

where his client has violated that law. Mr. Farr had never, in public or in private, flaunted polygamous relations in the face of the community. Counsel thoroughly reviewed all the evidence that had been given in the case, showing that not one scintilla of proof had been offered of his guilt. At 8:20 p. m. Mr. Emerson concluded his immensely logical, temperate, but searching address, in his closing words demanding a verdict of acquittal for his client.

Mr. Bierbower, who was smarting under the scathing satire from Emerson, made the closing speech. It was, in all its essential points, a reproduction of the one he delivered in the trial of Apostle Lorenzo Snow. It occupied one hour and 40 minutes in its delivery; he committed it all to memory.

THE COURT CHARGED

The jury, who retired at 9:45 p. m. to consider their verdict, which was looked for with much interest by the large audience who filled the court room to its utmost capacity. The charge was similar to those given in similar cases in former courts. Stating that it was not necessary to find that the defendant occupied the same house or bed with any of the alleged plural wives—the "holding out" doctrine was inculcated. At 12:55 the jury came into court for instructions, and asked if, in order to find a verdict of "not guilty," the defendant must apply to the President for amnesty. The Court answered "No." His Honor, by request of a juror, again instructed as to what is meant by cohabitation. They returned again to their room to make up their verdict. All the jurors but this one, it was generally thought, were in favor of acquittal. At ten minutes past two this (Thursday morning) they again came into court and stated through their foreman that they could not agree. The ballot for acquittal stood 10 to 2. His Honor again read the instructions defining "cohabitation" which, it is supposed, every school boy is now familiar with.

NOT GUILTY.

At five minutes past three o'clock this morning they again came in and delivered a verdict of "not guilty," which was received with much applause by a number of persons, two of whom were recognized and ordered before the Court and were each fined \$5 for contempt of court. A fine of \$50 will be inflicted for a repetition of the offense. The fines were paid and court adjourned till Friday morning.

OTHER MATTERS.

J. L. RAWLINS, Esq., of Salt Lake City, was in Ogden Wednesday. He came up to attend the Promontory forcible detainer case, which is set for Friday night.

The press reporters were furnished with better accommodations Wednesday. An additional table was placed in position in the court room for them.

The District Court room was again crowded Wednesday by persons anxiously watching the progress of the Farr trial, and many of them thought the prosecution were put to "terrible shifts" in their attempts to make a case against defendant.

A rumor was circulated and printed a day or two since in a local paper here to the effect that a citizen who resided in the south part of the town, went home one night under the influence of intoxicants, and placed a rope around the neck of his wife and would have hung her had not neighbors interfered. To-day the father of the lady in question requested me to state through the News that the report was a base fabrication—and that there was not a word of truth in it. The paper which printed it did not vouch for it.

The trial jurors in the Farr case are nearly all new hands at the bellows and have not been manipulated as some others have.

THERE has been a marked change in the weather here in the last 12 hours. The storm clouds have cleared off, the sky is bright, the atmosphere is warm and pleasant, the snow is fast disappearing, but it leaves many large pools of water behind which makes it both unpleasant and difficult for pedestrian travel.

THE snow fall in Ogden valley has been and still is about two feet on the level, making good sleigh riding in that upper region. The travel in the Ogden Canyon, however, is very difficult for wagons to pass through. There is a danger of sliding off the road into the river.

AMONG the numerous spectators in the court to-day was Apostle John Henry Smith, who remained an attentive observer of all that was going on during the day. He had an introduction to Hon. Henry P. Henderson, Judge of the First District Court, with whom he had a brief but interesting conversation.

LAST EVENING the express train from the east, due at 5:40 p. m., was four hours late. It is seldom that the trains from the east, west or north arrive here on time, in consequence of wind, hail or rain storms, or other hindrances.

THE CASE of the United States vs. Wm. Geddes, charged with unlawful cohabitation, will come up on Saturday, the 27th inst.

OGDEN DEPARTMENT.

TRIAL OF WILLIAM GEDDES.

The Court opened on Saturday (Nov. 27th), at 10 a. m. Considerable interest was evinced by the attorneys in the reading of the minutes of Friday's proceedings.

