

Continued from Page 105.

to where Mr. Porter was holding Angus; Angus told Porter he could lick him; he had a rock in his hand; witness seized him, and Judge Powers placed Angus under arrest; witness took the rock from Angus' right hand, and gave it to Mr. Craig Chambers; Angus was going to strike the head waiter when witness caught him; did not see Dickson; there was another crowd scuffling near by; Angus was somewhat excited.

Cross-examined—Porter was holding Angus, who did not try to free himself until Porter said something; he made no other effort; did not know what Porter said when Angus said he could lick him with one hand; Porter had said something; first saw the rock when witness seized Angus' hand; the rock was about the size of a hen's egg; did not see Frank Cannon; saw Mrs. Dickson, and heard Dickson's voice in the crowd.

J. C. Parker was called. He was lessee of the Herald job department; was at the Continental Hotel when Frank Cannon was in charge of Police-man Smith; did not hear him say anything to the officer; Frank said to a young man that he wished him to notify Francis Armstrong that he was arrested for doing up Dickson, and that he would understand.

Cross-examined—Did not know who the remark was made to; there were a large number of persons there; Police-man Smith was there at the time; nobody seemed to have charge of Frank Cannon; Frank tried to whisper; did not say it very loud; witness had hold of Frank's hand; had shaken hands with him; there was a young man close by; witness was not an intimate friend of F. J. Cannon's; Frank Cannon said, "Go to the City Hall and tell Frank Armstrong that I am pulled for doing up Dickson—the will understand;" it was in a whisper; the party spoke to was taller than Frank; the party was passing when Frank spoke to him, and said "Don't make a fool of yourself, but go and tell father;" witness did not know whether Frank was in custody. Officer Smith was about a foot distant. (This witness who heard the whisper admitted that he was somewhat deaf.) Witness had done some work for Weber County through Frank Cannon; the latter appeared to have been drinking.

Police-man John Y. Smith testified that he arrested Frank Cannon at the Continental Hotel, and took him to the City Hall; there were no weapons on him; had no conversation with him; put him in jail.

Cross-examined—Saw something of the striking of the blows; came up in a back, and seeing the crowd went in; saw Major Erb, who said that Dickson had been assaulted; took Frank Cannon into custody; Erb objected and told Smith he couldn't have him; the officer, however, insisted, and took him prisoner; others objected, and Judge Powers came up and attempted to arrest Cannon; witness told the judge he was already under arrest; did not see Parker, the last witness; saw no one shake hands with Frank; witness had hold of Cannon all the time; Frank Cannon made no particular remark to attract attention.

R. C. Chambers was called. He was in front of the Continental during the latter part of the fracas; first heard a woman scream, which caused him to come out of the room; saw Mr. Dickson and Major Erb holding a man; did not know the cause of the quarrel; could recognize Angus Cannon, Jr., but not Frank; a man named Harry handed witness a rock; Doc. Winslow had the rock.

Cross-examined—The rock was so large that it could be easily seen in a man's hand; Angus was standing quietly when witness saw him.

John A. Fitchette (Coffee John) was sent for, and after his arrival was sworn as a witness. He knew Frank and Angus Cannon, and S. A. Kenner; on the 22d day of February, witness was at his lunch house; between 5 and 7:30 p.m., neither of them were in witness' place; Frank was there on the 20th; on the evening of the 22d saw the three in company in front of Lollin's saloon; it was about 6 o'clock; there was a fourth party with them; did not know who the fourth person was, but thought he was a young man; Mr. Kenner was there; saw they had been drinking; Angus was a little inebriated, and witness turned to avoid him; heard Kenner say, "We'll go and kill the son-of-a-bitch."

Cross-examined—Heard no other remark, and did not know what was meant.

Henry M. Spencer, of the firm of Evans & Spencer, dealers in guns and ammunition, was called. He knew Angus Cannon, Jr.; he was at the store on Feb. 22d, between 8 and 4 o'clock; he was alone.

Mr. Rawlins objected to this evidence as immaterial.

Mr. Varian argued that they proposed to show that Angus Cannon, Jr., tried to purchase a slugsheet, and that the testimony was relevant.

The Commissioner admitted the evidence as tending to show a conspiracy, but not the intent of the confederation.

