VOL. XII.

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THE NUMBER CASE CONCILUDED.

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AND CONTROL TO SEARCH CONCILUDED.

love will flie for revenge. Before Commissioner Sprague she could not remember the garments taken off by Emily Spencer in the Endowment House, yet six months later she described them. She has not proven a marriage between Miles and Spencer.

Judge Van Zile then made the conducting argument. He was there to prove that Miles first married Spencer and then Owen. With-

ried Spencer and thenOwen. With-Owen. She came to Salt Lake with him. He informed her of his contemplated marriage with the Spencer girls, but she was to be the first it aloud say to you that what circumstances of any other witness of the jury between the first it amount to proof can it to such exidence, it is proper that I should say to you that what circumstances of any other witness to be the first it amount to proof can it to such exidence will amount to proof can it to the exidence of any other witness to the force and conscience of the prove either the first or the second marriage. And so in this case you has groven. The only question is, was Owen the first? At a convergest sation at Connely's it is learned that Emily Spencer was togo first, she is seen in the Endowment House on the very day set for the marriage of Miles and Owen. Why was this? At the reception, Miles took Spencer and Owen both to supper and afterward took Spencer and Owen both to supper and afterward took Spencer and Owen both to supper and afterward took Spencer home. Is not this act significant?

—Miles intended to marry these the mind and remove every reasonable doubt. The indicate the consider the constant of the changed his intention. John Taylor's instructions corroborrate it, and he must have married the oldest first, if at all, Means the mind and remove every rational reasonable doubt, the inventor and here to settimony if you may take her testimony if you begin the oldest first, if at all, Means the mind and remove every rational reasonable doubt, the inventor of the jury has an other purple. And effect to be given he and effect to be given to such effect to be given to such the first of such the such effects and evidence and the mist of general definition. The legal test is the sufficient. The such existing the case that she is a much the purple her the first of the jury beautiful. The heart of given the first is to such evidence, and her evidence and evidence of any other witness to be the first into such evidence of any other witness to be the first into su

Owen's testimony. You have seen her on the stand, a lady accomplished and educated. Her character was so reliable that after acquiring an education she became a governess. The best of girls often run away with scallawags.

The reason her testimony before the Commissioner was not so com

Herald letter, but Miles was with her, and as she says he dictated it. Starshal Shaughnessy testifies to having heard Miles say that the price of her coming back to him was a retraction in the paper.

At St. George he tells her that he married her for his account wife and that she could go to Salt Like and tell the damned lawyers so. They could not convict him. "If I do not, it will not be because I have

The judge withheld his charge until Tuesday morning. It is as

Gentlemen of the Jury: The defendant, John H. Miles, is on trial, charged with having vio-lated a law of the United States prohibiting bigamy or polygamy in the territories or other place over which the United States has exclu-

gives to it more than ordinary interest, and have naturally caused some excitement. It will, therefore, be your especial and imperative duty to guard your minds against any and all outside influence, and to try this case as calmly and dispersionately as you would emphat upon the prosecution to and dispassionately as you would any other, and to decide according to the evidence as produced in open court, applying to the facts the law as given you by the court, enced by any blas or against or sympathy for the ant. Divest your minds,

is not a legal wife but a bigamous o plural wife then she may testify against the bigamous husband. And her testimony should have just as much weight with the jury

of any other witness to prove any fact about which she has testified. The following was given at the request of the defence all the other injunctions submitted by the defence being rejected by the Court with this one exception: Beyond the fact of a valid marriage, the jury must also find from the evidence, beyond a reasonable doubt, that the alleged marriage with Emily Spencer, if at all, was the first marriage, and was entered into prior to the alleged marriage

with Caroline Owens, otherwise the defendant is entitled to a verdict of not guilty. Following is by the court: Now, gentlemen, I have gone ver all the points of law that now deem applicable to the case. The facts are entirely and solely

with you. The entire responsibility of the case is now given into your keeping, and probably no words of mine could add to this feeling of responsibility, and I only mention it so that you will be careful to do your duty on account of this re-

