

# THE DESERET NEWS.

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FROM TUESDAYS, DAILY, NOV. 20 1888.

### Fatal Explosion.

Yesterday afternoon a boiler exploded at a smelter near Butte, Montana. Four men were killed instantly, their bodies being horribly mutilated. Two others were terribly injured; three of them will probably die.

### Information Wanted.

James Brace, whose address is McDonald, Washington County, Ia., would like to learn the whereabouts of Edward Roberts and Joseph Blackwell, formerly of Ebbw Vale, South Wales. Any person able to give information respecting these parties is requested to write to Mr. Brace.

### Death of Edwin Standring.

News reached this city today that Elder Edwin Standring, of Lehi, died at his residence in that town this morning. This sad intelligence was totally unexpected by his friends here, they not being aware that he was ill. The event was evidently very sudden. Brother Standring, about a year ago, served a term in the penitentiary under conviction for unlawful cohabitation. Subsequently another similar charge was planted against him, but at the investigation, which took place recently at Provo, he was discharged, no evidence having been produced on which to hold him. A number of years ago he performed a mission to the States. He was a quiet, unassuming man whose whole heart was in the religion of his choice; he was of unimpeachable honesty and therefore leaves behind him a clear record. His death will be a sad blow to his family, who will have the sympathy of many friends.

### IN THE COURTS.

#### "Mormons" Being Crowded into the Penitentiary.

##### THIRD DISTRICT COURT.

Proceedings today before Judge Sandford:  
United States vs. T. P. Lewis, et al.; timber suit; continued to Nov. 30.  
Evan G. Morgan vs. George Denton; suit for \$550 damages for unlawful detention of stock; trial in progress.  
Wm. Olmstead vs. Louisa Olmstead; decree of divorce allowed plaintiff.

##### FIRST DISTRICT COURT—PROVO.

In Judge Judd's division of the First District Court, Nov. 19 has been characterized by the bar as "judgment day." This was owing to the number of sentences—twenty-three—set for that day. Most of the defendants were "Mormons," and the offenses with which they were charged were such as the law has created because of the practice of plural marriage. In some instances, to the offense of unlawful cohabitation was added a charge of adultery; in the first case the plural wife being recognized as such for the purpose of conviction, and in the other case being looked upon as no wife, in order that the alleged offense might be proven. The majority of the defendants were in a position that they could not make a promise that to them would be dishonorable, preferring rather to suffer imprisonment than to violate their consciences. A few, however, preferred not to go to prison.  
Hans Nielsen, charged with unlawful cohabitation, was the first called to

come forward, and was asked by the judge if he had any statement to make. Mr. Thurman spoke for the defendant, saying that for a year past he had not lived with either of his wives. Mr. Evans added that the reason he could not live with his first wife was that he had married a second; that he had deeded all his property to his wives; that he had married his second wife in 1864. The court stated that the law is reformatory and imposed upon the defendant three months imprisonment and a fine of \$100 and costs.

Randolph H. Stewart, for unlawful cohabitation and adultery, the court recognized as "the man with three wives and twenty-seven children." The judge said he would try Mr. Stewart with a light sentence. The sentence was not so light, however, for the judge gave him seven months in the penitentiary.

Erick Erickson, called for unlawful cohabitation, said his circumstances were very poor; had had sickness and death in his family the last year; had heard his honor's statement in such cases, and his intention was to obey the law in the future; this was a fixed resolve with him and the result of thorough consideration; had come to this conclusion since he was here before. "You go home," was his honor's remark.

Wm. Braithwaite, up for unlawful cohabitation and adultery, came forward and stated that since his arrest he had lived with his first wife; had but one leg; was a poor man; understood the law. The court: "I don't like to send a one-legged man to the penitentiary." Defendant stated that he did not intend to live with his second wife any more. Sentence suspended till next term of court.

Jens Hansen was called. Mr. Thurman stated that the defendant's first wife had left him seventeen years ago and he had since lived with but one, though he had married two. The defendant had married his second twenty years ago and his third twelve years ago. Sentence—three months, \$50 and costs.

Ell A. Day was called. The defendant stated that about the 20th of July the marshals were in town inquiring for him, and on the 3rd of August he surrendered to Commissioner Johnson and gave bonds for himself and wife; had pleaded guilty of unlawful cohabitation; married his last wife four and a half years ago; knew it was against the law at the time; up to July 20th he had been living with both. The court remarked: "You have violated the law knowingly, and may expect to take the consequences." He was sentenced to five months' imprisonment, and to pay a fine of \$150.

