

Farmington, at which place the cupola of the new brick Academy looms up. This is another mark of the energy of Davis County to educate the rising generation.

The new Court House is under way for the speedy removal of the older building.

We reached Kaysville, twenty-two miles north of Salt Lake City, in time to attend the Sabbath school at 10 a.m. The numerous scholars listened with interest to a few remarks by President Jacob Gates. We were pleased to look for a time upon a painting of Cumorah's Hill, where the angel delivered to Joseph Smith the precious golden plates giving the history of two great nations which perished in battle.

At 2 p.m. President Gates arranged with the Bishop for a general gathering of the Seventies in the meeting house, all the members of the ward having been invited. The meeting was a large one and at its close the 55th Quorum of Seventies met in monthly meeting. Valuable instruction was given by President Jacob Gates.

A free lecture on the early rise of the church (illustrated by three paintings) was delivered on Monday evening, the 21st inst., and although the night was unfavorable there were over 300 present.

In Kaysville many are the comfortable homes now enjoyed by those who struggled hard with poverty for many years in a barren waste of sage brush. None but those hardy pioneers who were robbed of their homes and, still worse, their liberties, would have been able to redeem those desolate plains into gardens, orchards and fruitful fields, by the blessing of Almighty God.

We were introduced here to Professor Jedediah Taylor, Principal of the school, both he and his lady assistant graduates at the B. Y. College at Provo. Seventy scholars are enrolled, and the seating capacity of the lower rooms is 100. The building is of brick, and about 35x50 feet. It is only a wing of the original design. One citizen donated one thousand dollars towards the erection of the edifice.

We learned that one enterprising citizen had this year raised by dry farming 7,000 bushels of wheat and 2,000 bushels of barley. We were shown 2,000 bushels of wheat in Brother Blood's granary. Elder Blood has also sixty swarms of bees, and last year he extracted no less than 3,065 lbs. of honey. This year he obtained about 2,000 lbs. Brother Joseph Egbert has about seventy-five swarms of bees. He is 72 years of age, and one of the oldest settlers of Kaysville.

On Tuesday, the 22nd, we enjoyed an overland ride to Salt Lake City. We were treated hospitably by Councilor Anson Call, who is about eighty years of age, and, I believe, the only man now living who was present at the old school-house near Moutrose, Iowa, when the Prophet Joseph Smith made one of his interesting addresses—a prophecy of the future. Brother Call's eyes brightened as he related what he heard from the mouth of the Prophet, who said, "I am looking

into the beautiful valleys of the Rocky Mountains." Describing valley after valley as we now see them, he said, "Some of you (pointing to Shadrack Roundy, now deceased, Anson Call and others) will yet go there and drink of those cool, pure streams flowing down from the Rocky Mountains and see this people become a great nation."

Joseph the Prophet seemed at this crisis to be filled with sorrow and deep grief. "Many," added he, "will apostatize; some of us will be martyred for the truth; some will lie down, worn out, as martyrs by the wayside; but some of you will live to go beyond the mountains." Said Brother Call to us now, "Brethren, I live to bear my testimony to these things, and my soul rejoices to remember those precious sayings of our martyred Prophet, whose face as he spoke fairly shone with brightness, and he seemed to be wrapped in a heavenly vision."

B. STEVENSON.

SALT LAKE CITY, Oct. 22d, 1889.

BENNETT ACQUITTED.

The case of the People vs. Wm. B. Bennett, of West Jordan, was brought up for trial in the Third District Court Oct. 28. In this case the defendant is accused of illegal registration. He formerly had two wives, but some time in 1888 his plural wife obtained a "church divorce." He was tried for unlawful cohabitation and was acquitted. In May, 1889, he registered for the purpose of voting. The prosecution held that after a man has become a polygamist he cannot register except through being pardoned by the President.

Judge Powers was engaged in the prosecution of the case, taking the leading part. Judge McKay was also engaged in the case. The defense was represented by Messrs. Rawlins and Moyle.

After the impaneling of the jury Judge McKay stated that the case for the government was that in May last Wm. B. Bennett registered; that he had been a polygamist for years, and was not entitled to registration; that his legal and plural wives were still living, and that he was still a polygamist.

Mr. McKay examined the witnesses, John B. Bennett being the first one called. He testified—The defendant is my father; he lives at West Jordan; my mother, Sarah Bennett, is also living there; Hannah Dowden bears no relation to father; I have heard that she was his plural wife; I could not say that he has lived with her; heard the defendant say that he had been married to her; this was five or six years or more ago; never heard of him having any other wife; mother is the legal wife.

To Mr. Rawlins.—I have been away most of the time the last five years; have been home since last March; so far as I know, father has lived with mother only.

Mrs. Elizabeth Hall testified—Hannah Dowden is my mother; she lives at Sandy; I know Sarah Bennett; she is the defendant's wife;

mother was the polygamous wife of Mr. Bennett till she got a divorce, about a year ago; they were married in 1878, and lived together; they were divorced in May, 1888; after the divorce she moved away; I have not seen him there for a long time.

To Mr. Rawlins—Since the divorce there has been no relation of husband and wife.

Judge Powers objected to testimony regarding the separation, and argued that a man who had been a polygamist could only become eligible for registration through the pardoning power of the President.

Mr. Rawlins contended that the relations being illegal, the citizen, by his own act, could dissolve it. He didn't have to ask the permission of the President of the United States to cease doing an unlawful thing. Such a thing would be a judicial absurdity. This defendant had set aside the polygamous relations and was therefore eligible for registration.

Judge Powers—Why, if this thing goes, 12,000 polygamists can procure a "Church divorce," and can register and vote, and the Edmunds law would become a farce. This is a very serious thing. I say there is only one way that a man can be relieved of the polygamous status, and that is by executive clemency, which is an easy thing to get. He can't be rehabilitated with the franchise in any other way. It would be very easy for the whole lot of polygamists to make application, publicly, for amnesty, and they would get it. But they don't want to do this, and until they do, I say they cannot exercise the franchise. If they do they nullify the law. I say that if the plural wife should die, he could not become eligible. He has been a polygamist in the eye of the law, and can't be anything else unless the President pardons him. His own act or the act of God could not absolve him. It must be by executive clemency and in no other way.

Judge Zane examined the law and the Supreme Court decision for about an hour and then announced: "I wish to examine into this still further, so the court will take a recess till 2 o'clock."

Judge Zane reviewed the proposition of Judge Powers that the polygamous status could not be terminated by any ceremony without amnesty or pardon. The question is, what is the meaning of the term polygamist, as used in the statute, and what is necessary to terminate that relationship? In a general sense a man is a polygamist who practices polygamy, or maintains that it is right; but that is probably too general a definition for this statute. In the case of Murphy vs. Ramsey, the United States Supreme Court said the law did not apply to those who went into polygamy before there was a law against it, but, to those who were actually in the relationship; a man must actually have a plurality of wives to be a polygamist. The fact of cohabitation is not a feature in determining the meaning of the term. A man ceases to be a polygamist when he fully and finally terminates the relationship; the