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TRUTH AND LIBERTY.

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THE DESERET NEWS CO.,

SALT LAKE CITY, UTAH.

FROM TUESDAY'S DAILY FEB. 7, 1888.

Pleaded Guilty.

In the Third District Court today, Thomas Pierpont was arraigned on the charge of unlawful cohabitation. The indictment was found on June 15, 1886, contained two counts, and alleged that he had lived with Naomi Pierpont and Juniata B. Pierpont as his wives. He pleaded guilty to the second count and the other was dismissed. Sentence will be passed on March 1st.

Not Mr. Jones.

In the account given in yesterday's issue of the meeting held by the "Liberals," in the Chamber of Commerce, to consider the fusion ticket proposition, a speech made on the occasion was credited to Mr. T. R. Jones. This was an error, the speaker being Mr. C. W. Bennett. The mistake was entirely inadvertant, and was occasioned by the reporter getting the two gentlemen mixed up in his mind. The occasion was characterized by considerable confusion, which probably had something to do with the error. Mr. Jones is not a speech-maker, and if he were his utterances would not, we believe, exhibit the unmitigated rabidity for which the gentleman with whose remarks he was erroneously credited is noted.

THE INQUISITORS.

A Grand Jury for the February Term Secured.

In the Third District Court this morning the work of securing a grand jury for the term was proceeded with, the following names being called:

156 Philo Dibble,
30 B. G. Raybould,
78 M. W. Pratt,
16 John Wayman.

Philo Dibble believed plural marriage to be right, and was excused.

B. G. Raybould held an opposite view to that expressed by Mr. Dibble, and was accepted.

M. W. Pratt believed in polygamy, and was excused.

John Wayman did not believe it right for a man to have more than one wife; had believed that such a practice was admissible, that is, that it was not morally wrong; if there was no law against it, to me it would not be right; the morals of a person would be of a higher character if he did not practice polygamy; I don't believe in plural marriage as taught by the "Mormon" Church. If there was no law against the practice, I would leave it to the conscience of the individual; if there was no law of the United States forbidding polygamy, I think it would be wrong for me; I don't know as to anybody else.

Court—You may stand aside.

Reuben C. Fuller and F. Kehrman were reported as not found by the officers.

The following were next called:

75 George Schill,
172 Calvin W. Richards,
108 Charles Longson.

George Schill was not a believer in polygamy and was accepted.

C. W. Richards and Chas. Longson were excused for their belief in polygamy.

The next to come forward were:

42 Wm. Derr,
69 George F. Rose.

Wm. Derr was excused for his belief in plural marriage.

G. F. Rose did not entertain that religious belief, and was accepted.

130 Caleb D. Brinton was called; he did not believe in plural marriage; was a member of the Church of Jesus Christ of Latter-day Saints; never did believe in plural marriage; thought it was wrong; had never preached it; was in good standing in the Church; repudiated the doctrine of polygamy.

This completed the panel, and each of the jurors subscribed to the court oath. The jury is now composed of the following persons:

B. G. Raybould, Foreman.
J. H. Woodman,
Walter Davidson,
Robert Scott,
Robert T. Burton, Jr
Fred. Bennett,
N. A. Scribner,
Wm. J. Horne,
Joseph Oberndorfer,
Smith Ebenger,
Isaac Elkington,
Charles W. Watson,
George Schill,
George F. Rose,
Caleb D. Brinton.

B. G. Raybould was sworn as foreman, and the whole body took the oath as jurors.

Judge Zane then gave his charge to the jury, instructing them to investigate all charges of violations of the laws of the United States or of Utah Territory, made against any person, if those charges were based on sufficient evidence to cause them to believe a crime had been committed. A number of persons had been held by Commissioners and magistrates, to answer to the grand jury, and these should be attended to as early as possible. The jury should investigate any crimes brought to their notice, or if any of them knew of any, they should make them known to their fellow jurors. They should be diligent and careful. It was wrong to permit crime to go unpunished; it was also wrong to indict an innocent man, as there was no adequate remedy for such humiliation and disgrace; the evidence must be sufficient to create a probability that a petit jury would convict. The various offenses are defined by the laws of the United States and of the Territory of Utah. Some offenses a portion of the people believe they have a right to commit; this does not justify the offense. The jury must be governed by the law against polygamy, even though the accused believes the law to be wrong. There are also other offenses defined by the law. Any necessary information as to the law will be furnished by the Court. A record of persons against whom charges are made, and of the witnesses, should be kept. They should also keep the grand jury proceedings secret.

