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FROM TUESDAY'S DAILY, MARCH 22

Taking the Oath.—Yesterday afternoon the members of the City Council and Salt Lake County Court took the oath prescribed in the Edmunds-Tucker law.

Ordered Discharged.—This afternoon Commissioner McKay heard further testimony in the application for discharge of Brother Jonas Ludberg, and ordered him released on payment of the costs, amounting to nearly \$100.

Court Notes.—Proceedings in the Third District Court to-day:

Wm. Mallstead was admitted to citizenship.

The suit of Wm. A. Riffs et al. vs. C. A. Crow et al. was dismissed.

The suit of Eudora Shaugnessy vs. Alex. Neidringhaus was continued by consent.

The Olds Wagon Works vs. Isaac L. Lyon; on trial before a jury.

Another Invention.—It is said that "time is money." It we endorse this statement, Mr. Charles Barrell of this city has invented a little appliance that will be a bonanza to all who carry the Waterbury Watch. It is said that these cheap chronometers are fair timekeepers, but that it requires a large portion of the working hours of the day to wind one up. Herein is the advantage of the new device. While it costs comparatively nothing and occupies no more room than an ordinary watch key, it will wind one of those watches up in as short a time as usually required for the ordinary timepiece. It would be invaluable to the Waterbury Company and they could well afford to pay handsomely for such an improvement.

Probate Court.—Proceedings in the Salt Lake County Probate Court yesterday:

The bonds of W. H. Bird, as guardian, \$2,500, were filed and approved, for Frank Austin and Sherwood Bird, minors.

A certificate was issued to the Big Camas Gold Mining Company.

In the matter of the estate of George Nebeker, a decree was made that due and legal notice to creditors had been given.

An order was made appointing the time and place for hearing petition for appointment of Charles Aistrom administrator, in the matter of John Masters, deceased, with will annexed. In the matter of John H. Picknell, deceased, an order was made allowing and approving the executors' accounts as filed.

Springville Raided.—A correspondent writing from Springville says the ubiquitous deputies paid an official visit to that place on Monday evening, the 14th, and visited W. H. Kelsey's residence without result; they then ran up to Mapleton, three miles east, arrested L. Whiting and took him before Commissioner Hill, of Provo, when he was bound over in \$800. On Wednesday morning they dropped down on the residence of W. Gallup, Springville, but found they were again "barking up the wrong tree," they made a mistaken arrest, and called at J. D. Reynolds' house when he was not in; they finally captured S. Fuller and he was held to answer in \$1,000 bonds.

Death of Captain Hunter.—A Glasgow, Scotland, paper of February 21st records the death of Captain Robert Hunter, chief of the Renfrewshire police force. We give it place, as the deceased has many relatives in this

and the adjoining Territories, among them being his daughters, Mrs. Wm. Salmon and Mrs. Fred. May, two brothers, John and James Hunter, and four sons. The article referred to is as follows:

"Yesterday morning, about 6 o'clock Chief Constable Robert Hunter, of the county constabulary, died at his residence in Paisley, after an illness of only a few days. He was 69 years of age, and leaves a widow and grown up family of sons and daughters, most of them thriving in America, and three being at home, a solace at this time to their mother. His father, too, survives him, living and respected at Carragehill, at the patriarchal age of 92. The deceased was thoroughly to the manner bred in his official capacity. After school, and a short interval of other work, he commenced his public life with Fiscals Wylie & Rodger, under whom he served several years as criminal officer. About 1853 he was appointed captain (superintendent) of the county police, then existing without statutory organization. On the passing of the counties police act, 1858, he was continued in that office, and has held it ever since. At first he was in command of a force of 28, comprising a superintendent, with inspectors, sergeants, and constables. This number has been gradually swelling with increasing population and advancing interests, till it is now up to 102. For the deceased it is no praise, but simple truth, to say that during all that long time, and having so many men to deal with—death and removal often adding changes to his responsibility—he never made an enemy among them. Their attachment to him savored more of affection for a kind friend than mere conscientious obedience to duty's claims. For this happy result the chief had first of all himself to thank, for that fact he seemed to possess a natural gift of selecting the very best men for appointment or promotion to the principal offices under him. And it may be said of them here that the superintendent and other overseen enjoy like regard from the rank and file of this excellent body of police. In social life Captain Hunter was always welcome. His genial and intelligent conversation made him a special favorite, not only in Paisley, where the circle of his acquaintances was largest, but also in all the other districts of the county. His death was yesterday 'in everybody's mouth,' and his life will long be remembered with a serene sense of pleasure by all the communities within its wide arena."

