

LOCAL NEWS.

FROM THURSDAY'S DAILY, OCT. 7.

Address Wanted.—It is thought that there resides, somewhere in Idaho a Latter-day Saint named L. Josephson, who has a brother in Minneapolis, Minn. His address is wanted by his brother, and if he or some one who knows of his whereabouts will send it to Mr. Swan Walton, Minneapolis, Minn., a great favor will be conferred.

Arrest At Logan.—A telegram from Logan received shortly before noon today says:

"Deputy marshals Exum and Steele arrested Thos. B. Cardon of Logan at the Cache Valley House at 8:30 last night on the going charge. Bonds were fixed at \$5,000. G. W. Thatcher, Aaron B. Thatcher and Wm. Sanders became his bondsmen. He will have a hearing before Commissioner Goodwin at 10 o'clock this morning."

Brought to Salt Lake.—The body of the boy John Judge, whose accidental death was recorded in last evening's News, was brought down from Park City, to-day, for interment. The cage on which he was being hoisted was carrying some drills, one of which caught in the gearing and tipped the cage. Young Judge fell forward and was caught, his head being torn from his body.

From This Office.—Brother Frank A. Wilcox, a young man connected with this office, started to-day on a trip through Davis, Morgan, Summit and Wasatch Counties, in the interest of the News. He will make a thorough canvass of the counties named, and we commend him to the people. He is authorized to solicit subscriptions, advertising and job printing, in behalf of this establishment, and orders given and courtesies extended to him will be duly appreciated.

The Manslaughter Case.—In the Third District Court to-day the case of the People vs. Charles Neilson, indicted for manslaughter, was taken up. The defendant is accused of having, on December 18th, 1885, kicked and otherwise injured Henry Gardner, at a saloon on the State Road, just south of the city, and inflicted mortal wounds, from which Gardner died six or seven days after. He has already had two trials, in both of which the jury failed to agree. A jury was empaneled this afternoon, and the first witness called for the prosecution was Dr. A. S. Bower.

Cache County Convention.—At the county convention the following gentlemen were selected to represent Cache county in the Territorial Convention to nominate a Delegate to Congress: A. G. Barber, J. T. Hammond, A. C. Harrison, James Kirkbride, I. C. Teoresen and Joseph Howell. The following were chosen alternates: Jos. Morrell, L. R. Martineau, Chas. Orell, P. M. Mangham, Samuel Nelson and John Gooch. After a motion being put and unanimously carried that the delegates go to the Territorial Convention uninstructed, the convention was adjourned.

Conference To-day.—The following special to the News from Coalville, dated to-day, was received this afternoon:

"Conference resumed its session this morning under favorable circumstances, the weather being all that could possibly be desired. The Tabernacle, which seats fifteen hundred, accommodates thus far all who attend. The speakers this morning were: Elders Hugh S. Gowans, Ward B. Pack, E. D. Woolley, Jesse N. Crosby, Lorenzo Hatch, George O. Pitkin and Apostle F. D. Richards. The remarks made were timely and spirited and were listened to with marked interest."

G. F. Gibbs.

Organized.—The Y. M. M. I. A. of the Sixteenth Ward met and organized last evening for the winter season, with J. H. Walte, president; Peter Howell, first counselor; J. F. World, second counselor; J. H. Timpson, secretary; F. A. Fish, assistant; Geo. W. Timpson, treasurer; J. H. Bach, librarian; E. A. Folland, assistant librarian; N. S. Timpson, choir leader; George R. Emery, assistant choir leader; A. S. Gaddes, organist; E. F. Parry, assistant organist; George R. Emery and Robert Haslam programme committee.

The Y. L. M. I. A. also organized. The following were chosen and sustained as officers: Miss M. K. Pierpont, president; Miss F. A. Emery, first counselor; Miss Olive Taylor, second counselor; Miss Ellen M. Reed, secretary; Miss Martha Urie, assistant secretary; Miss Mary S. Smith, treasurer; Miss Phoebe Vincent, organist; Miss Lottie Matthews, assistant organist; Mrs. Louisa P. Emery, Miss S. J. Fletcher and Miss May Dyer, programme committee.

Court Notes.—Last evening W. J. Rawlins was brought down from Ogden, to answer to the charge of personating an officer. He was held to answer to the grand jury, by the commissioner at Ogden.

