

Mr. Peters—I believe I shall insist upon your answering it.

Witness—Well I won't.

Mr. Peters—Then you'll have to go to jail.

Commissioner Norrell then endeavored to urge her to answer, but still refusing, she was given half an hour's time to consider the matter.

Miss Polly Berry was called and testified—Laura Berry is my sister; I have never known her by any other name; she left home in the spring of 1886; she left for some purpose of her own; she never confided any of her secrets to her family, and we don't know; it is considered in our family that she is married to Mr. Barton; we suppose that when she left the house she left for that purpose; she left very unexpectedly; I haven't the least idea how old her baby is, and to-day is the first time I have seen her since she left home; when she left home, she had nothing with her but her clothing; she quit working in the store about December, 1885; it was not understood in the family as soon as that that she was married to him; it was understood, however, some time before she left home; I'm sure I don't know who the father of the child is; we have felt too badly about it to discuss it; I never heard of her marrying a Mr. Preston.

Mrs. Mary Smith, mother of Miss Berry, was sworn and instructed that she must testify. She said: My daughter left home a year ago last spring; she called once, about the last of July, to get a dress she left; I did not think she was in a delicate condition then; I never heard till to-day that she had married a man named Preston; I never saw her child; I heard that Mr. Barton had married his child after he had divorced his wife; I never thought she was living in polygamy; I searched the records and found he had been divorced; a relative of Mr. Barton's told me Judge Pyper had married them, and I went to him, but he said he had never even seen my girl; I don't know when my girl's child was born; she surprises me by her conduct as much as any one.

Miss Laura Berry entered the room at this juncture, and in reply to Mr. Peters said she had not concluded to tell where her child was born; there was no physician or any one present with her; no one had supported her and she received no money from Barton till he came to board with her; she had never occupied the same bed with him; her child was with her sister, Mrs. J. T. Little; it was too young to walk.

Another effort to get her to tell where her child was born failed, but she finally consented to do so if all but the Commissioner were excluded from the room, and the papers never got to know. All persons present were requested to retire, and after a short conversation between the Commissioner and witness the room was again opened.

W. W. Calder, Geo. Calder, Mrs. E. Barton and Mrs. D. O. Calder testified that there had been a rumor for nearly two years that Miss Berry was married to the defendant.

The defendant was then asked whether he had any witnesses and replied that he had not. He said he would have liked to ask Bishop Whitney if it was possible for a man to enter polygamy without getting a recommendation. Defendant said he knew it was impossible. He said he had proposed marriage to Miss Berry after he was divorced from his wife. The divorce was no sham as far as he was concerned. He said he knew nothing about Miss Berry's baby and positively denied that he was its father, or that he had had any improper relations with its mother.

This closed the case and the Commissioner took the matter under advisement until this morning, fixing the bond of the defendant at \$1500.

To-day the Commissioner said he had decided that there was probable cause to believe Barton was guilty of polygamy. He reviewed the case and fixed the bonds to await the grand jury action at \$1500.

Miss Berry was also required to give bail in the sum of \$200 as a witness.

THE DISTRICT CONVENTION.

The People's Party Naming Candidates for the Legislature.

COMMISSIONERS TO LOCATE UNIVERSITY LANDS ALSO NOMINATED.

The Representative District Conventions of the People's Party, to name candidates for the House of Representatives in the next Legislature, met to-day in the twenty-four districts into which the Territory is divided, to perform that duty. In Salt Lake City there are four representative districts—Ninth, Tenth, Eleventh and Twelfth. In the

NINTH DISTRICT, consisting of the First Precinct, the delegates to the Convention met in the Ninth District schoolhouse.

Adam Speirs was elected chairman and James W. Eardley secretary. A committee of six was appointed on credentials.

Hon. W. W. Riter was unanimously nominated representative to the Legislature.

The following delegates to the Council Convention of the Fourth Council District, which meets at noon on the 12th inst., were chosen: J. Walsh, G. Buckle, John Siddoway, Wm. T. Jack, Fergus Conner, John G. Smith, J. D. H. McAllister, W. W. Riter, O. H. Pettit.

Alternates—Geo. K. Reese, T. J. Angell.