The jury then retired in charge of Bailiff Wm. McCurdy.

Hanged Himself.

An inquest was held this morning at 237 S. Sixth East St., upon the body of Wm. Thompson. It appeared from the evidence that he arose about 6 a.m. today, and went out, telling his wife not to get up until he called her. Feeling uneasy at his absence, Mrs. Thompson, at about 7:30, requested Mrs. Harriet Norgrove to endeavor to find him. After looking about for some time, Mrs. Norgrove was shocked to find his lifeless body hanging by the neck by a rope to the limb of an apple tree in the back of an adjoining lot. The horrible story soon spread and Officer Andrew Smith went up and cut him down. It appeared as though he had seated himself on a limb of the tree while he put the noose of a rope having an iron ring on the end of it about his neck, and then slipped off the limb and was strangled, the ring pressing deeply into the windpipe and completely shutting off his breath.

From the testimony of his son, J. M. Thompson, it was learned that the deceased was naturally of a despondent disposition, which tendency was aggravated by a serious injury to his head received some years ago, while digging a well. Last year he bought the house where he resided, giving a mortgage on it for $600, and he worried a good deal about that, lest he might not be able to pay it, but latterly he had sold the place to advantage and was about to move away this morning.

The jury brought in a verdict to the effect that he had hanged himself while temporarily insane. The funeral will not take place until Thursday.

THE LEGISLATURE.

COUNCIL.

February 7, 1888.

A communication was received from the House stating that it had passed House concurrent resolution 16, appointing 4 p. m., on the 8th, as the time for visiting the Deseret University. On motion of Smoot the Council concurred.

A communication was received from the House notifying the Council of the passage of H. F. 43, amending the law in relation to civil procedure and providing against fraud in contracting debts, etc.

Marshall thought the bill as read contained some stipulations conflicting with the Constitution of the United States, and therefore moved its reference to the committee on judiciary. Carried.

H. F. 16, a bill amending the law providing for punishing persons entering into railway cars in certain cases, was referred to the committee on judiciary.

Woolley presented a report from the judiciary committee on C.F.2, providing for proceedings in insolvency, and recommended that it be printed and placed on file for second reading. So ordered.

The president announced the table clear and, on motion of Marshall, the Council adjourned till 2 p.m. tomorrow.

HOUSE.

February 6, 1888.

Yesterday afternoon, in concluding his speech in support of his amendment to the reform school bill, Allen said that the Governor held the right to appoint the directors of the insane asylum. He held that the general government, for purposes of its own, had reserved the right to hold control of the heads of departments in the territories.

King moved the previous question, a direct vote on Allen's amendment. Carried.

Thurman asked if a motion to postpone the previous question could be entertained.

The chair replied, only by unanimous consent.

Allen objected, but Thurman persisted that Allen had introduced new matter which justice required should be answered.

Allen's amendment was lost by a party vote.

Wood moved to amend by striking out the auditor, as one of the directors. No second.

Section two as amended was read, when Hatch made the same motion as Wood. On a rising vote the amendment was lost.

After some minor verbal amendments had been made, Thurman moved to postpone consideration of this bill until the 13th inst. Carried.

H. F. 16, to punish persons for entering railroad cars in certain cases, was called up. Some members thought this bill had been passed, but it was ascertained that it had not.

Creer moved a suspension of the rules and that the bill be read the third time by its title. Carried.

Moyle moved that the bill do now pass. Carried. The bill passed by a unanimous vote. The title was amended.

H. F. 43, a bill relating to attachments, offered by the House judiciary committee as a substitute for Marshall's bill, was called up on its second reading.

King moved a suspension of the rules and the third reading of the bill. Carried.

Thurman moved that the bill pass. It passed by a unanimous vote.

By unanimous consent Moyle introduced a concurrent resolution naming 4 p.m. on the 8th as the time to visit the University. Agreed to.

Hatch, by unanimous consent, introduced a resolution instructing the committee on manufactures and commerce to report to the House at an early day the property held by the Deseret Agricultural and Manufacturing Society. Adopted.