Yesterday afternoon, in the Third District Court, Peter Barkdale, of Farmington, pleaded not guilty to a five-count indictment charging him with unlawful cohabitation.

Last evening the trial of Frank Stoddard, for rape, resulted in a verdict of guilty. The defendant will be sentenced on Friday.

John Wyatt was admitted to citizenship to-day.

In the case of the Utah Central Railway vs. the Central Pacific Railway, the plaintiff was allowed to amend the complaint.

The following actions were dismissed: J. B. Parry vs. George A. Meears; A. C. Tornblad vs. Wm. Timms; Henry A. Chappin vs. C. W. Collins, et al.; Mrs. Kate Murtha vs. E. E. Thieriot; E. L. Morton vs. Northern Chief Mining Co.; E. Daggett vs. Bulhoun, Beck & Champion Mining Co.; G. Johnson vs. E. L. Preston, and A. C. Standart vs. O. S. L. Potter.

The civil calendar for the next three weeks was set.

The U. O. Foundry Assignment.

—It is with considerable regret that we insert a notice of the assignment of the Logan U. O. Foundry, Machine and Wagon Manufacturing Co., an institution that was organized in 1876, and which for a number of years accomplished much good and paid good dividends to its stockholders. During the last few years through the stringency of the times and other causes of which a brief notice like this will not admit of explanation, the business has been on the decline and quite a large cash obligation created. The directors and a few of the stockholders did all they could to carry the business through the dull period by endorsing the company's paper, but to no avail, and now after manfully standing in the gap for over two years they find themselves under the painful necessity of making an assignment which step appeared to them the most honorable. In view of the fact that the Directors and other endorsers have recently paid the company's notes amounting to between \$5,000 and \$6,000 out of their own private means, the step above mentioned is the more to be commended as it is plainly evident that they could have taken a more selfish course by securing themselves at the expense of others, but honor weighs more with them than the wealth of this world. We understand that in making the assignment the company have no preferred creditors, and all those to whom the company is indebted will share pro rata with each other. It is thought that there will be ample means to pay all creditors.—Logan Journal.

JOHN Q. CANNON ARRESTED.

HE IS CHARGED WITH POLYGAMY.

This morning Marshal Dyer and some of his aids drove down to the residence of John Q. Cannon, near Jordan River, where they found Mrs. Emmeline B. Wells and her daughters Annie and Louie. The Marshal inquired for Mr. Cannon and was informed that he was at his father's, a short distance farther on. The officers went to the latter place, where the gentleman was found and arrested on the charge of polygamy. The marshals then returned to the first place visited and there subpoenaed Mrs. Wells and Annie W. Cannon, Miss Louie Wells having gone away from the house in the meantime.

Mr. Cannon was brought before Commissioner McKay, for a preliminary examination, which was set for 1 p. m. to-day. At that time, however, the defense requested a continuance, which was granted until 9 a. m. to-morrow. The bonds of the accused were placed at \$5,000, and were signed by Francis Armstrong and James Jack. The witnesses were also required to furnish \$500 bail each for their appearance.

On the return of the subpoena in the case the officer reported opposite the names of Louie Wells and Angus M. Cannon, "not found." The complaint in the case is signed by D. W. Rensch, and was sworn to and the warrant issued on September 6th. It is alleged that, on August 1st, 1886, while having a wife—Annie Wells Cannon—living and undivorced, he married Louie Wells, in Salt Lake City.

Subsequently, about the 10th of September, Mrs. Annie W. Cannon obtained a divorce in the Probate Court, from the defendant.

FROM FRIDAY'S DAILY, OCT. 1

Information Wanted.—Mr. Wm. H. Lebi is desirous of discovering the whereabouts of Mr. Moss, who came to Utah about 12 years ago, from Toronto, Canada. The gentleman making the inquiry can be found at the Palace Hotel, this city.

Certificates Issued.—On the 7th inst. Secretary Thomas issued certificates of incorporation to the McDonough Life Benefit Association of Utah, and to the Leamington Irrigation Company, and to the resident agents of the Cleveland Cattle Company of Colorado, and the Home Accident Association of California.

