

## EDITORIAL NOTES.

M. Lebeau was a member of the parish church of St. Laurent in Montreal. M. Turcot performed the function of passing the plate. On one occasion he failed or wilfully refused to present it to M. Lebeau. That gentleman took this as an affront and appealed to the courts for redress. He sued the offending M. Turcot and alleged damages to the extent of one hundred and ninety-nine dollars. The Superior Court of Montreal has sustained the suit. Judge Jette declares that "a person taking up the collection of the offertory in a church will not be permitted to make use of his offic. to offend and humillate a member of the congregation. A wilful and marked omission to present the plate to a member is an offence for which an action will he." The Court thereupon awarded M.Lebeau damages in the sum of five dollars.

A desperado who ranges across the border between Mexico and the United States has taken the field with some and threatens to clean out several towns unless several of his associates who are in prison charged with murder are released. "El Coyote," the wolf as he is called, is the leader of the band. He now threatens to sack Custamente and Nuevo Laredo, Mexico, and so great is the power of his name that many have fled across the border to secure the protection of the Texan authorities. Last week this band shot down and killed some twenty persons, including the Mexican alcalde, Santos. Large numbers of desperadoes who hover about the border are always ready to enlist under the banner of any precious rascal whose raids promise booty.

Smokers in the East have been greatof the weevil in tobacco. A hardened is interviewed on the subject, said it didn't trouble him a bit. His argument was that a few weevils in tobacco are of no consequence, because there are mites in figs, tapeworm germs in rare beef, triching in pork, millions of parasites in chicken aud fish, animalcules in water and vinegar, cancer lurks in the fresh tomato, polson in the sealing flux used on fruit cans, diphtheria in apples, and that whatever one eats, or drinks, or breathes, or wears of is surrounded by, is infested with millions of low forms of life or recking with poisons destructive of human life. This is an interesting though a mis-leading argument. Because there are parasites in fish, it does not make weevils more agreeable to smoke. Still this man's talk is interesting. It shows to what a callous condition a confirmed tobacco-smoker's mind can be reduced. The idea of smoking weevils. Ugh!

THE POLITICAL OUTLOOK. THE news from Ohio is not at all en couraging to the Republican party. The nearer the total results are reach-ed the smaller grows the majority which once was expected to reach 20,-000. Anything less than 12,000 majority was considered before the election as an unfavorable indication to the Republicans. It has already dwindled down to a probable 11,000 and may be found to be still less when the full returns are all in. Herculean efforts were made in Ohio

and every dodge known to professional politicians, including those of the baser sort, resorted to in order to secure such a majority as would cheer the Republican party in other States. and give promise of a great victory in November. In addition to the ordinary athods and the toting of the Presidential candidate all over the State, large sums of money were used and emigration was resorted to, even to the furnishing of excursion tickets to Ohio from distant places for

persons willing to vote the Republican ticket, as related in our correspondence from Michigan, printed in another column. Yet the result is small after the energy and cash expended are taken into consideration and former Republican majorities are compared.

The tide in New York appears to have set in for Cleveland, and with that State and Indiana secured the Democrats have an assurance of victory. The chances in Ohio are, in the light of the present returns, shout even; and with the States we have named Ohlo is not essential to the Democratic cause. Altogether the outlook is full of promise to Cleveland and Hendricks and to the many thousands of citizens who, maugre the claims of party, are desirous of a change in the conduct of public affairs.

AN OLD TUNE OFT REPEATED.

THE efforts of the Salt Lake Tribun to keep up its music on the "Mormon" question editorially is amusing, and suggestive of a measure of economy two hundred fellows of the baser sort that might be adopted. The articles on the subject have such a monotonous sameness about them that a saving might result from keeping them standing or having them stereotyped. Oc-casionally there are a few alterations in the phraseology, but "hardly ever" in the ideas. "A hostile government being built up," etc. "Institutions not in accord with the general sentiment of the 50,000,000," and similar stock expressions make up the sum total of the dissertations, which are never backed by any evidence. The fact is the editors are "out of soap." They are like an old clock run down, with the key lost, or a music box with one tune with a number of notes out of order. Even the thin high-falatin which often ap-

old worn out ideas that are being ly exercised of late over the discovery ground and reground and then ground over again through the Trabune mill, We understand that even some of its own friends are getting sick of its anti-"Mormon" song, which rivals in its monotony, "Our old horse he crossed the road, because he crossed the road, sir." They are ready to call a halt and say, "give us a rest."