John F. F. Dorius, charged with unlawful cohabitation and two cases of adultery, was called. Had three wives. Mr. Thurman said each case ought to rest on its own merits. The judge said the law is corrective; he had put larger punishments in some cases to see if the defendants would obey the law. It was with the intention of making the defendants come up on the second case and promise to obey the law. The defendant said he was 50 years of age last June; had married his last wife fourteen years ago; understood the law and had lived with his first wife, except visiting the other families to direct their labors; had no further remarks. The court said all must obey the law, which is only corrective. Sentence—four months imprisonment and a fine of \$50 and costs, for unlawful cohabitation. The other charges were held over him, the court remarking that if he promised after suffering one penalty the others would be passed.

Olof O. Larsen was married to his last wife in 1884; knew it was against the law, but did not think the law would carry through. Mr. Evans said defendant had four wives. "But only two living your honor," the defendant rejoined. Sentence—five months' imprisonment and costs.

William Christensen had married his last wife in 1871; wished to postpone sentence ten days, but it was refused; had not lived with his second wife in the last two years, and intended so to live, but would not promise. Sentence—three months imprisonment and a fine of \$100 and costs. The defendant objected and the fine was taken off.

Bishop John Spencer, of Thistle, married his second wife in the fall of 1880; had been taking care of his family since; had lived with the Indians for the last twelve years, and was a poor man; his youngest child's four weeks old, and has very little means. The court asked if defendant had taught the Indians anything about polygamy. He answered no. He was sentenced to four months' imprisonment and to pay the costs.

Samuel S. Cluff came forward and plead not guilty to a charge of adultery, and was sentenced for unlawful cohabitation to imprisonment for four months, and to pay a fine of \$50 and costs.

Peter N. Anderson was next called. The defendant promised to obey the law in future and sentence was suspended.

Alfred Turner came forward charged

with unlawful cohabitation. He could not promise. Sentence—30 days, \$50 fine and costs.

Richard Jenkins was also charged with unlawful cohabitation. He was not prepared to make any promises for the future. Sentence, 120 days, \$50 fine and costs.

Olof J. Anderson was next called. He was charged with unlawful cohabitation, and was not able to promise as to his conduct in the future. Sentence—120 days, \$50 fine and costs.

Albert Jones, charged with unlawful cohabitation and adultery, was called. He made a statement of his views regarding polygamy, saying that his sincerity in the belief of polygamy was heartfelt. He had no promise to make as to his future conduct, preferring to take the consequences of his acts. The judge thought it would be unprofitable for the defendant to proceed, and sentenced him to four months in the penitentiary and \$200 fine for unlawful cohabitation; ten months was the term given for the added charge of adultery, making fourteen months in all.

Niels L. Christensen was called. He had been living exclusively with his third wife for the past eleven years, while his second is yet alive, and thought he was living within the law. Defendant wished to live within the law, he said. After considerable explanation and promising, the judge's exclamation, "Go home!" sent the defendant away satisfied.

Orlando Herron was called. Mr. J. E. Booth stated for the defendant that he had lived with his second wife up to the time of his sentence for unlawful cohabitation last fall, but since coming from the penitentiary had not lived with either. Defendant stated that he thought the "dose" a pretty good one for only one offense. He understood he must live with his first wife in keeping the law. "It's the first or none," said the judge, as he gave the prisoner sixty days in the penitentiary.

Soren S. Jensen made no statement. Sentence 120 days, \$50 fine and costs.

John Petersen had handed in a statement which had been given to Mr. Peters, and did not wish to break the law. His wives are in deplorable poverty, the first lame and blind. The court told him to go home and arrange his family and come back on December 8th. The defendant said he could not bind himself with any promise for the future.

Lorin Harmer was called. Judge Dusenberry said the defendant had arranged his families to live within the law and expected to continue so. Had married his second wife in 1880, and had not lived with her for months. Sentence—four months, \$100 fine and costs.

William Gallag came forward and entered a plea of guilty to an indictment for unlawful cohabitation. He stated his age as 35; he had married last in 1883; the youngest child was two years old next March; knew it was against the law when he married; had not lived with his second wife for nearly two years. Sentence—ninety days and costs.

Joseph Swazey, who was convicted under the Territorial statute for unlawfully marking sheep, was ordered to be imprisoned in the penitentiary for nine months and to pay a fine of \$150 and the costs of the prosecution.

