

Local and Other Matters.

FROM FRIDAY'S DAILY DEC. 17.

Organic.—An itinerant musician is grinding out tunes from a hand organ, for the delectation of the musical ear of the passing pedestrian on the streets of Salt Lake.

The New Foundry.—The work on the new machine shop of Davis, Howe & Co. is progressing. The walls of the first story are up, and the flooring joists of the second laid.

Practical Christianity.—Now is as good a time as any for the well-to-do to exercise a little practical Christianity, in the shape of substantial donations to the poor, that they may be in a position to join in the general rejoicing that is supposed to specially belong to the holiday season.

The Handel and Hadyn Society.—We learn that the above society have in contemplation the reproduction of Handel's "Messiah" which was rendered by them in June last with great success. The Theatre has been secured for Sunday evening, the 26th inst., and the public are promised a musical treat. The reputation of the society has been already established by their previous efforts to introduce the works of the old masters.

"Cherry and Fair Star."—That beautiful fairy piece, "Cherry and Fair Star," will be reproduced at the Theatre. It will be performed on Christmas afternoon, and every child who attends will receive a present of about the value of the price of admission. The presents will consist of toys, which Mr. Harris recently purchased in New York, at wholesale, for the purpose indicated. He is prepared with presents for 2,000 children.

Can't Get Her Papers.—The following came in to-day—

"ALTA CITY, Utah,
December 16.

"Editor Deseret News:

"Please see the postmaster of your city, why he can't send my papers. We have not had a paper for a week. Yours truly,

"CAROLINE JOHNSON."

Our subscriber's paper is mailed regularly every day of publication, so that the fault lies elsewhere than in this office.

Attempted Jail Breaking.—Seven of the prisoners at present confined in the County jail made an attempt to escape last night. Shortly after eight o'clock Mr. Newton, the jailer, gave them their supper, locked up securely and went home to get his own. It appeared, from subsequent events, that no sooner had he left the building than the men piled their bedding together, and set to work cutting through the ceiling into the room above with large jack-knives, which must have been handed to them by parties from the outside.

Fortunately they were heard by the night watch, who immediately communicated with Sheriff Taylor, who soon arrived, and stationed a man in an eligible position to prevent the prisoners getting away, while he descended to the cell, with pistol cocked, where the men were at work. Finding they were discovered the prisoners surrendered at once, without resistance, and were marched, one by one, by the sheriff, to another part of the building.

On examination several large pocket knives, and some pieces of iron were found, and it is strongly suspected that those implements were handed to them by Hardwick and Wilson, a couple of prisoners lately released, who were the only parties seen around the outside of the building lately.

The parties engaged in this attempt to escape were Patterson and Sherman, horse thieves; Archer, burglar; Shaffer, charged with murder; Kelley, cattle thief; also the party lately committed for attempted rape on a woman at Sandy, and one other. They had cut through the ceiling and commenced on the flooring, and if they had not been discovered in good time, would soon have been through into the room above, where the county court holds its sessions.

FROM SATURDAY'S DAILY, DEC. 18.

Released.—On account of failing health, Elder Richard Warburt n is released to return to Utah.—*Mt. Ennial Star*, Nov. 29.

Postponed.—The judgment of the Court in the case of the United States vs. Geo. Reynolds, convicted of bigamy, was not pronounced this morning, as expected, but is postponed until Monday morning.

Dangerously Ill.—We regret to learn that Brother William Ashman, Counsellor to Bishop Adam Spiers, of the 10th Ward, is dangerously ill, his friends having but little hope of his recovery.

Gone East.—E. W. Tullidge, Esq., left this city this afternoon, expecting to leave Ogden tomorrow for New York, where he expects to attend to the publication of his "Life of Brigham Young," also to the production of his drama of "Ben Israel."

The Temple.—A dispatch from St. George states that work on the Temple there is progressing finely. All the carpenters necessary, good hands, are on the building, and Bishop Hunter has made arrangements to forward six plasterers, who start south next Wednesday, which will make a full complement of workmen in that line.

FROM MONDAY'S DAILY, DEC. 20.

Utah Evening Mail is the name of a new daily, published in this city.

