

He was taken to the dining room where the grate seldom has a fire in it, and there began tugging away at the iron mantle and front, vainly trying to tear them out. His action created no little amusement, and he finally desisted. He also went into a room where there was a bright fire in the grate, and peered up the flue to see what was going up in the smoke.

When the raiding party were in the building Mrs. Schwartz, President Taylor's sister, was conversing with the Marshal, who asked her why President Taylor did not give himself up.

"Oh yes," replied the lady, severely; "give himself up and

#### BE MURDERED,

and then have his murderer promoted, as Thompson was!"

"Who promoted Thompson?" demanded Marshal Dyer, angrily.

"Dyer," was the prompt and emphatic response of the lady, and the conversation ended for a moment.

The Marshal wanted to know why so many people visited the Gardo House, if not to see President Taylor. One of the inmates replied that they came to see the President of the State, whereupon the Marshal stated that the officers did not want him, and remarked, "But if we get Mattie Hughes we'll make it hot for him."

After the failure at the Gardo, President Taylor's house in the Fourteenth Ward was searched, as was also the Deseret Hospital. The residence formerly occupied by President George Q. Cannon, on South Temple Street, was also visited and closely examined. One room was found locked, and the raiders thought they had got something, but when it was opened it was found to be Brother A. H. Cannon's room, he being out of town. The party then returned as they started out—empty handed.

#### A VERDICT OF GUILTY.

#### NO EVIDENCE AGAINST THE DEFENDANT.

The trial of Henry Grow on the charge of unlawful cohabitation was continued after the News went to press yesterday afternoon.

Emma Sarah Rawlings testified further—I have not tried to avoid the process of the court; I went away because I felt like it; I was home part of the time from September, 1885, to October, 1886; I was away when the officers searched my house; Mr. Grow only came to my house when men were working there; he has not been there for some time; when my brother Ernest was there, the workmen were there, but I do not know for how long; at that time the defendant called there, but not to see me; he may have been once or twice a week; if he did, he came to bring letters to his granddaughter and to see the workmen; I did not see him all the time he came; saw him very seldom; he has not stopped all night in the house during 1883, 1884 or 1885, or since; I didn't want him to; we agreed to separate in 1881; I have not met him as a husband since then; have not passed the night with him or sustained the relation of wife since; I do not know how often he called during the time named in the indictment; it might have been once a month; I don't know that I saw him that often; he came during the day time; I denied my identity to the officers because I did not want to go into court.

To Mr. Richards—in pursuance of our agreement, Mr. Grow conveyed to me my home, agreed to provide for me, and to finish the house, which was not then completed; I have not sustained the relation of wife to him since, nor regarded him as my husband.

To Mr. Dickson—I remember when I was subpoenaed in R. B. Young's case; we made the agreement in the spring of 1882, because we had reason to believe the law would be enforced.

Mr. Dickson—Do you know of Mr. Grow having any other wife than yourself and Julia M. Grow?

Objected to by the defense as immaterial.

Overruled by the Court.

Witness, to Mr. Dickson—I don't know of his having any other wife.

Maud Grow re-called—My oldest brother is Theodore; he is 29 years old; have heard father and mother speak of their marriage.

John N. Pike testified—I am acquainted with the defendant; he married my wife's sister; I know Julia M. Grow; have visited his house, but not often; do not remember having seen him there; he has been at my house, but I do not know the exact dates; Emily has also been at my house, but not at the same time; that I know of; I don't know how often either of them came, perhaps once in three or six months—perhaps often.

Mr. Dickson asked for a subpoena for John C. Young.

Mrs. Elizabeth Pike testified—Emma Sarah Rawlings is my sister; I visited her frequently—perhaps once a week, and she visited me; Mr. Grow, sometimes called at my house; I saw him at Emily's eight or ten years ago; have not seen him in the house since, but have seen him around; I lived there eight or ten years ago.

