

doorway, she called out, and was answered by another lady that there was a burglar in the house. This frightened the intruder, who was heard to hurry downstairs, slam the dining room door behind him, and decamp along the walk. Mr. McCormick made a careful examination of the premises, and finding all the doors locked and windows fastened, said it must have been a false alarm, but the ladies insisted they were not mistaken. This morning one sash in the dining room window, which had escaped observation, was found to have been split off when forced up with an iron lever. Nothing was missed, and it is supposed the thief was disturbed before he had secured any booty. It is to be hoped that some one will benefit the community by giving these nocturnal visitors a warm reception—the warmer the better.

#### MORE CONVICTIONS.

**JOHN Y. SMITH ADJUDGED GUILTY—JAS. MOYLE AND G. H. TAYLOR GIVE THEIR OWN TESTIMONY.**

Our report of the trial of the case against

**JOHN Y. SMITH,**

yesterday, closed with the testimony of Wm. Hilton.

James Hilton was the next witness. He said—I know defendant; have known him since 1874; have a sister named Annie; she lives in the Third Ward; have not been there for about five years; saw her about six or seven months ago, as I was driving past her house; got acquainted with the defendant at my mother's house; saw him there two or three times; my sister left mother's house about ten or eleven years ago, I believe; she went to live in the Third Ward, I believe, when she left mother's.

Martha Jamison was called and testified—I am married; I know the defendant; have known him all my life; am on friendly terms with him; know Frances Smith; have visited there during 1883; know Annie Hilton; have never visited her; have been at her house; never met her at his house; have not seen Annie for a month or more; was not very close to her when I did see her, but near enough to observe her closely; do not know whether she has a little baby; have seen her children in defendant's house; I think May is about 5 years old.

Assistant District Attorney S. H. Lewis, of low and lascivious fame, was next called and testified—I know defendant; was before the grand jury when the investigation was had leading to this indictment; defendant came in to testify, offering himself as a witness.

To a question of the District Attorney's, in reference to defendant's admissions there, the defense raised the objection that that would be exposing the secrets of the grand jury room, contrary to the statute.

The Court overruled the objection, holding that when a defendant had voluntarily gone before a grand jury and made a statement against himself, it was proper that the testimony should be used.

Witness Lewis, continuing—The defendant made a statement, saying that during 1883 he had lived with the women named in the complaint. He said that Annie Hilton was his third wife. He said he had lived with these women as his wives; that he had held them out as his wives and lived with them for three or four years prior to the fall in which the indictment was found.

Cross-examined—It was in the fall of 1885 when we examined the case; defendant stated that he had not lived with Annie after the fall previous to the one in which the indictment was found; that he had held them out as his wives up until the fall of 1884; I thought he had commenced rather late to obey the law.

Tom F. Smith testified—I am a deputy marshal; have been since the 1st of February; know Annie Hilton; went with Collin to serve a subpoena on her, about 9 o'clock in the morning; Mr. Smith was there at the time; a subpoena has been placed in my hands for service upon Annie Hilton in this case; I searched the house this morning, but failed to find her; Mr. Franks had the subpoena until this morning, when he went out of town and handed the paper to me; I saw Annie Hilton when she appeared in the grand jury room.

To Mr. Dickson's question, "Did you observe whether she appeared to be pregnant or not?" the defense objected, and the question was withdrawn. This closed the testimony for the prosecution.

John Y. Smith was sworn in his own behalf, and testified—I am the defendant in this case; was before the grand jury some time last November; I saw Mr. Lewis at that time and asked to make a statement; I told them that I was living in accordance with the Edmunds law, I gave the names of two of my wives; and told them that Annie Hilton had left my place about a year before.

Mr. Dickson—Did you not live with Annie Hilton as your wife during 1883? Objected to as not being proper examination. Objection overruled.

Witness—I did not live with Annie Hilton during 1883; I went there with provisions, etc., probably once a week; don't think I was there in the evening during that year. Did not have intercourse with her during that year.

Mr. Dickson—Is it not a fact that you did contemplate, within the past

month, coming into court and pleading guilty to this indictment?

