

Caroline Parry testified that she had seen the defendant at her sister's house over two years ago; didn't know where Elizabeth was; had no acquaintance with Agatha Peters.

Frederic Peters, Agatha's father, was called, but being unable to speak or understand English, was excused.

Wm. Peters testified that Agatha Peters was his sister; he had been in the country about five years, and had seen her once during that time; had not heard where she was during the past two years.

Philip Davis testified that he knew the defendant by sight; he had seen Elizabeth Parry, but knew nothing whatever of the defendant's family relations.

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

Mr. Moyle asked, "Do you want him held because he visited the house on one occasion?"

Mr. Dickson replied "Yes," and the Commissioner made the startling suggestion that if the defendant was innocent he might be sworn and testify in his own behalf. The bonds in the case were fixed at \$1,500, James Jennings and Charles Brown becoming sureties. The witnesses are to appear before the grand jury on the 20th, and were released on giving bail in the sum of \$200 each.

#### THE GRAND JURY.

THE INQUIRY FOR THE THIRD JUDICIAL DISTRICT ORGANIZED.

This afternoon Marshal Dyer returned the open venire issued for grand jurors for the September term of the Third District Court. The clerk called the following, who responded and took their seats in the jury box:

Christopher Diehl, John Strickley,  
J. E. Gallagher, R. H. Lannan,  
Josiah Barnett, M. S. Aarheim,  
Wm. W. Chisholm, W. A. Wiseman,  
R. McIntosh, Dan Bader,  
Matthew Cullen, B. A. M. Froiseth,  
John Tiernan, F. A. Williams,  
James Anderson.

Assistant District Attorney Varian asked the question: "Mr. Lannan, do you believe it right for a man to have more than one living and undivorced wife at the same time?"

The face of the Tribune manager was fluted with a deeper crimson, and the members of the bar and spectators flattered as he replied, "No, sir; I do not."

Mr. Varian—Not to live with more than one woman?

Mr. Lannan—No, sir.

Mr. Varian (to jurors)—Gentlemen, I know all your faces, and presuming you can answer similarly, pass you.

One of the jurors stated that he was not a taxpayer, but he was accepted, and the jury impaneled.

R. McIntosh was then sworn in as foreman.

The Court then charged the jury that the law imposed on them the duty of investigating thoroughly all charges of public offenses committed within the Third Judicial District; they should only accept legal evidence, and be prompted only by a desire to ascertain the truth of the charge; they ought not to be influenced by prejudice, fear or favor, or by public clamor, but investigate all cases impartially; they were judges of the credibility of witnesses, and of the motives thereof, and if witnesses were prejudiced, should consider their evidence with great care. The offenses to be investigated were defined by the laws of the United States and the Territory. If they had reason to believe the evidence was sufficient to convict, they should indict; they might believe a law wrong in principle but that should not affect them, as that question was to be determined by the law-making power, who were to say what laws were necessary to preserve the institutions on which society depended. The fact that a large portion of the people believed polygamy or unlawful cohabitation to be right had nothing to do with them. The legislative power had determined that, and the courts said whether the laws were unconstitutional or not. No class of men had the right to say what laws they would obey or what they would not. The jurors were to be governed by the valid laws on the statute books. No man had a right to claim the protection of a government and at the same time defy its laws. The welfare of society demanded that all the laws of the government should be obeyed. The jurors should keep secret all the proceedings in the grand jury room, and the law imposed a severe punishment on those who violated their oath in this respect. If they desired further instructions they should apply to the court.

Deputy Marshal Holland was sworn to take charge of the jury, which retired with the officer.

The remaining five who had been summoned on the venire—H. W. Lawrence, William Curtis, Hector W. Haight, M. J. Gerraty and J. H. Rogers—were excused.

#### FROM FRIDAY'S DAILY, SEPT. 17

**Arrest.**—Yesterday afternoon G. B. Williams, of Hooper, Weber County, was arrested on the charge of unlawful cohabitation. He was taken before Commissioner Black, waived examination and was placed under \$1,500 bonds to await the result of the grand jury's investigation.

**Discharged.**—This morning W. H. Hampton was arrested on a charge of larceny, on complaint of Mr. Hirsch-

ing, made before Commissioner McKay. The investigation showed that the proceedings grew out of a family feud and that there was nothing in the charge. The case against the defendant was dismissed.

**Under Bonds.**—About 4 o'clock yesterday afternoon John Cartwright, of the Eighth Ward, was arrested by Deputy Marshal Greenman and taken before Commissioner McKay to answer to a complaint made by D. W. Reuch, and charged him with unlawfully cohabiting with his wives. The accused waived examination and gave bonds in the sum of \$1,000 to await the action of the grand jury.