The Work in Scandinavia.—President Flygare thus reports progress in the Scandinavian Mission, in a letter dated September 9th, 1886, and published in the *Millennial Star*:

"The good work in this Mission is still going on successfully. I am continually receiving good reports from the missionaries in the different conferences. Meetings are generally well attended and a few are being baptized. I had, some time ago, a letter from a young missionary in Finland; he wrote that he had baptized five, and he had held several meetings, well attended by attentive listeners. Since the first of January last twenty-four have been baptized on the Island and others have desired to be baptized. In the last three

months, those baptized in the Conferences were as follows: Forty-one in Stockholm; twenty-two in Scone, twenty-one in Christiania, seventeen in Gottenborg, forty-three in Aarhus, seventeen in Aalborg and twenty in Copenhagen. These are not very large numbers, but the last three months are the dullest we have for the Gospel work, being the summer months, when it is nearly impossible to reach the people, for we are not allowed to do out-door preaching."

Miss Louie Wells Arrested.—Between 10 and 11 o'clock last evening, Deputy Marshal Smith met a gentleman, an acquaintance of the Wells family, on Main Street, and stated to him that Miss Louie Wells had just been arrested, was then in the Marshal's office, and that if bondsmen were not immediately procured the young lady would be sent to the Penitentiary to spend the remainder of the night. The gentleman addressed immediately set to work to find bondsmen. Inside of half an hour five or six gentlemen proffered themselves at the marshal's office to act as such, but they were not acceptable to Mr. Dickson. Miss Wells was wanted as a witness in the John Q. Cannon case, and the bond for her appearance as such was fixed at the unprecedented figure of \$1,500. At length Messrs. Jos. A. Jennings and B. F. Cummings, Jr., were accepted by Mr. Dickson and Miss Wells was permitted to go home. The bond was executed at about half past eleven o'clock. The difficulty experienced in getting bondsmen was due to the lateness of the hour.

Miss Wells was found by the officers at the house of Miss Mary E. Cook, No. 320 East, Third South Street. Extraordinary measures had been taken by the Marshal's force to insure her capture.

PROVO POINTS.

There was not much going on in the First District Court on Wednesday or Thursday. The grand jury reported five indictments—two United States and three Territorial.

Yesterday afternoon, the case of the United States vs. John Durrant, of American Fork, indicted for unlawful cohabitation, was called.

At Spanish Fork last week, when the deputies made an early morning raid, when approaching Sylvester Bradford's place, Mr. Bradford saw them coming and attempted to escape, thereupon Deputy Reelfield emptied his revolver at him, at least he fired four shots, and some of them came within singular distance of the fugitive.

There seems to be on erroneous idea on this subject of killing people to prevent escape under color of the law. Now the general doctrine on this subject is that an officer having a prisoner in custody for a felony, who attempts escape, is excused for killing him if he cannot be retaken, but if he can be retaken otherwise, it would be manslaughter to kill him. If a prisoner is in custody for a misdemeanor and he attempts to escape, it would be murder if the officer fired with intent to kill and does kill, and if death was not intended it would be manslaughter. A person not in custody at all, but charged with a misdemeanor, can not be taken in any such way, and the officer has no right whatever to use or threaten him with firearms. On the other hand a man is not justified in taking human life to prevent his unlawful arrest, and, of course, has not for a lawful one. The reason is that the injury is not of an irretrievable nature; he may recover damages for false imprisonment.

COURT PROCEEDINGS.

SUNDRY BUSINESS—THE MANSLAUGHTER CASE.

In the Third District Court this morning default was entered in the divorce case of Hintze vs. Hintze, and to-morrow morning set for hearing evidence.

At the request of Mr. Brown a continuance was ordered in the case of the People vs. Jones and Treseder until Saturday of next week.

The case of the People vs. Musileman, charged with assault, was dismissed, the prosecuting witness and defendant having become reconciled.

The trial of Charles Nelson, on a charge of manslaughter, was proceeded with. The cross-examination of Wm. Hamilton by the defense was completed. The prosecution rested with the understanding that it be permitted to introduce Mrs. Graham, formerly the wife of Henry Gardner, when she should come in the court room.

Major Woods, of defendant's counsel, then stated to the jury that the line of defense would be to show that the kicks administered to Gardner by the defendant did not produce the injuries from which he died, but that those injuries were inflicted upon deceased by other persons than the defendant, during a general fracas.