Witness—I contemplated pleading guilty to this indictment, by advice. I don't think I lived with Annie Hilton during 1883—I would not swear to it.

The case was then submitted without argument, the jury retired and in about 20 minutes came back with a verdict of guilty.

Sentence was fixed for February 27th, and the court adjourned until 10 a.m. to-day.

This morning the time of sentencing Samuel H. B. Smith was deferred until Saturday, February 20th, at 10 a.m. The case of the United States vs.

#### JAMES MOYLE

was then taken up and the following jurors accepted without question:

George M. Scott,	Jerome Bongard,
W. M. Ferry,	George Turnbull,
F. H. Bemis,	Fred Grose,
James Owens,	W. E. Smedley,
N. A. Scribner,	Bolivar Roberts,
J. J. Greenwald,	Elmer Hill.

The indictment read charges that from Jan. 1, 1883, to Dec. 31, 1880, the defendant lived with Elizabeth Moyle and Margaret Canuell Moyle as his wives.

James Moyle was sworn and testified that during the year 1883, the ladies named were his wives, and lived with him in that relationship.

After the usual charge to the jury, a verdict of guilty was rendered.

Two other indictments against the defendant, for 1884 and 1885 respectively, were continued for the term.

March 1st, at 10 o'clock, was named as the date of passing sentence.

The case against

#### GEORGE H. TAYLOR

was next, and the jury in the Moyle case were retained and sworn. Of the three indictments against Mr. Taylor, the one proceeded on alleged that from Dec. 1, 1882, to Dec. 1, 1883, the defendant lived with Elmira S. Taylor and Lewis Foote Taylor as his wives.

Geo. H. Taylor was sworn and testified that the ladies named were his wives, and that during 1883, they lived with him in the relationship of husband and wives.

The jury were charged and rendered a verdict of guilty, within six minutes from the commencement of the trial.

The two other indictments against Mr. Taylor were continued for the term, and sentence will be pronounced on March 1st.

The court then adjourned until Monday, at 10 a.m.

#### FROM MONDAY'S DAILY, FEB. 15

**A Veteran Gone.**—Zera Cole, an old member of the Church, who journeyed from Kirtland to Missouri with Zion's Camp, died in the Fifteenth Ward of this city yesterday, of old age. His funeral will occur to-morrow (Tuesday), the service of which is to be held in the Fifteenth Ward meeting house, commencing at 1 p.m. Friends of the family, and especially surviving members of Zion's Camp, are invited to attend.

**Bonds Increased.**—The feeling of certainty that President George Q. Cannon was fairly secured by the minions of the law or some other cause led to the witnesses subpoenaed a week since to testify in his case being brought to the marshal's office this morning and a demand being made for the increase of their already enormous bonds. Mrs. Sarah J. Cannon, Mrs. Martha Cannon, and Mrs. Emily Little each had their bonds placed at \$2,500, while Alice and Hester Cannon Miss Butterworth and Mrs. Little's three daughters and one son were each bound over in the sum of \$750 each, making a total of \$12,750. Messrs. F. Armstrong, T. G. Webber, W. H. Rowe and Geo. G. Bywater were accepted as sureties, and the witnesses were notified to be present this afternoon and to-morrow before the grand jury.

**Lack of Snow.**—As is well known, a great many of the owners of sheep residing in this valley and those west of here, depend upon what is known as "the desert," an extensive tract of country in the extreme western part of the Territory, for a winter range for their flocks. The range is only available when there is snow on the ground or pools of water produced by its melting to quench the thirst of the animals, owing to the absence of streams in that region. We learn from a gentleman who is largely interested in sheep-raising that this winter has proved a very bad season for flocks on "the desert," as but very little snow has fallen there and the sheep have had to be kept close around the mountains in order to obtain water at the small springs found there, and where the ground was almost denuded of feed before winter set in. The light snow storm that fell to-day has caused hope to revive in the breasts of sheep raisers, and for their sake and that of their suffering animals it is sincerely to be hoped that it has extended a good distance westward and fallen more heavily in the desert than here.