Witness Spencer, resuming—Angus Cannon asked witness if he kept slugs, that is, an article used in slugsheets, whipsnaps or quicks; witness showed some slugsheets, but Angus did not want those, saying they might possibly do if re-wrapped; Angus was alone.

Cross-examined—Angus did not say what he intended to do; said he wanted to make something, by re-wrapping the slugs with hair; did not know what it was.

John M. Ensign called. He was em-

ployed at Carter's gun store; on Feb. 22d Angus Cannon, Jr., was at the store, and asked for a slug, such as used in loading slugsheets; he also inquired for brass knuckles; he selected one and said he would call and pay the price, \$1; he never called.

Cross-examined—Mr. Cannon was alone; did not say when he would call. Mr. Winslow was recalled—he received a rock from Craig Chambers. (A stone about the size of a goose's egg was introduced in evidence.)

Ed. McClellan was called. He had a brother named Tom McClellan; they were not engaged at Tufts' saloon; witness knew Angus and Frank Cannon; witness was one of the proprietors of the saloon; on Feb. 22d, saw Angus and Frank Cannon in the saloon, drinking; they were there two to three hours; did not know Hugh Cannon; S. A. Kenner was not there; witness left at about 4 p.m.; saw no weapons exhibited; heard Mr. Tufts say there were some shown; heard no mention of Mr. Dickson; Frank was talking with Mr. Roberts, a compositor; witness talked with Angus, who had been drinking freely; Mr. Kenner was not there.

A recess was taken until 2 p.m.

This afternoon C. V. Whiting was recalled. Angus Cannon asked him to loan him a dollar to buy a pair of brass knuckles; this was between 4 and 5 o'clock p.m.

Cross-examined—Angus was alone at the time.

Don C. Tufts recalled. Was at his saloon after 4 p.m. Feb. 22d; Angus was not there then; was there alone at 1 p.m.; he had a pistol with him then; he called for two drinks; he pulled the pistol out and showed it; witness asked for the pistol, but was refused; Angus held the pistol up; Ray Decker drank with him; there was no reason for drawing the pistol.

Arthur Wild was called—He was bartender at the Senate Saloon; knew Angus Cannon, Jr.; John Robertson assisted witness on February 22d; saw both of the Cannon boys there after 4 p.m.; heard no conversation between them; there was a man named Wyman with them; they drank whisky once; they staid about ten minutes.

J. W. Robertson's testimony agreed with that of Mr. Wild; they carried on a joking conversation; Angus said they were going to take Frank to his father's; served two drinks each; Angus said to mix Frank's drink light, as he had something to do.

Cross-examined—After the drinking was done, Angus said the something they were to attend to was to take Frank to see his father; they were drunk enough to be funny.

F. A. Wyman lived at 154 N. Fifth West Street; knew Frank and Angus Cannon; witness had been a clerk for the Denver & Rio Grande Western R. R.; was not an intimate acquaintance of defendant's; went to the Senate saloon, where he was when Frank and Angus came in; saw Mr. Kenner alone on the street; also Hugh Cannon on the street alone; witness, Frank and Angus were all pretty full; nothing of importance was said; Frank said he hoped to be sober in the morning, as he wanted to go to the farm; Angus said he wanted to go home, and they started out; heard nothing said of mixing the drink light; they all felt gay; saw no pistol.

G. D. Hughes was called. Was with Mr. Wyman, and his testimony was substantially the same. Did not hear what Robertson testified to as having been said.

Edward Rush was a plumber; on the 22d he was at the Continental; about 5 o'clock he saw Angus and Frank Cannon and two others, walking in front of the hotel, acting rather suspicious; saw a boy come in and speak to the clerk; witness asked who it was for, and the clerk said Mr. Dickson; Angus acted as though he was looking for some one; heard no conversation, but saw four conversing together; one was a boy; was present during the disturbance; took no part in it.

Cross-examined—Was just passing the time at the hotel; stayed there a great deal; had been drinking, but never boarded or slept there; saw Angus after he had taken five or six drinks; had been in the saloon most of the day, sitting around; saw Angus and Frank take a drink; did not hear anything said; saw the boy go up to the hotel counter; Frank and Angus went into the saloon; soon after saw all four sitting on the railing; saw Major Erb come along; witness told Mr. Erb there was something wrong, as Angus Cannon and three others were there, and one of them had asked for Mr. Dickson.

