

FROM SATURDAY'S DAILY, OCT. 13.

**Marshal's Accounts.**

The Third District Court today, District Attorney Peters presented the accounts of U. S. Marshal Dyer for the quarter ending September 30, 1888, for \$5.73 fees and expenses in United States cases, and for \$5,160.74 in Territorial cases. The latter amount includes the penitentiary report for September.

**Nomination Withdrawn.**

The following press dispatch indicates that for some reason President Ireland has changed his mind about having the party named made Probate Judge:

Washington, Oct. 12.—The President has withdrawn the nomination of J. Ireland, of Beaver County, Utah, to Judge of Probate for that county.

**Mammoth Apples.**

Day Mrs. Osguthorpe, of East Mill, brought to this office some samples of apples, which are about the size of the scale at one pound four ounces, measures one foot two inches in circumference, and is a perfect picture for color and shape. The others are of the same size. The fruit raised on the estate of the late John Osguthorpe, a cozy nook at the mouth of Mill Creek Cañon, and it attracts attention in any fair in the world where such products are exhibited.

**A Pitiful Tale.**

A few days ago Miss Lizzie Heniger, of this city, went to Salt Lake to seek medical assistance, suffering from consumption. Last evening she returned, the physicians having declared she could do nothing for her as she had the quick consumption. On her way to the depot at Salt Lake she told a transfer agent a tale of poverty and suffering. Her father, Grant Heniger, had been of consumption some time ago, and mother was suffering from paralysis and she herself was dying with consumable disease, while at home she was adding its pangs to the sufferings they were already enduring. Her father resides on Main Street, a distance south of Eighth.—Ogden Standard, Oct. 13.

**Teachers' Institute.**

The meeting commenced with Superintendent Wm. M. Stewart in the chair, at opening prayer was offered by J. H. Walton. No minutes were read because of the secretary's absence. J. B. Moreton gave an excellent and interesting account of the discipline in the San Francisco schools, showing that although our schools were behind, it was no fault of the teachers. C. M. Sorenson mentioned a number of general exercises that should be introduced into the schools. Dr. R. Allen explained the plan of the author of "Mind Studies for Young Teachers." The meeting adjourned to meet at the same place October 27th, 1888, at 10:30 a. m. J. B. Higgins, Secretary pro tem.

**the Receiver's Compensation.**

The examination to ascertain the compensation that should be paid to U. S. Marshal Dyer, as Receiver in the case against the Church, commenced before Judge E. T. Sprague this morning. The only witness was A. Groesbeck, of this city, formerly Sheriff of Salt County. He testified that he had been in real estate and business for sixteen or seventeen years, and was acquainted with the handling of property. His evidence was that the services of the Receiver for the past eleven months should be not less than five per cent of property taken possession of. As the Church property "recovered" by U. S. Marshal Dyer in the period named amounts to \$750,000, this would make compensation for that work \$37,500 or upwards of \$3400 per month.

**Leading Furniture House.**

The Co-operative Furniture Company, whose salesrooms are located at East Temple Street, now stand in front rank as dealers in and manufacturers of furniture of various kinds. The stock carried by them is extensive and complete, and includes household furniture of every description, carpets, curtains, shades, mattresses, etc.—in fact everything needed for house furnishing, at low prices. The furniture carried is made in this city, so far as practicable, in the factory connected with the institution, and is all warranted. Their new style of lounge, the patent for which has been applied for, took the prize at the late Territorial Fair, as superior to anything else in that line in the West. The new features are the invention of Mr. Randolph Prubs, an employee of the company, and are a decided improvement on the old styles.

**A Mistake Rectified.**

The Third District Court today was settled in which all of the parties wanted the same result—setting aside of the cancellation of mortgage. The case was entitled James Wrathall vs. Hugh S. Gowans, administrator of the estate of J. D. Knowlton, and others, all of Tjoele

County. In 1886 Mr. Knowlton gave a mortgage on a certain property at Grantsville, for \$2000, to a bank in this city. At Mr. Knowlton's death, in 1887, the mortgage was about to be foreclosed, when the heirs of the deceased agreed with James Wrathall that the mortgage should be transferred to him in order that they might have additional time to clear off the indebtedness. Mr. Wrathall paid the note, but instead of the mortgage being transferred it was cancelled, and the error was not discovered till some time after. All of the heirs were desirous that Mr. Wrathall should not lose his money, so the matter was placed in the courts to be remedied, and Judge Sandford granted the necessary order today.

