

FROM SATURDAY'S DAILY AUG. 14.

**Canvass Completed.**—The Board of Canvassers completed the counting of the votes this afternoon, and took up the Beaver County protest. The gentlemen composing the Board have performed their work promptly and efficiently, and to the satisfaction of all good citizens.

**Immigrant Baggage.**—The following baggage, belonging to persons who came in with the last company of immigrants is at the stations named, and can be had on application there, by the owners: At Ogden (Utah Central) one addressed to Charlotte Kopp; Brigham City (Utah & Northern) one addressed to Karen Sophia Jasmussen.

**Amputation.**—To-day Dr. Hamilton performed a surgical operation at the Continental Hotel, on a boy named McDonald, from Idaho. About a month ago he received an injury to his foot and gangrene set in, making it necessary to amputate the leg midway between the knee and ankle. The little fellow is now progressing favorably.

**Arraigned.**—In the Third District Court to-day, F. A. Wyman was arraigned on an indictment found by the grand jury of the February term for embezzlement. The defendant is charged with having, on Jan. 19, 1886, fraudulently and feloniously embezzled \$150 which he had collected as the agent of the Singer Manufacturing Company. A plea of not guilty was entered.

John Welch and Wm. Riley entered a plea of not guilty to an indictment charging housebreaking, alleged to have been committed on March 31, 1886, by breaking into a Union Pacific car.

**From Calcutta.**—This morning we were pleased to meet Dr. George H. Booth, who arrived from Calcutta, last ladies, a few days ago. It will be remembered that he paid a visit to Utah about two years since. This time he has come to stay, and cast his vote with the Latter-day Saints. He has come in advance of his family, who will probably be here before long, and he has made preparations to remain here. He has not yet decided where he will locate. Wherever he decides he will enter upon the practice of his profession, as physician and surgeon, in which he has had a long and valuable experience in India. He proposes in the meantime to visit his father, who resides in Beaver City. He bid him welcome to Utah.

**Flowing Well Refrigerator.**—People who are fortunate enough to have flowing wells will be pleased to learn that their value can be increased by the use of a cold water in a refrigerator. An invention for this purpose is on exhibition at David James & Co. It is neatly made, so that it may be placed in the house or near the well, to which it can be easily attached. It is so arranged that the cold water continually flows through coils of piping used as shelves, upon which are placed the milk, meat, butter, etc., and kept cool. The temperature is very regular; in fact, there can be no variation. In this regard, the flowing of the daily expense of ice from the much lower cost price, it differs from the ice refrigerator. It has been thoroughly tested and gives entire satisfaction and can be cheerfully recommended as a great boon to those who have flowing wells. It may be made of any size, from that suitable for use in a dairy, while in point of design it is everlasting. David James & Co. will receive orders for it. H. Ross, of this city, is the inventor of the ingenious contrivance.

**Sentence Suspended.**—This morning P. Andersen, a non-Mormon of this city, was arraigned on an indictment charging him with polygamy and unlawful cohabitation with more than one woman as his wives. It was alleged that on January 1, 1885, he married Clara Harris; that, on April 1, 1885, while the other wife was living, he married one Hiramina Woodman; and that from the last date to July 1, 1886, he unlawfully cohabited with Hiramina White and Hiramina Woodman.

The defendant pleaded not guilty, but shortly afterward changed it to guilty and said he desired to make a statement, which was as follows: Six years ago he married Clara Harris, and then went to Montana to work for a month. When he returned Clara had "skipped the country" and gone to Canada. Four years later he married Hattie White, and after living with her three or four years, went to his home in the country for her. When he came back she refused to live with him or to let him have a divorce. She signed a divorce, however, which was drawn up by Captain Douris. The defendant supposed himself free and married Miss Woodman. He came from Denmark seven years ago, and could read but little English.

In answer to questions by the Court, the defendant stated that it was his intention to obey the laws against bigamy and polygamy. He would not care if he violated the law had he understood it. He had no means and worked for his living.

At the suggestion of Mr. Dickson, sentence was suspended, with the information to the defendant that if he kept the law in future he would be allowed to go free, but if not judgment would be passed on him.