THE CRUSADERS' NEW MOVE.

Ebenezer Woodford Charged with Adultery with His Wife.

HE PROVES HIS INNOCENCE.

HELD ON THE CHARGE OF UNLAWFUL COHABITATION.

Yesterday afternoon Ebenezer Woodford, proprietor of the Twelfth Ward Store, was arrested on a charge of adultery made against him by D. W. Rench. The complaint was drawn under a peculiar construction of the Edmunds-Tucker law. It is held by the government prosecutor that a plural wife is an unmarried woman, that is when a prosecution for adultery is on the tapis, and that she is a married woman in making out a case of unlawful cohabitation. The complaint in this case was worded as follows:

"Daniel Rench, of Salt Lake City, County of Salt Lake and Territory of Utah, in behalf of the United States of America complains, that Ebenezer Woodford, of Salt Lake City, County of Salt Lake and Territory of Utah, on the 4th day of March, in the year of our Lord, 1887, at Salt Lake City and County aforesaid, did commit the crime of adultery with one Floss Smith, and he then and there had carnal knowledge of the body of her, the said Floss Smith, and he, said Ebenezer Woodford being then and there a married man and then and there having a lawful wife living other than the said Floss Smith; and he, said Ebenezer Woodford and Floss Smith, not being then and there lawfully married to each other, against the peace and dignity of the United States of America, and contrary to the form of the statute in such cases made and provided."

The defendant was arraigned before Commissioner McKay and pleaded not guilty. He stated that he desired counsel in the case, and it was postponed until 9:30 a.m. to-day. At that hour Attorney J. H. Moyle appeared with the defendant, and the preliminary examination was proceeded with.

The first witness called was the defendant's legal wife, Mrs. Louisa Woodford, who testified—Ebenezer Woodford is my husband; we were married in 1860, in Philadelphia; have never been divorced; I know Euphrosina Smith; she was married to defendant after I married him; she lives at the Twelfth Ward store; has two children by the marriage; he entered into plural marriage with Miss Smith seventeen years ago; I was present at

the time; during the past seven years he has lived with her.

Mr. Dickson asked that the defendant be held to answer to the grand jury on this testimony.

Mr. Moyle wanted to know on what ground, as there was no evidence whatever of the defendant's guilt.

Mr. Dickson said there was abundant evidence; it was shown that they had occupied apartments together, and that was sufficient. There was no need of further proof. If a married man were seen to go to a house of prostitution in the evening and to come away in the morning on one occasion that was sufficient to make out a case of adultery. If it was therefore shown, as it had been in this case, that he had lived for a number of days in the same house with his plural wife, it was a still stronger case.

Mr. Moyle asked for the dismissal of the defendant for the reason that there was no evidence that any act had been committed.

The Commissioner said the section was inserted by a Senator from Massachusetts, and was the same as the Massachusetts law; a long line of decisions under the Massachusetts statute held that such evidence as this was sufficient, and he thought it good. It had never been held that it was necessary to prove sexual intercourse. The necessary evidence is substantially the same as in unlawful cohabitation cases. He therefore would not discharge the defendant at that stage of the proceedings.

Mrs. Euphrosina Smith Woodford was then called on behalf of the defense and testified—I have been married to the defendant over 17 years; since the 3d of March last I have not sustained the relation of wife to defendant; since Jan. 1st he has been very sick; I have occupied the bed with my little boy; there has been no sexual intercourse; the defendant has occupied a room by himself; I have been assisting in the store; Mr. Woodford has been sick since about Christmas.

To Mr. Dickson—Mr. Woodford had a fall about Christmas and hurt his shoulder badly; since then we have slept apart, as he was very restless; no physician has been attending him; he got some liniment from Dr. Anderson; the only reason we ceased living together was because he hurt his shoulder, and had to occupy his bed alone; for two months he did not get up till noon; he is getting better now, and helps wait on customers in the store; we have not renewed our relations; he occupies the bedroom next to mine; I have not occupied his bed during this year, nor he mine.

Mr. Dickson—Will you swear, before your Maker, that you have not—

Witness—Yes, sir, I will.

Mr. Dickson—You will swear what?

Witness—That we have not occupied the same bed.

Mr. Dickson—Just wait till I get through my question, will you?

Witness—Yes, sir.

Mr. Dickson—Will you swear before your Maker that you have not had intercourse with the defendant during this month?

Witness, after a pause—I swear that I have not.

Mr. Dickson—During this month.

Mr. Dickson—Then why did you hesitate before giving your answer?

