

his coming makes no difference in respect; he was there six or eight months ago; he was in my house a few times in 1885; I do not know Carrigan; I was not introduced by Mr. Neff; he has been pointed out to me, but I never spoke to him, he has been at my house.

Mr. Sheeks—I have five children, all grown up; they are daughters; children; the girls in their father over occasionally; I did not live with me for four years; I need to separate and divide the property; he only calls as a visitor; I have never stayed in the house right since we separated; he has asked no other wife except Eliza I was married; Isaac Young is out twice or three times a year; do not come on every holiday as Mr. Young testified; Mr. Young was sent for when I came; Mr. Young sent for him; required for him and one of the girls over.

Mr. Dickson—Defendant was not when Mr. Young came; he was always present when Mr. Young was there; I visit Eliza neighbor; I have seen Mr. Neff; there is no ill-will between us; we separated the property was divided; did not tell the grand jury it about two years ago; it was about two years ago.

Mr. Dickson said there was one other person whom the officer was after—Carrigan—who would testify last spring the defendant introduced Mrs. Caroline Neff as his wife. Therefore asked the court to wait. Witness had not arrived when we pressed.

WHAT A JURY DID.

and a Defendant Guilty on Only One Count, when the Prosecutor Asked More.

Gillespie Given the Full Extent of the Law for Living with His Wives.

The Third District Court to day the case of the United States vs. John Gillespie, of Tooele, was tried. The jury had indicted the defendant on the charge of cohabitation with a woman, Gillespie and Hannah Chamberlain Gillespie, and had placed two counts in the bill against him.

The following jurors were selected to try the case: Joseph Foster, J. B. Nelson, R. P. Martin, S. C. Paucake, W. Winchester, S. E. Underhill, W. D. Dusseldorf, George Schill, Clark, George Morrison, R. W.

William P. Howells was the witness and testified—I live in Tooele City, Tooele County; I am a laborer; have known defendant four or five years; am acquainted with his wife Catherine; I know Hannah C. Gillespie, who was the defendant's wife in the community; she had lived there a number of years; Catherine has children; Hannah has none to the defendant; I have been at his house a number of times; his wife Catherine lives with Hannah lives in Mr. Fiddler's house on the next block; there has been there three or four years; I have seen her and also the defendant; Hannah was sometimes called Gillespie; sometimes Chamberlain; have seen her at defendant's house.

Mr. Richards—Have seen defendant at Hannah's home with Mr. Fiddler, last April, when Mr. Fiddler sick; I sat in the room with him; he came to see Mr. Fiddler; he was talking to the latter; there was no talk between the three of us present; we there only a short time; on the occasion it was also to see Mr. Fiddler; I had no reason to believe the defendant had any other object there to see the sick man.

Mr. Dickson—I don't know how Mr. Gillespie was there.

Mr. Richards—Hannah was formerly reputed to be Mr. Gillespie's wife; I don't know of his recognizing her since after her return from the community, three or four years ago; she has been there ten or twelve years; I never saw her; that they had separated; I cannot say she has been reputed to be his wife during the past three or four years.

Mr. Dickson—I look on her as defendant's wife, because I do not know separation.

Mr. Richards—Since she came I have not heard anyone say she was his wife; I don't know anything about it, one way or the other.

Hannah Chamberlain Gillespie testified—My first husband's name was Chamberlain; I was married to defendant 20 years ago; Catherine was his first wife; I lived in his house ever since I came to Tooele, three years ago; the defendant lives about a block distant; I have been in his house, but not for two years; to visit Catherine; I have seven children, I think; when I came from the south defendant's boys brought me some flour and furniture; I think defendant sent it; the boys brought the goods were Peter and Alex; they were both young men; Peter, a younger one, also came; some chairs were brought in a wagon; never conversed with the defendant about sending the things.

Mr. Sheeks objected to the testimony on the ground that furnishing support to the second wife was not proof of adultery. He wanted a specific reason for the evidence from the District Attorney.

Mr. Dickson refused to satisfy Mr. Sheeks; he wanted to show the relationship of the parties.

The objection was overruled.

