

# COURT DECLINES TO EXACT A PROMISE

Judge Norrell Stands by Previous Ruling in Roberts Case.

DEFENDANT FINED \$150

Case Will be Appealed—Statement of Mr. Moyle—Position of County Attorney Putnam.

E. H. Roberts, convicted by a jury on Thursday last of unlawful cohabitation, appeared before Judge Norrell today for sentence. The judgment of the court was that the defendant should pay a fine in the sum of \$150 or in lieu thereof that he be imprisoned in the county jail for a period of 150 days.

A thirty days' stay was granted in order that the defendant might file a bill of exceptions. The bond on appeal was fixed at \$300.

MR. MOYLE'S STATEMENT.

The defendant entered the court room a few minutes before 10 o'clock in the company of his attorney, Mr. James H. Moyle. After court had convened Judge Norrell stated that this was the day set for Mr. Roberts' sentence, and his honor asked if the defendant was ready. Attorney Moyle answered in the affirmative and said that before the court pronounced judgment he desired to say a few words. Counsel then briefly reviewed the history of the case and claimed the defendant was entitled to consideration at the hands of the court. When the complaint was filed in the justice's court, charging the defendant with the offense he had been convicted of, he was in the city of Washington. Upon learning that proceedings had been commenced against him he fled to the county attorney stating that if his presence was necessary he would return to Salt Lake without extradition papers. From the first he was on hand ready to meet the charge that had been made against him without paying the State to any expense whatever.

The defendant had married his alleged plural wife prior to the manifesto. He had endeavored to keep within the law. In so far as he had failed, it was due to no disposition to disobey the law but on account of the peculiar marriage relations that prevail to some extent in this State.

Counsel had informed the county attorney, prior to both trials, that he would admit, for the purposes of trial, all the facts that he would say he could prove, and thus avoid the expense to the State of calling witnesses. There was a serious question in counsel's mind whether the prosecution would stand, for the reason that it covered a period of time in 1897, during which counsel contended there was no law against unlawful cohabitation.

COURT WAS IN DOUBT.

Even the court had intimated that it was in doubt as to whether the information would permit the introduction of evidence showing cohabitation in Davis county. Judge Norrell (interrupting)—Yes, sir; I have some doubt on that proposition of law and think it should be passed upon by the Supreme Court. Continuing Mr. Moyle said the proceedings on the part of the defendant was practically a plea of guilty, so far as trouble and expense to the State were concerned. The defendant in taking the course he had merely desired to have a construction of the law and the determination of his legal rights involved in the prosecution.

SUFFICIENTLY PUNISHED.

Counsel thought his honor should take into consideration the fact that the defendant's marital relations, resulting from his religious convictions, had deprived him of one of the most important offices in the gift of the State, to say nothing of its emoluments. That of itself, counsel said, was a far greater punishment than the court could inflict.

The defendant outside of his marital relations, resulting from the conditions of his State, was one of the most honorable and respected citizens of the State. He never had shown a disposition to flagrantly or wilfully disobey the law of the land. The court could well take that fact and existing conditions into consideration, and be lenient with the defendant in passing sentence.

STATEMENT OF MR. PUTNAM.

Mr. Putnam said it was, as Mr. Moyle had stated, that the defendant wrote him from Washington stating that if he were charged with a crime, he would return to Salt Lake without extradition papers. But counsel desired the court to understand that unlawful cohabitation was a misdemeanor, and a man could only be extradited for a felony. His honor was conversant with the facts in the case. It had gone to the jury upon an agreed statement, on both occasions, at the suggestion of counsel for the defendant. As stated by Mr. Moyle, the defendant had practically admitted his guilt, and counsel thought he should be made an example of. There were other men in Utah who had entered into the same relationship as the defendant, but they were obeying the law. The defendant was a man of prominence and influence in the State. On account of the importance of the position he occupied in the community the example he set had a great effect.

WANTED TO EXACT A PROMISE.

"If," continued Mr. Putnam, "these men, convicted of unlawful cohabitation, will say here in open court that in future they will obey the law, that they will refrain from maintaining unlawful relations with their plural wives, it will be a strong circumstance in their favor when the question of leniency is advocated. It seems to me to be a proper question, and I think it should be exacted of this defendant at this time."