Witness—Oh, I did not know that you were quite ready for it.

Mr. Dickson—Do you know the sacredness of the oath you have taken?

Witness—I do.

Mr. Dickson—Do you believe in the existence of a God?

Witness—Yes, sir.

Mr. Dickson—Do you, in the presence of your God, swear you have not had intercourse during the present month?

Witness—Yes, sir, I do.

To Mr. Moyle—The reason we lived apart was because he was so restless from the injury, that no one could occupy the same bed with him and get any rest.

Joseph Woodford testified—The defendant is my father; the last witness is my mother; I live with mother; for the past two months I have slept in her bed every night.

To Mr. Dickson—I have slept there ever since the first of the year; I remember it because father was hurt then; before then I slept with my brother; I am nearly 18; before Pa hurt himself my brother and I slept in the closet, but there was not much room.

The defense then rested.

Mr. Moyle asked that the defendant be discharged, as there was positive evidence that he was innocent of the charge against him.

The Commissioner made no reply, but in a few minutes handed to Mr. Moyle a complaint made by Arthur Pratt, charging Mr. Woodford with

UNLAWFUL COHABITATION

with Mrs. Louisa Woodford and Euphrosina Smith Woodford.

Mr. Moyle replied that the defendant would enter a plea of not guilty to that charge and submit the case on the testimony already given.

The Commissioner then ordered Mr.

Woodford to stand up and informed him that he would be held to answer to the grand jury on the charge of unlawful cohabitation, and that his bonds would be fixed at \$2,000, with that of the witnesses at \$200 each. As to the complaint of adultery he was discharged on that.

Mr. Woodford gave the required amount of bail, Messrs. Louis Hook and A. Gebhardt being sureties.

DEATH OF MRS. HOOPER.

WHO DEPARTED THIS LIFE TO-DAY.

It becomes our painful duty to-day to announce the death of one of Utah's earliest and most prominent citizens. Mary A. Knowlton, relict of the late widely-known Hon. Wm. H. Hooper, of this city, passed peacefully away this morning at 7:30. Mrs. Hooper had been a sufferer for nearly two years from that fell disease, cancer, which has been responsible for the early demise of so many illustrious names, but for the last two or three days seemed easier, the virulence of the disease having seemingly exhausted itself. Dr. Murphy was the physician who attended the deceased until Thursday last, when Dr. Benedict was also called in, but the nature of the affliction from the first was such as to preclude hope of recovery, it being one of those dread maladies that baffles the skill of the medical fraternity.

Mary Ann Knowlton Hooper, daughter of Sidney A. and Harriet Knowlton; was born at Cummingsville, near Cincinnati, Ohio, September 11th, 1829, and emigrated with her parents to Utah in 1849, the second year after the advent of the pioneers. On Christmas eve, December 24th, 1852, deceased was married to Captain Wm. H. Hooper by President Brigham Young, in Salt Lake City, where she has resided most of the time since, and where, chiefly owing to the distinguished official standing of her husband, she has occupied a prominent position in the community, where she was widely known and generally respected.

Mrs. Hooper leaves one son and six daughters and a wide circle of sympathizing friends to mourn her departure.

The funeral services will take place at the family residence in the Nineteenth Ward, on Thursday, at 11 o'clock a.m.

FROM WEDNESDAY'S DAILY, MARCH 16.

Released.—This morning Brother James Dunn, of Tooele, who was sentenced to the penitentiary, on the 23d of September last, for living with his wives, was brought in before Commissioner McKay, and after the usual examination took the required oath and was discharged from custody.

Dwelling Burned.—Brother W. J. Underwood, writing from Fairview, Ouelka County, Idaho, under date of March 22d, sends the following: "Last night between 8 and 9 o'clock, a fire broke out in the roof of Brother Richard Rawlings' house, in this place, and completely consumed the building. It was a two-roomed, frame house, one story, with two log rooms at the back, and was burned to the ground. The stove, beds and most of the furniture were destroyed. It is supposed that the fire was caused by the stove pipe separating between the ceiling and roof. Brother Rawlings is a poor man and the loss falls heavy on him."

The First Company.—A dispatch from the Latter-day Saints' emigration office at Liverpool states that the first company of the season will leave that point on the 16th of April, on one of the Great Eastern Company's steamships. The fare will be, from Liverpool to Salt Lake City, Ogden or Provo, \$18.35, which, in American money, will amount to \$33.75. From Copenhagen it will be \$13.15, or \$36.25.

The rate is considerably higher than for several years past. Last season it was \$8 and one year it was as low as \$5. The cause of the increase is the inter-state commerce law, which will be in operation before the first company leaves Europe.

