

EVENING NEWS.

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CHARLES W. PEARSON, EDITOR.

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LIVING WITH "AND" HOLDING OUT.

We published in Thursday evening's issue of the DESERET NEWS some correspondence between the Grand Jury of the First Judicial District and Associate Justice Powers. The subject is interesting to the people of Utah. It is the very question which the Supreme Court of the United States has shirked, if the Associated Press reports of the decision in the Cannon case are correct. The Court was requested to define the meaning of the word "and" in the context of a polygamist in order to avoid infraction of the Edmunds law. The Court, it appears, declined to say what such a person should do, but made some remarks as to what he must not do, which did not meet the issue at all.

Judge Powers goes a little further on that ground in his opinion. He says: "A man is not to live that he will not cause the outside world to believe that he is living with one as wife or holding them out as wives." How a man should act in many cases in Utah are not defined by the law. It is the duty of the law to define it, to see nothing of religion, it is rather difficult to say. Judge Powers admits that a man who has plural wives may visit them, hold friendly relations with them, provide for them and their children, but he must not cause the world to believe he is associating with them as a husband and wife.

This is all vague and indeterminate. How is a man to know when the world is inclined to believe his actions? There was no testimony in the case of August M. Cannon to show that the defendant had acted as a husband and wife in associating with his wives, yet he was convicted, under an act which is a mere interpretation of criminal law. What is meant by "associating as a husband and wife?" What does it imply? Does it not necessarily cover the idea of that which the Court's decision in the Cannon case is not an admission of the offense of unlawful cohabitation?

Suppose a man's wife has a sister or other female relative whom he desires as a companion, and who lives in the same house as the wife, but is not for a moment associated with her, but sits at the same table, and is treated as one of the family. If they are "associated" the world might think that the man had married her, and that he was living with her as a wife. It is not necessary to say that the man who has plural wives is guilty of unlawful cohabitation. It is not necessary to say that the man who has plural wives is guilty of unlawful cohabitation. It is not necessary to say that the man who has plural wives is guilty of unlawful cohabitation.

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agement of the prosecution, foretold a conviction, matter how conclusive might be the defense. This was common conversation in the streets before the evidence was offered. But when the testimony for the prosecution was all in, public opinion changed to the opinion of the jury. The absence of proof of "conspiracy" was apparent to all. It was thought by some that no jury could convict on such a flimsy testimony. But others thought that the evidence was not matter about evidence. B. Y. Hampton had been the means of exposing the frequenters of vile houses, and among them persons who had officiated as officers of the court, and he was "bound to go under."

Mr. Hampton has been convicted, and may have to suffer a severe penalty. But we do not believe that any fair-minded person who had followed the trial, and who had seen that he had a fair trial and that the verdict was warranted by the evidence. The testimony of the poor, frightened creature who had been made to believe that he was in jeopardy instead of the defendant, and who was compelled to betray her paramours, the hounded hound at bay against her supposed exposers, was not worth anything in court or out of it.

The fact that the jury in one of her testimonies was proven by the evidence of a deputy marshal, a witness for the prosecution. Her evidence was so palpably unreliable that it was admitted to be worthless of itself. In the testimony of the four grand jurors was adduced. They were called to repeat what they professed to have heard the defendant say when brought before the grand jury, and they stated that they had heard Mr. Hampton say he had engaged the woman to open a house; that is, that this was their understanding of what he said in the jury room. The other two grand jurors stated that he had had the woman for aiding in detecting the men, according to an arrangement for that purpose. This was what the defendant admitted in his own testimony in court. It was corroborated by all the other witnesses in the prosecution and the defense. It is not likely that Mr. Hampton would go before the grand jury when he was not required to say anything about himself, and had been so informed, and voluntarily furnish evidence for his conviction.

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question, and it is found that an overwhelming majority of the Democrats are opposed to the President's views as to the suspension of Colnace, while the majority of the Republicans favor suspension. We are informed, however, that the division of the members upon this subject is upon party lines, rather than party lines, the west and south being solid in favor of Colnace, while the members from the east are almost equally so in favor of suspension.

BY TELEGRAPH.

WESTERN TELEGRAPH LINE.

AMERICAN.

LATEST BY LIGHTNING.

A Baptist Minister Drowns Himself.

