

FROM MONDAY'S DAILY SEPT. 17, 1888.

## APOSTLE GEO. Q. CANNON

Surrenders Himself to the United States Marshal.

HE IS SENTENCED TO THE PENITENTIARY ON TWO INDICTMENTS.

Shortly before 10 o'clock this morning, Apostle George Q. Cannon gave himself up to U. S. Marshal Dyer, to answer the charge that has been pending against him for living with his wives. He drove up to the Federal court house in a carriage, and accompanied by his attorneys, F. S. Richards and LeGrand Young, went direct to the Marshal's office. A few minutes later, and before the opening of the court, he entered the court room, and took a seat within the bar.

The news that Apostle Cannon had surrendered himself spread rapidly, and within a few moments the court room was filled with spectators.

When the court was opened, the proceedings at once began.

Mr. Peters—If your honor please, George Q. Cannon is in court and desires to be arraigned on two indictments that are pending against him in this court for unlawful cohabitation.

Clerk McMillan read the first indictment, covering from July 2, 1885, to Dec. 31, 1885, to Mr. Cannon, who entered a plea of guilty.

F. S. Richards, counsel for the defendant—If your honor please, Mr. Cannon is desirous of waiving his right to have judgment passed at some future date, and asks that sentence may be pronounced at the present time.

Mr. Peters—I suggest that he be arraigned on the other indictment, please.

Mr. Richards—We have no objection to that.

The Clerk of the Court then read the second indictment, the period in which is from March 21, 1886, to Sept. 15, 1888, and to which Mr. Cannon also pleaded guilty.

Mr. Peters—I now move for judgment, if your honor please, inasmuch as he has waived time.

Court (addressing Mr. Cannon)—Have you any reason why the sentence of the court should not now be pronounced upon you?

Mr. Cannon—No reason.

Court—You have been arraigned under the indictment just now read to you, and by your plea of guilty, you admit that you have committed the offense with which you have been charged. It now remains for the court to pass its sentence upon you. Your plea of guilty has saved the Government the expense and labor of trial, and your submission is an acknowledgment—a tacit admission—that you submit yourself to the authority of the law, and admit the supremacy of the law, which every man must bow to and give obedience to. The offense to which you have pleaded guilty is made by the statute of Congress a misdemeanor, and the punishment fixed by that statute is either a fine not to exceed \$300, or imprisonment for six months, or both, within the discretion of the court. I am not unmindful that you have submitted yourself to the court, that you have spared the government the expense of trial, and that, so far as I know, this is your first appearance. Am I right?

Mr. Peters—The first time he has been charged with this offense. Of course, it implies the commission of the offense of polygamy, which is now barred by the statute of limitations.

Court—That is not before the court. Continuing, the Court said: Taking into consideration these circumstances, I impose upon you, and this is the sentence of the court, that you pay a fine of \$200, and that you be imprisoned to the penitentiary seventy-five days.

Mr. Peters—That is but the one case, your honor please.

Court—That is on the first indictment.

Mr. Peters—I now move for judgment on the second, your honor.

Court (to defendant)—Have you any reason why the sentence of the court should not now be pronounced upon you, on the second indictment?

Mr. Cannon—No, sir.

Court—I am, under the provisions of the statute enacted to cover this offense, authorized, as I just now stated, to impose upon you certain limited punishment. In this case I impose upon you a further punishment. The sentence of the court is, that you pay a fine of \$250, and that you be incarcerated in the penitentiary one hundred days.

In answer to a question by Mr. Peters, the Court said the second sentence would begin at the termination of the first.

The Marshal then took the defendant in charge, and as the latter passed out of the court room a number of his friends shook hands with him and bade him farewell. In the Marshal's office Mr. Cannon's three eldest sons took leave of him and he was then conducted down stairs to Second South Street, where a conveyance was in waiting, and in which he was taken, in the custody of Marshal Dyer, to the penitentiary.

THE PROVO AMERICAN says that the stables and stacks of S. Arnason, at Spanish Fork, were burned last Wednesday night. A cow, calf and colt, valued at \$350, perished in the flames. Eighteen tons of hay were burned. Cause of fire unknown.

## BEFORE JUDGE SANDFORD

The Sentences Passed for Unlawful Cohabitation.

THE PETIT JURORS ACCEPTED FOR THE TERM.—OTHER BUSINESS.