**Quack Advertisements.**

A friend at 42 Islington, Liverpool, enclosed in a copy of the *Millennial Star*, addressed to this office, the following clipping from the *Provincial (English) Medical Journal*:

"A strong agitation has been started in America against the quack advertisements which appear in religious papers, and in consequence of appeals made in the interests of morality, the respectable sectarian organs have declined to insert or renew those advertisements. A certain class of advertisements disfigure our English religious papers. It is to be hoped that they will copy the example set by their American co-religionists and refuse them. Another class of advertisements are to be found in religious papers which do not offend against decency, but which are fraudulent. To promise a cure for incurable disease, or to offer a panacea which will cure all kinds of diseases, is to obtain money under false pretences. A certain class of advertisements do this, and it must be known to the proprietors that these advertisements are dishonest, and should not have a place in papers professing to teach morality."

We can only say to the friend aforesaid—you are quite right.

**Death of Mrs. H. M. Wells.**

The numerous friends of Mrs. H. M. Wells will be pained and shocked to learn that she passed from this life at fifteen minutes past three o'clock this morning. The event was sudden as it is sad. The deceased gave birth to a child a week ago last Sunday and to all appearance was progressing favorably until Thursday morning, when she complained of pain in her head. It was thought that this symptom was but temporary and would soon disappear, but yesterday morning she suddenly sank into a comatose condition, from which she never revived. The cause was a pressure upon the kidneys which suspended their action, the result being blood poisoning. She had been attended throughout with consummate skill and care, but the case was one which could not be reached by human agency.

Sister Wells was the daughter of the late H. S. Beattie, and was a kind-hearted and most estimable woman, whom to know was to be attached to. She was in the thirtieth year of her age, and was therefore cut down in the very bloom of womanhood. Her husband, Recorder Wells, is stricken with grief at the loss he sustains, and it is needless to say that the sympathy felt for him in his bereavement is extensive and deep.

**THAT TEST OATH.**

How Its Tendency Is Viewed in Nevada.

The Supreme Court of Nevada has decided the anti-Mormon oath, passed by the last legislature, unconstitutional. This is just what was expected, and we regret that the decision was not made sooner; and yet there is still ample time for those who had conscientious scruples against taking the oath to have their names placed on the register.

The anti-Mormon oath is one of the proposed amendments to the Constitution, to be voted on at the coming general election, and we predict that it will be snowed under so deep by the votes of the people of the State that it will never be resurrected. The time has not come, and we hope it will never come, when a man's religious opinion shall be made a test of his rights as a citizen. Personally we have no preference for any Christian denomination, and a man certainly has as much right to belong to the Mormon, as he has to belong to the Presbyterian, the Methodist, the Baptist or any other church, so long as he adheres to the laws of the land.

No one should be permitted to violate the law nor indulge in practices repugnant to law, although such acts might be authorized by the church of which he is a member; but to prohibit a man from exercising the rights of an American citizen simply because he adheres to this or that religious denomination is repugnant to the principle of free government and contrary to section 4, article 1 of the constitution of the State of Nevada, which is as follows:

"The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed in this State; and no person shall be rendered incompetent to be a witness on account of his opinions on matters of religious belief; but the liberty of conscience

hereby secured shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace and safety of the state."

We have no sympathy with the Mormon church; we do not believe that society is benefited by the promulgation; but we oppose any attempt to curtail the rights of a citizen on general principles, and would oppose an attempt to discriminate against any organization which styles itself a branch of the Christian church. The liberty of conscience must not be abridged in a free government.—*Elko Independent*.

**SEWERAGE.**

Why I Am in Favor of It.