**More Crusade Work.**—A number of those under bonds to await the grand jury's action were notified to be in the Third District Court to-day to plead to the indictments found against them. The number of counts crowded into each indictment under the "segregating" process shows the feeling of bitter persecution that actuated the members of the late grand jury, and those whose tools they are.

Charles M. Bergstrom, residing in the Eleventh Ward, was first called and listened to an indictment charging him with living with his wives—Julia L. Bergstrom, Minnie Ostburn Bergstrom and Anna Osmann Bergstrom—contrary to the provisions of the Edmunds law. The three years past are divided into five periods, with one count to each; making the maximum penalty in this case, if a conviction should be had, of two and a half years. The defendant entered a plea of not guilty.

John Tate, of Tooele, pleaded not guilty to a four-count indictment. Each count covers a period of four months, and he is charged with living with his wives Ann Tate and Emily Green Tate.

Against Richard Warburton, of Tooele, there was out one count in the indictment charging cohabitation with his wives Emily Warburton and Martha Warburton. He pleaded not guilty.

James Dunn, of Tooele, was arraigned on a three-count indictment alleging that he had lived with his wives Jean Frazer, Dunn and Jessie Young Dunn. Plea, not guilty.

Jonas Lindberg, of Tooele, also pleaded not guilty to a three-count indictment charging cohabitation with Mary Lindberg and Anna Jonasson Lindberg as his wives.

Andrew Hansen, of West Jordan, listened to the reading of an indictment containing three counts, and charging him with living with his wives Caroline Hansen and Betsey J. Hansen. His plea was not guilty.

Carl Jensen, of West Jordan, pleaded not guilty to a five-count indictment which alleged cohabitation with his wives Betsey Jensen and Anna Jacobson Jensen.

Wm. Feistead, aged nearly three score and ten, of the First Ward of this city, was arraigned on an indictment charging polygamy, and unlawful cohabitation with Anna Erika Feistead and Anna Christina Feistead as his wives. The offense of polygamy was alleged to have been committed Oct. 2, 1883, while the defendant had a legal wife, Eunice Watson Feistead, living and undivorced. He entered a plea of guilty to both counts in the indictment, and will receive sentence on Monday, September 13th.

Bail in these cases was fixed in sums varying from \$1,500 to \$2,500.

Three of the defendants had not obtained bail up to the time we went to press.

### THE TOOEELE PROTEST.

NO GROUND UPON WHICH THE "LIBERAL" CANDIDATE CAN CONTEST.

When the Board of Canvassers completed the counting of the Tooele County vote yesterday afternoon, it was shown that John A. Bevan, the People's party candidate for assessor and collector, had received a large majority over David B. Stover, the "Liberal" candidate. The latter, however, served notice of a protest against giving the certificate of election to Mr. Bevan, on the ground that the latter was ineligible for the office.

Mr. Bevan was notified of the protest and a hearing before the Utah Commission and Board of Canvassers was set for to-day at 11 a. m.

When the case was called up, Mr. Stover stated that he protested against the certificate of election being given to Mr. Bevan solely on the ground that the latter was not able to take the registration oath. He read the 8th section of the Edmunds law, disfranchising polygamists, and offered in support of his allegation the following affidavit of Robert Scott, U. S. deputy marshal, and a deputy registration officer. The peculiar document is given without changes in orthography or punctuation:

STOCKTON  
Tooele County Utah  
August 13th 1886

The undersigned Robert Scott Deputy Registrar of voters for Tooele Precinct Tooele County in May and June Revisions 1886 of the List of voters for that present hereby certify that John A. Bevan has been away on a mission for over 3 years returned to Tooele City about the End of February could not see him when going around in May he came to my office in June, at the time I was Revising the List asked me if he could register I asked him when he had returned from the southern part of the states he said you mean from my mission. he then told me he came back about the end of February I then told him he had not been 6 months in the Territory I then read to him the oath or affidavit and asked him if he could swear to that he replied he could not, therefore I did not register him as a citizen.

ROBERT SCOTT  
Deputy Registrar  
Tooele Precinct

Mr. Stover stated that Mr. Bevan had given no reason why he could not take the registration oath, and argued that unless the oath was subscribed to, the certificate of election could not be issued.