Witness, to Mr. Dickson—I do not remember ever speaking to the defendant about it; I had nothing and he knew it, so I suppose he sent the things; he has come to see me once in a while; he would call on us as he passed; I was living alone, except when my nephew, Philip Fiddler, stayed there; defendant has never called to see me during the past two years; he was at the house several months ago, to see Mr. Fiddler, when the latter was sick; he may have called to see him when he was well; he never came to see me after I moved to Fiddler's; before then he stayed with me and occupied my room.

To Mr. Richards—When he stayed over night, it was over two years ago, when I was sick; he may have stayed there three or four times; when I was at Mr. Fiddler's the defendant inquired for him when he called; since Jan. 1, 1885, he came to Fiddler's, just as all the neighbors did.

To Mr. Dickson—When my husband stayed with me we occupied the same bed.

To Mr. Richards—This was over two years ago; his visits were sometimes over a month apart.

Mr. Dickson announced that the prosecution rested their case, and stated to the jury that he wanted a conviction on both counts.

Mr. Richards said it had become such a common thing for Mr. Dickson to ask for conviction regardless of the evidence, that the latter had grown to consider it presumption on the part of the defense to disregard his supreme dictum. There was no evidence to prove cohabitation during the period named in the second count. The jury had no right to convict on any but the first count. The presumption ought not to be that the defendant was guilty, when there was no proof of that fact.

Mr. Dickson said it was not necessary to show that the defendant remained over night with his wife to prove cohabitation. Both of the women were the defendant's wives, and there had been no public announcement of a separation. He still insisted that the jury should convict.

The Court gave the usual charge, and the jury retired.

Shortly afterward they returned bringing in a verdict of guilty on the first count, and not guilty on the second count. That the verdict should contain an acquittal on one count when the prosecution had asked for conviction occasioned surprise, and the Court ordered the clerk, who had already read the document twice, to read it the third time.

This afternoon Mr. Gillespie was called for sentence. In reply to the court he said he had no promise to make in reference to his future conduct, and was sentenced to the full term—six months' imprisonment and to pay a fine of \$300 and costs—he was ordered committed until the fine and costs were paid, and with Brothers Higgins and Jensen, of West Jordan, was taken to the penitentiary this afternoon.

FROM FRIDAY'S DAILY, OCT. 1

A Verdict of Guilty.—The trial of the case of the United States vs. Amos H. Neff, on a charge of unlawful cohabitation, was concluded last evening. But little evidence in addition to that published in the News yesterday was adduced. The case was argued by Mr. Dickson for the prosecution, and by Messrs. Richards and Sheeks for the defense. The jury returned a verdict of guilty on both counts in the indictment. Sentence was fixed for Monday, Oct. 11th.

Sporting Goods.—Browning Brothers, of Ogden, have just issued a 20-page illustrated catalogue in which their goods are pictured, explained and priced. They have every conceivable kind of firearm and all attachments, fishing tackle, and everything the hunter or sportsman could possibly require, excepting, perhaps, the game itself. Their own patent rifle is a valuable and greatly improved weapon, and everything they have will be found just as represented.

Autopsy.—Drs. W. F. and Belle Anderson, assisted by Dr. Hamilton, to-day made a post mortem examination of the remains of Brother August Wilk, who died last night at his home in the Eleventh Ward. The conclusion reached was that death resulted from a disease called "nephritic liver." That organ had grown to an enormous size, weighing 24 pounds. The normal weight of the liver of an adult person is about five pounds. Another term for the disease is fatty degeneration of the liver. Drs. H. J. and J. S. Richards, Dr. Ferguson, and one or two other professional persons were present during the holding of the autopsy.

Commissions.—The following officers have been commissioned:

- Julius Keller, constable, Mantua, Box Elder County.
- J. W. Harrison, constable, Trenton, Cache County.
- Michael Erick, constable, Peterboro, Cache County.
- J. R. Black, justice of the peace, Nephi, Juab County.
- Peter Barker, justice of the peace, Escalante, Garfield County.
- M. N. Jensen, justice of the peace, Mantua, Box Elder County.
- C. H. Bevans, justice of the peace, Hyrum, Cache County.

Robbery.—The Ogden Herald says that, on Thursday of last week, Mr. E. O. Watis sold some property while in Ogden and received a large sum of money on account, some of it in checks and the balance in coin. Mr. Watis returned home to Utah arriving at a late hour, and when he reached the gate of his father's residence he was struck to the ground by some unseen person. He lay in an unconscious state for several hours and when he came to he discovered that all his loose cash, about \$70, had been stolen. Some good clues as to the identity of the offender or offenders have been obtained and it is to be hoped that he, or they, will be brought to justice.

