EVENING NEWS.

Tuesday, . September 20, 1857.

FRAGMENTS.

afterpoon, in which the defendant will THOMAS BIRD Was arrested to-day ask for a new trial, the charge of unfor selling liquor on Sunday. lawful cohabitation against

JUSTICE PYPER'S time was occupied to-day in hearing the larceny case of Mill Creek, Salt Lake County, was against James Marshall.

"LIGHTS O' LONDON," by the Home Club, on Thursday and Friday evenings, and Saturday matince.

Sprague were required as interpreter: THE finder of a large halter strap, She testified that she had been in this with neck attachment, will oblige the country for seven years, and had marowner by leaving it at this office. ried the defendant a short time after

her arrival; had one child, 22 months THE genial Louis A. Morgenstern was in town to-day, accompanied by old: knew Ann Homer, who lived Mr. Thrall. The first named gentle- about half a mile from her, man is in the interests of Osbourne & at Mill Creek. Annie had been Stockwell's splendid dramatic com- in the habit of calling at her pany, who appear at the Theatre on house once or twice a week, pany, who appear at the Theatre on house once or twice a week, and he will "receive the judgment of Monday next in "Shadows of a Great Mr. Homer sometimes being at the Court on September 29. City," and on Tuesday evening in house when Annie called, but he never The next case taken up was that City," and on Tuesday evening in house when Annie called, but he never "Ranch 10." went out with her. Witness first met

Pardoned.

rival; at that time a widow was keep-Governop West signed a pardon yesterday for Joseph Chatterly, a ing house for him; was not certain young man who was convicted in the whether she had seen Annie before Second District Court of grand marrying defendant or not; Annie larceny and sentenced on the 31st of sometimes accompanied defendant and herself to meeting: Annie was sealed, changed his plea on the same charge May last to one year in the penitentlary. The petition for executive but not married to the defendant. Mrs. Annie Homer testified that she clemency was sigued by the officers had been sealed to the defendant a and jurors in the court where he was long time ago, but had never lived of Brighton, Salt Lake County, withconvicted, and by the writnesses for the prosecution. with him as his wife. Jannina, another wife, had moved to Summit

age.

10 a.m. to-day.

Not With Utah Capital.

The Salf Lake & Los Angeles Railroad will be built-so it is still asserted-bat not with Utah capital. Proceedings that have not been fully made public have resulted in the disorganization of the Sait Lake company that was to have built the road, and the turning of the enterprise over to Callfornia capitalists. The amounts subscribed by Salt Lake men are being returned to them.

Third District Court.

Solomon Brisacher vs. Frank H Dyer et al.; motion for new trial ailowed.

The People vs. Howard F. Friend and Norman T. Osborne; indicted for forgery of a quit claim deed purporting to be from Rev. John Murphy, and had the third wife, and it was no use embracing a tract of land in Wichits, Kansas; demurrer to the indictment overruled; the defendants were ordered to be present on Oct. 25, and plead to the indictment.

A Stolen Girl.

A band of Cheyenne and Arapahoe Indians camped on Clear Creek, above town, have with them a white girl about eight years of age. The girl was questioned when in town recently and said she had been stolen two years ago, but could not remember from

overruled. where or what her name was. She has

tinue until it is accomplished. Should we not be proud to labor in this noble Mrs. Fisher; since January, 1880, have been at her house about once a month; I never saw the defendant work which is already planned out for us? We should wake up to the necesin her house during the time named in the indictment, but have seen him in sity of bestirring ourselves in the matter, and unite as one in such a glorithe yard once or twice-not more than ous purpose. We must remember that life is short and we were not born to waste away our time in idle pleasures Our heavenly Father gave us mortal twice; never conversed with him about his first wife; have been at Lydia Fisher's house twice; saw Mr. Fisher there; never saw Mr. Fisher and Mrs. Edith Fisher talking toexistence for a little season to see what use we will make of it, and if we gether; they live on separate farms; do good we will be worthy of a better life; but if we throw away our opportunities, then our chance of eternal life will be commensurate never saw either of the wives at the other's house Deputy Franks testified—I was pre-sent when Mr. Fisher was arrested; subpœnaed his first wife; Mr. Fisher therewith