Editor Deseret News:

A number of articles have recently appeared in the News opposing the proposed system of sewerage for Salt Lake City. Now, while I am quite willing that these misguided mossbacks who are ignorantly standing in the way of progress—sitting on the shirt tail of progress and crying whoa—should have their say, I am not willing that the other side should be crowded out and I therefore propose to give you some solid reasons why I favor the proposed system of sewerage.

First. Being a resident of District No. 1, I consider it my duty to look out for No. 1.

Second. There will be a number of widows and orphans sold out and having a little spare cash I can buy up their homes at a nominal value and sell to advantage to the stranger from the east.

Third. Those outside of our district will have to pay for constructing the main sewer, disposing of the sewage, pulling up the pipes if they don't work, etc.

Fourth. It will make the country jakes over Jordan pull up and move west in accordance with the advice of the late lamented Horace Greeley.

Fifth. It will cure diptheria. A prominent undertaker says that statistics prove that those districts where the atmosphere is loaded for bear with the fumes of cesspools and sewer gas are free from diptheria.

Sixth. The gentle breezes from the mountain, of liquid manure piled up on the land over Jordan, will compel people to move out into the mountains during the hot weather, where they will be healthier and happier. This will help the railroads.

Seventh. It will enrich our atmosphere and thicken it up to the consistency of that in eastern cities and consequently make visitors from the sewer gas districts of the Atlantic feel at home—or wish they had stayed there.

Eighth. It will have a tendency to make the atmosphere firmer in its texture and consequently trains will not be so liable to be blown off the track, (care will have to be taken, however, to not get it so thick that the bathing trains cannot get through).

In view of these facts I would suggest that the names of those who favor it be inscribed on a brazen tablet to be attached to the liberty pole in front of the City Hall. Then when the tired citizen outside the district has cleaned up his own sewage and sits down to rest himself, regaled by odor-laden breezes from the west, to read over the amount of tax he has to pay for cleaning up the cesspools of the poor people on Main Street; he will want to while away the time by collecting his neighbors and gathering around the liberty pole to read over the names of those who have inaugurated the proposed beneficent system of sewerage. HERODOTUS.

**BISHOP SHEETS SENTENCED.**

The Court will not Punish for Membership in a Church.

Bishop Elijah F. Sheets, of the Eighth Ward, was arraigned before Judge Sandford today, on a charge of unlawful cohabitation. Of the four counts in the indictment, the second, third and fourth were dismissed. The first one covers the period from Oct. 1, 1883, to June 30, 1884, and alleges that the defendant lived with his wives Elizabeth and Emma, contrary to the provisions of the statute. To this charge the defendant entered a plea of guilty.

Mr. Richards called the attention of the Court to the fact that Bishop Sheets was 63 years of age; this was his first conviction, and he had surrendered to the officers. He also stated that he had married his second wife in 1861, before there was any law against polygamy.

Mr. Peters said that the indictment was found two years ago—Sept. 20, 1886. The defendant, it was true, had surrendered himself, but for the two years subsequent to the finding of the indictment the officers had been put to great trouble and expense and had been unsuccessful in finding him. His youngest child was now eight years old. Mr. Peters said he did not know whether the Bishop had taken any other wife since 1861 or not, "but," said he, "he is a man of prominence in the Church, a counselor to the Presiding Bishop."

Mr. Richards—No, sir, you are mistaken; he is not a counselor of the Presiding Bishop.

Mr. Peters—Well, he is a Bishop, anyway.

Court—The Court will not take into consideration the fact that he is a

member of any Church. Do you think I ought to?

Mr. Peters—Yes, I do think so. He is a member of the Mormon Church—Court—Is it an offense against the law to be a member of the Mormon Church?

Mr. Peters—Yes, sir; to be a member of a church that teaches and encourages violations of the law.

Mr. Richards—He is not here accused of being a member of any church, but of unlawful cohabitation.

Court—Can the court go behind the record and punish a man for that of which he has not been convicted? If so, I desire some instruction on that point.

Mr. Richards—I assume that the court is bound by the record.