O. P. Arnold's Trial.—The trial of Orson P. Arnold, on a three-count indictment charging him with cohabiting with more than one woman as his wife, since April 13, 1884, came up before Judge Zane this afternoon. The case possesses more than usual interest from the fact that the defendant pleaded guilty to a similar charge on a former occasion, and upon promising to observe the law from that time, was released on payment of a \$300 fine. The examination of witnesses commenced at the time the News went to press. The following jury was impaneled to try the case: M. Dusseldorf, J. B. Wilson, S. E. Underhill, R. P. Martin, Wm. McRay, James Winchester, Charles Shields, George Morrison, I. L. Osborne, Ed ward Berry, George Mullett, Frank McLaughlin.

Court Doings at Provo.—On the 28th case of the United States vs. Lovridge, was under consideration in the first District Court at Provo. The name of one witness only, that of the defendant himself, was endorsed on the indictment, and this circumstance was the ground for a motion, on the part of the defense, to quash it, which was done.

On the 29th the case of the People vs. Charles Roberts, charged with battery, was dismissed. The jury found a verdict of guilty in the case of Charles Hardy, charged with resisting a United States officer.

Yesterday Cornelius J. Vansdale, implicated with Emil Jackson, was acquitted of a charge of battery, the jury finding a verdict of not guilty.

The trial of J. W. Loveless, charged with unlawful cohabitation, was in progress.

Indicted for Rape.—This morning Frank Stoddard was brought into the Third District Court for arraignment. The crime with which he is charged is alleged to have been committed at Hooper, Davis County, May 27, 1886, on the person of a little girl named Elizabeth King. The indictment contains a count alleging that the accused accomplished his purpose by violence; there is a second count, made to charge the same crime in another form, and alleging that the force used was threats of violence which prevented the victim from suffering resistance. Stoddard stated that he had no means with which to employ an attorney, and the Court appointed E. B. Critchlow to defend him. The defendant will enter his plea on Monday morning. He is quite a young man, looking to be about 18 years of age, but his general appearance is decidedly unprepossessing. He was remanded to the custody of the Marshal.

HOMER DUNCAN CONVICTED.

To-day, Homer Duncan, of this city, was tried for unlawful cohabitation with his wives. He is in the seventy-second year of his age and is suffering from consumption. A jury was empaneled after the usual fashion, and the trial proceeded with.

Sarah Tripp Duncan testified—I am married to the defendant; his wife Asenath was married to him before I was; from Jan. 1, 1884, to Aug. 1, 1885, I lived in Cedar City, Iron County; I have nine children, the youngest 20 months old; my husband lived with me in Iron County during the time named; since 1883, Asenath Duncan has lived in Salt Lake City.

To Mr. Sheeks—The defendant lived with me during the whole time covered by the indictment.

Mary D. Fisher testified—I am daughter of Homer and Asenath Duncan; I came from Cedar City to Salt Lake City in 1884; since July, 1884, mother has lived in the same house with me; during that year my father came to my house and stayed a couple of months in the same house with mother.

The prosecution rested their case.

The defendant, at his own request, was sworn and testified—in the winter of 1884, I lived in Iron County; in July of that year, I came to Salt Lake County, and brought my wife Asenath's goods from Iron County; while here I superintended building her house; in October I returned to Iron County; in August, 1885, I returned to Salt Lake, and have lived here ever since.

The Court charged the jury, who rendered a verdict of guilty.

Sentence will be passed Monday, Oct. 11th.

TO THE PENITENTIARY.

THREE DEFENDANTS WHO WILL NOT PROMISE.

In the Third District Court to-day, JOHN B. FURSTER,

of this city, a gentleman who is now in his 72nd year, and who pleaded

guilty to a one-count indictment charging him with living with more than one wife, was called for sentence. When asked by the Court as to his future intention, he replied "Your honor, I have no promises to make." His sentence was fixed at six months in the penitentiary, and a fine of \$300 and costs.

In explaining what was required to Mr. Furster, the Court remarked, "We are not persecuting you for your religion, but for violating the law."