**Refuses to Answer.**—This afternoon the grand jury came into court, bringing with them Mrs. Martha T. Cannon, and submitted a report to the effect that the lady had been before them as a witness in an investigation against Pres. George Q. Cannon; that she had replied to a number of questions, but when the following were propounded, she refused to answer:

"Are you not now a pregnant woman?"

"Are you not now with child by your husband Geo. Q. Cannon?"

Mr. Richards objected to the questions as tending only to prove sexual intercourse, which the Supreme Court had ruled was immaterial.

The Court instructed the witness to answer the questions, but she promptly replied "No."

The Court then said: It is your duty to obey the laws of your country and to speak the truth. A person ought to be ready always to tell the truth. You ought to answer because of your oath, and the laws of your country require it. You will be adjudged guilty of contempt. At the suggestion of the District Attorney sentence will be suspended for the present.

The District Attorney asked that the witness be placed under an additional bond of \$2,500 to appear to-morrow at 2 p.m. The court so ordered.

#### ROBERT MORRIS SENTENCED.

**THE JUDGE PUTS A PRICE ON A PLEA OF GUILTY—BROTHER MORRIS GOES TO THE PEN.**

To-day was set for passing sentence on Brother Robert Morris, who entered a plea of guilty to the charge of cohabitation with his wives. This morning Mr. Morris was called up, and in response to the question of the Court as to whether he had anything to say before sentence, replied that he had not. The Court then said that he felt that Mr. Morris was entitled to some leniency for having entered a plea of guilty. The sentence imposed was therefore fixed at six months in the penitentiary, and a fine of \$150 and costs, with commitment until fine and costs are paid.

Brother Morris was taken to the penitentiary this afternoon.

#### PRESIDENT CANNON CAPTURED.

**Arrest of President Geo. Q. Cannon in Nevada.**

**Being Brought Back by Marshal Ireland.**

The sensation which commenced a week since with the "arrest" of several members of President George Q. Cannon's family as witnesses to appear when required in his trial on a charge of unlawful cohabitation with his wives, the raid of deputy marshals the following day, and the reward upon his head of \$500 which succeeded, seemed to reach its culmination yesterday morning when it was announced by the two morning papers published in this city that he had been arrested at Winnemucca, Nevada, while en route for the west.

Following are the telegrams which have been received announcing the capture, in publishing which the organ of the lechers evinced the most fiendish glee:

WINNEMUCCA, Nev., Feb. 13.

To E. A. Ireland, U. S. Marshal:

Have got Cannon in custody. When will you come after him?

F. M. FELLOWS, Sheriff.

RENO, Nev., Feb. 13.

W. H. Dickson, Salt Lake City:

Cannon arrested at Humboldt House. Train just in.

R. H. LINDSAY.

As the news spread, a feeling of intense anxiety was produced among the Latter-day Saints, who, while keenly solicitous for the safety of their beloved leader, were ignorant of his whereabouts and were fearful that the report might be true, but suppressed their feelings and strove to indulge in the hope that it was not correct. However great their anxiety was, it was noticeable that the Saints manifested that coolness which has always been a characteristic of them in such times, and no excitement was manifested on their part. During to-day, however, rumors were circulated that the wrong man had been captured and the rejoicing which had been indulged in was changed to chagrin. Bets of 20 to 1 were freely offered that it was a case of mistaken identity, but about half past three U. S. District Attorney Dickson, while in the court room, received the following dispatch:

W. H. Dickson:

Cannon consents to come without papers. Will start in a few minutes.

E. A. IRELAND.

The utmost enthusiasm and hilarity prevailed among the court officials on the receipt of this news, which spread like wildfire and was soon the common talk on the street. The marshal and his prisoner may be expected to arrive here to-morrow at 11 a.m.

The following dispatch was received by Mr. Groo, editor of the *Herald*, this afternoon, confirming the above:

George Q. Cannon is arrested. No bail granted. Ireland will start for Salt Lake this afternoon.

O. P. ARNOLD.

#### THE MILL STILL GOING,

**BUT THE MILLERS DON'T SEEM TO BE SATISFIED—MORE CONVICTIONS.**

The first case called for trial in the Third District Court this morning was that of the United States vs.

SAMUEL F. BALL,

who is charged with living with Mrs.