**Another Returned Missionary.**—This morning Elder James Roskelley, of Smithfield, who has just returned from a mission to the Southern States, called at this office. He left Utah, May 24, 1884, and labored in the East Tennessee conference the whole period of his mission. Prospects in the particular field in which he has been laboring were rather more encouraging when he left it, than they had been for some time previously. The allay of prejudice comprises most of the work accomplished by the Elders in that section during the present summer. Baptisms occasionally occur in different parts of that conference, and the Elders laboring in it feel encouraged.

**Y. L. M. I. A. Conference.**—The quarterly conference of the Y. L. M. I. A. of this Stake was held in the 14th Ward Assembly Rooms, to-day, commencing at 10 a. m. and at 2 p. m. Counselor Maria B. Douglass presiding. There was a good attendance from various parts of the Stake as well as the city, and twenty-one reports were read. Mrs. Horne was the first speaker in the forenoon and was followed by Mrs. Suedaker, who exhorted to purity. Mrs. Emily S. Richards spoke concerning her visit to Washington. Mrs. Edgington spoke on faith and prayer and reading Church works. Mrs. Coulam exhorted all to do their duty, even if hard. Mrs. Fanny B. Thatcher and Mrs. Ellen Clawson dwelt on the temptations that beset our young people. Mrs. Aurelia L. Rogers spoke on injuring each other by talking about our neighbors. The afternoon meeting was in session when we went to press.

**Obsequies.**—The funeral service, conducted by Bishop Tuguey, over the remains of Sister Laura Nebeker Smith, was held at the family residence this afternoon. The assembly of relatives and friends was very large—sufficient to have filled a capacious hall. The rooms were crowded and many had to remain on the lawn in front, where seats were arranged. The choristers of the Tabernacle choir, of which the deceased was one of the oldest members, were out in force. The opening pieces sang were: "How sweet to the soul is communion with Saints" and "Nearer, my God, to Thee." Prayer was offered by Elder Henry P. Richards. The speakers were Bishop James Watson, Elder John Nicholson and Apostle John Henry Smith, the remarks being eulogistic of the character and noble qualities of the deceased and instructive upon matters of faith and doctrine. Words of consolation and sympathy were directed to the bereaved. The benediction was pronounced by Patriarch John Smith. The cortege which followed the remains to the cemetery was very large. Sister Laura was a faithful saint, with much more than the ordinary allotment of sunshine in her kindly nature. She has an affectionate place in the memories of many people. Peace to her ashes.

**Destroying Fish.**—About six weeks ago, authentic information was received in this city that parties near Scofield, Emery County, were engaged in the wholesale destruction of fish by giant powder. Fish Creek was the field of operation, and daily large numbers of young trout which had been killed by the explosions and were either too small for market or had escaped the notice of those engaged in the business, could be seen floating down the stream. The fish that were taken out were shipped to distant points to market. A watch was set, and enough information was obtained to indicate who the guilty parties were, though the evidence was considered barely sufficient to secure conviction. The matter was referred to the Fish and Game Association, and at their request no public mention was made of what had occurred, as it was desirous that the offenders should be caught. There was so much delay, however, in getting an officer at work on the case, that the fish-killers took the alarm, and having made a good thing out of their nefarious business, managed to elude detection and escape punishment.

There is a point in connection with this that deserves the attention of the Emery County officers, as well as those of other counties where violations of the fish and game law occur. The Fish and Game Association have been usually left to prosecute all offenders against the law, when in fact that labor does not belong to them. Their organization is simply one of private citizens, and receives no public funds for the detection and conviction of the law breakers, so that everything done in that direction is at private expense. This state of things should not be. The enforcement of the territorial statute properly devolves on the officers of the law, and should be taken up either by the county prosecuting attorneys or the district attorney. The instance above referred to, as well as others of a similar nature

in different parts of the Territory, was a matter of general comment in the county where, and at the time it was committed, yet no steps, so far as can be ascertained, were taken by the local officials to put a check on it or bring the guilty parties to justice. It reflects discredit on these officials to leave the matter entirely to the Fish and Game Association, whose officers claim that in cases where prosecutions of offenders have been instituted, they have been retarded instead of assisted by public officials in dealing with this class of cases.

#### FROM SATURDAY'S DAILY SEPT. 18.

**Sentenced.**—This afternoon, Wm. Morgan, who assaulted Hiram Mike sell with a neckyoke, in Lamb's Canon, a couple of weeks ago, was brought before Justice Pyper to receive judgment. A fine of \$130 was imposed. The defendant has already been imprisoned about 15 days. Mike sell is slowly recovering, and is now able to move about the house.

**Release.**—Brother Robert McKendrick was brought in from the penitentiary to-day, having made application to be released from custody. He has served six months, less the deduction for good behavior, and also the 30 days additional for the fine, for refusing to make the "promise" to comply within the law. He passed the examination satisfactorily, and was discharged.