Mr. J. H. Moyle, who appeared on behalf of Mr. Bevan, stated so far as

the registration oath was concerned, that applied only to voters, and had no effect upon the qualifications for holding office. In answer to the assertion that Mr. Bevan had said he could not take the oath, he would say that he had been absent from Utah, traveling, about two and a half years. During that time he was a resident here; his family were living in Tooele County and precinct, and he paid taxes there; he never acquired residence or voted anywhere else; he had applied to the registrar, Scott, for registration, and the latter told him he had not been home six months, so he did not take the oath at that time, understanding that the matter was referred to the Commission. On the last day of registration Mr. Bevan went to Scott and offered to take the oath, but the registrar refused to permit it.

Mr. A. S. Paddock, of the Utah Commission, asked Mr. Bevan whether he was willing to take the oath that he was not a bigamist or polygamist, and was answered in the affirmative.

Secretary Thomas then administered the registration oath to Mr. Bevan. The Commission decided that he was entitled to the certificate. The refusal of Scott to permit the registration was accredited to the registrar's not properly understanding the word "resided" in the oath.

### NEW PENITENTIARY.

PLANS AND SPECIFICATIONS WANTED.

The following letter from the Secretary of the Interior to Governor West has been received by Secretary Thomas. As the Governor is absent, he will have to be communicated with before any action is taken. The Secretary and Marshal Dyer have also been requested, as indicated in the communication, to act with the Governor as the Board referred to:

DEPARTMENT OF THE INTERIOR,  
Washington, Aug. 6th, 1886.

To the Governor of the Territory of Utah:

SIR—In the Sundry Civil Appropriation Act, approved March 3rd, 1885, an appropriation of \$50,000 is made for the construction and completion of the penitentiary for the Territory of Utah.

As a preliminary to the commencement of the work the Department has decided to constitute a Board for the purpose of inviting plans and specifications for the building and recommending to the Department for approval, the plan, which in the opinion of the Board, is the most acceptable. I have to request that you will serve as Chairman of the Board upon which the Secretary and the Marshal of the Territory will also be requested to serve.

The records of the Department afford no information regarding the procuring of the situation on which the present penitentiary is located, or the construction of the building. The appropriations therefor, amounting to \$45,000, were made in Acts approved March 3, 1883, and March 3, 1885, and the money was disbursed by A. W. Babbitt, then, Secretary of the Territory, under the supervision, it appears, of the Treasury Department. As the appropriation now available does not provide for the purchase of another site, the new building will have to be erected upon a portion of the site now devoted to the purpose of the penitentiary. It may be that the records of the Territorial Secretary's office contain information from which the Board will be able to determine whether the title of the government to the present site is perfect. It is desired that careful examination be made into the matter of the title, and that the Board in its report to the Department will embody the information obtained.

The Board will also consider the question as to whether the new building should be constructed as an addition to the present penitentiary, or as a separate structure, and also of what material the wall should be constructed, with a view to secure the greatest durability and security as well as the greatest extent of accommodations for prisoners obtainable within the amount of the appropriation.

Having reached a conclusion as to these preliminary questions, the Board will invite the presentation of plans and specifications for the building, to be submitted on or before a specified date, and after consideration of such as may be secured will forward all such plans and specifications to the Department with a recommendation as to which it would be advisable to accept, stating in full the reasons for such a recommendation. A reasonable compensation to be hereafter determined, will be allowed for the accepted plans and specifications, but no payment will be made for any rejected ones.

The plans and specifications must also include estimates for everything necessary to the completion of the building ready for occupancy, and no plan will be considered which contemplates the expenditure of any amount in excess of the available appropriation.

Very respectfully,  
L. Q. C. LAMAR, Secretary.

### A DIVORCE CASE EXTRAORDINARY.

POWERS PETITIONS HIMSELF AND AFTERWARDS TAKES A CHANGE OF VENUE.