To Mr. Sheeks—I generally visited my sister in the day time.

Emma Rawlings Young testified—Emily Sarah Rawlings is my sister; I have visited her house; sometimes once a week, sometimes less; have met Mr. Grow there about ten years ago,

when I lived there; I have seen him outside the house since then.

The court waited fifteen minutes for the arrival of one John C. Young, whom Mr. Dickson relied on as a witness, and who was around with deputies searching houses. As he did not come, the District Attorney submitted the case.

Richard James was the first witness for the defense. He testified—I know the defendant; I work under his direction; have slept at the Temple Block and have known the defendant to sleep there a week at a time; know of his sleeping there in 1883, 1884 and 1885; he has been there often; I have gone there early in the morning and found him in bed.

To Mr. Dickson—I have been working under Mr. Grow seven or eight years ago; commenced sleeping there about three or four years ago; slept in his office in the carpenter shop on the Temple Block; I was there in case I was needed—partially as a watchman; do not know how often; have spent twelve or fourteen nights there; was there as a watchman; that is I was there for call, in case of fire, or something of that kind; Mr. Grow told me to stay there; I live in the Twenty-first Ward; my proper time for work is 7 a.m.; I have sometimes been needed at 4 a.m.; have watched part of the night very often; I do not know when Mr. Grow commenced sleeping there; he may have stayed there in 1882; I do not know how often; do not know his business there.

The defense rested their case.

Mr. Dickson made the opening argument to the jury, claiming that "the object of the law was to put down the appearance of the polygamous household." He said there was no way for a man but "to keep entirely away from the home of his polygamous wife. He should sever the relations." He wanted a conviction on the evidence.

Mr. Richards requested the Court to give the following instructions to the jury, from the decision of the Supreme Court of the United States:

"First—You should find defendant not guilty unless you find from the evidence beyond a reasonable doubt that during the period mentioned the defendant lived or dwelt with the women named as his wives. To be guilty under the law the defendant must have cohabited with the women continuously for some period of time, a mere isolated act is not sufficient.

"Second—The fact that the defendant visited the house of his plural wife is not what the law presumes. Unless you find therefore that he actually cohabited with her in the relation of husband and wife, you must find him not guilty."

Mr. Richards then addressed the jury. He argued that the law did not require, and would not permit, a man to divorce his plural wife. The claim of the District Attorney that the relationship should be severed was contrary to the law, and to the rulings of the Court. The prosecutor had come before the jury and asked them to convict contrary to the evidence of all the witnesses. The testimony showed that neither element of the offense of unlawful cohabitation existed in the case and the defendant should be acquitted.

Mr. Dickson opposed the instructions asked by the defense, claiming they were not applicable to this case. He then addressed the jury, and insisted that a verdict of guilty should be rendered. He said "the offense is made up when a man holds out the relationship. It is not necessary that the holding out should be public or by words. It may be by conduct," and "every time he enters the door of the home of his polygamous wife, that conduct is sufficient. There was nothing to show the neighbors that he had severed the relationship."

The Court charged the jury that if the defendant had a lawful wife, and had a plural wife whom he visited and associated with under circumstances that indicated she was his wife, "they should find him guilty." The instructions asked by the defense were refused.

At 5 p. m. the jury retired, and in ten minutes returned with a verdict of guilty, by Louis Martin, foreman.

Sentence will be passed on March 1st.

FROM SATURDAY'S DAILY, FEB. 19.

Another Arrest.—Thomas H. Morrison was arrested this morning on the prevailing charge and taken before Commissioner McKay without unnecessary delay. His bonds were fixed at \$1,500, which were promptly given and he was thereupon released. He resides in the Seventeenth Ward.

Pleaded Guilty.—To-day Bishop A. G. Driggs, against whom there was a five-count indictment for living with his wives, came into court and changed his plea from not guilty to guilty, on the first count.

Henry Whitaker also pleaded guilty to a similar charge.