THE TENTH DISTRICT

comprises the Second Precinct and the Convention was held at the County Court House. A temporary organization was effected by electing H. P. Richards chairman, T. D. Lewis secretary, C. F. Wilcox chaplain and T. K. Howells sergeant-at-arms.

David McKenzie, Joseph R. Morgan and Barlow Ferguson were appointed a committee on credentials. Five alternates made the number of delegates complete.

The temporary organization was made permanent.

The chairman stated that the Territorial Central Committee of the People's Party had not in any published call mentioned the matter of nominating commissioners to locate university lands, but that this had been an oversight, and the Central Committee had advised that the representative district conventions should nominate those officers.

A motion was made that the chair appoint a committee of seven on nomination. An amendment was offered that the nomination be made viva voce by the body of the house. The amendment prevailed. The only nomination for representative to the Legislature was Hon. John Clark, whose name the convention unanimously approved.

F. A. Mitchell, I. M. Waddell and Richard A. Ballantyne were the only nominations as commissioners to locate university lands, and all were sustained by an almost unanimous vote.

The following delegates to the Council Convention of the Fifth Council District were chosen: J. C. Cutler, Jesse West, Jr., James Anderson, Jas. Poulton, David McKenzie, I. M. Waddell, Daniel Harrington, C. F. Wilcox, T. F. Howells and T. D. Lewis.

The following were elected alternates: W. C. Morris, J. R. Morgan and Henry Wallace.

A vote of thanks to the officers of the convention preceded adjournment.

THE ELEVENTH DISTRICT.

is made up of the Third, Fourth, Granger and Brighton precincts, and the delegates convened in the Eighteenth Ward schoolhouse.

The Convention was called to order by Hon. Elias A. Smith who nominated the Hon. James Sharp as temporary chairman.

On motion of F. S. Richards, Elias A. Smith was elected temporary Secretary.

A committee on credentials was appointed and reported the names of those entitled to seats in the convention.

On motion of Andrew Jensen the temporary organization was made permanent.

Prayer was offered by Milando Pratt. W. W. Williams moved that a committee of seven be appointed by the chair to put in nomination the name of a person to represent the 11th District in the next Legislature. Carried. The chair appointed as said committee

W. W. Williams, Heber J. Romney, Robert S. Watson, Milando Pratt, A. W. Carlson, Thos. E. Jeremy, Jr., D. McRae.

The committee retired and after consultation returned and reported the name of James H. Moyle as nominee to represent the Eleventh District in the next Legislature.

The report of the committee was accepted and the nomination unanimously sustained.

The following persons were elected to represent this district in the Sixth Council Convention: Thomas Goodman, James Sharp, Franklin S. Richards, Elias A. Smith, Thomas E. Jeremy, Jr., A. W. Carlson, Moses E. Porter, Wm. Bayliss, Robt. S. Watson, H. J. Romney.

THE TWELFTH DISTRICT.

Boundaries are the same as those of the Fifth Precinct, and the Convention was held in the City Hall.

D. S. Spencer called the meeting to order and nominated T. V. Williams for temporary chairman. Mr. Williams was elected.

D. S. Spencer was then made temporary secretary.

A committee of five on credentials was appointed, and reported that the full representation—30 delegates—was present.

The temporary organization was then made permanent.

The Convention then proceeded to the nomination of a candidate for representative to the next Legislature, and decided that the voting should be by ballot, and that a majority of the entire number of votes cast be necessary to a choice.

Three nominations were made—Messrs. T. V. Williams, William Naylor and Leonard G. Hardy.

Balloting was next in order, the first count resulting as follows: T. V. Williams, 21; William Naylor, 4; L. G. Hardy, 3.

Mr. Williams was declared the choice of the convention and his nomination was made unanimous.

The following gentlemen were chosen as delegates to the Fifth Council district: C. H. Crow, H. A. Tuckett, Alex. McMaster, James M. Ward, L. G. Hardy, John G. Midgley, F. B. Platt, Alonzo Young, George E. Woolley and Hamilton G. Park.

Alternates were appointed as follows: J. B. Bean, George D. Pyper and Daniel S. Spencer.

Mr. Williams was then called on and made a neat speech accepting the nomination, after which the convention adjourned.

FOURTH DISTRICT.

This Representative District is composed of the city of Ogden. Chas. C. Richards, Esq., was chosen by the Convention as the People's Party can-

didate for representative in the Legislature.