After the proceedings in the cases against Apostle George Q. Cannon, in which his penalty was fixed at 175 days' imprisonment and \$450 fine,

## ARCHIBALD N. HILL

came forward and listened to the reading of an indictment charging him with unlawful cohabitation, in having lived with his wives from May 1, 1884, to April 21, 1887. To this charge he entered a plea of guilty.

F. S. Richards asked the court to suspend sentence, as to the defendant, as he was seventy-two years of age, and had no great amount of property.

District Attorney Peters opposed the request. He said Mr. Hill had been arrested once and had escaped from the officers. He had also distributed his property to the branches of his family.

Judge Sandford—That is commendable rather than otherwise.

The Court then made some further inquiries regarding Mr. Hill's circumstances, and imposed a penalty of 60 days' imprisonment and \$50 fine.

## SAMUEL H. HILL

was next called. There was a two count indictment against him under the segregation scheme? The extra count was dismissed, and he entered a plea of guilty to unlawful cohabitation.

LeGrand Young suggested to the Court that Mr. Hill had surrendered himself and therefore asked leniency.

Mr. Peters remarked that he had kept out of the way of the officers for two years.

Court—Has he been out on bail?

Mr. Peters—He was out on leg bail.

Court—The court does not recognize such bail.

Mr. Young—He never has before been arrested.

Court—If he had been that would be condoned by his pleading guilty now.

Mr. S. H. Hill's punishment was fixed at \$75 fine and 60 days' imprisonment.

## WM. J. PARKIN

was then called to plead to the charge of unlawful cohabitation. His plea was guilty, and the court took into consideration his circumstances and sentenced him to imprisonment for 50 days and to pay a fine of \$50.

## DANIEL LEWIS

next came forward and changed his plea of not guilty to unlawful cohabitation to guilty. His sentence was deferred until 10 a. m. tomorrow.

## JAMES WOSTENHOLME

accused of a similar offense followed a similar course. As he was a resident of Summit County, and desired to take his family, subpoenaed as witnesses, home before being sentenced, judgment was postponed till Monday, Sept. 24th, at 2 p. m.

## JAMES TURNER

also charged with unlawful cohabitation, changed his plea to guilty. He is to be sentenced at 10 a. m. tomorrow.

## THE PETIT JURORS

summoned on open venire were called, and the following answered:

W. A. Wiseman, Joseph Theriot, Patrick Phelan, Wm. Bolton, P. E. Evans, Wm. Lynch, Wm. W. McCoy, H. T. Shurtliff, O. C. Lockhart, Chas. E. Street, A. L. Bucklin, W. F. Alls, George Kittleman, J. F. Lee, F. J. May, James Darling, Frank Richardson, Arnold Wall, J. J. Thomas, E. B. Cameron, J. T. Lynch, J. L. Heywood, M. Livingston, Elmer Ellsworth, Robert Kimball, Fred Grose, A. Forest, M. Gibbons, J. W. Thompson, B. F. Whitmore, R. W. Crane, S. T. Pearson, G. W. Walton.

Patrick Fallon, M. J. Forhan and W. H. Porter failed to answer the summons, and the court ordered that if they did not appear at 10 a. m. tomorrow an attachment should issue for their arrest.

One of the number who answered, W. A. Wiseman, was excused because his business required that he should be elsewhere, and Joseph Theriot, because of defective hearing. E. B. Cameron and W. F. Alls were not taxpayers; Wm. W. McCoy had only resided in the Territory three months; A. L. Forrest was not a citizen; F. J. May had been a polygamist and had not been pardoned. For these reasons they were not accepted.

## THE KELLER CASE.

Upon the request of E. B. Critchlow, the witnesses for the defense in the murder case against John D. Keller were ordered subpoenaed at the expense of the Territory, as the accused had no means to pay them.

## ANDREW ANDERSON

was called for trial this afternoon on a charge of unlawful cohabitation, to which he had pleaded not guilty. Mary Anderson, daughter of the defendant, was the first witness. She testified that in the family Carrie P. Larson was not reputed to be her father's second wife.

Mr. Sheeks objected that this testimony was incompetent.

Mr. Peters—We think we can prove marriage by this kind of evidence.

Court—You are not proving a marriage now.

Mr. Peters—Yes, we desire to.

Court—But you are not. Show me your authorities. General reputation that a man is a forger does not prove that he is a forger. If there is an exception, where reputation can be a proof of any fact, I do not know it. I will allow you to show the general reputation as to their relations.