Sentence was passed in both cases at 2 p. m.

Arraignment.—To-day John England was arraigned in the Third District Court on the charge of unlawfully cohabiting with Mrs. John England and Priscilla Bunn England as his wives, from March 1, 1884, to February 9, 1887, at Tooele County. The defendant pleaded not guilty.

The former forfeiture of the bonds in this case was set aside, and the date of trial fixed for Monday, March 1st.

Attempted Assassination.—Bishop R. N. Alford, writing from Chester, San-

pete County, informs us that on Sunday night last his son, Henry D. Alford, was shot at while out feeding stock. The would-be assassin had concealed himself and as Henry was passing within fifteen feet of him, he fired one shot. Alford immediately returned the fire with a small pocket pistol, the man making a hasty retreat, Alford pursuing, shooting as he ran, but having to slack up a little to reload. The man got into the brush, from whence the young man received a second shot only passing, however, through the skirt of his coat. It being dark he was not able to recognize his assailant.

#### SENTENCED

AND SENT TO THE PENITENTIARY.

This afternoon, the first man called to receive sentence before Judge Zane for an infraction of the Edmunds law was

BISHOP L. H. MOUSLEY, of Bluffs, Salt Lake County.

The Court asked—Have you anything further to say why sentence should not be pronounced?

Bishop Mousley—No, sir.

Court—You have no assurance to give that you will obey the law in the future?

Bishop Mousley—Your honor, I feel that I am not able to make any promise at present. I will leave the future to itself.

The court then imposed the full penalty, six months' imprisonment, and a fine of \$300 and costs.

#### RASMUS NIELSEN

was asked, "Have you anything further to say?"

Mr. Nielsen—No, sir.

Court—Any assurance to give that you will keep the law in the future?

Mr. Nielsen—No, sir.

The Court then imposed the full penalty.

#### JOHN F. MORTENSEN,

of the Eighth Ward, in answer to the Court's question, "Have you anything to say or any assurance to give that you will obey the law?" replied, "No, sir," and received a similar sentence to those who preceded him.

#### BISHOP APOLLOS DRIGGS,

of Sugar House Ward, was asked "Have you any assurance to make?"

Bishop Driggs—If it is a crime for me to have two honorable wives and honorable children, I have no promise to make.

The Court then read a lecture similar to that given on several occasions in this class of cases, and imposed judgment to the extent of the law.

#### HENRY WHITTAKER

was the last to receive sentence for living with his wives. The court offered him leniency if he would promise to obey the law, and he replied, "Much obliged to you, but I have no promises to make." The court then sternly informed him "This cause of polygamy won't bear martyrdom in a civilized land," and that the probability was that when he came out he would again have to go to prison, and sentenced him to confinement in the penitentiary for a term of six months, and to pay a fine of \$300 and costs, or be imprisoned till the fine was paid.

All of these gentlemen were conveyed to the penitentiary this afternoon.

#### THE USUAL RESULT.

JOHN ADAMS CONVICTED ON A STATEMENT MADE TO THE DEPUTIES.

To-day the case of the United States vs. John Adams, of Centerville, Davis County, was tried in the Third District Court. The offense charged against him is unlawful cohabitation, and the District Attorney went to trial on the first of four counts in the indictment, covering the period from December 1, 1883, to August 31, 1884.

The following jury was impaneled:

Louis Hynes, J. F. Lubeck, Wm. Larrabee, Joseph Durkin, A. J. Stanfield, D. B. Stover, James Ashman, Wm. H. Bowers, N. R. Penney, J. H. Edgerly, Parker Norton, Wm. Whitehill.

The witnesses were ordered excluded from the court room at the request of the District Attorney.

