

FROM TUESDAY'S DAILY SEPT. 27.

**Libel Suits Dismissed.**

In the Third District Court to-day, on the motion of Frank Pierce, in behalf of the plaintiff, the two libel suits of Deputy Marshal Wm. Thompson, Jr., vs. The Deseret News Company were dismissed.

FROM WEDNESDAY'S DAILY SEPT. 28.

**Called to Plead.**

In the Third District Court this morning, President William R. Smith, of Farmington, Davis County, was called to plead to an indictment charging him with living with more than one wife. He waived the reading of the indictment, and was allowed two days in which to enter a plea.

James Loynd, also of Davis County, was arraigned on a similar charge, and pleaded guilty. He will receive sentence on Wednesday, October 11th, at 10 a.m.

**Harris Convicted.**

It was nearly seven o'clock last evening when the jury arrived at a conclusion in the case against the non-Mormon Thomas F. Harris, indicted for polygamy. The jury agreed on a verdict of guilty, and the defendant was instructed to appear for sentence at 10 a.m. This morning Mr. Brown, counsel for defendant, asked that the time of passing judgment be deferred until a motion for a new trial could be settled. The request was granted, and the defendant is out on bonds.

**EBENEZER WOODFORD**

Promises to Obey the Edmunds Law in the Future.

This afternoon Ebenezer Woodford, of the Twelfth Ward, appeared in the Third District Court for sentence on his plea of guilty of unlawful cohabitation. When asked what he had to say before sentence was passed he handed the following statement to the Judge:

Please the Court—For the first time in my life I am now called into a court of justice to answer a violation of the laws of the land, namely, unlawful cohabitation, and before receiving sentence I desire to submit the following statement to your consideration: For seven years past I have lived with but one wife, she being my second (at least up to the time of my arrest). The reason for this has been the impossibility of agreement between myself and my first wife, owing to the incompatibility of our tempers and differences in our religious belief and practice.

During the seven years past I have maintained her in circumstances superior to that of my own. Recently, however, she has seen fit to get a divorce from me, which was granted by your honor.

For the future I expect to live in lawful wedlock with my second wife (to whom I was married 18 years since) and with her alone, my intention being to obey all the laws of my country.

The Court read the document carefully, and then inquired—Do I understand you to say that you will in future obey the laws of the United States against polygamy and unlawful cohabitation?

Woodford—Yes, sir.

Court—Regardless of any revelation or command to the contrary?

Woodford—Yes, sir.

Court—What are your means of paying a fine?

Mr. Woodford stated that his means were limited.

Court—I understand you make the assurance in good faith, and mean to abide by it?

Woodford—Yes, sir.

Court—Well, you will be fined in the sum of \$150 and the costs of the prosecution, and stand committed until the fine and costs are paid.

FROM THURSDAY'S DAILY SEPT. 29.

**Free Again.**

Brothers Alexander Edwards and Richard Collett, both of the Nineteenth Ward, this city, and G. T. Peay, of Provo, were released from the penitentiary this morning. All three paid their fines.

**Pleaded Guilty.**

Jesse R. Turpin was arraigned in the Third District Court this morning on the charge of having unlawfully cohabited with more than one wife. He pleaded guilty and October 14, at 2 p.m., was fixed for sentence.

**Provo Co-operates.**

The Provo Chamber of Commerce held a meeting last evening and adopted resolutions protesting against the oppressive policy of the Union Pacific and expressing sympathy with the cause of the Chamber here. A committee was appointed to act with proper committees of the Ogden and Salt Lake Chambers.

**Arraigned.**

In the Third District Court to-day, John Casey was arraigned on the charge of assault with a deadly weapon. The indictment recites that the assault was made on August 10 last, in Summit County, on Peter Frost, with a revolver. The defendant pleaded not guilty. His bondsmen notified the court that they desired to be released,

and Mr. Casey was surrendered to the custody of the Marshal until he could find other sureties.

**Leg Broken.**

Yesterday morning a young man named H. W. Droubay met with an accident at Salaratus Creek, Rich County, whereby his leg was broken. He was riding a horse and the animal fell on him with the result stated. His companions fixed his leg in the best manner possible, and then started to Salt Lake with him to obtain surgical assistance. He came in on last evening's train. His home is in Tooele City, to which place he will be taken after his injuries are attended to.—Ogden Herald.