STANDS BY PREVIOUS RULING.

Judge Norrell said he had already made a ruling upon the question suggested by Mr. Putnam, and did not feel like reversing himself. He had come to the conclusion that he might just as well ask other violators of the law what their future intentions were as to ask of a person convicted of unlawful cohabitation. His honor was familiar with the facts in the case at bar, and did not deem it necessary to comment upon them.

Judge Norrell then imposed a fine of \$150, and after the thirty days' stay had been granted and the amount of the defendant's appeal bond fixed ordered Deputy Sheriff Ben Harries to adjourn court until Monday.

MILLION GALLONS SHORT.

Measurement of Parley's Canyon Creek Reveals an Extraordinary Shrinkage.

A measurement of the waters of Parley's canyon creek made yesterday shows that there is already a million gallons less this year over former dry

seasons. Heretofore a measurement has not been deemed necessary until about the middle of July, but the extreme dry season caused the board to attend to the matter yesterday, with the result already stated.

The measurement was made by Land and Water Commissioner Westerfield, A. E. Doremus and John Gabbot, with a view of determining on a basis of exchange of the waters between the city and farmers.

HEALTH COMMISSIONER KING Calls the Attention of Physicians and Midwives to Matter of Births.

Health Commissioner King has issued the following self explanatory letter to the physicians and midwives of Salt Lake City:

"In order to make the birth records more complete and accurate, I wish to respectfully direct your attention to that part of the Revised Ordinances which reads: 'All physicians and midwives shall return to the board of health a statement of each birth at the end of each month, giving date of birth, name, sex and color, also the name, nativity, occupation, and residence of parents.' Heretofore the report of births, in many cases, has not been as prompt as it should be, and this fact, combined with frequently inaccurate reports, has often caused confusion.

"I would urge that the above quoted rule be strictly followed. This will facilitate the work of birth registration and add to the completeness of the records."

AT THE RESORTS.

The Tenth ward Sunday school had a most pleasant outing to Saltair yesterday afternoon. During the evening the lake had many bathers and the water was delightful in the extreme. Probably never in the history of Saltair has the temperature of the water been as high as now at the present time of the year.

On Monday next the Sixth ward gives an excursion to Lagoon. Among other events will be an eight-mile road race. An observation train will leave the S. L. & O. depot at 9 a. m. The prizes will be a grand total of \$100. First prize, bicycle lamp; second prize, bicycle saddle; third prize, bicycle lamp; fourth prize, bicycle foot pump. The following riders have entered:

Geo. Burt, Wm. A. Wetzel, Don Smith, John D. Giles, Wm. Pollock, C. Renshaw, Paul Reiser, Gus Olson, Louis Wetzel, Walter Watson, Wm. Thomas, Walter Poulton, Dan Rushton, Frank Fullmer, Wm. Glaucque and Andrew Burt.

The people of the Fourteenth ward spent a very pleasant day at Lagoon yesterday. The first feature of the day was a seven-mile road race, which was won by Albert Bollerwever, who had won the county championship in the scratchman. A Taylor, who was taken ill. The basketball game between the young ladies of sections A and B of the theological classes of the Sunday school was very interesting, and resulted in a victory for the A team by a score of 6 to 1.

A baseball game between the married and single men was begun, but had to be discontinued because the ball was lost.

Hazel and Della Cannon won in the cake walk. Miss Mary Okander won the egg race.

BUILDING AND REALTY.

Permits to the following named persons were issued by Building Inspector Ulmer during the week:

Mrs. F. Crowton, 417 W. Second North, alterations, \$100.

Eddie S. Goodwin, 217 south Eighth East, brick residence, \$2,700.

Geo. T. Spokes, corner Sixth South and Seventh East, brick residence, \$2,500.

P. D. R. Gray, 573 south Fourth East, frame addition, \$50.

E. R. Weber, First East and Eighth and Ninth South, brick cottage, \$800.

Wm. Moore, 169 south Eighth West, frame addition, \$200.

Mrs. Jane Earl, 325 east Fourth South, frame addition, \$200.

Total amount, \$7,600.