John P. Meakin was employed in Lollin's saloon; knew the defendants; Frank Cannon was in the saloon in the morning; he asked for Mr. Kenner; none of the defendants were there after 5 p.m.

Samuel H. Gordon was barber at the Walker House; Frank was there in the morning of the 22d, and had a revolver; the revolver taken from Angus was not the same weapon.

Mr. John Lollin was sent for as the next witness, and the examination had not been concluded when we went to press.

FROM SATURDAY'S DAILY, FEB. 21.

Prest. Cannon Waives Examination.—This afternoon Commissioner Critchlow paid a visit to President George Q. Cannon, at his residence. The preliminary examination of the charges against President Cannon was waived, and the bonds of \$10,000 on each charge renewed with the same

sureties, conditioned that he would meet whatever bill should be presented in connection with the complaints of unlawful cohabitation, in the Third District Court.

Suicide.—Some time during last night, a man by the name of A. C. N. Howard, who was staying at the Walker House, and has for some time past been acting as secretary for the Rocky Mountain Electric Light Co., committed suicide by taking chloroform. He was at the Theatre last evening, and after returning to the hotel—at 11:30—he appeared to be quite cheerful and was talking with Major Erb about an invoice the latter wanted him to get out. His actions then did not indicate that he contemplated suicide, and it is quite possible that the chloroform was not taken with such an intention, as he was in the habit of taking it. He was about 23 years of age, and formerly resided in Philadelphia, where he has relatives living, whom Major Erb will communicate with. He left no effects of any value.

Conspiracy and Assault Cases.—

The witness examined yesterday, after we went to press, was John Lollin, as to the charge against F. J. Cannon, Angus Cannon, Jr., and Hugh Cannon, for assault with a deadly weapon on Mr. Dickson, and against the tures named and S. A. Kenner, for conspiracy to murder the District Attorney. Mr. Lollin testified that on February 22d, Mr. Kenner, Frank and Angus Cannon, and a number of others were in his saloon, but he heard no conversation relating to Mr. Dickson.

Mr. Varian then announced that all the evidence of the prosecution was in, and Mr. Denny asked that S. A. Kenner be discharged, there not being a scintilla of evidence against him. This request was granted, the testimony introduced showing that Mr. Kenner had committed no other "offense" than to allow himself to be employed as an attorney to defend the Cannon boys in the police court.

Mr. Rawlins made an argument before the Commissioner, claiming that there was no evidence to warrant the holding of the accused. Mr. Varian contended to the contrary, and of course had his way.

An application was made to have bail reduced, and \$1,000 was required on a charge of conspiracy, the "with intent to murder and kill one Wm. H. Dickson" being left out as having no foundation in fact. On the charge of assault with deadly weapon, while the accused were not discharged, as it would seem they should have been, that was considered by the Commissioner to be transparent that Frank and Angus Cannon were permitted to go on their own recognizance. Bonds not being given on the first charge, the accused were sent to the penitentiary again last evening.

Sir Patriek at his Usual Dodge.—

This morning's issue of the *Standerer* comes out with another batch of falsehoods in regard to the exclusion of newspapers from the pen. by that mighty autocrat, the U. S. Marshal, and makes an attack upon Elder John Nicholson, while that gentleman is placed in a position that makes a reply from him impossible. The facts of the case are these: When Brother Nicholson was sentenced to prison, he was tendered a copy of the *Tribune*, as he was also receiving copies of the *News* and *Herald*, he accepted it. But he refused to take it "deadhead" as the lecherous sheet asserts, and not being in a position to take the subscription price himself, sent the money down. It was returned to him in prison, and a short time after he sent a note requesting an employe of this office to see that the amount was paid, out P. H. Lannan again refused to accept it. The matter was reported back to Brother Nicholson, who said he would let the matter rest for the present, but as he desired no favors from such a source, he would attend to it himself as soon as he was at liberty. In regard to the complaint that Elder Nicholson's *Tribune* was stopped, no such thing ever occurred, and whoever authorized such a statement, knew that he lied, wilfully and maliciously. Under the ruling of the United States Marshal, as we understand it from himself, the *News* is entirely excluded from the pen, because it does not cover to the last of a knavish line, or bedaub with fulsome praise those who are deserving only of contempt or pity, while the weekly organ of that ring, with the gross wickedness which fills its columns, is the only local paper allowed to circulate among those who are suffering imprisonment for conscience' sake. In reference to the *Deseret News* or *Herald* causing ill feeling among the inmates of the pen, the statement of Marshal Ireland, that as a result of their admission there had never been the slightest infraction of the rules, and that those who received the paper were the best behaved prisoners there, shows the utter falsity of the assertion. The Marshal said, "They are perfect gentlemen, and I have not a word to say against them, and hope they haven't against me;" yet he stopped the papers most desired by these exemplary prisoners, and the motive for his action is plain to every unbiased mind. It is probably for this reason that the attaches of the vilest paper on earth rush to the Marshal's defense with their falsehoods and base insinuations, but the cloven hoof is too easily seen to deceive any honest person.