My brothers and sisters, let us be was near his second wife's house when arrested; when the defendant

FAITHFUL, EARNEST AND VALIANT was in custody he talked with his first wife, asking her to aid in getting bondsmen so he would not have to in the good work; let us be united with love and affection for one anoth-er; treat one another with consideraregain all night in the penitentiary. The prosecution rested its case with tion and kindness, being charitable in tion and kindness, being charitable in all things, and follow the illustrious example set before us by our father and friend, that our minds may be filled with the light and intelligence of the spirit of God, and when our earth-ly career is ended we can look back over our lives with satisfaction and this witness, and the defense anncunced that it had no evidence to Mr. Young argued the case for the defense, and Mr. Peters for the prosecution. The Court's charge was similar in substance to that given in the Homer lorify God therefor

May the Spirit of God rest upon you The jury returned a verdict of guilty that your joys and pleasures may be unbounded this day, in the name of Jesus. Amen.

After the reading of the address, a previously arranged programme of exercises was carried out. Remarks were the money to come to Utah with; she of Kaysville, who changed his plea to guilty on the charge of unlawful comade by President D. H. Wells, Presihabitation. He stated that he would dent A. M. Cannon, Alma Pratt, Sislike till the lath of October, but Mr. ters Eliza R. Snow Smith, Zina D. Peters objected, and sentence was Young and Presinda Kimball and others, all of whom spoke in terms of praise of Apostles Parley P. and Orson Peoa, Summit county, also Pratt, their associations with them, and of their faithful labors and deto guilty, and will be sentenced on the votedness to the work of God, and ex: borted all present to emulate their example and be faithful to their prodrew his plea of not guilty, and sub-stituted one of guilty. Judgment will also be pronounced on September fession, so they might have the privilege of being re-united with them. Songs and recitations were given by young members of the families. At sundown the benediction was proof South Jordan, was arraigned on the nonunced by Elder Joseph Bull, after charge of unlawful consultation, and pleaded guilty to the indictment. In reply to the Court he stated that he which the lawn was beautifully illuminated and the younger members of the various families enjoyed themselves in the dance. Everything

passed off harmoniously, and all enoyed themselves. The gathering of yesterday will long be remembered by all who participated. There were present representatives

of the families of Parley P., Orson, Anson and Wm. D. Pratt. A "Tribute to Orson Pratt," written by Elder George G. Bywater, was read. It was a response to an invitation to be present, which the writer was prevented from accepting. The musical portions of the programme were nearly all rendered by members of the Pratt family, showing that a marked vein of musical talent runs through it.

Court Doings at Provo.

On Monday afternoon last the September term of the First District Court Pratt, to commemorate the 76th anniopened at Provo, Judge Henderson on the bench, and David Evans, Esq., at versary of the latter's birthday, at the residence of Sister Marian B. Pratt in the bar as Assistant U. S. District the Nineteenth Ward. Among the invit-Attorney.

ed guests were President D. H. Wells, The case of the people vs. Hogg; defendant was admitted to bail in the President A. M. Cannon, and Sisters E. R. Snow Smith, Preslada Kimball, Zina sum of \$200. A subpoena was issued for three

> grand jurors. The following names were called as

WAR DEPARTMENT, SIGNAL SERVICE U. S. ARMY.

PLACE

OBSERVA

Salt Lake City ..

Ogden...... Stockton

Bingham..... Park City.....

Brighton

Lake Park

DAILY WEATHER BULLETIN Meteorological Reports Received at Salt Lake City on September 20, 1887,

at 11 a. m. local time.