The first case called was the United States vs. William Geddes, charged with unlawful cohabitation. Mr. Dickinson and his assistant Illies prosecuted, and Messrs. Ransford Smith, F. S. Richards and J. L. Rawlins defended the case.

The following are the names of the trial jury: J. C. Pulliam, Jos. Jenkins, N. S. Bell, Geo. Burrows, John Allen, E. Sewell, Mark Fletcher, E. A. Eklund, W. M. Barry, W. M. Bowman, Wm. Beton and A. I. Stone. It was half-past 11 o'clock before the panel was completed.

MARTHA S. GEDDES

was the first witness examined for the prosecution. She is the wife of defendant; married to him in 1864; has had nine children, the youngest is ten years old; she lived in Salt Lake City two years ago; her present home is in Plain City; she knows Emma Geddes; has been acquainted with her for some 3 years. She lives at Plain City, about one block from witness' residence. Defendant commenced living with Emma about seven or eight years since; lived part of this time with witness; Emma's youngest child is 14 months old. Defendant did not now cohabit with witness; has not done so since July 1st, 1882. He usually goes about once a week to see the boys on business. Emma lives in Plain City; she has seven children. Defendant has not eaten meals at the house of witness for many months prior to the 6th of June of the present year.

Dickson read from notes taken by grand jury. Objection taken and overruled.

Defendant was married to witness some 30 years since. Was 15 months before, married to her sister. While in Salt Lake City defendant visited her a few times, but always in the

PRESENCE OF OTHER PERSONS.

Her sister has been dead about nineteen years. She had four children. She continued to live with defendant from the time her sister died until after he married Emma, and did not go through any form of marriage with him after the death of her sister. Some of witness' children go to school, and some work on the farm. Had talked with defendant after the passage of the Edmunds law, agreeing that thenceforth they could not live together as husband and wife. Since the 1st of July, 1882, defendant continued to live with Emma. Witness knew Geddes before he was married to her sister Elizabeth, (who is dead.) He was then a single man.

EMMA HOPE GEDDES

was the next witness. Defense objected to her being sworn, she being the legal wife. The judge said he had determined that the legal wife should testify in order to show, in the main, the relations between the parties, (as husband and wife) but for no other purpose. He should continue in this determination until his ruling was reversed. The witness was excused. She left the witness stand and took her seat in the audience.

R. L. DAVIS,

who lives at Plain City, was sworn. Knew the defendant; knew his wife Martha; had been at her house and had seen the defendant there, once in 1884; he had also seen him there in 1885, but never saw him eat meals there during the period; witness was asked if Martha was reputed, in Plain City, to be the wife of defendant. Objected to by defense on the ground that it was a leading question, and the intent of it was to show cohabitation. A lengthy debate ensued on the question, but was not ruled on by the Judge this morning.

At 12:40, court took recess till 2 p. m.

At the opening of the afternoon session a Danishman named Laritz Larson applied, through an interpreter, for admission to citizenship. Some considerable time was consumed in asking questions in Danish and translating them into English for the special benefit of the Court. Some of the answers created a great deal of hilarity, in which all persons in the court room participated.

The Geddes case was resumed and Davis was then permitted to proceed. He said Martha was the reputed wife of the defendant William Geddes. He mentioned one or two parties who also said she was reputed to be the wife of the defendant. He never heard defendant deny it.

Martha Stuart Geddes was recalled and said the farm on which her children worked belonged to her. It has been hers by deed since 1881.

JAMES STUART

was sworn; lived at Plain City. Martha is his sister. He is very deaf and the stentorian lungs of Mr. Dickinson were very much distended and tried in his endeavors to make witness hear. He had quarreled with Geddes and did not often go to see him. He went to live in Plain City some two years since, sometime in the month of October or November, did not remember which. Was friendly with Geddes for a short time after that time. Went several times to see Martha. Saw the defendant some

times in the corral and in the yard. He had heard it reported that Geddes had lived part of the time with Martha and part of the time with Emma. He had seen him there at Martha's a few times at meals soon after he came to Plain City.