I say to you here is because I am I say to you here is because I am required to instruct you as to the law as applied to the case; that is a part of my duty under the law of the land. What you do, you do not as men, but as jurors under the law. The court has been sworn to administer the law as it finds it, and you should do the same thing. You should not shrink from doing you should not shrink from doing need not fear anything except to be wrong. Therefore, you are now to take this case and look it over possessed, and bring to its consideration the best powers of mind and the best powers of mind and the best powers of mind and the best judgment you have, with a stern desire to do your duty in regard to it. If you come to the determination that the respondent Passengers by this route have choice of the bening specific may come determination that the respondent Passengers by this route have choice of the benign specific may care post, even though septembers and the not guilty, or if you have a reason- advantage of Elights Bally Lines Parts able doubt of his guilt, acquit him. steeping then from CHICAGO to

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An efficient corps of experienced men have been engaged in this work throughout various parts of the Territory, and are now making a record of the residents and business houses of SALT LAKE CITY. They will also dispose of the limited number of pages which the book will devote to ad vertisements, and we respectfully solicit for them the information and support that a work of this character deserves. The Directory will be sold only by subscrip

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NEW LAW ON AND

White Rustice Celling, Siding,

the oldest first, if at all. Emily had had her endowments before, but Owen sees her taking off her robes in the House. Katie Connelly states that Miles introduced nelly states that Miles introduced the circumstances essential to the conclusion should be fully established. Spencer as his wife Emily Miles. Leo Dykes says he heard Miles cati the woman on the plane stool his wife, and Katie Connely says this woman was Emily Spencer. The case is proven.

I believe Daniel Wells married them and knew it. Too many clothe themselves with the loop hole (Beautiful metaphor!) that My friend (Tilford) attacks Miss

plete as now was on account of the Endowment House oath ringing in I do not deny that she wrote the

of any feeling and prejudice which may prevent you from carefully and accurately weighing and giving a true and imparted variet, alike to the defendant and to

investigation of the facts in controout Owen's testimony, the mar-riage of Spencer with defendant. No little has been said in course has already been proven. Miles of the trial and in the arguments went to England and again met Owen. She came to Salt Lake with

rational, reasonable doubt, the jury is bound to place as much reliance

ed, in the same manner and to the same extent as if the whole issue rested upon it. It is sometimes thought and sometimes stated that jurous in this verdict swear that the prisoner is guilty or not guilty. The jury are sworn to no such such thing. They declare, in rendering a ver-dict, the result of the conviction of

their minds, from the evidence produced, having previously sworn to give a true verdict according to the evidence. The following special charges, submitted by the prosecution, were also given.

The statute under which the de-lendant is indicted, and which the government charges he violated, is section 5352 of the Revised Statutes of the United States, and reads as Section 5552 - Every person having a husband or wife living, who marries another, whether married or single, in a territiry or other place over which the United States have exclusive jurisdiction, is guilty rriage whose husband o rriage is absent for five i is not known to such p

It will be observed that in order to convict the defendant of the offense charged the people must First—That the defendant, Miles, had a wife living and that that wife was she who in this trial is the territories or other place over which the United States has exclusive jurisdiction.

The peculiar circumstances surrounding the case, and the trial, another woman, viz: Miss Caroline owen.

and in that case your verdict should be guilty.

As hetetofore stated, it is incumbent upon the prosecution to prove:

First—That the defendant, Miles, had a living wife at the time he married Miss Caroline Owen, or, in other words, the prosecution must show that the defendant had married Miss Emily Spencer, and that afterwards, and no matter how soon afterwards, if the next minute, if it was a separate and distinct act, and while Emily Spencer was still living and his wife, he married Miss Caroline Owen.

In order, however, to prove this fact, it is not necessary that the prescution should prove all the sotual marriages by one who was an eye-witness of the ceromony, but proof that the prisoner has de
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