A warranty deed was filed for record this morning conveying to Abbie Ivet (formerly Abbie Lowe), of Los Angeles, to Arthur J. Lowe and Louise Lowe Turner, for \$6,000, a house and lot facing north on First South, between Sixth and Seventh East streets; also six acres of farming land, house and household goods, situated about a mile and a half west of Beck's Hot Springs.

Deeds from Richard and Elizabeth Winnill, Baines, and Mary Dixon Winnill, to Emily M. Taylor, conveying to Salt Lake City land and water rights in Parley's canyon, were filed for record today. The total consideration was \$10,000 equally divided between the three parties.

Mine Superintendent Ambushed.

Wallace, Ida, June 22.—Joseph MacDonald, manager of the Frisco mine, was fired on from ambush this morning by two men. He was on his way from the mill to the office, when four shots were fired in quick succession, the bullets all striking at his feet. MacDonald saw the men running down the mountain side, but he could not recognize them. The sheriff and twenty United States soldiers immediately started in pursuit of the men. The Frisco mine was blown up by dynamite by strikers in 1892.

CLEARING HOUSE REPORT.

June 23, 1900.

Today's clearings . . . \$213,002.03

Same day last year . . . \$414,399.53

Week's clearings . . . \$2,073,985.61

Same week last year . . . \$2,373,658.59

ORE AND BULLION REPORTS.

MCCORMICK & CO.

Mingo bullion . . . \$3,900

Silver and lead ores . . . 14,800

Cuprides . . . 3,400

"Who Gives to All Denies All."

This is as true of the spend-thrift of health as of the waster of money. Do not waste your health by allowing your blood to continue impure, but purify, vitalize and enrich it by taking Hood's Sarsaparilla, America's Greatest Medicine.

Dyspepsia—"My husband doctor a long time for dyspepsia with only temporary relief. The first bottle of Hood's Sarsaparilla helped and the second cured him. It cured my sick headaches."

Mrs. Mary A. Clark, Wilmington, Vt.

Hood's Sarsaparilla

Never Disappoints

Hood's Pills cure liver ills; the non-irritating and only cathartic to take with Hood's Sarsaparilla.

# THE INSPECTOR'S REPORT IS IN.

Adjutant General Burton Now Has it in Consideration.

TROUBLES OF BIKE CLUB.

Are So Much Dinner That Their Wheels Break Down Under the Extra Burden.

The report of the assistant inspector general of the National Guard of Utah has reached headquarters and is now being reviewed and considered by Adjutant General Burton, who will hereafter issue an order with reference thereto. The report deals with the amount and condition of the property belonging to the guard.

Company B's bike club's turnout last Sunday was a great success. The members of the club left the State armory at 11 o'clock a. m., and rode to McKean's farm at Woods Cross, having received an invitation to call on them.

The day was delightfully spent as the hostess did everything she could to have the boys enjoy themselves. After stripping two cherry trees and a number of English currant bushes a pleasant picnic was served, after which a delicious dinner was served. It having almost everything that a soldier could think of. The boys stayed till near 7 p. m., when they started for home, but on account of eating so many dishes of ice cream and strawberries they found it difficult to ride. All went well till the Bountiful meeting house was reached, where Lieutenant S. H. Lund dropped his handkerchief. It caught in his sprocket wheel and broke his chain.

The boys then joined their canteen straps and Private Naimoyer was detailed to tow him in. This worked until near Kenney's dog farm, where Lieut. Lund was thrown from his wheel, having no chain to regulate his speed. The boy then had fallen in the rear drew up Private Mills broke the axle of his back wheel. As luck would have it the "dummy" was bound for the city. It was stopped and the two unlucky men rode to town. Just as the half way mark was reached, the Naimoyer punctured his wheel, but as the train was going too fast, Naimoyer rode on the rim. After this all went well and all the boys declare they never had a better time in their lives.

Company B last week gained one new member by the name of M. R. Kidder, of whom they are proud, as he is one of the finest looking men in the guard.

Several company officers have failed to report for their examinations, which will cause vacancies in the companies they belong to.

Sergeant Geo. Knudson and Private Alf. B. Hill, of Company B, were discharged last week on account of their time having expired.

