong, stepped forward and arrested the men just as officers Thomas and Smith, who had also started forward to make the arrest, arrived. The barrel was wheeled to the City Hall, and the soldiers were taken to jail by the police. The officers learned there was still another soldier who had taken an active part in the stealing, and after a short search, found their man and lodged him in jail also. A door of a store room under the Walker Opera House had undergone some repairs during the day, and at night it was discovered that the door could not be locked, so it was fastened by the clasp and left. The soldiers had evidently discovered the door was unlocked and set to work carrying off wines, etc. Several empty champagne bottles were found in a room, upstairs, over Benite's saloon, where the thieves had been drinking, in company with two deserters, who were also arrested. The soldiers were all pretty drunk when taken to jail. Mr. Bechtol, proprietor of the saloon under the Opera House, had closed the house and gone home, and knew nothing of it until this morning. The names of the robbers are J. P. Hogan, Co. B., — Brockey and E. A. Morris, Co. C.

**Probably Lost.**—Some time last May, a German by the name of Frank Bittner, formerly a resident of the 17th Ward of this city, being out of work and desirous of migrating to Arizona, set out afoot and alone to walk to that distant region. During the following month he arrived at Overton, a "Mormon" settlement on the Muddy, and remained a few days at the house of Brother Jesse W. Crosby, who tried to prevail upon him to stay there until a cooler season, before proceeding upon his journey, as the weather was then extremely warm. Bittner, however, was anxious to reach his destination, and objected to staying, so Brother Crosby conveyed him in his buggy to the Virgin river and started him on the wagon road, telling him to follow that until he reached the ferry across the Colorado. Having recently learned from the man who keeps the ferry that no such person reached there last summer or since, Brother Crosby became anxious for his safety and wrote to Bishop John Tingey, of this city, to enquire if anything had been learned of him here. The Bishop had heard nothing from him since his departure from this city, although Bittner left what property he had—a chest containing some tools and other things—in his possession, and promised to write to him as soon as he arrived in Arizona.

It now looks as if Bittner must have lost his way while proceeding towards the Colorado and perished in the desert. If any person knows anything of his whereabouts, dead or alive, he would greatly relieve the anxiety of friends in this city, by sending the information to be published.

The missing man was about 35 years of age, tall and muscular, but not fleshy; with light complexion. He spoke English but poorly; was a cabinet maker by trade, and when he left here intended to locate at St. Johns, but on leaving the Muddy said he was going to Mesa City.

## AGNES McMURRIN EXAMINED FOR PERJURY.

MORE OF AN EFFORT TO SHOW COHABITATION THAN PERJURY.

At 10 o'clock the Commissioner's court convened to examine the case of Miss Agnes McMurrin, charged with perjury.

The prosecution offered as evidence in this case the complaint in the case of the United States vs. Royal B. Young.

Mr. Adam Patterson, the short-hand reporter in that case, was sworn and testified.—I heard the evidence given by Miss Agnes McMurrin in said case. I heard her state that the reason why she had never lived nor cohabited with her husband, was because of an understanding at the time of their marriage to the effect that they would let matters remain as they were until after the Edmunds law was settled thing. She also testified that she was married to Mr. Young in Feb., 1881.

The defense objected to this testimony as being irrelevant, but the prosecution wished to show from it that Miss McMurrin had committed perjury by making that statement, as the Edmunds law was not passed until

over a year after their marriage. The evidence was admitted. The reporter then read from his minutes of the examination of the Young case, a synopsis of which we have already published.

Mr. Wm. Showell was sworn and testified—I am 47 years old. I am a deputy registration officer in the First Precinct. I had a conversation with Miss McMurrin in Sept., 1882, when I administered the usual registration oath to her. She remarked at the time that her father was a polygamist, and that she would go into polygamy if she felt like it. I read to her the oath and administered it in the usual form, in the presence of my own son and daughter, Miss Cowan, and several other persons.

Cross examination—I did not suspect that she was married at the time, or I would not have registered her.

Prosecution offered the registration oath as evidence. Defense objected to it as extra-judicial and administered by an officer not having authority to do so. It was then offered as a declaration that she was not married at that time.

Richard O. Showell—I am 21 years old. I am a son of the last witness. Have known Agnes McMurrin by sight almost ever since I can remember. I heard my father read and administer the registration oath to her in Sept., 1882, and heard her say she would marry a polygamist if she had an opportunity that suited her.

Mary Lynch—I am 24 years old and live in the 7th Ward. Have been acquainted with defendant for some time. Have not been intimate with her. Know nothing concerning her marriage to Royal B. Young, nor of any wedding reception she has ever had. I don't know when she ceased to live with her parents.

Joseph McMurrin was then called, but was not present. Deputy Sprague reported that he had not seen him. A deputy was then dispatched with a subpoena for Mrs. McMurrin, the mother of defendant.

Antoinette Carr.—I am 29 years old and am married. I live in a house owned by Royal B. Young in the 8th Ward next door to the house occupied by Miss McMurrin. Don't know how long since she ceased to live with her parents. I have seen Royal B. Young visit her occasionally in the afternoon. Have never seen him leave in the morning. Did not know they were married until I saw it in the paper. Don't remember a conversation that my husband had with Mr. Young in which he stated that on account of his frequent visits there he was satisfied that Mr. Young was married to Miss McMurrin, and threatened to inform on him if he did not make some improvements on the house in which we live and fix the rent satisfactory.

Defense objected to this testimony as having no bearing on the alleged perjury of Miss McMurrin. The matter was argued and the Commissioner said he would strike it out at the proper time if it were not shown to be relevant, and the examination continued. My husband did have some words with Mr. Young about some improvements he wanted made, but do not remember what he said while he was angry.

Mrs. Jessie Gray—I live in the 8th Ward. Defendant lives four houses south of my house. Don't know how long she has lived there. I am not on speaking terms with her, only knowing her by sight. Did not state to a Mrs. Graham that I knew all about defendant's marriage with Mr. Young. Have seen him visit at her house occasionally. Have seen him go away from there about nine o'clock in the morning.

Mr. Chas. Carr—My age is 36. I live in the 8th Ward, and am a machinist. I rent from Mr. Young, and live next door to Miss Agnes McMurrin. I helped Mr. Young put up a cooking stove last summer in the house now occupied by her. She moved there a month or so after that. I have seen him go in the house since she moved there. He went in the day time, but I don't know how often. I think I saw him there the day before Christmas. It was about 4 o'clock. I did not see him go in the house then. Have never seen him leave in the morning. Mr. Young and I had a dispute about fixing up the house and the amount of rent, about last April, shortly after he bought the place. I did not threaten to "blow on him" for polygamy. Never made such a statement to anybody. I cannot be mistaken in this matter.

Mr. E. Butterfield—I was a judge of election in the 1st precinct, at the election of 1884. Agnes McMurrin did not vote in November, 1884. [Presented the list of those who voted at that election, and defendant's name was not on it.]

C. H. M. y Agramonte—I have been presiding judge of elections in the 1st precinct since the Edmunds law passed in 1882. I was absent at one election. The book of the elections of 1883 I sent to the Commissioner's office. [He recognized a book presented by the prosecution as one of the books kept at the election in 1883, but it was not the book which he kept.] I was present at the election last February.

Court adjourned until 2 o'clock, after having instructed the last witness to get the books which he kept at the elections in 1882-83.

## AFTERNOON'S PROCEEDINGS.

Mr. Agramonte again took the stand. I am a judge of election in the first precinct. Know Miss Aggie McMurrin. She voted in 1883 and '84 at the general elections of those years. [The elec-

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