**Bound Over.**—This afternoon John B. Furster, of the 13th Ward, was arrested on a charge of living with both of his wives, contrary to the provisions of the Edmunds law. He is in his 72nd year. When brought before the Commissioner he stated that he lived in the same house with both wives, and was released on giving \$1,000 bail, conditioned to await the grand jury's action. J. W. Jenkins and John Manning became his sureties.

**More Searching.**—Early this morning a number of deputy marshals surrounded the house of Wm. D. Owen, Jr., in the Twenty-first Ward. Mr. Owen was not at home, but the deputies seemed to think he was in hiding, so they presented a warrant for his arrest on the charge of unlawful cohabitation, and made a thorough search of the entire premises. Not finding him, they subpoenaed his family and a number of other persons to appear as witnesses before the grand jury.

**A Serious Accident.**—At Moroni, Sunday, Sept. 12, 1886, about 6 p. m. a young lad, aged 7, son of L. A. Neilson of that city, was playing near some lumber at Remington & Johnson's store. The lumber fell on him, breaking in shivers the bones of the leg besides causing internal injuries. Surgical aid by Dr. Oisten, of Ephraim, was procured but the boy succumbed about 3 p. m. this morning. Death ended his acute suffering.—Home Sentinel.

**Strange Fatality.**—At Red Bluff, California, on September 14th, a farmer named Abraham Loring met his death in a very strange manner. He had been eating supper in a restaurant, and rose from the table and stepped outside. He staggered and fell to the sidewalk, and a physician, who was summoned immediately, found that he was dead. An inquest was held, and a post-mortem examination disclosed the fact that his death resulted from choking, two pieces of beefsteak having lodged in his throat. Owing to physical weakness he had been unable to swallow the obstructions or force them out.

**Court Proceedings.**—In the Third District Court to-day, in two cases of The People vs. Frank M. Treseder, indicted for attempt to murder, the demurrers were overruled, and an order made requiring the defendant to appear in court on Monday, Sept. 20th, at 10 a. m., to plead to the indictments.

Charter Oak Life Insurance Company vs. M. I. Gilsborn et al.; motion for new trial submitted.

H. P. Mason vs. Louis Oviatt; motion for new trial submitted.

Lars Jensen was admitted to citizenship.

The People vs. Arthur Hausen; appeal dismissed on motion of prosecution.

United States vs. H. S. Eldredge and Francis Armstrong; suit on bonds; argued by Le Grande Young for defendants and W. H. Dickson for plaintiff.

The Court adjourned until Monday, at 10 a. m.

**Child Burned to Death.**—On Friday, the 16th inst., a shocking casualty occurred at Lyman, Snake River Valley. Charles Foster, Jr., was away from home working on a threshing machine, and his wife stepped out of the house into that of Chas. Foster, Sr., her husband's father, nearly leaving her two children asleep. The elder was a little girl aged four years, the younger was, we understand, a boy aged about two years. While the mother was away the little girl awoke and tried to make a fire in the stove, using some bark. Some of the latter which the child held in her hand caught fire, and she dropped it into the wood box, setting fire to the house. Before help reached the children, the younger one was burned to death, and the older one narrowly escaped the same fate, being saved by her grandfather, but not until portions of her body had been burned. The house and all its contents were destroyed. The parents have the

sympathy of all their neighbors in their great misfortune.

**Commissioned.**—The following officers were commissioned by Governor West to-day:

#### JUSTICES OF THE PEACE.

James Hutchins, Slaterville, Weber county.

H. A. Hendrickson, Parowan, Iron county.

J. H. Henderson, Parowan, Iron county.

James Brown, Randolph, Rich county.

John F. Woodbury, St. George, Washington county.

John D. Whipple, Provo Bench, Utah county.

W. H. Brown, Provo, Utah county.

#### CONSTABLES.

Alexander Wilkins, Provo, Utah county.

Conrad Maag, Lakeview, Utah county.

Wm. Strong, Provo, Utah county.

Geo. W. Faucett, Price, Washington county.

Geo. H. Taggart, Morgan, Morgan county.

Charles Haynes, Nephi, Juab county.

John W. Witt, Jr., Heber, Wasatch county.

Sylvester Johnson, Park City, Summit county.

#### COUNTY OFFICERS.

Robert H. Heyborne, assessor and collector, Iron county.

John F. Woodbury, superintendent of district schools, Washington county.

R. Jones, sheriff, Wasatch county.

Fred. Kasband, coroner, Wasatch county.

A. J. Alexander, selectman, Wasatch county.

John H. Johnson, recorder, Kane county.

John Elder, probate judge, Kane county.

J. P. Larsen, sheriff, Sanpete county.

John Reid, recorder, Sanpete county.