The U. S. vs. George Reynolds.—The passing of judgment on the defendant in this case was, this morning, deferred by the court for the present.

A Change.—Last week was the foggy week, and rather chilly. Yesterday the fog lifted a little, and this morning there were two or three inches of snow.

In Minnesota.—Elder B. P. Wulfenstein writes from Ianti, Minnesota, that he is holding a great many meetings and preaching to the people in that locality, and desires us to state, for the benefit of his friends that he is in excellent health.

Departed.—It will be seen by an obituary in another column that Elder William Ashman, Counsellor to Bishop Adam Spiers, of the 10th Ward, departed this life yesterday morning. This will be an welcome intelligence to the numerous friends of Bro. Ashman, who held him in much esteem, as an unostentatious and amiable gentleman. He was for a number of years, until recently, employed in Z. C. M. I., in the shoe department.

Belligerent.—On Saturday a man named Adams visited the store of Louis Reggel to make some purchase, when, the customer and proprietor disagreeing on some point, Adams went out and called upon Mr. Reggel to follow and fight. The latter followed, but was not fightily inclined, when his opponent used some disreputable epithet towards him. Mr. Reggel's son took the matter up on the part of his father, when Adams knocked him down, and seconded that motion by knocking the father, Mr. Reggel, sen., down also. The pugilistic Adams was arrested, and this morning Justice Pyper assessed a fine of \$10 against him for each of the knocks down.

A Veteran Gone.—Yesterday Father John Snyder, of the 17th Ward, a well known and much respected member of this community, appeared to be in his usual health during the fore part of the day, and ate his dinner as usual about noon. At two o'clock he was seized with a sudden illness, which terminated fatally in about two hours, he expired about four in the afternoon. He attended his work, on the Davis, Howe & Co. building, up till Saturday night.

Deceased was a veteran in the Church of Jesus Christ of Latter-day Saints, having been connected with it in the days of the Prophet Joseph Smith and ever since. He was a man much respected, being true to his convictions of right. He was born in the year 1800, and consequently was about 75 years old.

Demand the Money.—On Saturday night two miners purchased a couple of tickets of admission to one of the circles of the Theatre, and after going there and sitting a while they got a couple of checks from the doorkeeper, which one of the two took to the ticket office and demanded that the money be immediately returned to him. Mr. Campbell, the ticket seller, said if the party would take the checks to the doorkeeper, get the tickets

from him and bring them along, the money would be forthcoming. The belligerent miner then got on his high heels, swore considerably, and put his hand behind him as if to draw a pistol for the purpose of performing Mr. Campbell's physiology, and making several other inmates of the office feel slightly uncomfortable. Manager Harris, who happened to be there at the time, told Mr. Campbell not to allow himself to be shot for a dollar, and the money was given to the unreasonable miner, who was subsequently arrested for an assault on Mr. Campbell, and this morning Justice Pyper fined him \$15.

CORRESPONDENCE.

The Charge of Judge White to the Jury in the Reynolds Case.

SALT LAKE CITY, Dec. 15, 1875.

Editor Deseret News:

I noticed, in your journal of Dec. 13, a report of the charge of Chief Justice White to the jury, in the case of U. S. vs. George Reynolds. As no notice has been taken of this by others, and as it is a case of considerable interest to the citizens of this Territory, I take the liberty of submitting the following; not out of any captious or unkind feelings towards his honor, but to correct some ideas and statements which I consider erroneous, as applied to one of the most vital principles of religious faith and practice. There is something magnanimous and generous in his views respecting the free and untrammelled exercise of religious opinion and belief, and it is really as stated by his honor, "the very essence of American liberty that this right should be accorded, in effect and in spirit, by all and to all." So far good—"But," he says, "gentlemen, there must be some limit to this high constitutional privilege, and you will observe that the Court has told you that in matters of opinion, and especially in matters of religious belief, all men are free. But parallel with and dominating over this is the obligation which every member of society owes to that society; that is obedience to the law. This great principle to which I have alluded must have its limits in practice, while so far as opinion is concerned, it is free—free as the air which we breathe."