as 11 s. m. tocas rame.										ON THE				
б р Атіон.	.po	Change in H last W	Minimum.	Maximum.	Water Temper- ature.	Direction.	Force in Wiles	Rainfall in last 24 Hours	State of Weather.	a second		E TRACK!		
	72 70 72 70 58	0 9 12 2	58	72		8 W	Light Light Light Calm Light		Clear Threat'ng Cloudy Cloudy Cloudy	FIRST DAY-October 6. Free for all Pacing Race. Purse, \$130.		THIRD DAY-October 8. FIRST BACE. Free for all trotters.		
	50 2 SW.: Light Cloudy WM. A. KORTZ, Signal Corps, U. S. Army.									SECOND RACE. One-half mile and repeat R Purse, 850.	" unning Race.	Furse, 8150. SECOND BACE. Three fourths of a mile dash.		
										THIRD RACE. 2.50 Trotting Race. Purse, 875.		Furse, 830. THIRD RACE. Free for all Double Team Race.		
UERBACH & BRO										SECOND DAY-Octo FIRST RACE. Three-year-old Colt Race, fre bred colts. Purse, \$75.	e to all Utah	Parse, \$100. All entries on Trotting and Pacing Races close on October 1st.		
										SECOND RACE. Saddle Horses-one half mil Purse, 850 .	e dash.	On all Trotting and Pacing Races 5 to enter and 5 or more to start. Entry, 10 per cent, of purse,		
TIES			R	F	ALI	0	W	IN	FER!	THIRD RACE. Three-minute Pacing Race, Purse, \$75.	d mon we	62" All communications in regard to entries directed to Grant Bros.' Livery Statios.		
											a mon we	LEI DECEM		

ser All communications in regard to entries directed to Grant Bros.' Livery Statilas d mon wd th st.ks D.L. H. DINWOODEY

Three Days' Races

- ON THE -





Our DRESS GOODS, SILK, PLUSH and VELVET Department is replete with the best and most stylish materials to be found in the leading establishments of the country. Prices sure to please.

Our TRIMMING Department is filling up with the most desirable European Novelties.

Our HOSIERY and GLOVE Department is CROWDED FOR ROOM, and LOW PRICES are the order of the day.

We are SOLE AGENTS for the MATHER GLOVE, which whereever shown FORCES it way to the front,

Our Ladies' and Children's MUSLIN and WOOLEN UN-DERWEAR show only DESIRABLE GOODS at Bargain Prices.

Our CLOAK, JERSEY and SHAWL Departments show the very latest and best goods at prices to please every customer. We guarantee Fit and Workmanship to be superior, and Prices Lower than ever.

Our CARPET, LINOLEUM and CURTAIN Department is chock full of Newest Patterns and best makes. We warrant our work and give our patrons honest value every time.

Our Ladies' and Children's SHOE and SLIPPER Depart-



offer

against

SOth.

case, this morning.

fixed for September 30th.

30th of September.

WILLIAM BLOOD,

JOHN A. MARCHANT,

JOSEPH C. PERRY.

ALEXANDER BILLS.

was prepared for sentence.

the witnesses; I made no promises or threats to him, and held out no in-THE PRATT FAMILY REUNION ducements to him to make a confession; I told him Mr. Cannon probably

TO-DAY'S PROSECUTIONS.

Judge Zane's Definition of "Con

structive Cohabitation."

After the close of the Williams case

in the Third District Court yesterday

ANDREW HOMER,

Mrs. Petra Homer was the first wit-

ness, and being unable to speak Eng-

lish inte ligibly, the services of Deputy

defendant in Norway, and he sent her

married him two weeks after her ar-

County, but she could not say just how

long since. She had no children;

supported herself; she was 63 years of

At this point the court adjourned to

taken up and a jury impaneled.

denying it; I then told him he had better assist us. The deiense objected to the conversation with the defendant, as it was under pressure from the officer. Ob-

jection sustained.

Witness (continuing)-I had no conversation relative to Annie Homer before I told him he had better assist me we went down to Petra Homer's and he said that was his third wife. Objected to by the defense as not beisg a voluntary statement. Objection



A Highly Enjoyable and Interestiug Oceasion. According to previous announcement there was a large gathering of the families of the late Parley P. and Orson

Elder Milando Pratt.

RENEW OLD ASSOCIATIONS,

tion may disseminate among us, and

iring us into still closer relations of

and eyps, rather large. mouth, and is dressed in callco gown, apron, shoes and stockings. She is evidently afraid of her dusky guardlans. The county officers have the matter in hand and will endgavor to secure her return to her parents .-- Bufalo (Wyo.) Echo.

Probate Coart.

Proceedings in the Salt Lake Courty Probate Court yesterday:

Order made appointing time and place to hear petition fer admission to probate of document purporting to be the last will and testament of John Taylor, deceased.