Mr. Dickson-Yes, sir. Judge Zane-Counsel have futerred to a number of cases, and there ap-pears to be a conflict in these cases; but the Supreme Court of the United States, in the case of the People against Miles, in the 13th of Otto (103d) have held that this class of evidence was proper in that case. The first marriage was in issue, and the second one, I believe, was admitted; and it would seem from the authorities that the issue generally has been upon the Mr. Dickson-Yes, sir. the issue generally has been upon the first marriage, and that would be nat-urally so, I presume, because the sec-ond marriage being more recent might be more easily proven. It is not until

the prosecution have some evidence, at least—satisfactory evidence—of the second marriage that an indictment is found, and the investigation usually is directed more, in bigamy cases, with respect to the second than the first marriage. It is insisted that a different rule, however, applies; that while the admissions of the defendant and circumstantial

while the admissions of the de-fendant and circumstantial evi-dence are competent to prove a first marriage, it is not competent to prove a second. Some reasons have been given. One is, I believe, that the first marriage being more remote it may be more difficult to prove it by the records. While that is so, there are some reasons why the second mar-riage—where the first is admitted— would be difficult to prove; because in a country where there is a law—as in this—against a second marriage, it is not reasonable to presume that a per-son knowing that he was subject to punishment would furnish the evidence by which he could be convicted; and it would seem to me that the admission of the second marriage, if clearly and deliberately made, and correctly un-derstood, and correctly reported, would be of greater weight as to the second marriage before the second marriage took place; because it is not to be pre-sumed that a person knowing that a transaction which he acknowledges would subject him top unishment, would state that it occurred when it had not occurred. Men sometimes will tell a le when they think the lie will do them better than the truth; but no man is so fond cf it that he will tell a lie when the truth will do him better. Men do net state faischoods for the purpose of receiving punishment, and it would state that is escond wife while the first one was living, that at least ought to be competent evidence to go to the invoid subject to the circumstances, it would seem that in this Territory there is no law requiring a record to be kept of marriages, and none requir-

it would seem that in this Territory there is no law requiring a record to be kept of marriages, and none requir-ing witnesses to be present, and it can-not be proved by the record, because there is no legal record, there is no re-cord made in pursuance of the law. Resort, therefore, must be made to other evidence, to the testimony of persons who were present, to the ad-mission of the defendant, and the cir-cumstances. While the general rule is, that when it is competent to prove a fact by the testimony of a witness who knows it directly, it is competent to prove it by circumstances. That is the general rule, unless there is some law against it. It is upoa presump-tion we know fact. No human affair stands alone; it is connected with others—the cause and the effects of the act. Every act in a man's life is conothers—the cause and the effects of the act. Every act in a man's life is con-nected with others. And the ceremony of marriage—marriage is necessarily not like any other transaction in hu-man life—it is not just like—and the circumstances that stand around and

circumstances that stand around and and follow and precede, are not like any other transactions in human life, and when these circumstances—when a coincidence of circumstances all pointing to a marriage—concur, it would seem to me that they ought to be competent evidence; for you can-not explain them upon any other rea-sonable hypothesis than the existence pears in that paper is preferable to the sonable hypothesis than the existence of the marriage; they ought to form a reasonable interence of the marriage; and while the authorities are conflict-ing, yet I am disposed to hold that upon the weight of authority this tes-timony ought to be permitted to go to

Witness-"Last night, or night be-fore last." Mr. Dickson-"What was it?" (Ob-

Mr. Dickson—"What Was it?" (Db-jections.) Witness—'I had been subprenaed with the other clerks; the defendant came to me and said: 'I understand you have said that you asked me if Lydia was my second wife. I answered, Yes.' I replied 'Yes, I said so;" he then said he did not say yes, or if he did it was qualified, as 'Yes, that's what they say,' or something to that effect. I replied that I did not hear him say anything but 'Yes.' He said: 'Well, you admit there is a doubt?' I answered 'Yes, there is a doubt?' I maswered 'Yes, there is a doubt, but not in my mind.' I meant the doubt was in his mind." We will here state that Mr. Caine, while evincing great readiness to answer, did not. deliver the above glib narrative continuously. Such a pro-ceeding was attempted at the start, but was objected to by the defense, and so Mr. Dickson plied him with leading questions, which we have omitted for brevity's sake, simply bunching the answers made. ions.)

