

LOCAL NEWS.

FROM THURSDAY'S DAILY, FEB. 19

President Cannon's Trial.—The trial of President Geo. Q. Cannon, on one indictment found against him, for living with and acknowledging his wives, has been set for Wednesday, March 15th.

Arraignment in Ogden.—In the First District Court to-day, Mr. H. Tracy was arraigned on three indictments, charging unlawful cohabitation with his wives. He will enter his plea on Tuesday.

Seriously Ill.—Mrs. Martha T. Cannon, who was yesterday again subjected to a catechization before the grand jury and induced by the instructions of her husband to answer the impudent and indecent questions propounded to her, was so overcome by the excitement of the occasion that she was prostrated with illness after her arrival home, and is still quite seriously indisposed.

Evidences of Regard.—Brother Geo. H. Taylor, recently sentenced to incarceration in the Penitentiary, for cohabitation, was tendered a reception by his friends in the Fourteenth Ward Assembly Rooms on Tuesday evening, which was largely attended by the people of the ward. The programme consisted of music, songs, picnic, etc., and during the evening, being called upon, Brother Taylor expressed his thanks for the kind consideration shown him, and gave a brief account of his experience and antecedents. Among other facts he stated that both of his grandfathers were revolutionary soldiers who fought in the war of independence, and that both were wounded in defense of their country. He also stated that he had a brother killed in the Union army during the recent civil war.

PRESIDENT CANNON'S CONDITION.

Not So Favorable as Supposed.

The uncomplaining nature and comparative vigor of President George Q. Cannon's conduct yesterday morning produced among the people a strong feeling of relief. This morning, however, when he awoke at a late hour from a somewhat restless night, his attendants immediately discovered that he was very weak and in much suffering. This condition has continued during the day, and our report received just before the hour of going to press, gives the information that President Cannon is in a bad state. For the first time since his serious injury, he has been forced to admit the reality of the case—that he is utterly prostrated. Those who know him were not surprised at the manifestation of his serenity during the trying hours in the Marshal's office yesterday morning. His courage and will are such as to carry him through where many other men would fall.

President Cannon is probably not in a dangerous condition. No fatal result need be apprehended, we trust. But he is very sick; and in all human likelihood some considerable time must elapse before he will be able to rise from his bed.

NEW DEVELOPMENTS.

The Dinwoodey Case Taken Up Again.—Getting no Better Fast.

O. F. Due Acquitted on the Polygamy Charge, and Pleads Guilty to the Other—Sissom Promises and is Fined.

To-day the first case taken up in the Third District Court was the charge against Agnes McMurrin. District Attorney Dixon asked that the case be continued for the term, as the lady was seriously ill. She was also an important witness in the polygamy case of Royal B. Young, which it would also be necessary to postpone. These requests were granted.

Considerable comment has been called forth by the case of

HENRY DINWOODEY,

as to reason given by the District Attorney, when he asked for a suspension of judgment, and the emphatic denial made by Mr. Dinwoodey that any promise to obey the law had been exacted of or made by him. When Mr. Dickson came into court this morning he showed considerable impatience, and when the opportunity arrived said to the Court—I desire to have Mr. Dinwoodey brought into court.

Mr. Brown, Mr. Dinwoodey's attorney, said—I told him to be in at 10 o'clock. Just at this time Mr. Dinwoodey entered, and Mr. Dickson remarked—I see Mr. Dinwoodey is in the court room.

Mr. Dickson—I desire to say that I supposed, in moving for a suspension of judgment in his case, yesterday, I was induced to do so because I had understood Mr. Dinwoodey to emphatically assure me that it was his desire and intention to obey the law in the future. Last evening I saw, through the evening papers, that Mr. Dinwoodey had denied that he had made any such promise, and I felt that if he had author-