A Bad Road.—There is a very dangerous piece of road situated just above the railroad bridge at Devil's Gate, in Weber Canyon. Several accidents have occurred there recently of a somewhat serious nature, owing to the delinquency of the parties whose duty it is to keep this section of the road in proper repair. It is almost at the junction of the three counties of Weber, Morgan and Davis. It is situated in Weber County and the officials of that county are responsible for the present dangerous condition of the road. The people of Morgan County have been compelled to ship their grain, etc., by rail, in consequence of the impossibility of getting over this point in the road, thus involving considerable expenditure that might otherwise have been avoided. A valuable mare was killed there not long ago and about three days ago Bishop Sechrist had a load of hay with a young boy and two calves on top thrown twenty feet into the river below, seriously endan-

gering the life of the boy, who almost miraculously escaped what seemed like certain death.

Mr. C. W. Rockwood, who furnishes us the information, states that \$500 would fix it, and that Davis County has offered to repair and keep in order this section of the road provided that Weber County would allow them the tax paid by the railroad company, but they virtually refuse to do either.

FIRST-DISTRICT COURT.

PROGRESS OF THE LYNCHING CASE.

PROVO, March 24.

The Tintic lynching case now shows that the prosecution did not prove that Fisher came to his death by hanging, etc., as alleged in the indictment.

Mrs. O'Shea, Knew, defendant, Daniel Shields, saw him in Eureka last July 6th, in the forenoon of that day; I went to the well for water and saw him and Mr. Stanley coming down the road; old man O'Connor came down and stepped in between them with a knife in his hand and struck Shields in the back or in the neck; Stanley said, "Leave that man alone," and prevented further trouble; I saw Shields again in the evening; it was just after Shields and Savage came from the jail where Fisher was taken, about half a minute after they were gone; he asked for matches; I told him it was time for him to go to bed, and he replied that that was where he was going; I told him he should not have gone to the jail, and he said he would not have done so if Stanley had not deputized him to go.

EXPERT TESTIMONY.

Dr. Simmons: Q. Suppose a man were taken out of jail with a rope, struck on the back and head, felled to the ground, is then dragged a quarter of a mile over a rough, rocky country, then hung to a gallows and the following morning is cut down, and a rope found in a description as described to you, and upon examination exposes wounds in the back and in the region of the spinal cord, and are about the size of a .38 calibre shot; effusion comes out of the wound; examination of the head discloses that the skull has been broken, and readily yields to the pressure of the hand; his body lacerated; pieces of snags of sagebrush are found in his back; he has been wounded the day before by knife wounds, one near the heart, and another in the back; there is an abrasion over the eye; the eyeballs are sunken in; the face is natural in appearance except as to scratches; there is a blue line around the neck—can you give an opinion on that state of facts as to the cause of the death of that man?

Answer—I can. I would consider from the facts that he died from the wounds.

Dr. Pike—The same question was given him as to Dr. Simmons. He could not give an opinion from the state of facts; thought, however, that if a rope were placed around a man's neck, and he should then be dragged 400 yards, he would not be alive at the end of the journey; thought that if there was strangulation there would be some evidence of it.

Mr. Savage, one of the defendants, was the next witness. Testified substantially as the others, that he was not a participant in the crime.

John Pace, 16 years old, had pleaded guilty to forgery. The court gave him some wholesome advice and said would suspend sentence on his good behavior, and would inflict no punishment on him if he did not carry himself straight hereafter. He went to go to work for Mr. Jenkins, a juror and he under his care.

A Woman Shoots at an Officer.

Yesterday afternoon officer M. F. Brown went to the residence of a Mr. Broschinski, near Taylor's mill on the U. P. track to serve some papers in a civil case in the Justice's Court. He was also to levy upon a couple of mares. His application was refused and he returned for assistance. On reaching the place a second time Mr. Broschinski had come up town, but had left instructions with his wife not to let any person touch the animals. It was found necessary to break the barn open to get at them and to hold the woman while the levying process was going on. The animals were secured and led away some distance before blood, the person whom Brown had called to his assistance, released the woman. This done, she quickly secured a gun and blazed away. No harm was done, however, and now there will be another case for the Broschinskis to meet. Proceedings have been postponed till Monday.—Ogden Herald, March 25.

Notice.—The regular monthly meeting of officers of the Y. L. M. I. Association will be held Saturday morning, April 2nd, at 11 o'clock, in the Fourteenth Ward Society Hall. All interested are cordially invited to attend. MARY A. FREEZE.