**Under the Edmunds Law.**

Daniel Harvey was called in the Third District Court this morning, and arraigned on an indictment charging him with unlawful cohabitation in living with Hannah and Helen Harvey as his wives, contrary to the third section of the Edmunds law. He entered a plea of guilty, and was directed to appear for sentence at 2 p.m.

Mr. Harvey was not in at that hour, but came in about twenty minutes later. The Brown case was then being heard, and judgment was deferred till later in the day.

This afternoon Mr. Thomas Labrum was in attendance at the court, and will be arraigned on an indictment charging him with unlawful cohabitation.

**The Brown Case.**

The testimony for the prosecution in the adultery case against Alex. Brown took most of the day yesterday, and most of it was of a nature unfit for publication. The chief points of interest in the case of the defense to-day was the calling of Miss Winegar and the defendant as witnesses. Miss Winegar made a positive denial of the crime alleged, and also flatly contradicted the witnesses for the prosecution in many particulars. The defendant also denied in toto all the testimony given by the witnesses for the prosecution pointing to the commission of the crime. A verdict will probably be reached this evening.

**Pardoned.**

Yesterday, Swan Olsen was released from the penitentiary, having been pardoned by Governor West on the following recommendation by Marshal Dyer: "It is not often that I ask for the pardon of a person convicted of a felony, but there is a case in point which I think is a meritorious one. It is the case of Swan Olsen, who was sentenced by the Third District Court on October 3d, 1883, for a term of five years, on the charge of an attempt to kill, the particulars of which I have explained to you. It was only a drunken row. He is a good man, and I verily believe he will always behave himself hereafter. His sentence will expire on the 14th of October next any way, but he is desirous of getting out now to save some mining property he owns, and which, as I am informed, he is being advertised out of; also to do some assessment work."

**Tate "Promises."**

In the Third District Court this afternoon John Tate, of Tooele, was called to receive sentence on his plea of guilty of unlawful cohabitation. The Court asked—What have you to say before sentence is pronounced? Will you obey the law?

Tate—It is my intention to obey the law.

Court—You will not henceforth practice polygamy or unlawful cohabitation?

Tate—No, sir.

Court—Notwithstanding any alleged revelation or command to the contrary?

Tate—No, sir.

Court—What are your means to pay a fine?

Tate—I haven't any.

The Court then imposed a fine of \$50 and costs, which was paid.

**First District Court.**

Proceedings at Provo yesterday: The People vs. George Thompson, occupied the day yesterday. Defendant was charged with assault with attempt to commit rape upon one Catherine Carroll in Wasatch County. The jury retired this morning and returned a verdict of not guilty.

United States vs. Richard M. Humphries; an order was entered submitting the case to the next grand jury.

The case of the people vs. Mrs. Marks, for resisting an officer, was dismissed.

The grand jury returned nine indictments, seven U. S. and two Territorial.

The case of the U. S. vs. Geo. W. Gee was continued for the term.

Joel Mears applied for citizenship and was admitted.

The case of Pleasant Grove City vs. Daniel M. Smith, appeal, tried in the lower court for selling liquor, was settled without trial and withdrawn, defendant paying into the city part of the fine and costs.

Provo City vs. Shoebridge, a druggist, for selling liquor contrary to the ordinances, is on trial.

A strong movement is on foot in Phoenix, A. T., to disincorporate that city.

**SENT TO PRISON.**

John Cottam and J. M. Fisher Will Not Promise.

In the Third District Court this afternoon,

JOHN COTTAM,

of the Sixteenth Ward was called to receive sentence for unlawful cohabitation. In reply to the Court's question as to whether he would obey the law in the future, he replied, "I desire to make no promise, your honor." He was sentenced to six months' imprisonment in the penitentiary, and to pay a fine of \$50 and costs of prosecution.

JAMES M. FISHER,

of East Mill Creek, was then called. The Court asked—What have you to say—will you keep the law?

Mr. Fisher—I have been keeping the law the best I knew how. I have lived with only one wife for seven years.

Court—Yet you cannot say what you will do in the future?

Mr. Fisher—No, sir; I do not know what I may do in the future.

The Court then imposed a sentence of imprisonment for six months and a fine of \$100 and costs.

**FORCING AN ISSUE.**

The Union Pacific Must Yield or Lose its Utah Patronage.

A FREIGHT BUREAU ORGANIZED WITH POWER TO CONTROL THE TRAFFIC.