Witness—I don't know what reputation means; I do not know how the people regard Carrie P. Larson—whether they think she is my father's wife or not.

Pearce Larson was called as the next witness. As he was under 10 years of age he was excused.

Bersey Larson testified that she was Carrie P. Larson's daughter; had seen the defendant at her mother's house.

Upon the objection of the defense, the court instructed Mr. Peters to confine his proof of the alleged offense to the period named in the indictment.

The witness further testified that the defendant had been at her mother's house one or two days a week to attend to the farm; that was his business there; on some occasions, when working there, he had remained at the house, sleeping in the dining room with witness' brother; witness' mother supported herself and children; the defendant was no relation to her mother; he stayed at the house when he was working there because it was too far to go home and back for the work; he only came when there was work to do; Mrs. Larson was not the defendant's wife; he never occupied the same room.

The trial resulted in Mr. Anderson's acquittal, as he had no plural wife.

## LAND REVIEW.

Mr. Holman's Suspension Bill.—A Case in Which Good Faith Wins the Day.

Mr. Holman's bill to suspend the operation of the public lands laws, which formed the subject of my last letter, has not yet emerged from the room of the committee on public lands, where it was sent at the time of its introduction.

Whether it will be passed by the House of Representatives or not is an open question, some members expressing the opinion that it will, while others assert the contrary. One member of the committee is strongly inclined to the opinion that the bill will be defeated in the committee room, and those having the interests of the great Northwest at heart should hope that his opinion will prove correct.

A case was decided by the Assistant Secretary of the Interior a few days ago which illustrates the theory that it is good faith that counts in perfecting entries under the pre-emption and homestead laws.

Lafayette Grim, of the Niobrara land district, Nebraska, filed his declaratory statement May 25, 1886, alleging settlement the day before. He established an actual residence on the land with his family June 1, following:

On January 11, 1887—seven months and ten days from beginning residence—he submitted his proof and offered payment for the land, the proof showing that his family had been continuously upon the land from the date when the residence thereon was first established, but that Grim had personally been absent from the land at work for two months during the time. The total value of the improvements was \$35.

The register and receiver rejected the proof and refused to allow him to enter the land on the ground that his improvements were so meagre and because the law does not permit absence from the land during the six months preceding proof. This decision was affirmed by the Commissioner (Sparks) of the General Land Office, and the filing was held for cancellation.

On appeal, Mr. Muldrew, Acting Secretary of the Interior, found that the improvements, as described by the claimant and his witnesses, were quite as good as those usually made by pre-emption claimants, and that the furnishing of his house indicated an intention to make a permanent home, and that the valuation of the improvements at \$35 was very modest; so, in view of the evident good faith of the claimant, he ordered the final papers to issue.

From this it is to be inferred that the Department will not permit the fixing of a minimum of improvements, and that officers in passing upon the sufficiency of proof must use discretion, and act in each case in accordance with the law and the facts so that justice may be done to all; in other words, they must, like the Mikado, in Gilbert and Sullivan's operetta, "let the punishment fit the crime."

## HENRY N. COPP.

The democratic national committee have announced that their campaign book will probably be issued at once. The text-book will contain 600 pages. The first edition will consist of 200,000 copies.

Statistics show that 54,000 immigrants have come into Canada this year from England, but only 14,000 of them remained in that land. The other 40,000 crossed the line and came into the United States.

The Mikado of Japan gets publicly and uproariously drunk in broad daylight, and swaggers around his palace just like a common every day drunkard. This shows that the adoption of modern "Christianity" is becoming practical in Japan.

## News Notes.

Virginia, Nev., Sept. 11.—G. Wiseman was seriously injured yesterday afternoon by the premature explosion of a blast while grading a site for a stamp mill for the Justice Mining Company in lower Gold Hill, near the Woodville shaft. He will lose the sight of his right eye, and that of the left is seriously affected. His person was severely lacerated in other places by fragments of flying rock.

Nozales, A. T., Sept. 11.—Fredricks and Geronimo, two of the most desperate men in the gang who robbed the Sonora train at Agua Zaros last May and killed Conductor Atkinson and Fireman Forbes, have been arrested at Fairbanks, Cochise County, by Sheriff Slaughter. These men recently killed one Lucers, a deputy sheriff under Slaughter, and are regarded as two of the most desperate characters along the border.