ized any denial, that he had done so in violation of the truth. Feeling assured that his word was not reliable, and that the judgment ought not to be suspended, I sent for Mr. Dinwoodey, and when he came to me I asked him if he remembered the conversation. He stated that he did not understand that he had made any promises. The conversation that I had with Mr. Dinwoodey, I think, is almost identical with what I now state. He had had a conversation with Mr. McKay, in which Mr. McKay had referred him to me, and suggested that I might have a suspension of judgment in the case. I told Mr. McKay I could not do that without Mr. Dinwoodey's assurance to me. Thereupon he telephoned for Mr. Dinwoodey to come to the office; when he came in, I said, I understand and am informed that you have been obeying the law, as construed by the courts, for over a year and a half past. He said he had. I said, I also understand that you don't wish to make any promises in open court, for fear that it might injure you in your business. He said that was so. I told him that if I was assured that he intended to obey the law, I would move for a suspension of judgment. He then asked me what, in my opinion, his conduct ought to be in order to conform with the law. I said I would be satisfied with nothing short of his living with his legal wife, not only sleeping there, taking his meals there, but that he should not enter the homes of the other wives, monthly or at any other intervals; he might have his children by his other wives come and see him as often as he chose, but not to go into their houses. That, I understood Mr. Dinwoodey, he was willing to do. It seems from his statement to me last night he claims that his impression was that he did not make any promises. Now, after the explanation I have offered I would not ask for a suspension of judgment in this case or in any other case where the party does not intend to conform to the law, no matter what offense may be charged against him. I therefore ask that he be permitted to withdraw his plea of guilty, and enter a plea of not guilty, and will take a jury in the case.

Mr. Brown—If it please your honor, in this case, while I had heard something of the newspaper accounts, I knew nothing of what was said until this morning. I would like to have time, with the consent of counsel, the case deferred for a few days until I can have time to look it up. Of course I am glad to hear my brother express himself as he has. However, I don't wish to say or do anything that would implicate him in the matter. It seems to me that before any action should be taken we should have time to consider the matter for a day or two, and I ask that.

Mr. Dickson—I ask that if he didn't understand that he made any promises, he can do either one or two things. He can keep to his plea of guilty, or understand by his former plea of not guilty, and withdraw his plea of guilty. I then wants a day or two for his trial he can have it.

Mr. Brown insisted that the matter go over until Tuesday, but the court finally fixed the hearing for 10 a.m. tomorrow, Friday.

The next case taken up was that of the United States vs.

OLUF F. DUE,

indicted for polygamy and unlawful cohabitation, Mr. Brown appearing as attorney for the defendant. He stated that he understood the prosecution could not prove the charge of polygamy, and suggested that his client would enter a plea of guilty to the other count.

Mr. Due then stood up and pleaded guilty to the charge of cohabiting with more than one woman as his wives. A jury was then called to try the polygamy charge, as follows:

James Owens,	Geo. Turnbull,
F. A. Bemis,	Gideon Turnbull,
Fred Grose,	N. A. Scribner,
Elmer Hill,	J. C. Conklin,
W. H. Remington,	Bolivar Roberts,
James Berry,	Geo. Tait,

No evidence was offered on either side, and the Court remarked that the jury could easily return a verdict.

One of the inquisitors, however, did not feel so sure about it. He had evidently been so accustomed to saying "guilty" that it was difficult to overcome his bias and place "not" before it, and asked instruction from the Court. The Judge then informed them that as there was no evidence against the defendant, a verdict of not guilty should be rendered, which was done, and sentence of the other charge was set for Monday, March 1st.

JOSEPH SISSOM

the non-"Mormon" was then called to receive his sentence.

The Court asked—Are your attorneys here?

Sissom—I haven't had any. Mr. Dickson—I suggest that judgment be suspended in the latest case against this defendant.

Court—You are aware the jury has found you guilty of unlawful cohabitation, and this morning was fixed for sentence. Have you anything to say?

Sissom (in a whining tone)—I don't see why they should. I had only one wife when they arrested me, and haven't lived with any other for eight months.

Court—Is it your intention to obey the law hereafter?

Sissom—Yes, sir.

Court—You are living with your lawful wife?

Sissom—Yes.

Court—And will continue to live with her?

Sissom—Yes, sir.

Court—You ceased living with the other eight months ago.

Sissom—Yes, sir.

Court—She is married to another?

Sissom—Yes, sir.