WILLIAM GEDDES.

the defendant was sworn. Was first married to Elizabeth Stuart in June, 1855. Fifteen months after that time he was married to her sister Martha. Both sisters were alive at the time of his second marriage. Subsequently he married Emma Hope a little more than a year after the death of Elizabeth. He has twenty children in all. He has lived with Emma, as his wife, ever since July 1864. Does not know that he has done any act by which he has held out Martha as his wife since the passage of the Edmunds law. At that time arranged with her that they should cease living as man and wife. He would provide her a home. They lived within the law from that time to the present. To Dickson he said he was a member of the "Mormon" Church, believed plural marriage was right. He was hard pressed by Dickson to say whether or not he still considered Martha his wife to-day. Objected to by defense. Overruled. Witness said he regarded her as his spiritual wife to have her in the next world. He ceased to treat her as a temporal wife some four years since. This was by agreement with her—that is that he could not acknowledge and treat her as his wife in the full sense of the term until there comes a change in the law. Counsel then proceeded to ply witness with numerous questions as to his love, affection, regard and respect for Martha, and if he still loves her as much as he did formerly. To the last question he replied that he did. But under the Edmunds they must cease to live as husband and wife until a change comes. Dickson insisted on asking witness if it was not the belief of the "Mormon" Church that men take more wives than one in order that they may beget spirits for themselves in the next world, etc. Objected to by defense, and overruled. Defendant then said he did not think that such was the belief, and that he did not recollect ever hearing such doctrine

TAUGHT BY THE CHURCH.

Witness then said he ceased to live with Martha just previous to the passage of the Edmunds bill, as he was satisfied it would become a law. He has often visited the place where Martha lived, but not to have any association with her, to see her as a wife. Further examination elicited nothing materially different from what is above stated, although he was roughly handled by Mr. Dickson.

ROBERT MAW

was 26 years old, lived at Plain City, and knew defendant. He had means of knowing what the reputation of defendant is relative to his family arrangements. It is reputed that for several years past that he has lived with Emma as his wife only. He could not name any one specially just now, but witness has heard quite a number of other people in Plain City say the same thing.

Ralph Robson, another Plain City citizen, is 29 years old, and is a near neighbor of the defendant. He has known Geddes for many years. Public opinion is thus divided on the marital status of the defendant. Some think he lives with one wife only and some think he lives with two. A number of Gentiles think this is the case, but many of the "Mormons" think the reverse. Witness of his own knowledge, could not say how it was. He had no interest in the matter.

Mrs. Emma Geddes testified that she was the legal wife of defendant, and testified that, when he was in Plain City he has, for the past four years, lived always with her at her home. He has not lived during that time with any other alleged wife. This closed the testimony in the case.

At 4:20 p. m. Capt. R. Smith addressed the jury for his client, in which he stated that it had been now decided by court and counsel that Mrs. Emma Geddes was defendant's legal wife, although there had been much dispute about the matter. Counsel then proceeded to demonstrate that since the passage of the prohibition law, that he had lived within its provisions—in fact that he has since 1882 been living a legal life—living according to the true law.

It being proved that he had lived with his legal wife only. It is true the Gentiles where he lives are divided on the matter, it is nevertheless a fact. It has also been positively testified to by Mrs. Emma Geddes, whom the laws of the United States acknowledge as the woman who, especially for the last 4 or 5 years, has the right to know, and she has stated it and no one has come forward to gainsay it. The testimonies of the defendant and all the members of the family show that the separation was made in good faith—in honesty. He had also divided up his property among them equitably for their support, and had given them deeds of their respective portions. But he had not since the time specified lived or cohabited with any of his plural wives as his husband. It is true he has, as he had a right to do, looked after and directed the moral and educational interests of his children—to see that they were sent to the best schools, and placing them under the most competent teachers; but this could not be construed into unlawful cohabitation. He closed by pointing

out to the jury that the only just verdict they could arrive at in this case was that of "not guilty."

MR. DICKSON

followed and spoke in his usual style, and argued in his ordinary line and implored the jury to be cautious, to be sure they do not let the defendant escape what he called the just penalty of the law, which counsel declared he had broken. It was not, he said, necessary to show that he had spent one night in the same room with her, nor that he had been one day with her in the house, but if he had associated with her in a manner that would give the world reason to believe he had not ceased his polygamous relations with her, it is cohabitation and sufficient to justify a verdict of guilty.