Court—I supposed so too, till the counsel for government suggested that he might be punished for something else.

Mr. Peters—If a man is convicted of larceny the court may consider the circumstances—

Court—Larceny is a crime, but membership in a church is not.

Mr. Peters—The Court may consider a man's character.

Court—Yes, that is true. But I don't propose to punish a man because he is a member of any Church. I have nothing to do with his leanings to any religion. I may become better advised later, but now I am convinced that I should punish only for the offense committed, and not for the religious inclinations of any man.

To Bishop Sheets the Court said: "I would not send you to the penitentiary if I was satisfied that you would not repeat the offense. That is a matter for you to decide." As the prisoner made no response, the court imposed a sentence of 80 days' imprisonment and a fine of \$150 and the costs of the prosecution.

Bishop Sheets was conveyed to the bastille later in the day.

**FIRST DISTRICT COURT.**

Proceedings Before the Judges at Provo and Ogden.

At Provo, yesterday, the following business was transacted before Judge Judd:

In the Parrish case the testimony on the part of the prosecution went to show that Parrish and Blancett had a quarrel on the night of the 19th at Daniel's saloon, and there agreed to fight a duel at 7 o'clock the next day, but instead of meeting his foe according to appointment, Parrish waited behind a house and shot him down while Blancett was on his way to the rendezvous.

The theory of the defense was that Parrish came accidentally behind the house and, seeing Blancett ready to fire, killed the deceased in self-defense.

The case was argued for the prosecution by Mr. Evans and for the defense by George Sutherland, after which court adjourned till this evening.

**OTHER ITEMS.**

United States vs. Niels Burgeson; unlawful cohabitation; plea of guilty; sentence set for Oct. 18th.

United States vs. Jens E. J. Kempe; unlawful cohabitation; plea of guilty; sentence set for October 18th. To a charge of adultery, Mr. Kempe was given till Oct. 13th to plead.

United States vs. Jane E. Bate; fornication; plea of not guilty.

United States vs. Herbert Bate; fornication; plea of not guilty.

The grand jury came into court and presented five indictments in United States cases and one in territorial.

At Ogden Judge Henderson heard the following cases yesterday:

Dan Parry vs. C. P. Groat et al.; an order giving plaintiff five days additional time was entered.

R. J. Hill vs. George Seager; order for default.

Martin Gaarder vs. the Union Pacific Railway Company, the court allowed the defendant twenty days in which to move for a new trial.

The case of George J. Marsh vs. Thomas Davis, was resumed and completed. The jury found for the defendant, no cause of action; fifteen days allowed to move for a new trial.

Bank of Tehama Company vs. John Hants; tried by jury; damages of \$1,150 assessed against defendant.

While the case of the United States vs. Sidney Stevens et al. was on trial, Judge Emerson announced that Bishop P. G. Taylor, of Harrisville, who was wanted on a charge of unlawful cohabitation, was in court and desired to plead. The court granted the request. The indictment was read and defendant was asked to plead guilty or not guilty.

"Well I am not really guilty, but I suppose I must plead guilty," was the answer.

Court—No you must enter your plea one way or the other. If you are not guilty the clerk will enter a plea to that effect.

Judge Emerson, defendant's attorney instructed him that he must plead guilty or not guilty.

Defendant then pleaded guilty and waived time for sentence. Upon questions from the court he stated that he was a native of Kentucky, and 62 years of age. He had married his last wife in 1858 and his youngest child was fifteen years of age. He said that under the rulings of the court he was guilty though he had not lived with his family for nearly three years, having been absent the greater

portion of that time. He had sought to live up to the requirements of the law and had had no intention of breaking it, though his wives had lived in the same house, but in separate apartments.

Court—You are a man of property, I suppose?

Defendant—No, sir; I have but little property.

Court—You have a fair education?

Defendant—My education is very limited.

Court—Well, you understood that while you were living under the same roof with more than one wife, the appearance, to the world, was that you were living with more than one wife?

Defendant—No, sir; I thought I was living up to the law. I have always sought to live it.