Virginia, Nev., Sept. 10.—Maud Harkin committed suicide today by swallowing strychnine. All attempts to remove the poison were found futile, and she died half an hour after taking the fatal dose. She left a note saying her heart was broken. Her parents can divine no cause for their daughter destroying herself. She was on the street a few minutes before swallowing the poison. She was but 17 years of age, and very pretty. She swallowed nearly a quarter of an ounce of the deadly poison.

Marysville, Cal., Sept. 11.—Nell Kelly, 14 years old, took strychnine at a ranch in Sutter County early this morning, and died in Yuba City this afternoon. He had been putting out strychnine for coppers, and claimed that he took some to cure a sore throat. He was an orphan and had been apprenticed from an asylum. He ran away from the farmer who took him out for service and was working for wages. It is believed that he took the poison thinking it would frighten the women around the house where he was employed.

Nozales, A. T., Sept. 10.—Sheriff Shaw has returned from Hermasillo, Sonora, where he went with papers for the extradition of Manuel Verdugo, the murderer of Louis Cohn of this city, and says the Mexican authorities refused to turn the prisoner over. It is likely that the papers will be forwarded to the Minister of State at the City of Mexico, but it is hardly probable that that official will take notice of the matter unless called upon by this government. Additional evidence showing Verdugo to be the murderer has been discovered here. The prisoner, who has been in a Mexican jail here since his arrest, was today taken to Magdalena to be tried on a charge of breaking into a store at that place.

The North German Gazette confirms the reports of an increase in the naval forces in connection with the scheme to build a canal between the North Sea and the Baltic.

The latest news from leading milliners of the east is to the effect that the coming season of emotional drama will reach a higher level of histrionic art than has ever before been attained. Six swoons and nine complete changes of costume will be the average for each star.

## DEATHS.

KING.—At Marysville, September 2d, 1888, of typhoid fever, Fanny Laura, daughter of Frank E. and Marcia Beasley King, aged 13 years, 4 months and 26 days.

JENKINS.—At his home in the Fifteenth Ward, this city, at 9 a. m. on Sunday, Sept. 16, 1888, John W. Jenkins. He was born in Froome, Somersetshire, England, April 4, 1821; was baptized in 1835; emigrated to Utah in 1855, locating in this city. He was in "the move" and returned to this city; where he has conducted the harness and saddlery business ever since he located here. He was widely known throughout the Territory, and possessed many excellent and sterling qualities. He leaves a wife, eight children and one grand child to mourn his loss. He died having a firm faith in the truths of the everlasting Gospel.

Funeral services will be held at his late residence, corner Third South and Fourth West streets, at 2 p. m. tomorrow, Tuesday. Friends of the family are invited.—[Con.]

PRATT.—In the Nineteenth Ward, Salt Lake City, Sept. 16, 1888, Zina Bell, daughter of Loren and Zina W. Pratt; born Sept. 3, 1857.

OWENS.—At Rexburg, August 29th, 1888, Mary Walters Owens, aged 60 years, 1 month and 19 days. She was born July 10th, 1828, at Llanelli, South Wales; was baptized into the Church of Jesus Christ by John Williams, 1849. Sister Owens passed away from this life at Rexburg, Idaho, and her remains were conveyed to Wellsville, her home. She was the mother of 10 children, 6 of whom are living. She had 10 grandchildren, a number of brothers and sisters and a host of friends and relatives to mourn her loss.—[Logan Journal.]

BOTT.—At Price, Emery County, Utah, Karl Bott; born June 11, 1850, at Wurtemberg; died September 8, 1888. He leaves a wife and four small children.

GRIMSBELL.—In the Tenth Ward of this city, September 14, 1888, at 5:20 a. m., of hepatitis, Mary Ann Smith, wife of William Grimsbell, Sen., and daughter of John and Sarah Cobb Smith, in her sixty-fifth year.

Deceased was born in London, England, and was baptized into the Church of Jesus Christ of Latter-day Saints in September, 1849, by President Wilford Woodruff.

RUSBY.—In the Tenth Ward, this city, on the 10th inst., of old age, Ellen Rusby, a widow, aged 82 years.

MAYNE.—At Kelton, on Sunday, Sept. 2, 1888, of convulsions, William Edward, son of Emma, and the late Jessie Mayne, Sen., aged 2 years.

VERNON.—At Rockport, Sept. 7th, 1888, at 2:15 a. m., Francis, son of James and Emma M. Vernon, of whooping cough; born Feb. 24th, 1888.