FIFTH DISTRICT.

This embraces all of Weber County outside of Ogden. Nathaniel Montgomery, Esq., of North Ogden, was selected as the Representative.

THE SIXTH DISTRICT

includes the whole of Davis County, five precincts in Morgan County, one in Summit and three in Salt Lake. Thos. F. Roueche, of Kaysville, was nominated for Representative in the Legislature.

THE EIGHTH DISTRICT

takes in Tooele County, Bingham precinct, in Salt Lake, and Tintic precinct, in Juab County. Daniel D. Houtz, of Tooele, was nominated for the Legislature.

THE THIRTEENTH DISTRICT

includes precincts in the southern part of Salt Lake County. Geo. Spencer, of Taylorsville, was nominated for Representative in the Legislature, by the Convention held at West Jordan.

SIXTH REPRESENTATIVE DISTRICT.

This district embraces the whole of Davis and portions of Morgan, Summit and Salt Lake counties. The convention was held at Farmington. Hon. Thomas F. Rouche was chairman and George A. Lincoln, Esq., secretary.

Hon. Thomas F. Rouche was nominated as Representative to the Legislature, and the following delegates were chosen to the First Council District Convention, which meets in the City Hall at Kaysville on the 12th, at noon: Joseph Barton, Wm. N. Alder, Alley S. Rose, George O. Chase, David O. Willey, Richard E. Egan, Wm. H. Toone, Joseph R. Porter, Thomas Grover, Edward Le Chemenant, after which the convention adjourned sine die.

Geo. A. Lincoln, Sec'y.

SEVENTEENTH REPRESENTATIVE DISTRICT.

This district embraces the whole of Emery and portions of Sanpete and Utah counties. The convention met at Springville, Utah County. Abram Noe was made chairman, James Cairney secretary, James Whitehead chaplain and Wm. I. Hall sergeant-at-arms.

L. S. Wood of Springville was unanimously nominated as Representative to the Legislature and the following delegates were chosen to the Ninth Council District, to meet at Springville in the City Hall, at noon on the 12th: O. J. Harman, J. P. Wimmer, S. P. Curtis, C. D. Evans, Abram Noe, Nephi Packard, James Whitehead, Jr., L. S. Wood, Alex. Robertson and R. A. Deal. Alternates: L. D. Crandall, John Tuckett and James E. Hall.

THIRTEENTH REPRESENTATIVE DISTRICT.

The convention was held at West Jordan. J. J. Williams was elected chairman and George M. Spencer, secretary. Richard Howe and George M. Spencer were placed in nomination for the Legislature, but Mr. Spencer was supported by a majority, and his nomination was made unanimous.

The following were elected delegates to the Seventh Council District Convention, which meets at noon on the 12th inst., in the West Jordan Hall: John Castle, William Bradford, Job Reading, South Cottonwood; Samuel Bringham, North Jordan; O. P. Miller, Riverton; Nephi McClary, South Jordan; Lewis Peterson, Bluff Dale; W. B. Cole, Union; Joseph J. Williams, George M. Webster, West Jordan.

FROM MONDAY'S DAILY, JULY 11.

COUNTY CONVENTIONS.

The People's Candidates for County and Precinct Offices.

We give the tickets that the People's Party will triumphantly support in several counties, as follows:

SALT LAKE COUNTY.

The convention to nominate officers for Salt Lake County met in the County Court House at 3 p. m. as announced in our issue of Saturday. Hon. Francis Armstrong was elected chairman, R. W. Sloan, Esq., secretary. I. M. Waddell chaplain, and John Siddoway sergeant-at-arms.

A motion that the chair appoint a committee of seven on nominations was amended by making the committee elected from the body of the house, and carried. The following were elected: Jesse N. Smith, Richard Howe, James Barton, Isaac M. Waddell, C. S. Burton, John Clark, A. S. Geddes.

The committee retired and the convention resolved itself into a caucus to consider nominations for precinct officers, which were made as follows:

Sugar House Precinct—Justice of the peace, Paul A. Elkins; constable, Oscar B. Young.

East Mill Creek Precinct—Constable, Cyrus Neff.

Draper Precinct—Constable, Heber A. Smith.

Bluff Dale Precinct—Justice of the peace, W. W. Merrill; constable, L. Petersen.