Or in other words, you are free to have a religious belief or opinion, but not free to practise it. Where, then, is the freedom? It is simply a myth. It is the free exercise of religion that the constitution guarantees. It is not simply an opinion or belief that is here referred to; but the worship, or act, springing from, growing out of, and originating from that opinion or belief. A man may hold what opinions he pleases anywhere, and believe as he pleases in any country. It is the expression of those opinions and the carrying out of his belief that give offence and are opposed. Our constitution guarantees something more than opinion and belief. It says—"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." The constitution permits the Jew to worship on Saturday, and the Christian on Sunday. It permits the Catholic to celebrate high mass, to burn incense and candles, to adore the image of Jesus, of Mary and of other Saints; and allows the Protestants to let it alone. It permits Christians to build meeting houses and to worship in them. It permits the "Mormons" to build tabernacles and temples, and the Chinese joss houses. It permits monogamists to have one wife according to their religious belief, and "Mormons" more, according to their religious belief; or there is no meaning in the words, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." Freedom of opinion and belief is nothing without the free exercise thereof.

It is the opinion of monogamists that marriage is proper. The Greek, the Roman Catholic, and I believe the Episcopal church make it one of their sacraments. Now an opinion is nothing unless it is carried out and consummated; when it is an act is performed, that act performed becomes *un fait accompli*, something more than religious faith, belief, or opinion; it is the actual uniting of one man with one woman—a marriage, a union; it is one of those "inalienable rights" which the Declaration of

Independence asserts as being connected with the right of "life, liberty and the pursuit of happiness;" it is more than opinion, it is the right to pursue and the liberty to do. Therefore when a monogamist of the above named faith gets married, he exercises or carries out freely his religious faith. Now the religious faith, belief, or opinion of George Reynolds, and of this people, on the marital question, is in a plurality of wives, as was abundantly proven before the Court, and which his honor the Chief Justice does not dispute. Why not have the free exercise of this religious faith? If the monogamist carries out his faith undisturbed, why not the polygamist? That provision of the constitution is of no use to the former if not to the latter.

But we are told by his honor that "there must be some limit." What is that limit? "The law," he says, "but parallel with and dominating over this is the obligation which every member of society owes to that society; that is, obedience to law." Dominating over what? Over this high constitutional privilege? Free are we in matters of opinion and in matters of religious belief? Where are those glorious aspirations of liberty if this is the case? What becomes of constitutional religious freedom, if there is another dominating power, that is, law, which overrides the constitutional guarantees? His honor, of course, finds this law, for which he is not responsible; but that law takes us back to the law makers; for without them we should not have had this law. Therefore, if the law is this dominating power, the framers of that law are also a dominating power; for they furnish the power. Congress therefore, being the originators of this great dominant power, or law, have found out a method to violate Constitutional guarantees, and of making laws prohibiting the free exercise of religion, and courts can, of course, carry it out, as these laws dominate over all. This is the legitimate sequence of such reasoning; and our constitution is a myth.

His honor next informs us that there are religious errors in India; and refers to the "Hindoo mother casting her infant into the Ganges, as a religious duty," to the "Fiji leading his helpless parent to the wood to perish or to be devoured by wild beasts," and then refers to the "burning of widows in India." These are old statements presented in Congress, and referred to by his excellency ex-Vice President Colfax in a controversy on this point. I therefore quote from my remarks to that distinguished gentleman—

"To present Mr. Colfax's argument fairly it stands thus—The burning of Hindoo widows was considered a religious rite by the Hindoos. The British were horrified at the practice and suppressed it. The 'Mormons' believe polygamy to be a religious rite. The American nation consider it a scandal, and that they ought to put it down. Without entering into all the details, I think the above a fair statement of the question. He says, 'The claim that religious faith commanded it was powerless and it went down as a relic of barbarism.' He says, 'History tells us what a civilized nation, akin to ours, actually did where they had the power.' I wish to treat this argument with candor. * * * The British suppressed the suttee in India, and therefore we must be equally moral and suppress polygamy in the United States. Hold! Not so fast; let us state facts as they are and remove the dust. The British suppressed the suttee, but tolerate eighty-three millions of polygamists in India. If the British are indeed to be our exemplars, Congress had better wait until polygamy is suppressed in India. But it is absurd to compare the suttee to polygamy; one is murder, and the destruction of life; the other is national economy and the increase and perpetuation of life. Sutttee ranks truly with infanticide, both of which are destructive of human life. Polygamy is salvation compared with either, and tends, even more than monogamy, to increase and perpetuate the human race." P. 23, Reply to Colfax by John Taylor.