Court—What is your means—any property?

Sissom—No, sir.

Court—Any money?

Sissom—No, sir.

Court—How long have you lived with your plural wife?

Sissom—About eight years; not all the time; one would go away for a while, and then the other would go away a while.

Court—Well, in view of these facts, and your promise in good faith that you will keep the law in the future—

Sissom—Yes, sir.

Court—Well, in view of these facts I am disposed to inflict a fine of \$200 and costs of prosecution, and you will be committed until the fine and costs are paid. The judgment in the other case is suspended.

The court then adjourned until 10 a.m. to-morrow, and Sissom was placed in the Marshal's custody.

FROM FRIDAY'S DAILY, FEB. 19

Clothes Stolen.—Another case of stealing clothes from a line while drying occurred in the 15th Ward last evening, the articles this time being the property of a poor widow woman—Mrs. Beynon—upon whom the loss falls very heavily. The clothes were not quite dry when bed time arrived, and an over-confident feeling as to their safety led her to take chances on their remaining on the line till morning, and she only regretted doing so when it was too late. It is to be hoped the thief will be caught.

Looking for the "Pen."—On Wednesday evening, W. G. Saunders, who was sentenced in the First District Court at Ogden, to six months' imprisonment and to pay a fine of \$300 and costs, for living with and acknowledging his wives, was brought down to be taken to the penitentiary. He sat in the Marshal's office all forenoon yesterday, waiting to learn where the penitentiary was, when finally one of the officials found out what should be done, and sent Brother Saunders out to the bastille.

A Mixed Affair.—Monday, Tuesday and Wednesday of this week, Commissioner Young's court at Washpi, Summit County, has been occupied by an examination in the cases of J. C. Roundy and Wm. Aigood, who are accused by Andrew Frazier of stealing a cow from him. Frazier proved by a host of witnesses that he had owned the cow since it was a calf, and Roundy and Aigood brought sufficient evidence to show beyond a doubt that they had owned and cared for the disputed property from its birth up to when it disappeared with Frazier's herd, from which they took it. The Commissioner is in a quandary, as, if he discharges the accused, they will have Frazier arrested, and there is not sufficient warrant to hold them, or Frazier either, such is the contradictory nature of the testimony.

Civil Cases.—Judge Boreman in chambers in the Third District Court yesterday disposed of the following cases:

W. H. H. Bowers vs. London Bank; motion to retax costs allowed, and a reduction of \$356.27 was made from the original costs, leaving it at \$508.48.

F. J. Kelsel et al. vs. C. M. Brown et al.; motion to dissolve attachment; sustained and demurrer overruled.

J. W. Farrell et al. vs. E. C. Williams et al.; demurrer overruled, exception taken, and twenty days given to answer.

Elizabeth J. Raddon. An order was issued requiring defendant to pay all arrearages of alimony by Monday the 22d inst., or be confined for contempt.

Louis Nadle vs. M. H. Lipman et al.; arguments for a new trial on motion of plaintiff, were made by S. H. Lewis for plaintiff, and E. D. Hoge for defendant. Submitted.

Phillip Stelchert vs. Fanny Davenport; demurrer withdrawn and fifteen days allowed to answer.

IN COURT TO-DAY.

Dinwoodey to receive Sentence on Tuesday—The Howell case continued—Other Business.

There was some delay in Court this morning, waiting for Mr. Dinwoodey and counsel. The jurors summoned on special venire in the Langton case were examined as to their statutory qualifications, and the following accepted:

Robert Binnie,	M. M. Beaver,
W. J. Lewis,	Robert Stock,
Robert Jones,	Joseph Jones,
Robert Walters,	S. H. Conley,
John Wayman,	O. D. Hendricksen,
Jas. O. Brown,	Stephen McKean,
Geo. Cullen,	Wm. Irvine,
Rudolph Alf,	Lewis C. Shaw,
Geo. G. Hardy,	Geo. A. Bergen,
A. E. Clark,	Abraham Huaner,
A. H. Kelley,	Bryce O. Gunn,
Jas. T. Kessel,	David Keith,
H. A. Frazer,	E. P. Clark,
Ezra Thompson.	