H. F. 27, in relation to constructing and maintaining barb wire fences, came up. A substitute offered by the committee on agriculture was discussed.

Richards moved to amend the substitute by providing that, when a board or pole is used, it be at the top.

Seegmiller favored Richards' amendment, while Creer and Farnsworth opposed it, as did Thurman, the latter on the ground that it would require expensive changes in fences already built.

Richards met Thurman's objection, and Creer urged that there was a difference of opinion as to where the pole should be put, and he favored leaving it optional. Richards' amendment was lost.

Some slight verbal amendments were made to the substitute when it was adopted.

Hoge moved to strike out the section which required that the owner of every barb wire fence in the Territory make it conform to the requirements of the bill within six months, on the ground that it was retroactive and would work great hardship and expense to owners of such fences.

Montgomery and Richards opposed striking out. The latter urged that great damage to stock was being done by barb wire fences that were imperfectly constructed or out of repair.

Hoge made a speech in support of his motion to strike out, maintaining that it was unjust to make a man liable civilly and criminally because his fence, which might be a good one, did not conform to all the requirements of the bill.

Hoge's motion to strike out was lost.

Rouche moved to strike out so as to prevent section 3 from applying to inside fences, but his motion was lost.

Creer moved to amend section 4 so as to make $50 the limit of the fine, and to make damages collectable only after a conviction.

Thurman opposed the motion and it was lost.

Hoge moved to strike out the enacting clause, and was seconded by Rouche. Lost.

The barb wire fence bill passed to its third reading.

H. F. 17, on which a favorable report of the judiciary committee was read, suggesting amendments, was called up on second reading. It amends the justice's criminal procedure act, and provides for appeals to district courts.

The bill was amended slightly and filed for third reading.

H. F. 24, to prevent crimes against the elective franchise came up on reading. It was slightly amended and passed to its third reading.

H. F. 45, a bill in relation to county recorders was called up. It prescribes the bond which those officers shall give, as not less than $5,000 nor more than $50,000, and states their liabilities.

King moved to amend section 3 in a manner to destroy the monopoly of recorders in preparing abstracts of title, and made a speech in support of his amendment.

Allen supported the amendment, and described the offensiveness of the monopoly.

McLaughlin moved to amend King's motion by striking out the entire section. King adopted this amendment as his own.

Moyle urged that no monopoly could result from the section as it stood, and was opposed to striking out.

Before the putting of the question Haswell moved to adjourn. Carried.

HOUSE.

February 7, 1888.

Opening exercises. The minutes had not come from the printer and on motion of Richards the committee on printing were instructed to have them printed in time.

Hatch moved to defer the reading of the minutes until they should come from the printer. Carried.

H. F. 45, in relation to county recorders, was under consideration, the pending question being a motion to strike out section 3, for the purpose of preventing recorders from having a monopoly of the abstract business.

King, mover of the pending question, in lieu thereof, offered a substitute for section 3. The substitute provides that any person may, at reasonable hours, examine records, and that any person desiring to make an abstract of all the records shall give a bond of not less than $5,000 nor more than $50,000, conditioned for the making of correct abstracts for the public.

Richards did not like the bill nor the amendment, and moved to postpone consideration of it till tomorrow. At the suggestion of the chair he changed his motion to one of recommitting.

Thurman said the judiciary committee would need instruction if the bill was sent back to it. He favored postponement instead of recommitting.

The motion to recommit was lost and Thurman moved postponement till tomorrow. Carried.

The Council concurred in the resolution to visit the University tomorrow at 4 p.m.

H. F. 25, in relation to appeals from justices' to district courts in civil cases, was called up on second reading.

King moved a suspension of the rules and the third reading of the bill by its title. Carried.

Thurman moved a slight verbal amendment to section 1. Carried.

Creer moved that the bill pass. The vote in favor of it was unanimous.

A communication from the Governor was read, announcing his approval of the appropriation bill.

Another was read announcing the Governor's veto of Clark's bail bill, and setting forth the reasons therefor. He states that the reasons urged in favor of the bill are that an imported judiciary use their power to oppress the unfortunate accused of crime, but he does not regard this as a good argument. He pronounces the present bail law a good one.