The trial of the suit of Herbert Bate et al. vs. American Fork City was in progress. The plaintiffs claim damage for buildings torn down at a pleasure resort by the American Fork city officers. The defendants claim that the resort was a subterfuge for the sale of intoxicating liquors, without a license, and that they were authorized to remove it.

##### FIRST DISTRICT COURT—OGDEN.

Yesterday was the opening day of the November term at Ogden, Judge Henderson presiding.

L. B. Best was appointed clerk of the court and Jens Hansen and Charles Shields were sworn as bailiffs.

The grand jury were empaneled as follows: W. A. Bates, Philip Rank, Jos. Clayton, Paul M. Poulson, Oliver H. Dudley, G. R. Chase, F. A. Shields, John Trimble, Charles Jay, Thomas Grant, Thomas Singleton, Mark Fletcher, John Everett, Hiram DeWitt, Alfred Berrett.

In the case of Anna Bright and Benjamin Bright vs. the Davis & Weber Counties Canal Co., defendants were given ten days to file notice of intention to move for a new trial.

Lewis Cunningham, who had been arrested on a charge of assault with intent to kill, and who had been brought up from the penitentiary where he had been confined awaiting trial, was arraigned and pleaded not guilty.

The trial of the criminal calendar commenced today.

##### COMMISSIONERS' COURTS.

Owen Roble, the soldier who tried to get away with delivery horse, had a hearing before Commissioner Norrell yesterday afternoon. He testified that he had no intention of stealing the horse and buggy, but the evidence was against him, and he was held to await

the investigation by the grand jury. Being unable to furnish \$800 bail he was escorted to the penitentiary.

Commissioner Pierce also had a case of grand larceny, the accused being John Stringham, who is charged with having stolen some agricultural machinery. The preliminary hearing is to take place on Thursday.

##### POLICE COURT.

The two little Judson boys were arraigned for putting an obstruction on the S. L. & F. D. railway track; the children, for such they are, being but 10 and 12 years of age, denied having taken any part in the transaction. Between their sobs they told that they had seen young Edler put the pole on the rails, to see it roll down when the locomotive came along. He told them to run, when they all did so.

A plea of not guilty was entered and Mr. Spencer called as a witness. He testified to having seen the boys on the track in the latter part of September, and on going up to them the boys ran off, and the pole was found on the rails. The man who had seen the little fellows told the section hands, so that the boys would be warned not to again engage in such dangerous mischief. The result was that Ben. Edler was arrested, and said that the other boys helped him.

Young Edler made a statement that the two Judson boys asked him to put the pole on, and that the elder boy helped him. He said the boys told him they put it on the night before.

Andrew Judson stated that he and his brother did not propose putting the pole on the track, nor had they put it on the night before. Neither he nor his brother touched the pole.

Edwin Judson testified that young Edler proposed putting the pole on the track, and placed it there himself.

It was evident that the two Judson boys had not taken part in the offense. As they were there, however, the court gave the whole three some wholesome advice. All of them were under 14, and were discharged.

Half a dozen persons—S. Reggel, J. Williams, Peter Irish, C. Carter, Harris and J. Wilty—were brought in this afternoon for gambling. Their trial was set for 4 p.m.

The trial of Norton Curtis, for larceny, was commenced at 3 o'clock this afternoon.

FROM WEDNESDAY'S DAILY, NOV. 21.

### Capitol Hill.

The Board of Commissioners on Capitol Grounds held a session yesterday afternoon. The grounds were inspected, and, owing to the condition of the grading it was decided not to complete the fencing until next spring. The committee to whom was referred the matter of conferring with the City Council as to the building of a reservoir on Capitol Hill, reported that no definite action had been taken by the Council, and it was resolved that the same committee urge upon the Council the advisability and necessity of commencing the work at once, in order that water for irrigating may be had by next spring, at which time, the fence being up, it is the intention of the board to plant trees, lay out the grounds and otherwise improve the property, as contemplated in the law passed at the time the tender of the land by the city was accepted by the Territory.

### IN JUDICIAL CIRCLES.

#### Labors of Those Who Administer the Law.

##### THIRD DISTRICT COURT.

Business transacted before Judge Sandford today:

Evan D. Morgan vs. George Denton; verdict for defendant of \$30.85. Thirty days allowed plaintiff to file motion for new trial.

Ab. Sing vs. the Union Pacific Railway Co.; suit for damages; on trial before the court.

##### FIRST DISTRICT COURT AT PROVO.

The case of Herbert Bate et al. vs. American Fork et al. was in progress before Judge Judd up to the time of adjournment last evening.