Orlando W. Powers, late Associate Justice of the Supreme Court of Utah

and Judge of the First Judicial District, figures on the record of his own and the Third District in a unique and questionable transaction. By his attorney, Ransford Smith, he filed in his own court papers in a divorce suit, in which he was the applicant and his wife, living in Michigan, the respondent. He thus applied to himself for a decree severing the marital tie between himself and his better half. At some stage of the proceedings it evidently appeared to him that his action in asking himself for his own action in favor of his own petition was not quite regular. An ordinary mortal would have perceived that to begin with. The after thought caused the case to be transferred to the Third District Court, as the following from the record will show:

Saturday, July 31st, 1886.

ORLANDO W. POWERS,

vs.

FRANCES S. POWERS.

This action having been regularly transferred from the First District Court of Utah Territory, setting in Weber County at Ogden, to this court, by, and in pursuance of a stipulation of the parties hereto, according to law, and appearance of the defendant having been duly entered, the said parties by their respective counsel, to wit: The plaintiff by Ransford Smith, and the defendant by Hon. P. H. Emerson, appeared and the defendant now files her answer herein, by leave of court, and on motion of defendant by her said counsel, this action is set down for trial forthwith, July 31st, 1886.

C. S. ZANE.

ORLANDO W. POWERS,

vs.

FRANCES S. POWERS.

This case having been removed to this court from the First District Court of this Territory, according to law, and coming on now for trial upon the pleadings, record and evidence, Ransford Smith, Esq., appearing as attorney for plaintiff, and P. H. Emerson, Esq., appearing as attorney for defendant, the plaintiff is sworn and testifies on his own behalf, and the case submitted to the court for judgment, and the court having now considered the records and proofs, files its findings of fact and conclusions of law, and, in accordance therewith, orders that judgment and decree be entered herein dissolving the bonds of matrimony existing between the parties and absolutely divorcing them, and that plaintiff pay the costs herein.

Decree entered in judgment book F.

The papers on file allege that Powers' wife had left his bed and board. The fact was admitted by the defendant.

Judge Powers must now choose between two alternatives; to live in perpetual singleness or do as many of the anti-"Mormon" howlers in this section have done—resort to what Dr. Bacon calls consecutive polygamy. We have some racy facts in relation to cases of that kind. They will make lively reading alongside of some rabid speeches when the occasion is just right.

Judge Powers should cut this article out, paste it in his hat and keep it continuously in front of him when he is in the act of carrying out his threat of emptying himself on the "Mormon" question.

FROM MONDAY'S DAILY, AUG. 19

**The New Penitentiary.**—Contractors who purpose preparing plans and specifications for the proposed new penitentiary should be on hand to accompany Marshal Dyer to the grounds on which it is intended to erect it, on Thursday next, August 19th. This announcement is published on the authority of the Marshal.

**Dr. Sprague Dead.**—By notice in another column it will be observed that Dr. L. Sprague, an old citizen of Utah, died this morning. He reached the ripe age of nearly four score years. He has been exceedingly feeble for a long period. He was a useful member of the community in his more vigorous days, and was a safe and consequently popular physician in early times. Peace to his ashes.

**Broken Arm.**—On Saturday afternoon a man named Baker, who is serving out a sentence in the city jail for vagrancy, was getting out of his bunk, when he slipped and struck his left elbow on the side of the iron bedstead. The blow did not seem a heavy one, but an examination showed that Baker's arm was broken just above the elbow. He was given the necessary surgical attendance, and is doing pretty well.

**Accident.**—On Saturday a couple of boys named Raddon were down by the D. & R. G. W. track, when a train came along. The elder of the two ran across the track in front of the moving train, and was followed by his brother, who was not so fortunate. He was struck and knocked off the track, sustaining severe injuries on the head and shoulders. Medical attendance was summoned and the little fellow properly cared for. What the result of the injuries will be is not yet known.

**Suits Against Mr. Beck.**—In the Third District Court, on Saturday, four suits were planted against Mr. John Beck, proprietor of the Hot Springs, and principal owner of the Bullion-Beck mines. Attachments for the amounts, which aggregate nearly \$21,000 exclusive of interest, have been issued on the mining property. The suits are: one by T. B. Jones & Co., for \$10,638.43 and interest from August 3, 1886; one by the Germania Lead Works

for \$5,000 and interest from March 4, 1886; one by George M. Scott & Co. for \$4,114.42 and interest from July 1, 1886; and one by the Utah and Montana Machinery Co. for \$1,074.44 and interest from July 25, 1886.