Private Alf. B. Hill, who has just received his discharge from Company B, will leave Salt Lake, July 19, on a mission for England.

Company C's non-commissioned officers' school will be held at the armory next Monday night.

Private Warren Levey, of Company B, will apply for discharge, as his work keeps him from drill.

Company A showed some improvement last Monday night and it is hoped it will continue to improve until it reaches the top of the ladder.

Musical Lee Crismon, of Company B, has applied for a discharge as he is on the railroad and cannot attend to his drills.

Company B examined seven privates last week to fill three corporal vacancies. Those who competed were Private John Ronneyberg, Private Mills, Private Lewis, Private E. Johnson, Private S. Nelson, Private Gilbert and Private Lynn Parry.

Corporal Jensen, when on his way to the armory preparatory to going to Bountiful on Sunday last, was run into by a buggy, one of the wheels of which ran over his head, making two black eyes.

Lieut. Lund, of Company B, and Chief Musician Will Breyer, of Company C, will leave here tomorrow for a week's trip in Parley's canyon.

Company B's proposed bicycle road race to Calder's has been postponed for a week, on account of a lack of sufficient prizes to satisfy the racers.

NOW A CHAIR OF POLITICS.

Special Correspondence.

New York, June 22.—In going to Princeton to take the chair of politics—the first chair of the sort established in an American institution of learning, though there are many chairs of political economy—Dr. John Huston Finley will almost be going home, for he is descended collaterally from one of the early presidents of the vigorous old school. The Rev. Dr. Samuel Finley, brother of Dr. Finley's great-great-grandfather, served both as pastor of the Presbyterian church in Princeton and president of the then young and struggling school, from 1761 to 1766 inclusive, and it was during his residence in Princeton that the edifice in which the Presbyterians of Princeton still worship was built.

The first professor of politics is only 38, and by birth and training he is a western man. Illinois is his native State. He first saw the light on a farm near Grand Ridge, on which his father, who was a soldier during the Revolutionary war, had located some time in the fifties, and it was a foregone conclusion that the son would follow in his footsteps as a tiller of the soil.

BEGAN TO CLIMB YOUNG.

This was not to the lad's liking, however, and before he had reached his teens he began taking steps which should lead him away from the farm.

His first step was taken at 16, when he "took up" Latin at the home district school. Perhaps this is not putting it with entire accuracy, for, of course, Latin was not taught in the little school at Grand Ridge, but in some way he learned that the teacher, a man named Long, had a smattering of the language in which Caesar's Commentaries were written and forthwith made arrangements to undertake its mastery, studying and reciting before and after the daily sessions. Schoolmaster Long was followed by a man named Parrish, and young Finley continued his Latin studies with him, though before they



# Vacation Season

is now at hand when the summer outing will be taken and a general good time enjoyed. Don't forget in making out your list of articles to take along that baking powder that is essential to make good biscuits and cakes, also tell your grocer you want Three Crown for it will insure the best of success in the cooking. Three Crown Baking Powder Extracts and Spices are sold by all grocers. Why not use them as they will save you money and give good satisfaction?

# Hewlett Bros. Co.

parted company the boy was probably quite as well acquainted with the Latin as the teacher, and then they worked together more as fellow students than as master and pupil.

When the lad was 13 or 14, he attended to the recitations of part of the classes and a little later left the district school to enter the high school at Ottawa, eight miles from home. In the summer he worked on his father's farm, and all one spring, when "they was scarce," he remained at home, carrying along his studying as if he were at school. When examinations came, he took them with the others of his class, and successfully too. His examination in solid geometry came one afternoon when he had "proved" corn till 12, after which he walked eight miles to Ottawa, received and disposed of the questions and walked home again. That he was somewhat of an exception among the youth of his locality is shown by the fact that he was the only boy in a class of 11. He was chosen valedictorian by his fellow students, and the preparation and delivery of the valedictory speech, which he gave, though he has since made an excellent record in the field of oratory.

COLLEGE AND UNIVERSITY.

After the Ottawa high school Mr. Finley went to Knox college at Galesburg. There he "worked his way through," learning the art of the type-setter in order to be able to work in a local printing office and interrupting his course one year to teach school.