The hall of the Chamber of Commerce was crowded last night with the merchants, capitalists and business men of this city, a strong delegation from the Ogden Chamber being also present. The meeting was characterized by a united determination to take decisive action against the unfair railroad discriminations from which the business interests of the Territory have so long suffered.

President W. S. McCornick sat in the chair.

The Chamber railway committee in consolidation with a similar committee appointed at the late citizens' mass meeting, rendered the following

**REPORT:**

To the members of the Chamber of Commerce and merchants and business men of Salt Lake in meeting assembled:

We, the undersigned, members of the consolidated committee on railroads, beg leave to report to your honorable body, that at a meeting by us held in the Chamber of Commerce on Tuesday, the 27th inst., we decided upon, and agreed to submit for your approval, the following programme for the settlement of our difficulties with the Union Pacific Railroad: (1) That the consolidated railroad committee as now constituted be organized into a Freight Bureau of the Salt Lake Chamber of Commerce.

(2) That this Bureau assume the duty, in the interest of the business men and merchants of Salt Lake City, of directing the shipment and transportation of freight over the different railroads to and from the city, with a view solely to securing from the Union Pacific Railroad redress of the wrongs resulting from the unjust discrimination of that road in freight rates against Salt Lake and neighboring cities and mining centers; that said Bureau prepare a contract to be signed by the merchants and shippers of Salt Lake City and other points mentioned, pledge themselves to co-operate with said Bureau and to transport their freight over the railroads reaching this city in accordance with the instructions and directions of said Bureau; (3) that said Bureau employ a competent person or persons to attend to and carry out its instructions, and that it be empowered to secure such employe or employes by your honorable body; (4) that in accordance with the suggestions contained in the second paragraph, your committee prepared the following contract and agreement, to be signed by the merchants and shippers of Salt Lake and other neighboring cities and mining centers. "For and in consideration of the advantages and benefits to us accruing and to accrue from our membership in the Chamber of Commerce in Salt Lake City and the joint co-operation of the members of said Chamber and of those whose names are undersigned, in regulating freight rates on merchandise and making arrangements for the transportation of the same to and from Salt Lake and neighboring localities, we hereby contract and agree to and with each other and jointly pledge ourselves and each of us to yield implicit compliance to the instructions and directions of the Freight Bureau organized by said Chamber for the management and handling of freight as indicated in the second paragraph of the report of this committee, which is made part hereof and whereby we pledge ourselves and bind ourselves under penalty of \$100 fine and privation of membership in said Chamber not to disobey the instructions of said Bureau in the matter of shipping or transporting freight to or from our city or other neighboring cities or mining centers, but to yield obedience in all matters to the wishes and instructions of said Bureau, with a view to securing just and fair treatment from the Union Pacific Railroad." All of which is respectfully submitted.

W. H. REMINGTON, President.

The chairman invited the business men present to sign the agreement conferring power upon the Freight Bureau. It is as follows, with the signatures affixed to it:

For and in consideration of the advantages and benefits to us accruing and to accrue from our membership in the Chamber of Commerce of Salt Lake City, and the joint co-operation of the members of said Chamber and of those whose names are undersigned, in regulating freight rates on merchandise and making arrangements for the transportation of the same to and from Salt Lake and neighboring localities, we hereby contract and agree to and with each other and jointly pledge ourselves and each of us to yield implicit compliance to the instructions and directions of the Freight Bureau organized by said Chamber for the management and handling of freight as indicated in the motion by which said Bureau was organized, which motion is made part hereof, and we hereby pledge ourselves, under penalty of \$100 fine and privation of membership in said Chamber, not to disobey the instructions of said Bureau in the matter of shipping or transporting freight to and from our city and other neighboring cities and mining centers, within sixty days from date hereof, but to yield obedience in all matters to the wishes of said Bureau, with a view to securing just and fair treatment from the Union Pacific Railroad Company, and should at the expiration of said time fair and just treatment not be accorded us, we hereby agree to renew this contract for a like period.

W. H. REMINGTON, G. F. CULMER,

J. B. WALDEN, SPENCER CLAWSON, T. G. WEBBER, F. H. AUERBACH, G. T. ODELL, B. B. VAN DRUSEN.

Salt Lake City, Sept. 28, 1887.