Court—Well, seeing you have taken so much pains in the past to live up to the law, I suppose you will have no trouble in living up to it in the future?

Defendant—I have no desire to break any law. I have never broken any law to my knowledge. If I break a law I expect to suffer the penalty, but I don't expect to break it.

Court—Would you keep it in the future?

Defendant—As I have kept it in the past.

Court—That would be breaking it, as you have just pleaded guilty. The sentence in your case is that you be confined in the penitentiary for three months and pay a fine of \$300 and costs.

Something over a month ago two persons, whose names were George Bryson and Annie Lundstrom, came to Helena, from Minnesota. They passed as man and wife. Some time after they went walking. Bryson returned. The woman did not. Circumstances indicated he had murdered her and he was arrested. Mrs. Bryson could not be heard of. The community was morally certain he had murdered her, but it seemed impossible to produce the corpse, although \$300 reward was offered for it by Mayor Fuller. Finally, after holding him as long as possible, Bryson was taken before Judge Sanders last Friday for preliminary examination, and although the evidence was only circumstantial and the body had not been found, the judge held him without bail to answer to the grand jury. Monday morning a man named Dixon, who had evidently been searching to earn the reward, reported he had found the body of a woman in an old prospect hole a mile east of town. Sheriff Hathaway visited the place, descended the shaft 25 feet and entered an incline drift, where he found the body of a woman, her head crushed and the corpse covered with a white mould. It was covered with rocks, a strap was tied around the wrist, indicating that she had been killed outside and dragged there. The body was positively identified as Annie Lundstrom. The grand jury of the district will meet next Monday.

**MARRIAGE LICENSES.**

TO MEET THE REQUIREMENTS OF the lately-enacted Territorial law, providing for a marriage license being issued by the Clerk of the Probate Court of the County in which the intended bride resides before a marriage can be legally performed, there has been issued from the press at this office a supply of licenses of approved form, which Probate Clerks will do well to avail themselves of. The law also requires that the person performing the ceremony return with the license, within thirty days after the marriage, a certificate over his own signature and countersigned by two or more witnesses present at the ceremony stating the date and place of the marriage. These certificates, suitable for either a civil officer or an Elder of the Church to use, can be had at this office in any quantity, and Probate Clerks ought to keep some of them on hand also, so that if necessary they could supply the person applying for a marriage license with a certificate also, to provide against the possibility of the person who is to officiate in performing the ceremony not having one to furnish them with.

**ADVERTISING RATES.**

According to space occupied and length of time the Advertisements run. Quotations for Display Advertising given upon application.

If same Ad. is inserted simultaneously in Daily and Semi-Weekly, ten per cent. discount from regular rate allowed. If in all three editions at same time, fifteen per cent. discount allowed.

NOTICES IN SPECIAL COLUMN (in same type as body of paper) in Daily, 10 cents per line, first insertion, and 5 cents per line each subsequent insertion, or \$1.00 per line per month. In Semi-Weekly, 25 cents per line, first insertion, and 15 cents per line each subsequent insertion, or \$1.00 per month. In Weekly, 35 cents per line, first insertion, 20 cents per line each subsequent insertion or 75 cents per line per month.

Professional cards in Daily 75 cents per line first insertion and 4 cents per line each subsequent insertion. Proportionate rates for SEMI-WEEKLY and WEEKLY.

Advertisements under regular headings of WANTED, FOR SALE, etc., in Daily 5 cents per line, first insertion, and 3 cents per line for each subsequent insertion. Proportionate rates for SEMI-WEEKLY and WEEKLY. No Ad. accepted for less than 15 cents.

PERSONALS, at solicitation of parties interested, and not valued as news, 20 cents per line.

CARDS OF THANKS, 20 cents per line. Notices of Sociables, Festivals, Parties, Concerts, etc., for which admission fee is to be charged, 10 cents per line.

Simple DEATH NOTICES gratis; comments thereon or sketch of life, 10 cents per line. MARRIAGE NOTICE, \$1.00.

NOTICE OF BIRTH, 50 cents. Address: THE DESERET NEWS CO., Salt Lake City.