THREE MORE SENTENCES.

Messrs. Ball, Jones and Smith sent to the Pen. because they won't Promise.

The Court gets on its "Dignity" when answered in its own fashion—Some foolish quibbling.

To-day was the time set for pronouncing judgment against three "Mormons" convicted of living with and acknowledging their wives—John P. Ball, of the Second Ward, Thomas C. Jones, of the Tenth Ward, and John Y. Smith, of the Third Ward. The first called was the venerable

JOHN P. BALL,

who, feeble and trembling with age, stepped forward and stood squarely facing the judge. To the question of the Court as to his future intentions, he replied, "I can't say anything about it."

Court—You can't say anything about it? Can't you say whether you intend to obey the laws against polygamy and unlawful cohabitation?

Mr. Ball—I embraced the principle of celestial marriage 15 years ago, believing it to be a command of God, and I firmly believe it to be so now. I cannot promise to disobey any law of God.

Court—It is not for you to say what laws you will or will not obey. If you break the law you must take the consequences.

Mr. Ball—That I am willing to do. The Court then imposed the full penalty, six months in the penitentiary, and a fine of \$300 and costs. The name of

THOMAS C. JONES,

a white-haired gentleman, whose appearance showed that he was well advanced in years, was next called.

After reciting the fact of the conviction of the accused, the Court said, "Is it your intention to obey the law in the future?"

Mr. Jones—The law of God.

Court—So you don't intend to obey the law against polygamy and unlawful cohabitation?

Mr. Jones—Not an unjust law, sir.

Court—It is not for you to say what laws are just and what are unjust. Are you a native-born or naturalized citizen?

Mr. Jones—Naturalized.

Court—You took oath that you would support the Constitution and laws of the United States?

Mr. Jones—The law of God is above the laws of the United States; the higher law includes the lesser.

Court—The people of the United States have said the law against polygamy and unlawful cohabitation must be obeyed.

Mr. Jones—God is above the United States.

Court—You committed perjury when you took the oath to support the Constitution and laws, and believed in the practice of unlawful cohabitation.

Mr. Jones—I did nothing wrong. I do not believe in unlawful cohabitation, but in lawful cohabitation, lawful under God's law—the highest law.

Court—You do not understand what you are talking of.

Mr. Jones—Oh yes, I do. It is you, sir, who do not understand; and the people—

Court (angrily)—You must have respect for the Court, sir, or you will receive an additional punishment for contempt. You cannot defy the law and treat the Court with contempt.

Mr. Jones—I have not defied the law, nor treated the Court with contempt.

Court—Do you know what the penalty is for this offense?

Mr. Jones—Yes, sir.

The Court then proceeded to pass sentence to the full extent of the law—six months, \$300 and costs.

JOHN Y. SMITH

then came forward to receive the judgment of the Court, and some foolish wrangling took place.

The Court asked—Is it your intention to obey the laws of your country?

Mr. Smith—My intention has always been to obey the law.

Court—Is it your intention to obey it in the future?

Mr. Smith—As far as I know. I do not know what I will do in the future.

Court—Do you intend to obey the law?

Mr. Smith—I believe in polygamy, and in supporting my wives and children.

Court—Do you intend to obey the law against polygamy and unlawful cohabitation?

Mr. Smith—I desire to obey all the laws of the United States. I have tried to obey the law in the past.

Court—That is not an answer to my question. Will you obey it in the future?

Mr. Smith—I do not know what I will do.

Court—You have three wives; will you live with your lawful wife, and her alone?

Mr. Smith—I intend to support my wives and family. If I break the law I will pay the penalty.

Court—You say you have been obeying the law?

Mr. Smith—Yes, for a year past.