He was graduated from Knox college in 1887, before which he had won two noteworthy first prizes as a public speaker—first, at an oratorical contest there in connection with the summer school, and second, at an interstate contest of the same sort, in which representatives of colleges in Illinois, Indiana, Ohio, Wisconsin, Iowa, Minnesota, Missouri, Kansas, Nebraska and Colorado took part.

After or just before his graduation he compiled and "set up" a directory of Galesburg in order to earn enough extra money to pay the expenses or a part of them of a winter vacation in the north coast of Maine. The directory was successful, but the profits were not large enough to pay all his Johns Hopkins bills, and he made both ends meet by reading proof.

Afterward, while at Johns Hopkins, he was associated with Dr. Richard T. Ely in the preparation of the latter's well known work on taxation. One season Dr. Finley read proof at Chautauque on the daily published there in connection with the summer school, and the next he edited the daily paper issued during the sessions of the famous assembly, taking the place of Miss Ida Terbell, who has since made a place for herself as a historian.

A MAN OF AFFAIRS.

After that he served for some time as secretary of the New York State Charities Aid association, in the course of which service he became very familiar with the practical working of legislative bodies. In 1892, when only 23, he was made president of Knox college, where he remained seven years.

Dr. Finley left Knox college to connect with the McClure publishing house here and it is understood will continue to be connected with it. He is still very much interested in the welfare of Knox college.

CHILDREN'S HUMOR.

"If you want to place a small boy where you will be sure to find him five minutes later, put him in the pantry."

—TIT-BITS.

"Mister," said the small boy to the chemist, "give the answer to this question: you sold father day before yesterday."

"Are they doing him good?" asked the chemist, looking pleased.

"I don't whether they're doing father any good or not, but they're doing me good. They just fit my new air-gun."

Mamma—Bobbie, I notice that your little sister took the smaller apple. Did you let her have her choice, as I told you to? Bobbie—Yes, I told her she could have the little one of none, and she chose the little one.

PEA BOUQUETS.

Mr. John Reading the florist of Centerville called at the "News" office this afternoon and left several large bouquets of beautiful sweet peas, which he raised at his home in Davis county.

CHURCH NOTICES.

Regular services of the Church of Jesus Christ of Latter-day Saints will be held tomorrow at 2 o'clock in the Tabernacle. Sunday schools in the various wards at 10 a. m., and meetings in the city ward assembly rooms and adjacent wards as follows:

TIME	WARD	TIME	WARD
First . . . . . 6:30	Eighteenth . . . . . 6:30	First . . . . . 6:30	Eighteenth . . . . . 6:30
Second . . . . . 6:30	Nineteenth . . . . . 6:30	Second . . . . . 6:30	Nineteenth . . . . . 6:30
Third . . . . . 6:30	Twentieth . . . . . 6:30	Third . . . . . 6:30	Twentieth . . . . . 6:30
Fourth . . . . . 6:30	Twenty-first . . . . . 6:30	Fourth . . . . . 6:30	Twenty-first . . . . . 6:30
Fifth . . . . . 6:30	Twenty-second . . . . . 6:30	Fifth . . . . . 6:30	Twenty-second . . . . . 6:30
Sixth . . . . . 6:30	Twenty-third . . . . . 6:30	Sixth . . . . . 6:30	Twenty-third . . . . . 6:30
Seventh . . . . . 6:30	Twenty-fourth . . . . . 6:30	Seventh . . . . . 6:30	Twenty-fourth . . . . . 6:30
Eighth . . . . . 6:30	Center . . . . . 6:30	Eighth . . . . . 6:30	Center . . . . . 6:30
Ninth . . . . . 6:30	Union . . . . . 6:30	Ninth . . . . . 6:30	Union . . . . . 6:30
Tenth . . . . . 6:30	East Brighton . . . . . 6:30	Tenth . . . . . 6:30	East Brighton . . . . . 6:30
Eleventh . . . . . 6:30	Pleasant Green . . . . . 6:30	Eleventh . . . . . 6:30	Pleasant Green . . . . . 6:30
Twelfth . . . . . 6:30	North Point . . . . . 6:30	Twelfth . . . . . 6:30	North Point . . . . . 6:30
Thirteenth . . . . . 6:30	Twenty-second . . . . . 6:30	Thirteenth . . . . . 6:30	Twenty-second . . . . . 6:30
Fourteenth . . . . . 6:30	Brigham . . . . . 6:30	Fourteenth . . . . . 6:30	Brigham . . . . . 6:30
Fifteenth . . . . . 6:30	Fortia Branch . . . . . 6:30	Fifteenth . . . . . 6:30	Fortia Branch . . . . . 6:30
Sixteenth . . . . . 6:30	Sugar . . . . . 6:30	Sixteenth . . . . . 6:30	Sugar . . . . . 6:30