INDIANAPOLIS, 25.—The Journal's special reports the suicide by drowning of the Rev. John R. Elmore, Baptist minister residing in Chicago. Two months ago his congregation learned that Elmore was a bigamist and he was expelled from the pulpit. He had shown symptoms of insanity for several days, and was taken to a neighbor's fish pond, but his hat and coat on a stake, cut his hair in the ice and drowned himself.

Fatal Riot in Detroit.

DETROIT, 25.—A serious outbreak among the Polish parishioners occurred in front of St. Alban's Catholic Church yesterday morning which was finally quelled by the police, one of the rioters being killed. Fully 6,000 persons were in the mob, including women and children. It was feared that rioting would ensue to-day and 100 police were dispatched to the scene. A large crowd assembled in front of St. Alban's Church, but they were dispersed without doing any damage.

Str. Louis, 26.—Information comes from Clinton, Md., that Silas G. Cheek, prominent real estate and loan agent of that place, is a defaulter for over \$100,000. The utmost confidence was placed in his integrity until recently and he had been a prominent citizen beyond his means and honored his debts for years.

ST. LOUIS, 26.—Information comes from Clinton, Md., that Silas G. Cheek, prominent real estate and loan agent of that place, is a defaulter for over \$100,000. The utmost confidence was placed in his integrity until recently and he had been a prominent citizen beyond his means and honored his debts for years. He had been a prominent citizen beyond his means and honored his debts for years. He had been a prominent citizen beyond his means and honored his debts for years.

St. Louis, 26.—Congressman O'Neill, of this city, who is mentioned as the probable chairman of the committee on labor of the House of Representatives, arrived in the city and was met by various leaders of the labor interests to confer their support to him. O'Neill deprecated any action on the part of the laboring men to elect him as chairman of the committee, and said: "If having created a committee on labor in the last Congress, I introduced the bill to create the bureau of labor statistics and to amend the act in relation to the enforcement of the contract labor law, which the House and the National committee made one of their principal campaign documents, all of which I have done under the free trade name, I do not think it would be proper for me to be chairman of the committee, then mass meetings and resolutions will not help me."

Destroyed by Fire.

WASHINGTON, 26.—The residence of Dr. Emil Kessler, Arctic explorer, at Glendale, Md., was burned this morning. All his books and charts and other valuable documents relating to Arctic matters were destroyed.

Stocks.

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Fatal and Destructive Conflagration in Massachusetts.

NEWBURYPORT, Mass., 26.—Early this morning a fire broke out in Boardman's grocery in the Adams Block, Georgetown, and extended to the Masonic Block, Equitable building, Denney's shoe factory and private residences, all of which were destroyed, causing a loss which will aggregate \$200,000. The fire was caused by a gas stove in the Denney shoe factory. The fire was caused by a gas stove in the Denney shoe factory. The fire was caused by a gas stove in the Denney shoe factory.

FOREIGN.

LATEST TRANS-ATLANTIC DISPATCHES.

PARIS, 26.—The majority of the newspapers here protest that the Brisson ministry will resign after the session of the chambers is renewed, in favor of De Freycinet.

Misrepresented.

Ferry writes to Le Temps that in the debate on the Tonquin credit, he was misrepresented by the French Minister to Germany, in reply to a dispatch from the latter, conveyed by the French Minister to Germany, as mediator between France and China. Ferry says if the whole dispatch had been read, it would have been seen that the dispatch was written before the disaster to the French troops at Lang-Son.

GENUINE DIAMONDS FOUND IN CANALS OF CHICAGO.

The Merchants' Tea Company, of Chicago, have opened a branch store at 120 South Main Street, and during the holidays they will pack watches, genuine diamonds and money in their cases. The company will sell the cans at the uniform price of one dollar each. The company adopt this plan to introduce their choice goods, but after January 1st they will sell some of the same quality and some price without the present plan. The following is a partial list of some of the valuable presents in their cases of tea and coffee: Yesterday, Mrs. Simon Stringfield, Third Ward, Sixth South Street, genuine diamond suit; Mrs. A. J. Jones, Second Ward, Second South Street, genuine diamond collar button; J. A. Van Dine, Second Ward, Second South Street, genuine diamond scarf pin; M. C. Plumb, Second Ward, Second South Street, genuine diamond watch; H. T. Duke, Second Ward, Second South Street, genuine diamond watch; W. C. Crabbe, Second Ward, Second South Street, genuine diamond watch; Z. C. M. 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