United States vs. H. Smith et al.; cutting timber; continued by consent.

United States vs. W. N. Dusenberry et al.; cutting timber continued by consent.

Worthy Nash vs. Schofield Bros.; continued for the term.

United States vs. Solomon Edwards et al.; continued for the term.

##### FIRST DISTRICT COURT—OGDEN.

Judge Henderson presided at Ogden yesterday, and the following business came before him;

In the divorce case of A. F. Danielson vs. Kate Danielson, an order was entered for alimony, \$50 attorney's fee to be paid by Dec. 10th and \$3 per week, to be paid defendant while the suit was pending.

In the case of the United States vs. Axel Berg, of Cache County, convicted of adultery last term, the court took into consideration the fact that his alleged partner to the crime had been acquitted on evidence that would have acquitted him if produced at this trial, and therefore suspended sentence.

Mr. Batley, a native of England, was admitted to citizenship.

An order was entered requiring the sheriff to attend this term of court.

The case of John M. Browning vs. Robert Bull, on motion of N. Tanner, Jr., was dismissed.

The case of the People vs. Lewis Cunningham was set for some time during the week.

Niels P. Nielsen, of the Seventh Ward, Logan, was arraigned on the charge of unlawful cohabitation. He pleaded guilty and waived time for sentence. He married his plural wife in 1884, and had been divorced from her for nearly two years. His youngest child was about two years old. He was sentenced to four months' imprisonment and to pay the costs, \$17.

John W. Taylor, Lars Johnson and Robert Joyce, indicted for malicious mischief in poisoning cattle, were arraigned and pleaded not guilty.

John W. Eastman, a native of England, applied for citizenship. He felt that he could obey the laws of the United States on the subject of polygamy, as against his belief. He believed polygamy to be right, but not when in conflict with the laws of the land. He would convict under the Edmunds-Tucker law as he would for any other crime on as strong evidence. The court informed him that his belief was not asked as a test, but simply to ascertain whether that belief would interfere with his duties as a citizen. Finding in this case that the applicant was eligible, he was admitted to citizenship.

Wm. H. Lee, of Rich County, charged with unlawful cohabitation, was arraigned and pleaded guilty. He asked that inasmuch as he lived in a new country and some distance away, he be given as much time to settle his affairs as was possible. The court set Dec. 20th for sentence.

Archibald McKinnon, of Randolph, Rich County, was arraigned and pleaded guilty to the charge of unlawful cohabitation. Dec. 20th was set for sentence.

##### PROBATE COURT.

Proceedings in the Salt Lake County Probate Court yesterday:

In the matter of the estate of Eliza Ordridge, deceased; petition for appointment of administrator; proof of posting notices; order made appointing John L. Nebeker administrator.

Estate of Henry Beckstead, deceased; order made of publication of notice to creditors; Charles D. Hawn, John E. Egbert and George W. Beckstead appointed appraisers of said estate.

Estate of Joseph W. Johnson, deceased; decree made that due and legal notice to the creditors of said estate has been given.

Estate of Maria Davis, deceased; order made appointing time and place to hear petition of Jane Elliott for letters of administration.

Estate of Charles S. Harmon, deceased; order made appointing time and place to hear return of sale of real estate, and petition for order confirming sale.

In the matter of the estate and guardianship of Mary Ann Murphy et al., minor; order made appointing time and place for settlement of guardian's accounts.

In the matter of the estate of Malcolm Macduff, deceased; petition for administrator to execute a deed of conveyance.

Estate of M. A. Wardell, deceased; proof of posting notices made; order confirming sale of real estate.

Estate of William Jennings, deceased; petition for settlement of executors' accounts came on regularly for hearing; proof of posting notices of time and place of hearing made; order made allowing and approving executors' accounts.

Estate of D. B. Huntington, deceased; petition for administratrix to make a deed of conveyance came on regularly for hearing. Proof of posting notices of time and place for hearing made. Order made for administratrix to make a deed of conveyance.

In the matter of the estate of Joseph Brown, deceased; the following claims were allowed and approved: M. J. Hardin, \$24.60; Joseph E. Taylor, \$98.50; D. James & Co., \$4.50.

##### COMMISSIONER'S COURT.

Noah G. Keim and Lewis S. Keim were arrested by deputy marshals this morning, at the instance of T. C. Bailey. They are in the nursery business, and are accused of having obtained some property under false pretenses. They gave bonds and were released pending the examination to ascertain whether or not there is ground for a criminal action against them.