He reminded them that the object of the law was to break up and destroy the polygamous families root and branch. And the jury in making up their verdict must not allow themselves to be moved or influenced by sympathy for the defendant, but must judge him by the law, the evidence, which he argued was sufficient to condemn him, and by the instructions of His Honor that he will give them in the charge. Counsel said if defendant can be permitted to go to the home of Martha to see children, one time or a dozen, to look after their interests, etc., as the defense had argued—then the jury could see that this law never could be enforced, its object would be defeated, and the polygamous homes

COULD NOT BE BROKEN UP.

He assured the jury if they do their duty now the time will come and that shortly when this Church of the "Mormons" will bow her stiff and rebellious neck in the dust. But this never will be the case unless the jury do their duty. This Church has never permitted any of its members to obey any law of the nation that conflicts with its views. He closed by again asking the jury for a verdict of conviction.

At six o'clock p. m. the Judge charged the jury who then retired to make up their decision. The Court took a recess until half-past seven.

At ten minutes past eight the jury filed into court and rendered their verdict of "guilty" on all the counts in the indictment, being four in number. Sentence will be passed on Monday, Dec. 8th. Court then adjourned till the 20th inst.

JUNCTION JOTTINGS.

LAST NIGHT the Promontory forcible detainer case was argued in the District Court. It occupied the time till about 11 o'clock, when judgment was ordered for the defendants, but the findings have not yet been settled, but will be shortly by the court.

MR. C. W. HEMENWAY announces that he is determined to found a new journal in this city, to be called the *Gazette*. He will ere long canvass the town and neighborhood for support for his new venture. The date of its birth is not mentioned by him.

JOHN McCABE is the name of the brakeman who was killed in the railroad wreck at Collinston, on the Utah & Northern, as mentioned in this department previously. He is a married man. His remains will be taken to Colorado for burial. Eight or nine cars were broken in the collision.

ONE Elder J. C. Clapp will deliver a lecture in the Agnostic Hall in this city on Sunday night. The subject is to be "Primitive Mormonism," whatever that may be.

THE REFORMATION of "Ben Bolt" and "The Quiet Family" in the Second Ward last night by the Home Dramatic Association was creditable to the actors. The house was filled to its utmost capacity. The performers elicited frequent marks of appreciation, and the affair was a success financially as well as otherwise.

ATTORNEY DICKSON severely and critically examined the jurors in the Geddes cohabitation case, relative to their religious belief, and especially to their faith in "Mormonism" and whether they were or had at any time been members in good standing in the Church of Jesus Christ of Latter-day Saints, and if they are not now members; how long since they seceded from it. But he was more particularly pungent and pointed in his questions as to the belief in the genuineness of the revelation on plural marriage, and their belief in the practice of that marital system. All who were in the least inimical to vigorous prosecution under this law were eliminated from the jury list in this case.

CAPTAIN SMITH asked the jury this morning if they would be more zealous in prosecuting offenders against this law than they would for the violation of any other of the statutes of the United States. Each one, as his name was called, answered in the negative.

ALL THE trains centering here were on time this morning, and nothing unusual occurred at the railroad depots.

LAST NIGHT, a man from Cache, who was under the influence of intoxicants, rushed suddenly from the new fence on Wall Street, and was struck by the tongue of a street car. He fell under the feet of the team and would have been badly trampled upon had not the driver pulled up the mules in time to prevent it. His left leg is badly hurt and he is at present unable to walk on it.

IN COURT to-day appeared an anomaly of a reporter on wheels. E. A. McDaniels has rolled into the Hall of Justice, a high-backed, low, cane-bottomed chair, which he has placed in position at the left hand of the Judge, of whose court he considers himself the left arm. A side table is fixed to the seat and so conveniently arranged as to form an independent writing desk. Sometimes in the absence of Mac., Clerk Perkins ensconces himself in the seat at his own table, but on his return E. A. unceremoniously onsts the judicial scribe and drops into it with an air of triumph mixed with no little conceit and "gall." He can endure any amount of fun, poking and ridicule of the members of the bar and others.

LEGAL NOTICE.

In the Probate Court, in and for Salt Lake County, Territory of Utah.