Order made appointing time to hear petition for admission to probate of a document purporting to be the last will and testament of Charles S. Harmon, deceased

"Order for executors of the last will and testament of F. Little, deceased to give notice to creditors.

Order made appointing time to hear final account of the administrator of estate of Theophilus Williams deceased.

Estate of John McGuire, deceased petition for confirmation of sale of real estate continued until September 20th.

Estate of J. M. Allen, deceased; order made appointing W. J. McIntyre guardian ad litem for minor heirs and also appointing C. O. Whittemore attorney to represent minor heirs and absent parties interested in said es-

Religious Test for Citizenship. Yesterday afternoon, Mr. H. G. Richins, the well-known salesman, applied tor his final citizenship papers in the First District Court, in this city. He answered all the preliminary questions satisfactorily. Then inquiry was plural marriage. He declined to answer. He stated that he had learned from a study of American institutions that freedom of conscience religious belief was not a matter of question. He was acquainted with the laws forbidding polygamy, and it was his intention in good faith to obey those laws. He knew that his present and proposed actions toward this gov ernment were open to question; but he must refuse to state what was his faith on abstract questions. The ap-plicant appeared clearly to understand that he was seeking political enfran-chisement, and not a judicial decision regarding the orthodoxy of his per-sonal religious views. There did not seem to be any question in the judge's mind as to the Bonjudge's mind as to the Bon-esty of the applicant in asserting his devotion to the institutions his devotion to the institutions and laws of this country. But as the court insisted that Mr. Richins should submit his religious belief to investi-gation and criticism, there was a dead-lock. Judge Henderson settled the matter by dismissing the application. -Ogden Herald, Sept. 18.

Sunday School Union. The following synopsis of a reunion

of the Sunday schools of Prove, held Sunday, Sept. 18th, 1887, is furnished us by James Hardy, secretary :

The meeting was called to order at

bined schools sang the opening hymn from the Sunday School Union Music Book, "Joseph Smith's First Prayer." The sing ing exercises were conducted by Elder John R. Twelves, with Henry E. Gites as organist. Prayer was offered by Bishon Total Construction of the lady was excused. Prayer was offered by Bishon Total Construction of the lady was excused. Prayer was offered by Bishon Total Construction of the lady was excused. Book, "Joseph Smith's First Prayer." The sing ing exercises were conducted by Elder John R. Twelves, with Henry E. Gites as organist.

ther conversation with him! we aftertional flags, etc. On the spacions lawa wards met Deputy Cannon and went an awning was spread and seats proto Ann Homer's house; Mr. Homer vided for the entire company. Adjoincalled her out and told her we had aring the lawn a table 100 feet long was rested him, and she would have to go to town. (Mr. Franks exhibited consid spread, and at 3 p. m. about 150 of the siderable anxiety to state that which family and guests partook of a sumptuthe court had ruled as improper, notous repast which had been provided. withstanding the objections of de-fendant's counsel.) Mr. Cannon told

bim any statement he made would be used against him. After that I heard Mr. Homer and Mr. Cannon convers-

ing! this was on the way to the city: THE FOLLOWING ADDRESS. the defendant, replying to questions, said he bad separated from his first wife because they did not get along written by Elder Laron Fratt, was then read by Elder Milando Pratt: very well together; he alluded to the

Brethren, Sisters and Friends: three ladies as his wives. Deputy Cannon testified-I was in I have been called upon to make the opening address on this interesting oc-

and

sinspip

sphere

the viginity when the defendant was in arrested; I subpensed Petra Homer as a witness, and waited until Mr. Franks came five or ten minutes later; the defendant said 'nd case could be made out against him, as he had lived exclusively with Petra for seven years; he said his first wife left him

several years before; he said he had lived with Ann Homer, but for seven years had lived only with Petra.