S. F. Ball and Nellie Powell Ball as his wives, during the year 1883. The jury empaneled to try the case were:

Gideon Turnbull,	Jas. Owens,
F. H. Bemis,	W. H. Remington,
Geo. Tait,	James Berry,
Elmer Hill,	Bolivar Roberts,
J. J. Greenwald,	Geo. Turnbull,
N. A. Sanbar,	H. W. Greene.

The defendant testified that the ladies named in the indictment were his wives, and during the year 1883 had lived with him as such.

A verdict of guilty was rendered, and the two other indictments against the defendant continued for the term.

Sentence was fixed for Monday, March 1st.

The case against

#### JAMES O. POULSEN,

of West Jordan, was next taken up, and the jury in the Ball case retained to try it. The indictment in this case charged the offense to have been committed in 1884, the wives of the defendant being Ellen Poulsen and Ollua Andersen Poulsen.

The defendant went on the stand as a witness, acknowledged his wives, and stated that he had lived with them in 1884.

A verdict of guilty was given by the jury, and the two other indictments against the defendant continued.

Sentence will be passed March 1st.

The next case called was that against

#### JOHN WM. SNELL,

indicted for cohabitation with his wives. The following jurors took their places in the box.

Wm. M. Ferry,	J. C. Conklin,
W. E. Smedley,	Geo. Turnbull,
F. H. Bemis,	Gideon Turnbull,
James Berry,	Geo. Tait,
W. H. Remington,	Elmer Hill,
Bolivar Roberts,	N. A. Scribner.

The indictment charges cohabitation from Feb. 1, 1883, to December 31, 1883, with Lucenna Snell and Eliza Shaefer as his wives.

John Shaefer was the first witness—He knew defendant; had been acquainted with him 15 years; was acquainted with his wife Lucenna; had seen her at her house once; had a daughter Eliza; defendant, 12 or 13 years ago, asked to marry her; she was then 17 or 18; prior to that time he had visited witness' house, for years, on business; witness did not give his consent; Eliza left for Farmington a week later; there had been a rumour home; did not know where Eliza had lived since then.

John W. Snell, Jr.—Was 19 years of age; defendant was his father; Lucenna Snell was his mother; she lived on Third South Street, 8th Ward, in 1883; defendant lived there too; he kept a store on corner of Second South and First East streets; knew Eliza Shaefer; she then lived a quarter of a block north of the store; had been there occasionally; did not know who else lived there; had seen defendant there occasionally, perhaps once in two weeks; did not remember his taking meals there, or seeing him there evening or morning; defendant stayed at home about half the time—about three days in each week.

Eliza Shaefer was called. She had known defendant 15 or 18 years; was living with her parents when she became acquainted with him; left her father's house when she was 19 years of age; went to live in the 16th Ward, in Mr. Tall's house; Mr. Snell procured the house; was in Farmington for a short time before going to the 16th Ward; lived but a short time in the 16th Ward; then went to Henry Snell's in the 14th Ward; defendant also procured that house; lived there about six months; then went to J. W. Snell's, on First East Street; lived there a number of years; left there six or seven years ago; no one lived with her; she next went to Mr. Groesbeck's, in the 12th ward; lived there a couple of years; then came to First East Street; rented the house herself, and worked in the store for Mr. Snell; the house or store was leased by Mr. Snell, who lived in the rear part of the store; Mr. Snell visited here at each house where she lived; did not know how often he called; did not remember his staying all night; would not say he did not stay there all night at least half the time; was not married to defendant; had been in the Endowment House, over 12 years ago, a few weeks after she left her father's house; did not remember Mr. Snell in the Endowment House; went there to do work.

Mr. Dickson—You went there to go through a marriage ceremony, didn't you?

Witness—I decline to answer.

Mr. Dickson—Didn't you go there on that occasion to go through a marriage ceremony with the defendant?

Witness—I decline to answer.

Court—It is a proper question, and one which you must answer or take the consequences. Think about it before you decline to answer.

Witness—I still decline.

Court—You will be punished.

Witness—I have been punished before and can stand it again.

Court—You will have to go to the penitentiary?

Witness—I can do that.