WILLARD SNOW,

of Farmer's Ward, next came forward. There were three counts in the indictment for cohabitation, to which he had pleaded guilty, and on his stating to the Court that he would not bind himself by a promise to conform to the Edmunds law, he was sentenced to six months' imprisonment on each count, making a total of eighteen months, and to pay three fines of \$100 each and the costs of the prosecution.

THOS. F. H. MORTON

was also sentenced. He was charged with the same offense, and pleaded guilty to the indictment containing one count. He also refused to give any assurance as to his future conduct, and the judgment of the court was that he be confined in the penitentiary six months and pay a fine of \$300 and costs. These brethren took up their abode in the "pen" this afternoon.

THE HOME FIRE INSURANCE COMPANY.

A NEW ENTERPRISE STARTED ON A SUBSTANTIAL BASIS.

Last evening there were filed with County Clerk Cutler the articles of incorporation of The Home Fire Insurance Company of Utah, and a certificate of incorporation was issued to the new organization by Secretary Thomas. The company is formed under the laws of the Territory, with a capital stock of \$200,000, one half of which is paid up. The purposes of the organization, as set forth in the articles of agreement, are "to conduct the business of insurance by insurance on the dwelling houses, stores and all kinds of buildings, and also upon every description of property or merchandise against loss or damage by fire; and to fix the rate of insurance, to do and perform generally every act and thing pertaining to the business of or in any way belonging to a fire insurance company; and also to exercise any or all of the privileges conferred on fire insurance companies by the laws of the Territory of Utah." The company's principal place of business will be in Salt Lake City, though the Board of Directors are empowered to establish branch offices at any time and place they deem proper.

The officers to hold office for one year and until their successors are elected and qualified, the annual meeting of the stockholders being held on the first Monday in October of each year. The officers for the first year are: Heber J. Grant, president; James Sharp, vice-president; Elias A. Smith, secretary and treasurer; H. J. Grant, John C. Cutler, John Henry Smith, James Sharp, Philo T. Farnsworth, Thomas G. Webber, George Romney, David Eccles and Henry Dinwoodey, directors. The incorporators are: Heber J. Grant, John C. Cutler, John Henry Smith, James Sharp, P. F. Farnsworth, Thos. G. Webber, Geo. Romney, David Eccles, Henry Dinwoodey, Elias A. Smith, H. S. Cutler, Junius F. Wells, B. S. Young, A. H. Cannon, W. H. Rowe, H. S. Eldredge, A. W. Carlsson, T. R. Cutler, Thomas Steed, T. W. Ellerbeck, George M. Cannon, George C. Cannon & Sons, G. M. Ottlinger, Coas S. Burton, John F. Bennett, John Watson, James H. Anderson, Francis Coupe, Franklin S. Richards, Geo. Hamilton Taylor, Geo. E. Woolley, Chas. Brown, Richard W. Young, Maria Y. Dougall, Frederick E. Barker and Francis Armstrong. In addition to the incorporators the list of stockholders includes Moses Thatcher, A. O. Smoot, Geo. W. Thatcher, John R. Murdoch, J. Z. Stewart, Geo. L. Farrell, H. H. Young, Joseph F. Smith, F. M. Lyman, James Whithall, John R. Barnes and others.

The new company is now ready for business, its office being located in the Contributor building, at No. 40 East Temple Street. A large proportion of the means that has been passing into the hands of foreign fire insurance companies will doubtless be turned in the direction of the new organization, whose field of operations will not, however, be restricted to Utah.

THOMAS LEE ACQUITTED.

HIS WIVES LIVED IN DIFFERENT TERRITORIES.

The case of the United States vs. Thomas Lee, of Tooele County, was tried in the Third District Court to-day. This case presented at least one new feature, in that one of the defendant's wives has lived in Idaho for the past three years, and the other in Utah. The defendant pleaded not guilty to the indictment, which contained three counts, charging cohabitation with his wives, Harriet and Primrose Lee. A jury was impaneled for the case.

Mrs. Primrose Lee testified—my full name is Primrose Shields Lee; I am married to the defendant; since Sept. 1st, 1883, I have lived in Tooele County, with my husband; Mrs. Harriet

Lee was married to him before I was; she is still living; her home is in Beaver Cañon, outside of Utah Territory; she moved from Utah three and a half years ago; her son Thomas W. lives in Tooele; she has eight other children.