Court—Do you recognize this law as higher than the Church's?

Mr. Smith—I believe the law to be supreme. I would render to Caesar the things that are Caesar's—

Court—Do you intend sincerely and honestly to obey the law?

Mr. Smith—I do not know what I will do.

Court—Have any of your friends been talking with you?

Mr. Smith—No; my friends have urged me to obey the law.

Court—I suppose you do not intend to murder—You could promise not to steal?

Mr. Smith—I do not intend to. I have never stolen, but could not promise.

Court—You have no confidence in what you believe, or in yourself. You are not a good citizen. You say you cannot promise to obey the law?

Mr. Smith—I do not intend to commit any crime.

Court—As you do not intend to promise to obey the law, you will be sentenced to imprisonment in the penitentiary for the term of six months, and to pay a fine of \$300 and costs of prosecution, and stand committed until the fine and costs are paid. I should be very glad, if men of your class would promise, to exercise leniency toward any man who honestly intended to obey the law, but as you will make no promise, you will receive no benefit.

Those upon whom judgment was passed were sent to the penitentiary to-day.

FROM MONDAY'S DAILY, MAR. 1

MASS MEETING.

A mass meeting of the ladies of the Church of Jesus Christ of Latter-day Saints will be held in the Salt Lake Theatre, on Saturday, March 6, 1886, at 2 p.m., to protest against the indignities and insults heaped upon their sex in the District Courts, and also against the disfranchisement of those who are innocent of breaking any law.

A general invitation is extended to all ladies interested therein, and a full attendance is desired.

MRS. M. I. HORNE,
MRS. H. M. WHITNEY,
MRS. E. S. TAYLOR,
DR. R. B. PRATT,
In behalf of the committee.

On Bail.—To-day Frank J. Cannon and Angus Cannon, Jr., were released from the Penitentiary, bail having been furnished.

Accused of Perjury.—On Saturday, at Ogden, Mrs. Susan Parry was arrested on a charge of perjury, and was released on \$8,000 bonds. It is alleged that the offense was committed by Mrs. Parry when testifying to the age of her youngest child.

Guilty.—The case of the People vs. Hannah Brightmore, for violating a Grantsville City ordinance, was tried in the Third District Court to-day. The jury returned a verdict of guilty against the defendant, and a fine of \$50 and costs was imposed, making a total of over \$120.

Cases Continued.—In the Third District Court to-day, the charges against Henry Grow and Charles Livingston were continued for the term, at the suggestion of the District Attorney, the reason assigned in the first named case being that an important witness could not be found.

Horsethief Sentenced.—George W. Johnson, who was convicted last week of grand larceny, was brought into court to-day to receive sentence. In reply to the Court, he stated that he was 30 years of age, and had a wife and one child. He was sentenced to five years in the penitentiary.

Excellent Binding.—As fine a sample of blank record binding as we have ever seen turned out by any binder in this Territory, has just been finished up by Brother George Buckle of the bindery connected with this office, for Cache County. It will compare very favorably with the finer specimens of the binder's art produced elsewhere.

R. McKendrick's Case.—Robert McKendrick, of Tooele, was arraigned in the Third District Court to-day, on two indictments, one each for 1883 and 1884, alleging cohabitation with his wives, Agnes McKendrick and Annie Nelson McKendrick. A plea of guilty was entered to the first indictment, and not guilty to the second. Sentence was fixed for March 18th.

Gone to the Asylum.—Joseph Wheeler, of Plain City, has for many years been subject to spells of dementia, and during the past few months has been confined in the Territorial Insane Asylum. He was released from there a short time since, apparently cured, but on Saturday last it was found necessary to take him to Provo again for treatment, his insanity having developed again.

Commissioned.—The Governor has issued commissions to the following officers: Francis Armstrong, Mayor, Francis Cope and George D. Pyper, aldermen, Salt Lake City. Edward Berry, a'derman, Park City.

John W. Brown, of Iron, Maurice K. Parsons, of Box Elder, and Wilson I. Snyder, of Summit County, have been appointed notaries public.

Bear Lake.—Brother C. Merkley, just down from Bear Lake, reports a foot of solid snow in that valley and a general time of health prevailing, with a gradual improvement taking place in the spiritual condition of the people, and no suffering for the necessities of life. He has completed his grist mill, which has been under way at that place for some time past, and it is now doing good work.