#### JOHN M. YOUNG

JOHN M. YOUNG was the next witness who testified: I live in the Tenth Ward, this city. Am Sycars old, have known the defen-dant probably two-thirds of that time; I have known Lydia Spencer about 18 months; I first saw her at her home on Third East street in the Tenth Ward; on't know the other parties' names who reside in the house; I saw the de-fendant there a short time after I first met the lady; never saw him in the dendant there a short time after I first met the lady; never saw him in the dendant there a short time after I first met the lady; never saw him in the swho reside in the house; I saw the de-fendant there a short time after I first met the lady; never saw him in the dendant there a short time after I first met the lady; never saw him in the swho reside in the house; I saw the de-fendant there a short time after I first met the lady; never saw him enter the gate. I never carried a message to her. I fre-with them, saw him enter the gate. I never carried a message to her. I fre-with them, saw him enter the gate. I never carried a message to her. I fre-with them, saw him enter the gate. I never carried a message to her. I fre-with them, saw him enter the gate. I never carried a message to her. I fre-with them, saw him enter the gate. I never carried a message to her. I fre-with them, saw him enter the gate. I never carried a message to her. I fre-with them, saw him enter the gate. I hever the bouse, but don't know where be able to on't know where the bouse, but don't know where the bouse, but don't know where the bouse bouse, but don't know the de-the bouse bou

WALTER J. BEATLE,

an employee of Z. C. M. I. was ex-amined for the purpose of fixing the time November, 1879, when the defen-dant last entered that institution's em-ploy, and December 1882 when he left.

#### SPENCER CLAWSON

Was then sworn and testified: I reside in this city; my business is wholesale dry goods, at No. 51 and 52 Main Street; defendant has been in my employ as bookkeeper since January, 1885; have known Lydia Spencer six months or a year; she has been to my store frequently; she came to obtain work, and usually talked with which-ever of the clerks she met first; I have seen her in the office with my brother a number of times; I visited his house once; I can't recall the date; no one was there except my wife, myself, my was there except my wife, myself, my brother and his wife; dld not see Lydia Spencer there; never conversed with defendant about her; have seen them defendant about her; have seen them together once or twice going to church; Mrs. Florence Clawson was not with them; think this was before Christmas; I am unable to locate the date; I have never been introduced to Lydia Spencer; I am not a member of the 18th Ward Improvement Associa-tion; Lydia Spencer never bought goods at my store and had them charg-ed to defendant; never had a conver-sation with him about it. Mr. Dickson-Do you remember the

sation with him about it. Mr. Dickson—Do you remember the incident of a parcel having been picked up in your stole, of yourself or some-one else saying, "Whose is this?" of some one's answering, "Rud's wife's," and of his saying "Which one?"; Witness—I don't recall it definitely; I remember something of such a pack-age and of someone saying it was Lydia Spencer's; I ordered it rolled up and



# A TRUTHFUL PRESS DISPATCH.

The organ of slander publishes this morning the following press dispatch copied from a western paper, with nts from which we take the first few sentences, the remainder being amplifications of the fulsehoods told in the part we copy:

SALT LAKE, October 12-Presidents John Taylor and George Q. Cannon, leaders of the Mormon Church in an interview em-phatically reputing the interview em-graphed from New Tork list the Mormon Church had appropriated memory to aid up the election of the Democratic Presidential ticket, for which certain considerations were to be given in return. They assert that anything of the kind, in any form, flas ne existence or foundation whatever in fact, and that the dispatch referred to har-been manufactured for electioneoring par-tisan purposes.