Succeeding the reading of this report by Secretary Wallace, was a discussion as to what the effect of its adoption would be, and the details of the plan which it proposed. Full explanations were not made by the committee, partially from prudential reasons, but it was made evident that the proposed Freight Bureau would possess great power which could be used in a manner to bring about marked results, and the sentiment evolved by the discussion was one of confidence in the suggested Bureau, that it would use its power for the best without the making of a detailed statement of its plans in advance.

During this discussion Mr. Kalbun gave some significant figures relative to the mining interests of the Territory. There are not now as many miners at work by 3,000 as there were last year at this time; consequently \$9,000 per day, or \$270,000 per month less is paid in wages and circulated among the people, than was the case last season. Mr. Kalbun said such a shrinkage was enough in itself to produce a stringency in business circles, and dwell on the advantage which would accrue to the whole Territory were the mining interests properly fostered by the railroads.

In response to an inquiry from Governor West, Mr. Culmer stated that, just before the meeting opened,

**A TELEGRAM**

was received from the Union Pacific stating the rates that would be made to Idaho points from Ogden and this city. It was decided to bear the telegram before disposing of the report. The figures it gave were material reductions from present rates, but were not as low as had been asked for.

Governor West made an address citing the good that had been accomplished, and urged the adoption of the committee's report. This was done, and in consequence the consolidated railway committee became a Freight Bureau, with full power to control the freight traffic of all the merchants and business men who should consent to the arrangement.

W. H. Remington stated that he had telegraphed to Mr. Potter in behalf of the mining men, asking whether any relief could be given relative to ore shipments from Tintic and Park City, and had received the following reply:

New York, Sept. 28, 1887.

W. H. Remington:

Telegram received; have not had time to look up the ore and bullion rates; will do so on my return to the west. Hope to be in Salt Lake by October 1st.

T. J. POTTER.

Mr. Potter's telegram was regarded as a favorable indication, but no action was taken in regard to it.

The following communication from the Provo Board of Trade was read:

CHAMBER OF COMMERCE, PROVO CITY, UTAH, Sept. 27, 1885.

M. J. Forham, Esq., Corresponding Secretary, Chamber of Commerce, Salt Lake City:

DEAR SIR:—Your telephonic communication of this morning, requesting concert of action between our Chamber of Commerce, relating to freight rates over the Union Pacific Railway, was received. I have pleasure in stating that a special meeting will be held as requested by you, and I bespeak unity of action in the good work of disenthraling this Territory from the great "extortioner."

If your committee prepares any resolutions which they would like us to adopt, please forward same prior to our meeting.

Respectfully, W. H. DUNKENBERRY, President.

The chairman invited the business men present to sign the agreement conferring power upon the Freight Bureau. It is as follows, with the signatures affixed to it:

For and in consideration of the advantages and benefits to us accruing and to accrue from our membership in the Chamber of Commerce of Salt Lake City, and the joint co-operation of the members of said Chamber and of those whose names are undersigned, in regulating freight rates on merchandise and making arrangements for the transportation of the same to and from Salt Lake and neighboring localities, we hereby contract and agree to and with each other and jointly pledge ourselves and each of us to yield implicit compliance to the instructions and directions of the Freight Bureau organized by said Chamber for the management and handling of freight as indicated in the motion by which said Bureau was organized, which motion is made part hereof, and we hereby pledge ourselves, under penalty of \$100 fine and privation of membership in said Chamber, not to disobey the instructions of said Bureau in the matter of shipping or transporting freight to and from our city and other neighboring cities and mining centers, within sixty days from date hereof, but to yield obedience in all matters to the wishes of said Bureau, with a view to securing just and fair treatment from the Union Pacific Railroad Company, and should at the expiration of said time fair and just treatment not be accorded us, we hereby agree to renew this contract for a like period.