In speaking of the suttee, throwing children into the Ganges, etc., his honor remarks, "Could these things be allowed in this country?" Yes, if they were fashionable. There are thousands of infants sacrificed in this country, and scarcely any notice taken of it, and that by our most fashionable ladies, assisted by their husbands, pimps and parasites; and what is done with the

murderers of these innocents? An unfortunate is sometimes poured upon, and a great hue and cry made about it; but that is the exception. What of the thousands who are no less guilty, who pass unpunished? We wink at this foul, seething, crying infamy, not because it is religious, but because it panders to our vice and crime. This fashionable murder of children, this heartless, damning, bloody crime is so frequent that we take no notice of it, but honorable marriage according to the law of God, both ancient and modern, is sought to be made a crime of both by legislators and jurists, while in many instances themselves are steeped in vice and reeking with infamy.

It is not out of any discourtesy to our Chief Justice that I make these remarks, nor do I wish to accuse of evil intent. The law is made for and not by him. If this opinion had not been published I should not have noticed it; but being published, as one of the guardians of society, I deem it a duty to unravel some of its sophisms lest our youths and men not conversant with such affairs might be perverted by an apparently plausible statement.

Respectfully,
JOHN TAYLOR.

Indecency in Court.

SALT LAKE CITY,
December 13, 1875.

Editor Deseret News:

It was my fortune to be in the Federal court room during the cross-examination of Mayor Wells in the case of the United States vs. George Reynolds, which occupied so much of the time and attention of the court during the week just past. I confess that I was somewhat chagrined whilst listening to what appeared to me to be the indecent, not to say blasphemous, manner in which the prosecuting attorney cross-examined President Wells with regard to the gift and operations of the Holy Ghost. But I was more surprised when the Court came to the assistance of Mr. Carey, and by various and repeated questions sought to make the witness give the precise locality and the exact date that the Holy Spirit was given to him, and that he received a revelation from this Spirit of the truth of the doctrine of Celestial Marriage.

It may not be surprising that the Court and Public Prosecutor should not be as well versed in the teachings of our Lord and Savior as they are in the technicalities of the law, but it does seem to me to be a little strange that they could possibly expect a direct answer to such inquiries in the face of the most positive declaration of our Redeemer to Nicodemus, "The wind bloweth where it listeth, and thou hearest the sound thereof, but canst not tell whence it cometh and whither it goeth; so is every one that is born of the Spirit." (St. John's Gospel, iii. 8.) In the light of these words of the Only Begotten Son of God, were not the questions of both Court and Prosecutor not only in very bad taste, but supremely foolish, seeing that no mathematically exact answer could be given, which seemed to be what the Court required? At any rate they bore that complexion to

A CHRISTIAN.

Our Country Contemporaries.

Beaver Enterprise, Dec. 14—

On Sunday, Sheriff Coombs overtook and arrested John Christensen, of Levan, at Round Valley, he having stolen a set of harness at Greenville. The Sheriff found the property in the prisoner's possession, which, with everything else he had with him, was brought to Beaver yesterday. A hearing will be had to-day. Sheriff Coombs is making a good record as an efficient officer.

On Saturday afternoon, the grand jury were discharged, by Judge Boreman, till the March term of court. The precise rule under which a grand jury can be "continued for the term," we are not advised of; perhaps the Judge will explain.

Ogden Junction, Dec. 17—

Yesterday being the anniversary of the Relief Society in this city, a ball was given in the evening by the ladies, under the management of Mrs. Jane Richards, in the City Hall. A very large number of guests assembled at 6 o'clock, and one of the liveliest and most sociable dances ever given in Ogden was enjoyed till one a. m.