GREEN.—Of cholera morbus, at the residence of her daughter, Ella Loney, at Kanias, Summit County, Utah, Aug. 28th, 1888, Mary Green, widow of the late Ephraim Green, in her 73rd year.

Deceased was born in the town of Pound Ridge, Westchester County, New York, February 20th, 1816. She with her first husband, Noah Smith, joined the Church of Jesus Christ of Latter-day Saints, about the year 1843. They emigrated to Salt Lake City in the year 1862, where Brother Smith soon after died. She married Brother Ephraim Green, with whom she went on a mission to the Sandwich Islands in 1865 and returned to Salt Lake City in 1868. She resided several years in Rockport, Summit County, but of late has been a resident with her youngest daughter Ella, in the Tenth Ward, Salt Lake City. She was the mother of twelve children, six of whom are living. Sister Green was a kind and affectionate mother, and a peace maker among her associates, and died in the full hope of glorious resurrection.—[Con.]

## RECEIVER'S SALE

Of Thoroughbred Hereford Cattle.

Notice is hereby given that by virtue of an order and judgment made by the District Court of the First Judicial district of the Territory of Wyoming, sitting within and for the county of Laramie, in a certain cause therein pending, wherein Charles E. Anthony and Clifford M. Anthony are plaintiffs, and the Wyoming Hereford Association, Sir Charles Clifford and Colin J. McKenzie, are defendants, and wherein the undersigned was by said court appointed receiver, which said order and judgment was made upon the application of the Stock Growers' National Bank of Cheyenne, the undersigned as such receiver will, on the 27th day of September, A. D. 1888, at the ranch of the said Wyoming Hereford Association in said county of Laramie, about six miles southeast of Cheyenne city, offer for sale and sell for cash to the highest bidder about six hundred and ninety (690) head of Hereford cattle, of which all but about forty head are thoroughbred, pedigreed animals, registered in the English or American herd books, the remainder being high-grade, superior Hereford cattle. Said sale will commence at 10 o'clock a. m., September 27th, 1888, and will be continued from day to day until completed, and will be made in lots best calculated to carry into effect said order of court.

COLLIN HUNTER, Receiver.

CHEYENNE, Wyo., July 19, 1888.

## STRAYED.

FROM NEAR THE WARM SPRINGS, Friday, Sept. 14th, 1888. A sorrel

MARE, branded  on left shoulder, while

in face, had with her a sorrel Colt with head stall on. The finder will be liberally rewarded by returning or giving information of whereabouts to

J. C. COLTRIN, 244 W. First North St. Salt Lake City.

## ESTRAY NOTICE.

I HAVE IN MY POSSESSION:

One red and white HEIFER, one year old, no brands visible.

If the above described animal is not claimed and taken away on or before Sept. 27th, she will be sold to the highest cash bidder, at Enterprise estray pound, at 1 o'clock p. m.

J. W. OVARD, Poundkeeper.

Peterson Precinct, Morgan County, Utah, Sept. 15th, 1888.

## ESTRAY NOTICE.

I HAVE IN MY POSSESSION:

One red or strawberry roan HORSE about 8 years old; white face; hind feet and legs white; branded J C on left hip.

If the above described animal is not claimed and taken away within fifteen days from date of this notice, he will be sold to the highest cash bidder, on the 29th day of September, 1888, at the estray pound at Lehi, Utah County, at 9 o'clock p. m.

Dated at Lehi, this 13th day of September, 1888.

MICHAEL VAUGHAN, Poundkeeper.

## ESTRAY NOTICE.

I HAVE IN MY POSSESSION:

One bay HORSE, 10 years old; four white feet; star in face; branded J on the left jaw, also same brand well back on left thigh, collar marked.

If said animal is not claimed and taken paid within 15 days from date, it will be sold to the highest cash bidder, at my corral September 27th, 1888.


JOHN F. BROWN, Poundkeeper of said precinct.

Kanab, Kane Co., Utah.

## ESTRAY NOTICE.

I HAVE IN MY POSSESSION:

One bay MARE, 2 years old, both hind

feet white, brand resembling  and

blotched on left shoulder.

If damage and costs on said animal be not paid within fifteen days from date of this notice, it will be sold to the highest cash bidder, at the Nephi estray pound, at 10 o'clock on the 24th day of September, 1888.

Dated at Nephi Precinct, Juab Co., Utah, this 13th day of September, 1888.

PETER SUTTON, Poundkeeper of said Precinct.