This closed the testimony, and Dis-tric. Attorney Peters made the opening address to the jury. Mr. Moyle fol-lowed for the delense, and Mr. Peters ncluded

Judge Zane then charged the jury In reference to "constructive conabi-tation" with the legal wife, he said: "If you believe from the evidence,

gentleman of the jury, that Jannina Homer was the lawful wife of the defendant during the time mentioned in the indictment, and at the place mentioned in the indictment, that fact-that she was the lawful wife -raises a strong presumption that he cohabited with her; but it is not conclusive, unless you further believe from the evidence that he claimed her,

during the time mentioned, as his wife, and by his language and conduct held her out to the world as such. Therefore, if you believe that Janning Homer was the lawful wife of the defendant, and that, at the place mentioned in the indictment, and at the time mentioned, he claimed her as his wife, and held her out to the world by his language or his conduct as such; or if he visited her, or associated with made as to his bellef in the divinity of her, the law conclusively sumes that he cohabited pre-with her. On the other hand, if she was his lawful wife, and he did not claim her as his wife, or hold her out to the world as such, by his language or conduct, and ne did not visit nor associate prevailed in this land, and that his with her at any time during the time mentioned in the indictment, you should not find cohabitation as to her." The Court further stated that if the

jury believed that the defendant had associated with his other two wives so as to lead the world to believe they were his wives, they should convict; a mere polygamous marriage was not sufficient, but actual association must be shown. The jury retired in charge of Bailiff Dan Reckhart, and returned in ten

for the salvation of the sons and daughters of God. From the time he was a youth of ninetcen until he was minutes with a verdict of guilty. Sentence was fixed for September taken from our midst 30, at 2.0 m.

HE LABORED INCESSANTLY AND HUM

upon

Mill Creek, Salt Lake county; I was

he wicked and corrupt.

grand infors: C. R. Foote, Geo. C. Bean, Richard Norman and Henry Karnes, who were excused for various reasons for the term : Richard Brereston, Henry McKennel, Henry Mannery, Edward Bartholomew, Otto Solomon, John T. Leonard, S. F. Mount, Chas. After dinner the company repaired to Coffard, Theodore Cudeback, Wm. G. Sterrett, Wm. H. Taylor, Wm. the lawn and was called to order by McBeth, Jas. H. McCarty, Wm. A. Star, Chas. J. Oleson.

Mr. Theo. Cudeback did not take the oath, and W. K. Henry was called, which completed the panel. It is claimed that he was not eligible-only pays poll tax-but he had taxable

property, and was finally passed. opening address on this interesting oc-casion. I am very much pleased to see before me so large a gathering of relatives and friends, and in the name of the family I bid tou a hearty wel-come, and hope peace, joy, thankful-ness, and kindly feeling will character-Wm. G. Sterrett, when asked by the prosecuting attorney if he had everbeen convicted of a felony, did not answer, took the prosecuting attorney aside, and on returning nothing further Ize this gathering. It is very good, very pleasant and profitable to have such family rewas said to him. As a matter of fact he was convicted of attempted rape a mions, wherein we can interchange number of years ago, but was parthoughts, greetings and remembrances, doned. He is a "Josephite." His eligibility was a matter to be taken under advisement. and I hope to see many such gather-ings, that a feeling of love and affec-

The above is furnished by our Provo correspondent "D."

A Returned Elder.

We meet to-day to celebrate an oc-casion which should be to us a pleas-ant memory, and to converse of one whom we all loved and esteemed, who Elder Thomas Butler, of Richfield left Utah on a mission to the United filled the measure of his creation and has gone hence to render an account of his doings here in the flesh, and to States If April, 1885. He went firstito New England, and traveled in Maine, New Hampshire and Vermont. He continue the good work in a higher met with little success in those States Our father, relative and friend, and at length found a field in Potter)rson Pratt, whose seventy-sixth County, Pa , in which he labored much birthday anniversary we are cel-ebrating, lived to the allotted age of of the time of his mission. During man, being a few days over 70 years of age when he died. He was a man of last winter he labored for a time in Ohio. He also labored in Allegheny numble mien, possessed of great in-County, Pa. He was released to reelligence and many sterling qualities of heart, the most conspicuous among which was his staunch integrity and turn in June, but remained to introduce other Elders into his field. After valuant, unfinching defense of the principles of the Gospel which he adthis he visited relatives in Kentucky vocated. Fifty years of his life were given to the promulgation of the principles of truth. Earthly and Tennessee, and reached this city on the 16th. He started home to-day principles of truth. Earthly nonors and ambitions were as nothing from here. He enjoyed his mission to him. The glittering bauble of worldly wealth had no attraction comvery much. He held about 200 meetings, baptized two persons, made pared to the beauty and glory of hu-man salvation. These things never many friends and removed much premade him swerve from the path he had chosen. He was a friend to all hujudice.