Religious services in the German language are held every Sunday morning, at 10 o'clock in Assembly hall, Richards street.

Scandinavian religious meetings are held every Sunday at 10 o'clock a. m. in the Assembly hall, this city. Also every Thursday evening at 8 o'clock in the Fourteenth ward assembly room.

M. L. A. CONFERENCE.

The first State conference of the M. and Y. L. M. L. A. of the

Stake will be held at Taylorsville ward on Sunday, June 24, 1900.

An officers' meeting will convene in the school house at 10 a. m., and general meetings in the meeting house at 2 and 7:30 p. m.

All M. L. workers, and the general public, are invited to be present.

Those using the street car will stop at the junction of State street and Taylorsville road, and transportation to the meeting house will be provided for all leaving on the 8:40 and 12:40 cars respectively.

WILLIAM C. WINDER, Supt. Y. M. M. L. A. ZINA B. CANNON, Pres. Y. L. M. L. A. PRIMARY NOTICE.

The Twenty-first Ward Primary association will hold their annual review on Sunday evening next, in the meeting house, at 8 o'clock p. m. Some of the Stake authorities will be present.

MARY DAVIS, President.

The regular monthly meeting of the First Elders Quorum will be held next Monday evening at 7:30 o'clock in the Seventeenth ward meeting house. A full attendance is desired. Returned missionary will speak J. W. Beck, Secretary.

The regular monthly meeting of the home missionaries will convene in the Templeton lecture hall, Salt Lake City, Wednesday, June 27th, 1900, at 7:30 p. m. A full attendance of the brethren is requested. Reports of labor for the month past are required from those unable to attend.

GRANITE SUNDAY SCHOOLS.

The Sunday School Union meeting of Granite Stake will be held at the Farmers ward meeting house on Monday evening at 7:30 o'clock. All are invited.

The Second Quorum of Seventy will hold its regular meeting in the Fifteenth ward hall on Monday evening, at 7:30 o'clock.

On Monday evening next, at 7:30 o'clock, the 11th quorum of Seventy will meet in the Fifth ward assembly hall.

OTHER CHURCHES.

St. Paul's Church, Main and Fourth South streets, Rev. Ellis Bishop, rector; Rev. W. Daunt Scott, curate, June 25th, Nativity of St. John Baptist, 8:00 a. m., holy communion, 9:45 a. m., Sunday school; 11:00 a. m., morning prayer and sermon; 8:00 p. m., evening prayer and sermon.

St. Peter's Associate Mission, Rector, Rev. Ellis Bishop; associates, Rev. W. Daunt Scott, Rev. James H. Cox, June 24th, Nativity St. John Baptist.

St. Peter's Chapel, Fourth North and Fifth West streets, Rev. W. Daunt Scott, vicar; 3:30 p. m., Sunday school; 4:30 p. m., evening prayer and sermon.

St. John's Chapel, Perkins' Addition, Rev. P. F. Kraft, lay reader; 3:00 p. m., Sunday school; 4:00 p. m., evening prayer and sermon.

St. Andrew's Mission, (Walker's Hall), Murray, Rev. James H. Cox, vicar; 3:30 p. m., Sunday school; 8:00 p. m., evening prayer and sermon.

Mill Creek Mission, Wilbur school house; 3:30, Sunday school and evening service.

The theme of the Rev. Joel A. Smith, at the 11th M. E. church tomorrow evening, at 8 o'clock, will be, "Some of the Poets of Society."

BORN.

To the wife of Thos. Bessinger, nee Ida Fred of Forest Dalean eight-pound girl, on Thursday, June 21st, 1900. All well.

DIED.