The case of the United States vs.

HENRY DINWOODEY

was taken up. Arthur Brown, the defendant's counsel, said—Mr. Dinwoodey has himself prepared a statement—I have had nothing to do with

it—which he requests me to read to the Court. This is the statement:

To the Hon. Judge of Third District Court:

"Mr. McKay happened in my store doing business, and I asked him if he could do anything towards putting my case off until next term; he said he would speak to Mr. Dickson about it. Messrs. Dickson, McKay and myself had a conversation on the subject, and I have no doubt but what Mr. Dickson had an idea that I intended to obey the law, but I certainly have no knowledge of ever telling him that I would; and he may have said something that I misunderstood, as my hearing is very defective; but on the morning of the 17th inst., before we entered the court room, I called Mr. Brown and Mr. Dickson into the hallway, and told them distinctly that I did not wish to make any promises in regard to the future.

"I am sorry that when my case came up in the court room on the 17th, I only heard three or four words that Mr. Dickson said, but inasmuch as there seemed to be a misunderstanding between Mr. Dickson and myself, I told him on the evening of the 17th (Wednesday), that I was willing that the suspended judgment should be set aside, and that my case should come up again, and take my sentence. Now that I have entered a plea of guilty, I do not care to change it. While I am guilty of an infraction of the Edmunds law, I have not done so for a year and a half past, and do not consider that I have broken any law of God. I am willing to abide the judgment of the court.

H. DINWOODEY."

Mr. Brown—I suppose, under the plea of guilty, he is entitled to two days, and I ask that sentence be deferred for that time. The interview between Mr. Dinwoodey, Mr. Dickson and Mr. McKay I know nothing about. It certainly was my understanding that no promise was made or implied. The fact that he was obeying the law I supposed was sufficient to indicate that he would continue to obey it, and Mr. Dickson promised to me that he would omit the word "intention."

Mr. Dickson—Of course the promises of Mr. Dinwoodey were not made on the morning when Mr. Brown was present, but ten days or a fortnight before. I have made my statement of this to the court, and have nothing to add.

The time of passing sentence was fixed for Tuesday, Feb. 23d.

FROM SATURDAY'S DAILY, FEB. 20

Arraigned.—Amos Maycock, of North Ogden, was yesterday arraigned before Judge Powers to plead to two indictments charging him with cohabiting with more than one woman in the marriage relation; he will plead on Tuesday.

President Cannon's Condition.—President Cannon is tolerably cheerful to-day, although still in a good deal of pain. His face looks somewhat better than it did, but his arm, hip and thigh, which were badly bruised, are very sore, even more so than they have been. The feeling of sickness which he experiences is probably not altogether due to the terrible accident which he met with; for he had not been well for some time previously, and he will doubtless be longer in recovering from his injuries on that account than he otherwise would have been.

To Plead.—Charles H. Greenwell, of Ogden, is to plead to an indictment next Tuesday, which was recently found against him in the First District Court, charging him with cohabiting with his wives. We understand that some of those who were instrumental in having him indicted have since been endeavoring to induce him to sue for judicial clemency by promising to obey the law in the future as interpreted by the courts. He is one of the last men we expect to so disgrace himself, and we predict that he will be true to his religion when brought to the test, as he was valiant in advocating its principles while abroad upon his late mission.

A Broken Arm.—Frank Foster, a 13-year-old son of Brother Wm. H. Foster, of the 7th Ward, while wrestling with another boy day before yesterday, accidentally fell and broke one of his arms a short distance below the elbow. It was a bad fracture, both bones being broken, but under the skillful treatment which he is receiving, it is expected that he will soon recover. He is rather an unfortunate little fellow, having met with quite a number of serious accidents before, owing perhaps more to his impetuous and venturesome disposition than to anything else, and if he continues to keep up his past reputation his "chapter of accidents" will soon rival that of Brother Woodruff.