Telephone Connection.

manity in the fullest sense, when the spiritual condition of mankine was concerned. His constant thought was This convenience has now been exhow to elevate his fellow beings, and ended to Lehi, American Fork and fit them for a more exalted plan of usefulness. His heart was set Pleasant Grove, those points now doing the greatest amount of being in connection with this city. At good to the greatest number, and Lehi and American Fork the instruperforming a grand and glorious work ment is in the co-op. store; at Pleasant Grove it is at Beers' store.

DEATHS.

GIBBONS-At Rockport, Summit County, Utah, September 13th, 1887, of convulsions Orson, infant son of Thomas and Sarah Elizabeth Gibbons, born July 24th, 1387 aged 7 weeks and 2 days.

SCHULDER.-In this city, September 16th, 887, Carl R., infant son of Carrie and Rudolph Schulder; aged 13 months.

Funeral at residence of parents, 13216 d. cond South street, at 3 p. m., September list, 1887. Friends are invited to attend.

NEW YORK STOCKS.

By Telegraph to-day.

loney 5@6 Northwestern 11 Navigation Bar silver..... 9634 Transcontinent'i 193 Pacific Mail..... 335 Rock Island..... 163 St. L. & S. F.... 31 St. Paul & Omaha 40 Our Gents' and Boy's CLOTHING and KILT SUIT Department offers the Latest and most Stylish Goods in Cassimere, Cheviot, Jersey Cloth and Fast Color Sattinet at most popular prices. We warrant every article we sell.

We have an Overstock of Gents' HEAVY UNDERWEAR, and will offer Astonishing Bargains in that line.

RUBBER GOODS, SLICKERS, BLANKETS, QUILTS. GENTS' and BOYS' FURNISHING GOODS, CLOTHS and TAILOR'S TRIMMINGS, in greatest variety at reasonable prices.

WHOLESALE BUYERS will find ours the Largest Stock West of Chicago, and OUR PRICES THE LOWEST!

WE ARE NEVER UNDERSOLD.

for our Extensive Bargain Sale, see, read and study our Hand Bills, and profit by an early call for those BOYS' KNEE PANTS, at 25c., 40c., 50c. and 60c. a pair, and many other SPECIAL BARGAINS, sure to crowd our Mammoth Store. "Ga

F. Auerbach & Bro.

COHN BROS. SpecialSale

RIBBONSI

have received 6000 YARDS of Manufacturers' Remnants of RIBBONS, in all Shades and Widths, which will be sold AT ONE HALF OF THE COST TO MANUFACTURE THEM. The Greatest Bargain ever offered in this line.

COLLARS AND CUFFS!

We offer a lot of COLLARS, in White, Colors and Stripes, at 9c. each. These formerly sold at 25c. Also, a lot of LADIES' CUFFS at 12%c., former price 25c. These Goods are PURE LINEN STOCK and Good Styles.

IMMENSE STOCK. Always Reliable! Prices the Lowest!

H. DINWOODEY



FIGURES

STYLES

SONABLE

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Delighted

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BLY for the welfare of mankind. His mind was wnoily devoted to accomplishing the purposes of God, as he understood them, and he went forth without purse or scrip and traveled very extensively on sea and land, spreading the Gospel of life to many nations of the earth, prophesying of the

thisgs that were coming to pass and of the destruction that would overtake Few men have labored so incessant

ly and earnestly for the accomplishment of such a grand and glorious purpose as the saving of poor fallen humanity. And as his prophetic voice was raised long and loud in proclaim-

The charge of unlawful cohabitation against JAMES M. FISHER was the next in order for trial, and a Jury was impaneled in a few moments. Mrs. Edith Fisher was the first wit-ness. She testified-I live at East

married to the defendant in 1857; he had no other wife when I was married

Mr. Young, for the defense, objected to the witness being compelied to to the testify. Mr. Peters insisted that the defendant had no right to raise the ob-

jection, as it was with the witness alone to either consent or refuse to