John Reid, county clerk, Sanpete county.

Parian McFarlan, probate judge, Sanpete county.

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**Treseder's Plea.**—To-day Frank M. Treseder was brought in from the penitentiary to plead to the indictments found against him by the grand jury. There are two cases, in one of which it is alleged that Treseder was guilty of an attempt to murder ex-U. S. Marshal Ireland, and in the other Deputy Marshal Franks is named as the intended victim of a similar attempt. The defendant pleaded not guilty to both charges.

Arthur Brown, Treseder's counsel, stated that his client had been confined in the penitentiary for some time past, and desired an immediate trial, as all the witnesses were present in the city.

The Court fixed Monday, October 4th, as the day on which that trial will be held.

**Hand Amputated.**—Yesterday, several boys, among them Harry H. Whitaker, son of S. H. Whitaker, who lives near the Co-op. Furniture store, were playing with a machine called a "devil," used for the purpose of tearing up masses of hair with which mattresses are stuffed. The machine contains a cylinder covered with sharp, hooked teeth. By some means the boy named had his hand drawn into it while it was running, and the member was frightfully torn. Every bone except one, in the palm of the hand, was broken, and the flesh was cut and lacerated in a dreadful manner. Dr. J. S. Richards was called, and he at once declared amputation necessary and performed the operation at the wrist joint. At 1:30 p. m. to-day the boy was resting comfortably under the influence of a sedative, and he seems to be doing very well.

**Court Proceedings.**—In the Third District Court to-day the following business was transacted:

Thomas Rasevour vs. Mary J. Rasevour; demurrer overruled.

E. D. Egan vs. J. F. Glasby; demurrer overruled.

H. P. Mason et al. vs. Louis Oviatt; demurrer overruled; twenty days to answer.

M. Dueseldorf et al. vs. Ontario S. M. Co.; demurrer to complaint overruled; twenty days to answer.

United States vs. H. S. Eldredge and F. Armstrong; suit for bonds, demurrer overruled; 10 days to answer.

The People vs. Mrs. L. Madsen, N. P. Gray, H. W. West and M. McLaughlin. Each a separate case, on motion to dismiss. Motion overruled.

The United States vs. Richard Warburton; unlawful cohabitation; plea of not guilty withdrawn and defendant plead guilty. Sentence, six months' imprisonment and \$300 fine and costs.

The United States vs. James Dunn; unlawful cohabitation, three counts; plea of guilty; sentence will be passed Thursday next, at 2 p. m.

The United States vs. Andrew Hansen; same; judgment suspended till Monday next at 2 p. m.

The United States vs. Jonas Lundborg; same; sentenced to imprisonment in the penitentiary for 18 months and to pay a fine of \$300 and costs.

The People vs. F. M. Treseder; attempt to murder; two cases; pleas not guilty; trial set for Oct. 4th.

The People vs. Alex. Herron; extortion; trial set for Oct. 4th.

The Grand Jury came into court and reported nine indictments under the laws of the United States.

The charge against Barber, of homicide, was ignored.

In the case of the United States vs. Butler, for cutting timber off the public lands, the time for answering was extended to October 10th.

#### THE PETIT JURY.

"MADE TO ORDER" BY THE OPEN VENIRE PROCESS.

In the Third District Court this morning, U. S. Marshal Dyer made his return on the open venire issued for petit jurors to serve on the September term of the court. All but two of those summoned—R. C. Gunn and E. M. Bynon—were present in court and answered to their names. M. Kloppeinstein, E. A. Whitaker and James McGregor were excused. J. P. Wilson, R. P. Martin, S. C. Underhill, C. B. Talbot, Wade Moseley and J. W. Crane were not taxpayers, but as they possessed personal property in excess of \$100 in value, they were accepted. The trial jurors for the terms are as follows:

Albert Fischer,	J. P. Wilson,
R. P. Martin,	S. C. Pancake,
Albert Thompson,	Louis Hamberger,
George Mallett,	S. C. Underhill,
James Winchester,	Charles H. Talbot,
Wade Moseley,	George Morrison,
W. H. Roy,	M. Dueseldorf,
Joseph Foster,	B. Cannon,
George Shell,	J. M. Harvey,
Joseph Foreman,	Wm. McKay,
J. W. Crane,	Wells Clark,
Thomas Davis,	Charles Shields,
Edward Berry,	Frank McLaughlin,
I. L. Osborne,	

As the defendant in each of the United States cases set for trial to-day entered a plea of guilty, the necessity for a jury was dispensed with, and the jurors were excused until to-morrow at 10 a. m.

#### THE SLUGGING MATCH.

LAW, ORDER AND DECENCY SET ASIDE.—M'DONALD WINS A BRUTAL CONTEST.

Another of those events, which are a disgrace to the civilization of the age and a reproach to the officers of the