Miss Ann Adams was the first witness called. She testified—The defendant and Marietta Adams are my parents; they live in Centerville; my father has lived with mother since 1883; he sometimes slept at the store; do not know of his sleeping elsewhere except at home; know Lizzie Cleveland; she is 26 or 27; I have up seen her since November last; Henry Cleveland lives across the block from father's; Lizzie Cleveland has two children, the youngest about 18 months old; I told the grand jury that it was about two years old, but that I was not sure; I have learned since, from Margaret Cleveland I think; I do not know in what month it was born; it could walk when I saw it last November, but could not talk; I do not know how long it has walked; Lizzie Cleveland lived with her; I supposed father stopped there some of the time, I don't know; my grandmother is not home; she went to Horace Eldredge's at Bountiful; Lizzie's father, Henry Cleveland, was home two or three days ago; don't remember father and mother speaking of their marriage; never heard him introduce her as his wife; I suppose they are married; they treat each other as husband and wife; Lizzie Cleveland has visited mother's house; never heard her children call my father papa; my father called them by their given names.

Mrs. Margaret Cleveland testified—My husband's name is Henry; my daughter Lizzie is 22, and her two children, the eldest five, and the youngest not quite two; I told the grand jury the youngest was between one and two; I do not know the month of its birth; both children were born in my house; I don't know who the father is; I don't know that Lizzie is married; she never told me; I never asked her; I never concerned myself about it; that was my business; I cared about it; never tried to satisfy myself about it.

Mr. Dickson—Did you ever hear a rumor of it?

Objected to by defense; objection overruled.

Witness, to Mr. Dickson—No; never heard it stated in my family that she was married to the defendant; I never asked him about it; he has been to my house four or five times during the last 30 years; I don't know where Lizzie is now; she left home three or four months ago; I think she left the day before the defendant was arrested; she did not leave because she heard the defendant was going to be arrested; she went to Mrs. Stoddard's at Uinhah; I have not seen her since; do not know where she is now; she went to attend to her sick sister.

Miss Jessie Cleveland testified—I am a sister of Lizzie Cleveland; I think her youngest child is about two years old, but do not know; I was not home when it was born; was home at the birth of the eldest child; I don't know that the defendant is reputed to be Lizzie's husband; last saw my sister a few months ago; I do not know when she left; Mrs. Adams did not tell her to get away; she said the officers were around; I did not say what the grand jury minutes show, or anything like it; Lizzie left a day or two after Mrs. Adams came; she was not home when the officers came; never have seen Lizzie and Mr. Adams in company; never heard Lizzie's children call the defendant papa; I do not know that they are not regarded as Adams' children; I do not know where Lizzie is.

Mr. Dickson—Is Lizzie's reputation good?

Mr. Sheeks—I object to that; it don't affect this defendant.

Objection overruled.

Witness—Yes, her reputation is good.

Miss Ollie Cleveland testified—My sister has lived at home part of the time, and the remainder with Mrs. Adams, the defendant's mother; she left home about four months ago, two or three days after the defendant was arrested; her father took her away; I saw Mrs. Adams, when she came to the house, and said the defendant was arrested; she did not say Lizzie was to get out of the way; I do not know where Lizzie is now; I do not know who is regarded as her husband, or the father of her children; she is not a bad girl; I have seen Mr. Adams at mother's house; never saw him pay any attention to Lizzie's children; never heard them call him papa; have seen Lizzie at the defendant's mother's house; have also seen defendant there; I never took meals there or stopped over night.

Deputy Arthur Pratt and Bailiff S. Lindsay Sprague testified that at the time the defendant was arrested, they conversed with him; he said he did not expect to fight, and would plead guilty.

The case was argued and submitted to the jury, who promptly returned a verdict of guilty.

The sentence will be passed on Monday at 2 p. m.

#### SEVERE ACCIDENT.

A YOUNG MAN TERRIBLY MANGLED BY BEING RUN OVER.

