

Friday September 11, 1885

FRAGMENTS.

Now get out your overcoats and galloches.

WHERE is that patent crossing sweeper?

Lean quotations, New York, per 100 lbs., \$4.25.

W. N. DUKESBERRY, Esq., came up from Provo last evening.

Let the bootblack take courage, the umbrella is abroad in the land.

It is a nice day for ducks. Jupiter Pluvius evidently means business.

MCCORMICK & Co. to-day received one car Hanager ore, value, \$3,900.

MEASURES. JOSEPH HYNUM PARKY & Co. have the Family Herald for September.

The wife of Harry Horsely gave birth to a daughter yesterday. Mother and child doing well.

SILVER quotations, corrected daily by Wells, Fargo & Co.: New York \$1.03 1/2; London, 47 1/2.

The Seventies' Conference of this State will commence in the Assembly Hall to-morrow morning, at 10 o'clock.

The principals in "The Mikado" will have a rehearsal at Carless Music Palace this evening, at 6:30 o'clock.

A fair-sized audience attended Mr. Kane's benefit in the Opera House last evening. The entertainment was an artistic success.

HON. W. JENNINGS is still seriously ill, but his condition is considered to be somewhat improved, compared with what it was yesterday and the day previous.

JOS. A. WEST, of Weber County, and Wm. R. Smith, of Davis County, Directors of the Territorial Insane Asylum, came up from Provo on last evening's Utah Central train.

LOCAL NEWS.

"The Contributor."—The July number of this excellent magazine is out, and a glance over its table of contents is sufficient to convince one that it maintains its interest for young and old readers, especially when the names of the authors are considered in connection with the titles of the articles, for most of them are writers of acknowledged ability.

Raymond Arrested.—This morning word was received from Bingham that a person answering the description of Joseph Raymond, who stole W. O. Sawyer's horse and buggy the other night, had been arrested at that place. This morning Officer Bateman left for Bingham Canyon to bring the prisoner to this city. They will probably reach here about eight o'clock this evening.

The Liquor Cases.—Yesterday afternoon, at the close of the trial of Michael McLaughlin, of Sugar House precinct, for selling liquor on Sunday, the defendant was fined \$50. An appeal was taken to the Third District Court.

Williams & Gurnee, who were arraigned on the same charge, entered a plea of guilty, and paid the fine of \$50 imposed on them.

Convicts Pardoned.—Yesterday afternoon the Governor issued pardons for Robert Price, Samuel Noyes and Henry Valentine, who have been serving terms of imprisonment in the Utah penitentiary. Price and Noyes were convicted of burglary in February, 1884, and Valentine was convicted of burglary in the First District Court, in May, 1880, and was sentenced to four years' imprisonment.

Horse Thief Captured.—A couple of years ago Sam Shovel of this city had a horse stolen from his premises. The thief, a person known as Jack Taylor, was successful in eluding the officers, and got outside of the Territory. Last night, however, he returned by rail, and Officer William Calder, who was on duty at the depot, immediately arrested the culprit. He was placed in the city jail, to await an examination, which will be held on Monday, at 10 a. m.

Diphtheria in the County.—Dr. Clinton, the city quarantine physician, has learned of the existence of three cases of diphtheria in the county, which should be promptly quarantined, but being outside the city limits are not within his jurisdiction. One of these cases is in the family of Brother Wm. A. Wagstaff, of the Farmer's Ward, whose child was taken sick last evening, and the other two are father south. It seems to us that it should be somebody's business to look after these cases in the country and take such precautions as will prevent the disease from spreading.

Attempted Burglary.—About four o'clock this morning, a son of Mr. Wm. Eddington, who was sleeping in his father's store at the corner of First South and West Temple streets, was aroused by a loud crash from the front door. Raising his head, young Eddington saw the figure of a man entering the door, which had been burst in. The man, who was heavily masked, closed the door after him, and began to look around, preparatory to securing his spoil. Young Eddington, unfortunately, was entirely unarmed, and springing up, shouted at the intruder, who beat a hasty retreat. Search was afterwards made for the burglar, but without success, as there happened to be no watchman around at the time, and no one had seen what direction he had taken.

Expelled from Bavaria.—Elder Biesinger, whose home is in Lehl, in South Germany, was sent on a mission to Austria a couple of years since, and labored with much zeal and wisdom in making known the principles of the Gospel to the people of that nation until he was arrested, imprisoned and banished for preaching and baptizing. He subsequently labored in Switzerland, and more recently, it appears in South Germany, as the *Mitteleurop. Star* has learned by letter from President F. Schoenfeld of his having recently been expelled from Bavaria. The account states that he had been visiting two branches in Nuremberg and Munich, and it was in the latter place, just as he had finished his visit and accompanied all the visitors to the station, that he was arrested. A paper, ordering him to leave Munich within twenty-four hours, and Bavaria within three days. Elder Biesinger waited on the chief of the police and bore his testimony to him, and told him that the Lord would hold him responsible for the cruel act of banishment. The chief of police, however, declared that the Saints were good people, that he had a high opinion of them, and would take no responsibility in the matter, but shouldered it upon the Minister of Culture (Secretary of Education and Church).

THE MOULTON EXAMINATION.

THE DEFENDANT DISCHARGED.

At the time set for the preliminary examination of witnesses in the Moulton case this morning, the defendant and Mrs. Mary E. Moulton were present. Mr. Moulton being represented by his attorney, Hon. F. S. Richards. Before commencing proceedings, the District Attorney held a private conference with Caleb Moore, the individual mentioned in yesterday's News in connection with this case. The only witness he had subpoenaed was Mrs. Moulton.