Dr. Benedict testified to having held an autopsy on the body of Gardner. On the body were several bruises. Two on the lower part of the abdomen were the most serious. The bladder was ruptured and in the abdominal cavity was about a quart of blood mixed with urine which had produced peritonitis, the direct cause of death. The bruises on the abdomen were probably caused by blows which ruptured the bladder. Witness was of opinion that the bruises had not been caused by kicks, but by blows, judging from their appearance.

Mr. Parks testified that he was playing the violin at Pitt's place the night the trouble occurred. Did not see it, but was told by Wm. Hamilton that there had been a fuss between Hill and Gardner, and that it took three men to "lick" or "put out" the latter, the witness could not remember which expression was used. There were blood stains on Hamilton's clothing.

Mrs. Graham, who was Gardner's wife, at the time of his death, testified that he came home about 5 o'clock in the morning of December 10th, 1884. She first saw him on his knees near the bed, his arms folded across his abdomen as if in great pain, his head tied up with a handkerchief and his clothing stained with blood.

Mr. Etchel, a young man, was in Pitt's place at the time Gardner was injured, and gave an account of the fracas that took place as he saw it. His examination was somewhat lengthy and his version of the affair tended to exculpate the defendant.

Albert Pitts, a boy, was next put upon the stand. No important facts were elicited from him. The same may be said of Miss Hill, the next witness.

John Hill was sworn. He testified of the quarrel between himself and Gardner. Struck the latter once with his fist, but knew nothing of the manner in which deceased received the injuries that caused death.

In the afternoon the same case was proceeded with.

Benjamin Hill was sworn for the defense. Testified to seeing Gardner lying in front of the house. Defendant did not kick him.

At the conclusion of the examination of this witness a subpoena, issued by Commissioner McKay, was served upon Mr. Woods, one of the attorneys for the defense. He claimed the protection of the Court, and Judge Zane made an order accordingly.

Mr. Hoffman, the other attorney for the defense, took the stand, and, by stipulation with the prosecution, read the testimony of a witness named Etchel, given in the former trial of the case.

The defendant himself took the stand. He denied having kicked or struck the deceased, but admitted having pushed him.

The defense rested with the close of this witness' testimony. The matter of instructions to the jury, and of submitting the case without argument was being quietly discussed by the attorneys when we went to press.

The sentencing of Isaac Pierce on a five-count indictment for unlawful cohabitation, and of Frank Stoddard on a conviction for rape, was postponed from this morning till this afternoon, and again till to-morrow morning on account of the absence of the District Attorney, who was engaged in Commissioner McKay's court.

THE EXAMINATION

Of the Charge Against John Q. Cannon.

Miss Louie Wells Married to the Defendant After her Sister was Divorced.

The preliminary examination in the case of the United States vs. John Q. Cannon was conducted before Commissioner McKay to-day. Hon. F. S. Richards appearing for the defendant and District Attorney Dickson for the prosecution.

When the case was called this morning the defendant waived the reading of the complaint and entered a plea of not guilty.

The witnesses were sworn, and Mr. Dickson called Louie Wells. When the lady stepped forward he asked, "Have you any middle name?" "Louie M." was the reply. Mr. Richards inquired of the witness, "What is your full name?" the answer being, "Louie Wells Cannon." At the request of Mr. Dickson, all of the witnesses except the one testifying were excluded from the room.

Louie Wells Cannon, in response to questions by the District Attorney, testified—I am a married lady; my husband's name is John Q. Cannon; I was married on September 10th, in Salt Lake City.

Mr. Dickson—At what place?

Mr. Richards—We object to that; it is immaterial; the fact of the marriage is the issue.

The Commissioner overruled the objection.

Witness, to Mr. Dickson—I was married at John Q. Cannon's house; I think the day of the week was Thursday; it was on September 10th, between 12 and 1 o'clock.

Mr. Dickson—Who married you?

Mr. Richards—That is immaterial; if they were married it makes no difference who married them; the fact is shown.

Objection overruled.

Witness—Abram Cannon.

Mr. Dickson—I ask for a subpoena for him. (To witness) Who were present?

Witness—My mother; my sister Annie was not in the room; I saw her in the house that day; I went there that morning; don't know the hour; went with mother, in a buggy; I think I drove; started from my mother's home; it was my sister's or Mr. Cannon's horse; it had been at our house a month or two; some one in the stable got it ready.