"We have heard much about the ly-ing dispatches which have been stat from this city. If the foregoing is not one of that kind, then its appearance in San Francisco is merely a fresh ex-hibition of Mormon ways. There has been no such interview published here. The charge came over the wires from the East. It has never been denied here by any person of any responsibili-ity in the Mormon church. Neither by John Taylor, Geo. Q. Cannon, Bishop Sharp, nor any other person."

one of that kind, then its appearance in San Francisco is merely a fresh ex-hibiton of Mormon ways. There has the been no such interview published here. The charge came over the wires from the East. It has never been denied here by any person of any responsibil-ity in the Mormon charge. Neither by John Taylor, Geo. Q. Cannon, Bishop Sharp, nor any other person." The dispatch is strictly correct. The *Tribume's* assertions are entirely false —of course—with this exception, the "interview" has not been published here it never took place. There are published, for obvious reasons, and yet they are facts just the same, even if they would not be proper for publica-tion. We are prepared to prove, 1<sup>th</sup> "necessary, that the "interview" did take place, and that the gentlemen named have, each and every one, denied the charge that the Church here has "apcharge that the Church here has "appropriated money to aid in the election of the Democratic Presidential ficket." How does the Tribune know that those

SALT LAKE CITY HOSPITALS.

# MRS. B. SPURLOCK.

"Fon whosoever shall do the will of my Father which is in heaven the same is my brother and sister and mother,' is my brother and sister and mother," prompted me to neek out those whose hearts were tender and true to suffer-ing humanity; that I might class hands with them and whisper a word of com-fort to those whose keeping was en-trusted to their care in this city. First in course I came to St. Marks Hospital, well more met methoush

Hospital, well coverned methought, for "immediately" was the watchword of the writer of that most positive epistic that bears his name. Here we

of the writer of that most positive epistic that bears his name. Here we found the kind, intelligent gentle-woman, Mrs. Prout, in the keeping of the same, who has given direction and carried it forward for years. Every-where an atmosphere of comfort and quiet and continuous attention is to be observed. The inmates were cheered at my coming, and I realized the truth of the wise man's proverb, "It is more blessed to go to the house of mourning than to a house of reloicing." Next 7 visited the "Hospital of the HolyCross."This name too is tallaman-ic, mand go isnomer, wide spreading trounds beautifully designed, and a magnificent building, delighting the eye of the passer-by and cheering the in-coming patients. Here "Sisters of the Sacred Heart," are moving up and down the commodious halls, in and out of the wards with noiseless tread. Frayettully I trow, administering to the wants of others, in the name of the mu aculate Lamb of Calvary, who gave his Min a mansom for earth's perishhis life a masom for earth's perish-ing millions. I thought this minis-try of theirs in God-like and these wiff have an abundant entrance to the

will have an abundant entrance to the city that is eternal. "Third, and last in our course, came the "Descret Hospital," "A rock in a weary land," a Bethel on the plains beside the sea. Here we and the old Descret Uni-versity converted into an "Infirmary," deline to its impates large, airy rooms.

gers not at the most diment clinical or surgical work of the Hospital. She has at this time a case of the most intricate and s complicated hip joint disease, which she is handling with marked ability and satisfaction. It is certainly

timony ought to be permitted to go to the jury. The Judge having ceased Miss Alice Dinwoodey was recalled and the ex-amination went on. The question be-fore objected to was put again and the witness replied: "I was intro-duced to Lydia Spencer at that time by my sister Florence, I think; do not know whether Lydia was there as a visitor or not; guess she had a room there, it was upstairs I think; Flor-ence's bedroom was down stairs; I suw Lydia there once at meal time, she took her meal with the family; never heard Florence nor anyone else she took her meal with the family; never heard Florence nor anyone else in the presence of defendant say any-thing about defendant's relations with Lydia Spencer; if I ever said anything about it to anyone it was jokingly; be-lieve I have spoken to Florence about a report that "Rud." had another wife, but don't remember that she an-swered anything; think it was April; they had a child, which was treated like one of the family, but I never heard defendant say it was his. Their house in the 18th Ward was almost opposite President Young's grave, north.

HENRY DINWOODEY.