H. F. 41, amending the civil procedure code to provide for re-hearings after judgment, was taken up on second reading.

Thurman moved a suspension of the rules and the reading of the bill the third time by its title.

Hoge, author of the bill, explained its purpose, which is of interest only to lawyers and litigants in the Territorial Supreme Court. It was designed to cure defects in the existing practice.

Thurman moved the passage of the bill. It passed by a unanimous vote.

On motion of Creer the title was amended.

H. F. 38 was called up on second reading. It provides for determining disputed county boundary lines.

A number of amendments offered by the committee were adopted and the bill was read by sections.

Hoge moved to amend so that the commissioners should not be required to give bonds. Carried.

The bill was under discussion when we went to press.

FROM WEDNESDAY'S DAILY, FEB. 8.

Under the Edmunds Law.

Yesterday John Marriotts, of Weber County, was arrested on the charge of unlawful cohabitation, and placed under $1000 bail pending a preliminary examination.

A. D. Rogers, of Weber County, was also arrested on a similar charge, and gave $1,000 bonds to await the commissioner's investigation.

In the First District Court at Ogden yesterday, Hans P. Hansen pleaded guilty to an indictment charging him with unlawful cohabitation. He will be sentenced on Feb. 13th.

Probate Court.

The following business was transacted in the Salt Lake County Probate Court yesterday:

In the matter of the estate of Ebenezer Brown, deceased; order made allowing and approving account of Joshua Terry, executor; proof of posting notice of time and place of hearing made.

Estate of Amelia S. Woodmansee, deceased; bond of Joseph Woodmansee filed and approved.

Estate of Thomas Sadler, deceased; order made appointing time and place for final settlement and distribution.

Bredemeyer in Another Scrape.

Dr. Wm. Bredemeyer is before the public again, this time in connection with a more unsavory, if possible, affair than that which caused his recent arrest. The new charge is to the effect that he has been guilty of adultery with a girl who was, at the time the offense was committed, under fourteen years of age. Bredemeyer is perhaps four times that age, or more, and was arrested on the new accusation this morning. Commissioner Norrell fixed the bonds at $15,000, pending the preliminary examination, which is set for Friday, at 10 a. m. The alleged victim is Virginia E. Bapty, step-daughter to George Thackrab, the accountant. About Christmas she gave birth to a child, being at the time secreted in a house near the southern suburbs of the city.

Want Their Trial.

In the case of the People vs. Bond and Taylor, charged with murder in the first degree, the attorney for the defendants, F. Hoffman, today asked, in the Third District Court, that his clients be given a trial at an earlier date than that fixed at yesterday's session—March 5th. He stated that the defendants had been in custody since July, 1887, while nearly all of those whose cases are set for trial are charged with misdemeanors and are out on bail. Besides, after about a month's work on criminal business, petit jurors were usually too tired of such work to enter upon a long case as this one was.

Mr. Peters said he did not think he could be ready any earlier than March 5th, owing to grand jury business. The court instructed him, however, to see whether something could not be done in the matter, as the defendants had good cause to complain at the long delay.

Third District Court.

Proceedings before Judge Zane on Thursday:

John A Lawrence vs. Park Mining and Milling Co.; motion of defendant for a new trial allowed.

L. F. Kelsey et al. vs. W. J. Crowther; demurrer to complaint overruled; ten days to answer.

Mary A. Martin vs. John Beck et al.; motion of defendants to quash service of summons overruled.

H. S. Young et al. vs. George F. Culmer et al.; motion to strike out parts of complaint, and demurrer to complaint argued and submitted.

A. B. Thompson vs. Henry George; demurrer to complaint and demurrer to answer argued; demurrer to complaint overruled; demurrer to answer sustained.

Marie L. Hayhoe vs. Hiram Yeager; motion to retax costs overruled.

George C. Kidder vs. Echo & Park City Railway Company; motion of defendant to strike out parts of the complaint argued and submitted.

In the matter of the estate of Aurilla Hood; suit instituted to bring about a partition of the property; by agreement of the thirty-nine heirs of the deceased, a decree for sale of real estate was made, and John F. Lee appointed referee.

In polite circles the word "drunk" or "intoxicated" is no longer used. "Over-estimated his capacity" is the proper thing.