South Jordan Precinct—Justice of the peace, J. A. Oliver; constable, G. S. Beckstead.

Herriman Precinct—Justice of the peace, Almond Butterfield; constable, J. J. Stocking.

North Jordan Precinct—Constable, Joseph Lindsey.

Granger Precinct—Constable, L. Hemenway.

Mountain Dell Precinct—Justice of the peace, B. Dickson; constable, William Taylor.

Butler Precinct—Justice of the peace, R. Maxwell, Sr.; constable, C. Colbrook.

Riverton Precinct—Justice of the peace, C. E. Miller.

No nominations were made for North Point, Granite, Bingham or Little Cottonwood.

A motion was made and carried that precincts whose officers were not nominated by the conventions be permitted to place those of their own choice on the ticket on or before election day.

The committee on nominations returned and reported the following ticket:

Selectman, E. M. Weller; collector, L. G. Hardy; treasurer, M. E. Cummings, county superintendent of district schools, Wm. M. Stewart. The names were voted on separately and no opposition was offered. The ticket contemplates no change among the present incumbents.

A motion that the secretary of the convention notify the chairmen of precinct committees to attend to inserting in the People's ticket the names of precinct officers, was carried.

The following gentlemen were sustained as the County Central Committee for the People's Party: John R. Winder, Feramor Little, John T. Caine, Angus M. Cannon, John Sharp, John C. Cutler, Joseph S. Rawlins, Franklin S. Richards, John F. Snedaker, Heber M. Wells, Elias A. Smith, Richard A. Ballantyne, Thos. E. Taylor, Orin P. Miller.

The Convention thereupon adjourned.

DAVIS COUNTY.

At the county convention held in Farmington, Thomas J. Steed was elected chairman, Briant Stringham, secretary, Geo. O. Chase, vice-president, Allie S. Rose sergeant-at-arms and J. N. Secrist, chaplain.

The following ticket was nominated from the body of the house: Selectman, Louis M. Grant; sheriff, David O. Willey; coroner, Allie S. Rose; county superintendent district schools, Henry L. Steed; prosecuting attorney, Joseph Barton.

The following precinct nominations were made:

West Precinct—Franklin D. Grant, justice of the peace; Joseph M. Fackrell, constable.

Bountiful—George A. Lincoln, justice of the peace; Charles H. Rampton constable; James Day and John Cooper, fence viewers.

Centerville—John E. Woolley, justice of the peace; Charles W. Rockwood, constable; Lorin C. Woolley and Henry Cleveland, fence viewers.

Farmington—Thomas J. Steed, justice of the peace; Edward A. Cottrell, constable.

Kaysville—Thomas H. Phillips, justice of the peace.

WEBER COUNTY.

The Weber County Convention met in the county court house at Ogden, at 4 p. m. on Saturday. Thomas Dea was elected chairman, E. H. Anderson, secretary, and W. H. Wright, chaplain. The following ticket was formulated:

E. H. Anderson, county superintendent of district schools; Joseph A. West, county recorder; Thomas Wallace, selectman. There was a contest between Wm. West and Newton Farr over the nomination for recorder, and between Mr. Wallace, John Knight of Slaterville and Emery Soules of Hooper over that for selectman.

ARRESTED AGAIN.

Edward Brain is Charged with Having Committed Polygamy.

About noon to-day Deputy Marshal Cannon arrested Edward Brain on the charge of polygamy. The complaining and prosecuting witness is Deputy Sprague, and he alleges that the defendant committed the offense by marrying his present wife, Mrs. Annie Brain, a couple of months ago. It will be remembered that about two months ago Mr. Brain was arrested on the charges of polygamy and unlawful cohabitation. The same lady as is mentioned in this case was the one named in the former charges. On that occasion the defendant was acquitted of the charge of polygamy, but was convicted and sentenced for unlawful cohabitation.

A short time ago he was rearrested and accused of unlawful cohabitation in living with his wife, Mrs. Annie Brain, who on the witness stand testified that she was his legal wife. Commissioner McKay decided that the defendant had no legal wife, however, and later Mr. Brain and Miss Annie Brain were married. It is for this last act that Mr. Brain is now under arrest. He was taken before Commissioner Norrell at 1 p. m. for examination, and a continuance was had till 2:30 p. m. At that hour the accused stated that he desired to waive examination, and Mr. Peters making no objection, this was permitted, and the defendant gave bonds to await the action of the grand jury in the premises.