In the matter of the Estate of John Lindgren, deceased.

Order appointing time and place for settlement of final account and to hear petition for distribution.

ON READING and FILING THE PETITION of Z. Snow, Administrator of the estate of John Lindgren, deceased, setting forth that he has filed his final account of his administration upon said estate in this Court, that all the debts of said estate have been fully paid, and that a portion of said estate remains to be divided among the heirs of said deceased, and praying among other things for an order allowing said final account and of distribution of the residue of said estate among the persons entitled.

It is ordered that all persons interested in the estate of the said John Lindgren, deceased, be and appear before the Probate Court of the County of Salt Lake, at the Court Room of said Court, in the County Court House, on the 20th day of December, 1886, at 11 o'clock a. m., then and there to show cause why an order allowing said final account and of distribution should not be made of the residue of said estate among the heirs and devisees of the said John Lindgren, deceased, according to law.

It is further ordered that the Clerk cause copies of this order to be posted in three public places in Salt Lake County, and published in the *DESERET WEEKLY NEWS*, a newspaper printed and circulated in Salt Lake County, three weeks successively prior to said 20th day of December, 1886.

ELIAS A. SMITH,

Probate Judge.

Dated November 27th, 1886.

TERRITORY OF UTAH,
County of Salt Lake.

I, John O. Cutler, Clerk of the Probate Court in and for the County of Salt Lake, in the Territory of Utah, do hereby certify that the foregoing is a full, true and correct copy of order appointing time and place for settlement of final account and to hear petition for distribution, in the matter of the Estate of John Lindgren, deceased, as appears of record in my office.

In witness whereof, I have hereunto set my hand and affixed the seal of said Court, this 27th day of November, A. D. 1886.

JOHN O. CUTLER,

Probate Clerk.

By H. S. CUTLER, Deputy.

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I CURE FITS!

When I say cure I do not mean merely to stop them for a time and then have them return again. I mean a radical cure. I have made the disease of FITS, EPILEPSY or FALLING SICKNESS a life-long study. I warrant my remedy to cure the worst cases. If others have failed it is a reason for not now receiving a cure. Send at once for a treatise and a Free Bottle of my infallible remedy. Give Express and Post Office. It costs you nothing for a trial, and I will cure you. DR. H. G. MOOT, 1st Pearl St., N. Y.

LEGAL NOTICE.

In the Probate Court, in and for Salt Lake County, Territory of Utah.

In the matter of the Estate of Mary B. Goughly, deceased.

Order appointing time and place to hear petition for distribution.

ON READING and FILING THE PETITION of Isaac Brockbank, Administrator of the Estate of Mary B. Goughly, deceased, setting forth that he has filed his final account of his administration upon said estate in this Court, that all the debts have been fully paid, and that a portion of said estate remains to be divided among the heirs of said deceased, and praying among other things for an order allowing the final account and of distribution of the residue of said estate among the persons entitled.

It is ordered that all persons interested in the estate of the said Mary B. Goughly, deceased, be and appear before the Probate Court of the County of Salt Lake, at the Court Room of said Court, in the County Court House, on the 30th day of October, 1886, at 11 o'clock a. m., then and there to show cause why an order allowing said final account and distribution should not be made of the residue of said estate among the heirs and devisees of the said Mary B. Goughly, deceased, according to law.

It is further ordered that the Clerk cause copies of this order to be posted in three public places in Salt Lake County and published in the *DESERET WEEKLY NEWS*, a newspaper printed and circulated in Salt Lake County, three weeks successively prior to said 30th day of October, 1886.

ELIAS A. SMITH,

Probate Judge.

Dated September 24th, 1886.

TERRITORY OF UTAH,
County of Salt Lake.

I, John O. Cutler, Clerk of the Probate Court in and for the County of Salt Lake, in the Territory of Utah, do hereby certify that the foregoing is a full, true and correct copy of order appointing time and place for settlement of account and distribution in the matter of the Estate of Mary B. Goughly, deceased, as appears of record in my office.

In witness whereof, I have hereunto set my hand and affixed the seal of said Court, this 24th day of September, A. D. 1886.

JOHN O. CUTLER,

Probate Clerk.

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