Mr. Dickson asked that the witness be adjudged guilty of contempt, and sentenced to such a term as would be an example to those declining to answer. The Court, he considered, had the power to sentence her for a term of years.

Court—Have you anything to say, Mr. Young?

Mr. Young—She is not our witness, and we cannot assume

to consult with her; if the Court will give her a little time, perhaps she would like to consult with some one; if it is with us, all right.

Witness was allowed until 2 p.m. to consider her refusal.

J. W. Snell, Jr., was recalled. Eliza Shaefer lived in the rear of the store, fitted up for a dwelling; defendant lived at home about half the week; witness was clerk at the store; defendant was there first sometimes, and sometimes witness; when defendant did not stop at home, witness would find him next morning at the store; had seen defendant in Eliza Shaefer's house in 1883; had seen him taking dinner with her; Miss Shaefer was employed in the store; defendant kept the books, to which witness had access; did not know the salary paid Miss Shaefer; had seen defendant in Miss Shaefer's rooms possibly once a week; did not remember where defendant stayed; Miss Shaefer lived in another house in 1884; witness had been there; had taken things there from the store; had seen defendant in that house two or three times; never saw defendant go into or come out of Miss Shaefer's bedroom; had seen him at meals with Eliza Shaefer in 1883. Defendant was in Colorado for several months in 1883; had seen a man named Smith also take meals there, sometimes when defendant was not there; others besides Miss Shaefer lived in the building; Geo. S. Smith worked in defendant's mine, the Princeton, up City Creek; defendant went to Colorado in the summer time, and returned the latter part of the year.

Mabel Smith testified that she was married; knew defendant; Wm. Smith was her husband; Eliza Shaefer was her sister; Eliza lived on First East street in 1883; witness visited there often; met defendant there two or three times a week; saw him take meals morning and evening; think defendant had stayed at the house all night, as she saw him there evening and morning; had seen him go in and come out of her sister's bedroom; in 1885 had stayed with her sister; when Mr. Snell was there witness slept down stairs; when he was not she slept with her sister. Witness visited her sister two or three times a week; defendant was generally there, except when he was out of the Territory. Had seen defendant in the 12th Ward house under the same circumstances.

W. W. Wood was called; he was a butcher; knew defendant; knew Lucenna Snell and Eliza Shaefer; during the past three or four years defendant had bought meat for one family; Eliza Shaefer got meat there, and defendant paid for it, by giving orders; others got meat in the same manner; parties outside of Snell's family had the same kind of orders; the practice was general.

Orson W. Shaefer testified—Eliza Shaefer was his sister; knew defendant; was not home when his sister left home; had not talked to the defendant of the relations with his sister; had visited his sister once or twice a year; had met defendant at witness' sister's house, and saw him take meals there.

Mrs. Mabel Smith recalled—She had heard her sister introduced to a Mr. Amy by the defendant as his wife; it was in Mr. Amy's house. Witness testified before Commissioner McKay; did not remember to what she testified there.

Jos. J. Snell was the defendant's brother; had seen him at Eliza Shaefer's, taking a meal there on one occasion witness also ate there; had never alluded to Eliza Shaefer as his brother's wife; believed she was his wife; defendant always called her Eliza.

Recess was taken until 2 p.m.

This afternoon Miss Shaefer was recalled. The reporter read the question she had declined to answer this morning, to which she replied in the affirmative; the ceremony was one of sealing to the defendant; she regarded it as a marriage recognized by the rites of the "Mormon" Church; did not remember who officiated; went to live with the defendant shortly after; the relations had never been broken off; he had had meals and slept in the house a portion of the time each year since then.

This testimony closed the case, which was submitted to the jury on the charge of the Court. A verdict of guilty was returned and the two other cases against the defendant were continued for the term.

Sentence was fixed for Tuesday, March 2d.

#### "Permanent."

There are medicines which give only temporary relief and then leave the sufferer worse off than before, especially in cases of dyspepsia. Remember that this is not the way with Brown's Iron Bitters. See what Mr. J. M. Gaines, of Gaines, S. C., says about the principle of tonics, "My wife has been troubled with dyspepsia for years, and now I believe she is permanently cured." It also cures liver and kidney complaints.

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