## ng sworn, said:

Am acquainted with the defendant he married my daughter Florence Ann, two years ago last August; they lived with me perhaps a year afterwards, had a child, and then went to live in with me perhaps a year alterwards, had a child, and then went to live in the 18th Ward; they went there before January 1, 1884; I occasionally visited them, and have dined or lunched there probably twice; have met Lydia Spen-her there; called there with my wife and Lydia answered the door; I after-wards asked who she was, and was told it was Lydia; afterwards heard her name was Lydia Spencer; when she came to the door she was not dressed for the street; this was before last April, and less than six months ago, I believe:never conversed with defend-ant as to his relationship with Lydia Spencer, nor spoke of it to anyone class in his presence." Mr. Dickson-"Had you heard it re-ported, prior to April last, that de-fendant had married Lydia Spencer?" Question objected to by the defense. Prosecution stated that they did not offer it in evidence, but simply to re-fresh witness's memory. The court sus-tained the objection. Mr. Dickson - "Did you ever speak to the different about his Spencer." Objected to; Court permitted Witness to answer. Witness-"No." Mr. Dickson-"Did you ever hear him say anything about taking another wift !" - Witness-"No."

Witness-"No."

### JAMES E. CAINE

Was sworn and testified: I live in the city; and 22 years old and a son of Joins T. Calles, have known and the former for about fifteen years; know Piorence Clawson, but did not before her mar-riage; do not know Lydis Spencer, ex cept by sight; know of her; saw her first in Spencer Clawson's store, about a year ago last March; the employe were Orson Rogers, R. V. Decker vere Orson Rogers, R. V. De ludger Clawson, W. Lund and my he defendant was bookkeeper; 1 started to work there in A and gult in July, 1883; my en re in Ma nt was that of druminer, principa vent back a week ago fast Frit quit again last night; while yed there first, I was out trave

vent inside the rai employed in that part; talking with him; have seen her have not seen

laid away for her. I don't know that defendant was there; I don't remem-ber the remark about "Rud's wife;" can't recollect that it took place; I made no such remark; I can only state made no such remark; I can only state that I have no recollection of it. (The court reporter read from Mr. Claw-son's previous testimony, where he stated that he did not recall it definitc-ly.) By "definitely" I meant I only recalled the portion I stated. Mr. Dickson-Do you state that you did not state on that occasion, "That's a good piece of evidence."

did not state on that occasion, "That's a good piece of evidence;" Mr. Clawson-I have no recollection of making such remark. My books would not show any charge for goods gotten by Lydia Spencer; it would only be a memorandum, as she had no ac-count; could not say whether or not my books show that she purchased goods on his account; he has never been absent from my employ any length of time! only a few hours toccasionally to go to the lake, etc.; I was away in January and February, 1883, also from June 1st to the 18th; left again in August, and was absent in January and February, 1881; Orson Rogers was left in charge during my absence. The books would not show my brother's absence: he has never asked my per-mission to be absent except at the times stated; we keep a day book, a journal, a ledger, and a press copying book: I have them all on hand. Mr. Clawson was requested to have

Mr. Clawson was requested to have the books in court Friday morning, at 10 a.m., and on his agreeing to do so, the court adjourned to that time. For this morning's proceeding's see third page.

BY TELEGRAPH

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AMERICAN.

# LATEST BY LIGHTNING. Latest Returns.

COLUMBUS, 17 .- Official returns from Columbus, 17.—Official returns from Tuesday's election are coming in slow-ly at both the State headquarters, and inal estimates are made with difficulty. On the figures received, subject to re-vision, the democrats concede on the State ticket a majority of 10,637, while the republicans estimate their majority at 10,762. The democratic committee claims 11 of the 21 Congressmen, while the republican committee still consider the Eleventh district doubtful, and say it will require afficial returns to decide it. No figures are given on this district at either place.

#### Railroad War-Scalpers at Work.

NEW YOBK, 17.—The railroad war in passenger rates exhibits no signs of truce. At the offices of the B. & O. and the West Shore line first class tickets to Chicago can be bought at \$15, for Buffalo at \$4.65, for Albany at \$1.55. Ticket "scalpers" are selling the same tickets at \$14, \$3 and \$1 respectively.



PATCHES.

MADRID, 17 .- The Cabinet Counci as decided to postpone giving assist-nce to the Colonial treasury till the fortes approves the treaty of Com-nerce between America and Spanish

The "Nevada's" Cargo on Fire.

QURENSTOWN, 17 .- The Guion lin lew York, Oct. 7, for Live ived off here at 8.40 this mo erpoon orts fire aboard and great excite at prevails among the passengers. oon — Instead of proceeding to erpool, the Nevada has entered this