Mr. Dickson—How were you dressed when you were married?

Mr. Richards—We object to such questions as that; it makes no difference what dress she wore; let the District Attorney get at the facts relating

to the marriage, or the charge in this complaint, and not scatter all over as to what people wore, when it has no bearing on the case.

Mr. Dickson (who had shown considerable surprise at the evidence), warmly—I want to test the truth of this story; I want to know if the witness is telling the truth.

The Commissioner—You may answer the question.

Witness, to Mr. Dickson—I had on a brown dress; my hair was dressed as it is now; had no gloves on; had no wrap or shawl on; I saw my sister at the house; she met us there; Mr. Cannon was out in the yard; he came and assisted us to alight, I think; I don't know whether he went into the house then or not; I don't think Abram Cannon was there before me; he was not sent for but called afterwards; when I left home that day I intended to get married.

Mr. Dickson—Why did you hesitate when I asked you that question?

Witness—I suppose I may think, may I not? We had made no positive arrangement to be married on that day; the defendant had proposed marriage prior to that time; I don't know that I had either accepted or rejected the proposition.

Mr. Dickson—Did he propose more than once?

Mr. Richards—What has that to do with the case? It is the fact of marriage that is wanted, and not how many times he (proposed). Objection overruled.

Witness—He had spoken to me more than once; he made a proposal of marriage but once, the evening before, at mother's home; there was no one present but he and I; it was after dark; I told him I would think of it, or something to that effect.

Mr. Dickson—What did he say?

Mr. Richards—The defense objects to that. The question is an improper one. It is going a little too far to ask for the manner of a proposal of marriage. Such a thing is beyond all precedent.

Mr. Dickson—Did he suggest any time or place for the ceremony?

Witness—No, that was not decided; he left early in the evening; I do not remember exactly when he came; he had a buggy; I had always lived at home before that time.

Mr. Dickson—Had the defendant ever stopped in that house before your marriage?

Mr. Richards—I object to that question; it is immaterial. It makes no difference what the defendant did before then. He is on trial for polygamy, and that should be the object of the interrogations.

Mr. Dickson—I have a right to know of the intimacy of the parties before this date. If their relations should prove to have been intimate, I have a right to know whether they were outside of the marriage relation or not.

Mr. Richards—Still it is immaterial. The prosecution have plenty of witnesses to prove the marriage, and the District Attorney has no right to care as he is doing. We do not care for the present question, but to following up that line. The question is absolutely and wholly incompetent.

Commissioner—There might be a different state of things than has been here shown. There may have been a prior marriage. Witnesses in these cases don't like to tell all the circumstances. In this case there were certain reasons for issuing the warrant, but it was withheld for a time, thinking there might be some doubt. Cannon's first wife was divorced and the next day he married her sister. I think all the circumstances should come out, and I am disposed to let them do so.

Mr. Richards—I think the prosecution has no right to go beyond the question of polygamy. He can ask whether there has been a prior marriage, but he has no right to scandalize the witness. I don't object to anything material to the issue.

Commissioner—The peculiar circumstances of this case influence the court to get at all the facts.

Mr. Dickson—I don't ask the question for the purpose of scandalizing this young woman. I think she was married long before the date she fixes. I think the circumstances presuppose a marriage, and think I can show it. I want a continuance now; I want to go to the District Court.

Commissioner—Can't Varian come? You want the witnesses kept separate, and if you only go on half an hour at a time, the case will take four or five days.

It was finally arranged that Mr. Varian should go to court, and the examination continued.

Witness, to Mr. Dickson—He and his wife boarded there after they came home from Germany; they also stayed there at other times; he never stayed there all night except when his wife was with him, until she went to San Francisco last August; she was away four or five weeks; he stayed a few nights at mother's house, I do not know how often; it was not half the time; he went to San Francisco to meet Annie; I do not know the number of nights he stayed at mother's; my bedroom is upstairs in the northwest corner of the house; Mr. Cannon did not occupy any room; he slept on the porch; he was not in my bedroom when I was there, neither in that nor in any other house; I am quite sure of that, and also that we were married September 10th; I do not remember his speaking of marriage prior to September 9th; it is possible he did; I do not know that he did; I have no recollection