Our correspondent at Spring City, Sanpete County, Lauritz Larsen, writing under date of February 17th, sends the following account of a lamentable occurrence that took place on Tuesday last: "A frightful accident occurred day before yesterday at Ephraim, in this county. Several teams loaded with wheat for Chester Station had just got outside of town and were traveling along the northward. Brother Loren Oviatt, of Chester, was walking alongside of his wagon, and without stopping his team, reached over to put two apples, which his wife had placed in his coat pocket, into the jockey box (on the front end of the wagon bed) and somehow his foot slipped or was

#### CAUGHT BY THE FRONT WHEEL.

He was knocked down and doubled up under the wagon, the front wheel going over and breaking both legs. It passed along his left side and across his left shoulder, breaking his collar bone. He then tried to move himself out of the way, but only got his legs far enough for the hind wheel to run over and break them in a fresh place, thus sustaining four fractures on each leg between the knee and the ankle. He also received a bruise on his head, causing him to bleed from the right ear; this, however, is not considered serious. The injured man was immediately taken to his own house, and the surgical skill of Doctor Olsen solicited. The doctor set the bones and tied up the shoulder, and with the aid of friends had the suffering man placed in as comfortable a position as possible under the circumstances. To add to the injury it may be stated that his right leg was broken once before, about twelve years ago, and as a matter of course will cause greater difficulty. What the result of the injuries may be no one can foresee. When I left him yesterday he was in great suffering in his stomach, and it is feared that he may also have sustained some internal injuries. He has been sensible all the time since the accident occurred.

"Brother Oviatt was an active young man of excellent character. He is about thirty years of age. His parents are both dead, and he was reared at the home of Brother and Sister Thorp, at Ephraim. He was married about seven years ago, and now has a wife and three children.

"The awful occurrence has cast a great gloom over the entire neighborhood. Brother Oviatt's misfortune should serve as a warning to other men and boys against the unsafe practice of stepping up or down on the doubletrees while a wagon is in motion, and suggest to them the safer way of stopping the team while changing position, as but little time is thereby lost and possibly a great calamity avoided.

Suicide.—A correspondent writing from Lehi, on the 17th, says that that afternoon, about ten minutes past two, a young girl about thirteen years of age, by the name of Sarah Flatt, a niece of Mr. Samuel Lowe, conductor on the S. L. & W. Railway, through some cause which cannot be found out, took a quantity of strychnine while Mrs. Lowe was at the store. The young girl found some of the poison, which had been in the house for a long time; when she was asked why she took it, she replied that she wanted to die. Dr. Wadsworth was sent for and all was done for her that could be done. She lived until about 3:30 p. m. She bore a good character from those who knew her. A short time ago, Mr. Law went east to visit his friends, and while he was in Chicago asked her if she would like to pay a visit to his home and family in Utah (her mother being dead and her father giving consent); she came with him and was treated kindly, so it is said, by her friends. It caused quite a gloom at the Junction, and especially in Mr. Law's family.

Following is the verdict of the coroner's jury:

#### TERRITORY OF UTAH,

Lehi Precinct, Utah County.

An inquisition holden at the house of Samuel Lowe, Lehi Precinct, Utah County, Feb. 17th, A. D., 1887, before George Webb, Justice of the peace for said precinct, upon the body of Sarah Flatt, there lying dead, by the jurors whose names are hereto subscribed. The said jurors, upon their oaths do say that the said Sarah Flatt came to her death by taking strychnine administered by her own hands on the 17th day of February, A. D., 1887, at Lehi Precinct, Utah County.

In testimony whereof the said jurors have hereunto set their hands the day and year aforesaid.

EDWARD SOUTHWICK,  
GEORGE GLOVER,  
JAMES P. CARTER,  
JURORS.

GEORGE WEBB,  
Justice of the Peace for Lehi Precinct.

#### DEATHS.

EWAN.—At Birmingham, December 4, 1886, of congestion of the lungs, John Ewan; born in Banbury, October 15, 1820.—*Millennial Star*.

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