To Mr. Richards—Harriet Lee does not live in Utah.

Thomas W. Lee testified—the defendant and Harriet Lee are my parents; mother lives in Beaver Cañon, Idaho; she moved there in July, 1883; she has made two visits to Utah since she left; I did not see her at Tooele; I was at Sandy, Salt Lake County, where I saw her; that was in the summer of 1885; I think it was after the 1st of July; when she left my house she said she was going to Beaver Cañon; her next visit was on July 30, 1886; she came to Grantsville.

The defense objected to testimony relating to a period subsequent to the last date in the indictment; objection overruled.

Witness, to Mr. Dickson—She then went to Tooele, to my house; next day she went to my brother's; she stayed four days that I know of; my father was in the Grantsville meeting-house and at my sister's house at the same time mother was there; from the latter place he went home, and mother stayed at my sister's, at Batesville.

To Mr. Richards—Mother and her two children came to Batesville, and stayed with my sister; father had not seen the children for two years; he was at my sister's, and did not know we were coming; father and I went away together; he gave each of the two boys a pocket-knife; he and my mother had no private interview; it was a general visit; they were not together at meeting in Grantsville, though in the same building.

To Mr. Dickson—Mother is 50 years old; she has had 14 children, the youngest eight years old; father had been told that the boys were at Batesville, and went to see them; father never told me why mother went to Idaho.

Wm. H. Cassidy testified—I am acquainted with defendant; have seen his wife Harriet; that was over three years ago; do not know of her being in Tooele since.

E. H. Rodebach said—I live in Mill Precinct, Tooele County; am slightly acquainted with Harriet Lee; she used to live in Tooele; I have been at her house; have not seen her there during the last four years.

Mrs. Primrose Lee was recalled and said—I last saw her in July, 1886; did not see her in 1885; I don't remember seeing her from the time she left Utah until last July; I heard of her being back once before; she did not come to my house.

Mrs. Primrose Davis testified—The defendant is my father; Mrs. Primrose Lee is my mother; saw Mrs. Harriet Lee last July; I had not seen her for six years prior to that time.

John Lee said—The defendant and Mrs. Primrose Lee are my parents; I saw Mrs. Harriet Lee last July; had not seen her for three or four years before then.

Dr. Dickson asked that the jury be instructed to render a verdict of not guilty, which was done, and the defendant was discharged.

Merchants, Read This.

To those subject to the vexations of business life, dyspepsia and a feeling of debility, irritability and despondency, we say, take Simmons' Liver Regulator. The Regulator is free from any injurious mineral substance; not disagreeable; can be taken at any time without interfering with business or pleasure. It is gentle, safe, and a good digestor. It is unequalled in the cure of indigestion, constipation, bad breath, sick headache and bilious complaints.

Bucklen's Arnica Salve.

THE BEST SALVE in the world for its cures, Burns, Sores, Ulcers, Salt Rheum, Fever Sores, Tetters, Chapped Lips, Chills, Corns, and all Skin Affections, and positively cures Piles, no pay required. It is guaranteed to give perfect satisfaction, or money refunded. Price 25 cents per box. FOR SALE at Z. C. M. I. Drug Store.

Wm. F. Farnham's Discovery.

Capt. Coleman, schr. Weymouth, ply-ing between Atlantic City and N. Y., had been troubled with a cough so that he was unable to sleep, and was induced to try Dr. King's New Discovery for Consumption. It not only gave him instant relief, but allayed the extreme soreness in his breast. His children were similarly affected and a single dose had the same happy effect. Dr. King's New Discovery is now the standard remedy in the Coleman household and on board the schooner. Free Trial Bottles of this Standard Remedy at Z. C. M. I. Drug Store. 4

Renews Her Youth.

Mrs. Phoebe Chesley, Peterson, Clay Co., Iowa, tells the following remarkable story, the truth of which is vouched for by the residents of the town: "I am 73 years old, have been troubled for many years, could not dress myself without help. Now I am free from all pain and soreness, and am able to do all my own housework. I owe my thanks to Electric Bitters for having removed completely all disease and pain." Try a bottle, only 50c. at Z. C. M. I. Drug Store. 4