W. H. REMINGTON, G. F. CULMER,

Henry Cohn, John Bechtol, Utah Cracker Factory, O. A. White, Wm. Sloan, Sam Lery, Percy, Walden & Co., Geo. A. Jennings, Godbe, Pitts Drug Co., J. S. Gil, Elias Morris, G. Luvagnino, John McVicker, W. Bredemeyer, John H. Barnes, Deseret Woolen Mills Company, F. H. Auerbach, for F. Mason & Co., Auerbach & Bro., Co-op. Wagon & Mach. Co., Co. per Odell, John Bros., H. P. Folsom, Simon Bros., George Dunford, S. J. Nathan, Spencer, Clawson, J. Sharp, A. Podlech, Sears & Liddle, Little, Roundy & Co., George Stringfellow, W. F. Raybould, John A. Hamilton, Frank W. Jennings, The Walker Brothers Co., Kentucky Liquor Co., Conter & Snelgrove, A. Harrison, H. W. Lawrence, Tucker & Wallace, J. J. S. Gil, W. S. Sharp, Salt Lake City Foundry and Mfg. Co., T. J. Ward, B. F. Whittemore, Utah Soap Mfg. Co., W. S. McCornick, Tulledge & Co., A. L. Gimmell, J. L. Durbin, Hiesch & Ellerbeck, J. F. Coker, Wm. Carroll, S. P. Towdel, P. W. Madison & Co., M. Morris, Sierra Nevada Lumber Company, H. Dinwoodey, W. F. Raybould.

It is the design to have other signatures added. It was explained that the Union Pacific would not be hounded if it would meet the reasonable demand of the Chamber, and that the signing of the above agreement did not necessarily imply the giving of the traffic to any particular road. The compact merely required the parties to it to ship as directed by the Freight Bureau.

**THE LETTER**

written by Assistant Secretary M. J. Forham to the Butte Chamber of Commerce was read, as follows:

W. R. Keanyon, Vice President Chamber of Commerce, Butte City, Montana:

At a meeting of our Chamber of Commerce, held last evening, I was instructed by resolution to notify the Chambers of Butte, Provo and Ogden that because of the continued refusal of the Union Pacific Railroad to listen to the claims of our merchants or to give any redress of the wrongs resulting from long continued discrimination in freight rates, a mass meeting of our citizens would be held Wednesday evening to take decisive action against said road and asserting the rights of our merchants and business men to just and fair treatment at the hands of its officials. That our action may be the more effective your co-operation in the same connection is earnestly requested and we hope to be able to announce at our meeting tomorrow night that your Chamber and those of Ogden and Provo are in session at the same time, with a view to combined and united action in bringing the Union Pacific Railroad to terms.

Salt Lake City, Sept. 27, 1887.

In response to a number of inquiries the Chair explained that the rates offered by the Union Pacific had neither been accepted nor rejected, but that the Freight Bureau would act on them.

Mr. Boyle, of Ogden, objected to those rates, and suggested that an understanding be had between the Chambers of this city and Ogden. For this purpose it was agreed that a conference between the Ogden delegation and the railway committee should be held at the close of the meeting, which then adjourned, subject to call.

**OGDEN'S SUGGESTIONS.**

Conference Between Members of the Ogden and Salt Lake Chambers.

At the close of the meeting in the Chamber of Commerce Hall last evening, the Ogden men had a conference with the Salt Lake railway committee with a view to harmonious action between the two cities. The former had their position defined as follows:

OGDEN, Utah, Sept. 28, 1887.

Salt Lake Chamber of Commerce, Salt Lake City, Utah:

Gentlemen—In response to your invitation to confer and act with you in regard to existing discriminations against the two cities, the committee appointed by the Ogden Chamber of Commerce begs to respectfully submit to you their views:

First—Regarding exclusive territory. We would suggest that as a fair division of territory, Nephi, lying 92 miles south of Salt Lake City, be considered as the boundary line of exclusive territory for that place, and that Battle Creek, 33 miles north of Ogden, be considered as the boundary line for Ogden on the north. This division of territory concedes to your city the principal cities in Salt Lake Valley, including the large and prosperous mining camps of Brigham and Alta and the Tintic district; while we consider that we are entitled to favorable rates into the section of the country lying north of Ogden as far as Battle Creek. Your attention is called to the fact that this section is entirely devoted to agriculture, that the products are handled largely by Ogden dealers, and we maintain that in finding a market for the same we are entitled to supply them with what they may require in exchange. We believe this to be an equitable adjustment of territory.

Second—Rate from the Missouri River to points north.

The present rates from Missouri River points to points between Ogden and Provo are the same as to Ogden and Salt Lake City, as you are no doubt well aware. There can be but one result of such rates, and that is it will take a large portion of our jobbing trade to Missouri River points. This state of affairs did not exist until the last few months, and in our opinion there is no good reason for it now. We object to other than points between Ogden and Provo being considered as common points from the west, and insist that rates from Missouri River points between Ogden and Provo be restored to their former figures, or that corresponding