The counsel charging Joseph Moulton with unlawful cohabitation with his wife, Ann Moulton and Mary Moulton, read, and a plea of not guilty entered.

Caleb Moore, the only available witness, testified that he had been acquainted with the defendant eight months; defendant was living at Heber City, Wasatch County, and had employed him a day and a half threshing grain. He had taken a meal at defendant's house, had been introduced to Mrs. Moulton as defendant's first wife; there were several children in the house; heard the defendant call the defendant's wife, Mrs. Moulton; had been at defendant's house prior to the threshing, and also at the house of Mrs. Moulton; had also been introduced to another lady as defendant's second wife; "I was a Mormon man and he trusted me; the other morning defendant told me that Ann Moulton was confined, and away that I couldn't get her. He told me he had three wives, and intended to live up to religion." Q.—How did he come to tell you he had three wives? A.—Because he was so well acquainted with me. Mr. Shiels served the papers; I did not.

Cross-examined by Mr. Richards: Was anyone else present at that conversation? A.—No.

Q.—Tell all the conversation; what was it? A.—There was so much I could not tell. He told me that Ann Moulton and Annie were confined. I told him Mr. Shiels was outside with a warrant of arrest for all the conversation?

Q.—There was a lot more said, I told him I had a warrant for his arrest. I said, "Good morning," and shook hands with him. He said he was sorry I had the warrant, and said, "You know, Mr. Moore, I have three wives, and intend to live up to religion." He said that because he knew it to be a fact.

Q.—How did you know it to be a fact? A.—He volunteered the statement and told me.

Q.—Had you asked him anything about his wives and what he intended? A.—No, I did not.

Q.—What next did you say? A.—I told him Mr. Shiels was outside with the warrant.

Q.—What further conversation was there? A.—No further conversation only he wanted to send his boy out.

Q.—How many times have you been to his house? A.—Four or five times.

Q.—Didn't you tell the District Attorney you had only been there three times? A.—I don't know.

Q.—When did you first go? A.—Looking at memorandum Jan. 20th, 1885.

Q.—Who else was there? A.—There were some children, Mrs. Moulton and the defendant.

Q.—What did the defendant do? A.—He introduced me to his first and second wives.

Q.—When was the second occasion of your being there? A.—When we were threshing, Mrs. Moulton and another lady was there.

Q.—Was anything said then about defendant and his family? A.—He was often talking about his family. Did not say anything about them.

Commissioner McKay—What were the names of the ladies? A.—There was Lizzie and the second wife. I don't know her name. The only one (pointing to Mrs. Moulton) is Lizzie. She was introduced as the first wife.

Mr. Richards—You said the date of your first visit was January 25th, 1884. How did you fix that date? A.—I made a bill of the work I was doing, and put the date on the bill.

Q.—If the bill is at home, how did you come to refer to your memorandum? A.—I took the date down in the memorandum book.

Mr. Dickson—Do you know Annie Moulton? A.—Yes.

Mr. Richards—Do you object to her being sworn? A.—No.

Witness was sworn and testified that her name was Mary Elizabeth Moulton.

Mr. Dickson—Do you know Annie Moulton? A.—Yes.

Mr. Richards—Are you the defendant's legal wife? A.—I am.

Mr. Dickson—I will not press the question.

Mr. Richards moved for a dismissal of the case, as the testimony did not show any living together. The statement of the witness that the defendant had made certain admissions was so improbable as to be entitled to no credit.

Mr. Dickson argued that the failure of the defendant to contradict the witness ought to convince the court that the witness was telling the truth. There was no improbability in a man who believed that he was doing the will of God, glorifying in obeying that will; it had been done in the courts here.

Mr. Richards said that, admitting that Moore's statement—which was evidently false—was true, there was no proof, and the prosecution now begged the court to presume guilt, and require the defendant to prove his innocence.

Commissioner McKay—There is one feature in the case, which has not been noted by counsel, that I would like to look into, and examine authorities on, and will continue the case until two o'clock this afternoon.

This afternoon the Commissioner stated that the evidence consisted of admissions made by the defendant, and considered that the admissions, if sustained by other testimony, would be sufficient to convict. The proof of marriage furnished by the presumption of subsequent cohabitation. In this case, however, the identity of the women had not been clearly established by the evidence. The Court therefore ordered that the accused be discharged.

Connubial.—One of the students at the Desert University during some of its former terms was Brother David L. Dean, a bright young man, whose home is in North Ogden, and who not only succeeded well in his scholastic attainments during his stay here, but was also fortunate in winning the affections of Miss Alice Jenkins, daughter of Thomas L. Ann Jenkins, of the Fourth Ward, one of the most estimable young ladies of this city. As a result of the attachment formed between this worthy couple, a ceremony was performed in the Logan Temple day before yesterday, which bound them in conjugal fetters for time and eternity. A reception was held at the residence of the bride's father last evening, when a large number of the relatives and friends assembled, offered congratulations to the happy pair on their auspicious matrimonial venture, and spent the evening in social enjoyment.

Brother and Sister Dean will take up their abode in North Ogden. We join with their many friends in wishing them happiness and prosperity.

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New Directory.—We have received

a copy of a new directory of Salt Lake City, recently compiled by the United States Directory Publishing Co., of California, and printed in Chicago. It is claimed that it is more complete than any heretofore published, whether correctly or not we are not prepared to say. It certainly presents a very neat appearance, and is substantially bound in leather. Those who subscribed for the work while it was being canvassed for will be supplied by Herbert Pembroke, the stationer, at whose store the books are kept for sale.

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