An Acquittal.—The case of C. F. Middleton came up in the First District Court in Ogden yesterday, F. S. Richards and J. L. Rawlins, Esqs. appearing for defendant. Some difficulty was experienced in obtaining jurors to suit the prosecution, but after awhile the following were obtained: E. N. Williams, Charles Webb, E. W. Smout, George Carey, Richard Slater, Phil. Grill, B. F. Garr, Henry Griffiths, I. Marks, John Eyles, J. J. Clayton and George Thompson.

The indictment was read charging the defendant with having unlawfully lived and cohabited with Martha Middleton and Melinda Browning as his

wife from August 1st, 1882, to July 1st, 1885, and quite a number of witnesses were examined, but no evidence obtained upon which a verdict of guilty could be supported, so Judge Powers very properly instructed the jurors to render a verdict of "not guilty," which they did without leaving their seats.

THE LATEST OUTRAGE.

COMPELLING A LAWFUL WIFE TO UNWILLINGLY TESTIFY AGAINST HER HUSBAND.

S. H. B. Smith is Given the Full Penalty of the Law—Another Tirade by the Judge.

The Langton Case—Mr. Dickson's Desperate Struggle for Conviction—The Newham Eavesdropping and Perjury.

This morning being the time for sentencing

S. H. B. SMITH.

that gentleman appeared at 10 o'clock to receive the judgment. The Court asked Mr. Smith if he had anything to say, and the latter replied that he would like to read the following statement:

"Some fifteen years ago I married my second wife, in accordance with the religious belief of the 'Mormon' Church, that it was right in some cases for a man to have more than one living and undivorced wife. My wives were both married to me by the same authority for time and all eternity, with a covenant on my part that I would fulfill all the duties and obligations pertaining to this order of matrimony. In course of time children were born unto me by both of my wives, and I have provided for the support of my family as well as my means and circumstances would permit.

"March 22nd, 1882, the Edmunds bill passed, making it unlawful for a man to live with more than one woman. At this time my wives were both living in the same house, under the same roof, occupying the apartments best suited to their respective families.

"In order to comply with this law, I moved my second wife away, and have made my home with my lawful wife, refraining from dwelling with my second wife, although I have supported her and her children.

"But it may be remarked that one witness testified that Julia Winter had a child three or four months old, and when there was no one else present, defendant said: 'That is my little baby.' Now this statement was so unreasonable that I did not think it necessary to refute it, when there was so much evidence in my favor; and besides, if a doubt existed in the minds of the jury I was entitled to the benefit of that doubt. I claimed to be innocent till proved guilty, and that I could not be compelled to be a witness against myself; also that I had complied with the Edmunds law in the spirit and meaning thereof, and in conformity with the decision of the Supreme Court.

"Now, may I ask your honor, cannot I be shown as much leniency as the man that seduces his wife's sister? I have not seduced any woman from the path of virtue; neither have I ever visited a house of ill-fame; nor have I committed adultery. I have never committed murder or theft; nor borne false witness against my neighbor; but I have been true to my marriage vows, and have endeavored to be actuated by the true Christian spirit, and to be an honest man.

"When I come to stand before the Judge of all the earth, may I have as clear a conscience as I have now before your honor.

"Realizing that I have committed no crime, and will compare morally with any other honorable gentleman of this Court, and having satisfied my own conscience, if I have violated the 3rd section of the Edmunds law, I am now ready to receive sentence.

"My knowledge of prescience is so limited that I know very little of the future; the promise I have to make for the future is contained in my record of the past. If I have not complied with the Edmunds law in the past I do not think I could comply with it in the future."

The court then said in substance: Mr. Smith, you don't seem to appreciate the fact that this is the government of the United States, and is based on the sovereignty of a free people; the Edmunds law is the expression of the moral sentiment of that people. You seem to think there is another government here, the Church of Jesus Christ of Latter-day Saints. You seem to think the commands of that Church superior to the laws of the United States. The covenants you speak of, especially the last, are a crime and are of no effect. You seem to think they reach to eternity; they are of no worth here, and are illegal, therefore you are not bound by them. When a man goes beyond the limits, to communicate with the Infinite power, he does that which is shown to be superstition by human experience; such a course is one which no reasonable man can follow. The American people believe this to be mere superstition. Mahomet claimed to have in-