Fornicator Fined.

To-day James P. Kelly, the soldier who was indicted a few months ago on the charge of fornication, committed on March 10th, with Theresa M. Pherston, came into the Third District Court to-day and changed his plea from not guilty to guilty. Mr. Peters recommended him to the mercy of the

court, and stated that his character as a soldier had been good. Judge Zane then imposed a fine of \$25 and costs on Kelly who paid the amount, which aggregated \$38.30.

THE STORM.

A Large Quantity of Water Descends in a Short Time.

One of the severest rain storms for the time it lasted that has ever been experienced in this region struck Salt Lake Valley yesterday afternoon, coming from the northwest and sweeping the entire length of the valley. In the morning a slight shower served to refresh the atmosphere, and the sun afterward shone brightly. In the afternoon the clouds in the north and west began to gather darkly around, and about 5 o'clock a thunder storm commenced. There was a sharp squall of wind, which laid much of the grain in the fields, and broke down corn, etc., as well as uprooting many trees. The rain followed, the great drops descending fiercely. This storm raged for upwards of half an hour before a lull came, and the picture presented was not encouraging. The vegetables in gardens in and around the city were beaten down, while the incern, grain and corn fields throughout the valley suffered still more severely.

The water ran down streets and roads in streams, and in all directions were to be found miniature lakes created by this means. Though the damage done may amount to considerable in some places, the benefits received will undoubtedly be greater. The ground had become parched through the long-continued hot weather, and in many places the crops were being literally burned up, owing to scarcity of water. The rain has given these crops a thorough irrigation and revived their drooping life, so that, generally speaking, it has been received with thankfulness, especially by the farmers.

TRAIN BLOCKADED.

Immense Quantities of Gravel Washed on to the Track.

The Utah Central train from the south, due here at 6:40 last evening, failed to connect on time. The cause of the delay was the blockading of the road near the Point of the Mountain. The storm which came on yesterday afternoon struck the south end of Salt Lake Valley with terrible force, and on the foothills south and east of Draper the rain poured down in torrents. At cent No. 6, near the Point of the Mountain, an immense volume of water poured down the side of the mountain, and into the ravines, carrying large quantities of rocks, sand, trees, brush, etc. Considerable of this mass of rubbish lodged in the cut, covering the track for a considerable distance, and effectually preventing further progress of the train. Word was sent to Salt Lake and a train was sent out to relieve the passengers.

The work of transferring to the train on this side of the blockade consumed several hours, the passengers having to walk three-quarters of a mile to where they could again embark. The inconvenience was considerable, but was alleviated in every way possible by the the railroad officials, whose action under the circumstances is highly commended. The belated passengers were finally transferred by 11 p. m., and reached this city about an hour later.

The work of clearing the track was vigorously prosecuted, so that by daylight the train was got through, and came on to this city, leaving the road now open.

For Grand Larceny.

This morning Ned E. Darling was brought up from Lehi on a charge of grand larceny. He is accused of having stolen a diamond ring, valued at about \$75, from Cora Miller. The defendant was taken before Commissioner Norrell to-day. J. R. McBride appeared as his attorney. The examination was waived and the accused held in \$10,000 bail.

The Axe May Fall Soon.

The following special appears in the Denver Times:

Washington, July 6.—It is authoritatively stated to-day that the President has decided upon the removal of Judges Zane and Boreman, of the Utah territorial supreme bench. This will not be done, however, until after the proposed constitutional convention shall have been held. Messrs. Zane and Boreman are the last of the Republican judges left upon the territorial benches. Great pressure has been brought to bear upon the President to take this step ever since the incoming of the present administration. The President, however, declined to move in the matter until well substantiated charges had been performed against them. The charges, it is understood, are based principally upon offensive partisanship, and one of the cases at least reflect severely upon the accused's judicial integrity.

Col. R. S. Withers, Fair Lawn Stock Farm, Ky., and Joseph Cairne Simpson, Esq., Secretary Pacific Coast Blood Horse Association, commend St. Jacobs Oil for all horse complaints. Sold by Druggists and Dealers.