**The Election.**—At the close of the counting of the votes on Saturday afternoon, the board of canvassers took up the protest of the "Liberals" of Beaver County. Mr. John Barraclough was present and satisfactorily refuted every charge made in the protest, and the canvassers unanimously declared the People's party candidates entitled to certificates of election. The following is the result of the canvass of the Commissioners to Locate University Lands. In Utah County no election was held, as, through the lack of mail facilities, the notices of election failed to reach the proper officers.

COUNTIES.	F. A. Mitchell.	C. W. Stayer.	I. M. Waddell.	R. N. Beckin.	F. L. Williams.	Chris. Diehl.
Beaver.....	609	609	609			
Box Elder.....	837	838	833	15	15	14
Cache.....	1,636	1,638	1,637			
Davis.....	858	850	855			
Emery.....	613	618	613			
Garfield.....	178	178	178			
Iron.....	312	312	312			
Juab.....	623	627	627			
Kane.....	96	96	96			
Millard.....	614	614	614			
Morgan.....	314	314	314			
Platte.....	254	258	258			
Salt Lake.....	172	172	172			
San Juan.....	3,864	3,860	3,864			
Sanpete.....	24	24	24			
Sevier.....	1,588	1,588	1,588			
Summit.....	770	770	770			
Tooele.....	1,019	1,013	1,013			
Utah (no elec'n)	650	650	650			
Utah.....	2,346	2,347	2,316			
Wasatch.....	82	82	82			
Washington.....	611	611	611			
Weber.....	1,937	1,937	1,937			
Total.....	19,772	19,689	19,978	15	15	14

At the conclusion of their labors, on motion of Hon. W. W. Ritter, a vote of thanks was returned to the chairman, Hon. A. L. Thomas, and the board of canvassers adjourned *sine die*.

### GARDEN CITY JOYS.

PROVO, AUG. 13, 1886.

Editor Deseret News:

Provo is about as quiet now or more so than at any part of the year. We see very little of the farmers during harvest time, mechanics rather seek the inner work than in the bustling sun. Merchants are superintending business in the cool of morning or shades of evening, the lawyers and doctors do as little as possible and there seems a lack of ambition in all trades.

The well drivers, however, are doing a rushing business, they seem to get a good flow at about 150 hundred feet wherever they drive—a flow of forty gallons per minute was struck a few days ago at the residence of President Smoot, and their latest success is at the East Co-op. The water has a rather sulphurous taste and not very cool, in fact it seems more like lake water than as one would suppose—mountain stream.

The Tabernacle is being completed rapidly, and it is supposed it will be finished comfortably by October 1st for the coming fall Conference.

The B. Y. Academy closes the first week of the year to-day with a larger average attendance than preceding years, and it is to be hoped, with better prospects. Prof. Maeser is indefatigable in his labors and deserves good support.

The court house has had a renovating, not only by ejecting the barristers from its attic floors, but is newly frescoed, papered and varnished. The rooms hitherto occupied as offices will be used as waiting parlors for excluded or other witnesses, and for the use of clerks, etc., as, no doubt, a rushing business is anticipated in the next term of court.

The bank building is now well placarded with signs of "attorneys at law." They seem to have taken possession of the second floor entirely.

The East Co-op. and S. S. Jones are loading cars for the eastern market with "spuds," the drought in the east making the potato crop somewhat a failure, there will be a great demand for Utah potatoes, hay, and farmers' products generally, it is thought.

We were grieved to-day to see indications of mourning and the *Enquirer* office closed, the occasion being the death of a little child of Mr. J. C. Graham.

LOCAL CORRESPONDENT.

### Brace Up.

You are feeling depressed, your appetite is poor, you are bothered with headache, you are nervous, and generally out of sorts, and want to brace up. Brace up, but not with stimulants, spring medicines, or bitters, which have for their basis very cheap, bad whisky, and which stimulate you for an hour, and then leave you in worse condition than before. What you want is an alternative that will purify your blood, start healthy action of Liver and Kidneys, restore your vitality, and give renewed health and strength. Such a medicine you will find in Electric Bitters, and only 50 cents a bottle at Z. C. M. I. Drug Store.