Hampton case, we can point to one that upsets the protestations of the *Tribune* completely. No one doubts that with an impartial jury conviction on the charge preferred would have been almost impossible. The evidence was of the gauziest kind. It depended on the memory of two witnesses, anxious for the conviction of the defendant, as to what he had stated himself before the grand jury that indicted him, to which those witnesses belonged. It was not endorsed by others of the same grand jury, and the facts were disproved by the testimony of several other witnesses as well as by the oath of the defendant that they were mistaken.

The admissions of the Marshal who picked out the jury specially with a view to the exclusion of all persons of the class to which the defendant belonged, showed that the jury was chosen from the ranks of his opponents and that with a view of the inevitable result.

But to come still closer to present time, we instance the case of Apostle Lorenzo Snow. He was charged with cohabiting with more than one woman during the year 1885. It was proven that he was absent from home during about seven months of that year, and that during the rest of the year and for some years previous, indeed at least since the passage of the Edmunds law, he had only lived with one woman as a wife. That he had not lived with the others at all, either as wives or in any way whatever. This was proven by the witnesses for the prosecution, to say nothing of the witnesses for the defense. Not only was the evidence against the *habit* of marriage, but also the *repute* of cohabiting with the women named in the indictment. The ruling of the courts is that it requires proof of the habit and repute of marriage, or the holding out and living with more than one woman as wives to constitute evidence of the offense.

In this case conviction was had not only "without ample evidence," but in positive opposition to the evidence. There was actually no evidence against the defendant, but ample evidence that he had not committed the offense charged in the indictment. This goes to establish the point that "Mormons" need not look for justice in Utah courts, and that an impartial jury is not to be had under the present system of packing the jury box.

How much encouragement is there to be found in the Snow case, for polygamists who wish to comply with the Edmunds law? Those who have proven their intention so to do are placed in the same position as those who have made no attempt to comply with it. If they are "Mormons" that is sufficient.

On the other hand, when the most positive proofs that can be adduced in court are brought against non-"Mormons" guilty of the foulest debauchery, they are turned loose without punishment, without censure, without a caution. They are not "Mormons," that settles their case.

Oh! juries are wonderfully impartial in Utah under the packing system, and justice holds remarkably level scales while the crusade is waged for the purpose of making the "Mormons" humble worshipers of the law!

THE STATES ARE FULL OF THEM.

THE Cincinnati *Times-Star* frequently has a brief paragraph about the "Mormons." Here is the latest:

"Under the new Mormon bill introduced by Senator Edmunds the Federal Government is to take charge of the Perpetual Immigration Fund. That will put a stop to the importation of fools."

But not to the *chattering* of fools, for the *Times-Star* will still talk nonsense Are there no fools brought into the country except by the P. E. Fund? And if the Edmunds robbery bill should pass, can any one tell how that will affect immigration in general or the importation of "Mormons" in particular? The Senator who fathers that bill must have been taking an extra cup of that famous "cold tea" which is his especial tipple, when he recommended such a mess of inconsistencies and unconstitutionalities as an antidote to "Mormonism." He might just as well undertake, with the aid of the *Times-Star*, to blow across the Atlantic to stop vessels from steaming towards America, as to try to stop "Mormons" from coming to the United States, with a bill. To those who know anything about the P. E. Fund, its assets and condition, the Edmunds proposition is the greatest joke of the season, and the comments of many editors upon it, show that there are a great many "fools" in the country beyond the borders of Utah.

CHANGE IN PUBLIC SENTIMENT.

A CONNECTICUT paper remarks that, "Fifty years ago Christmas day in New England was regarded as a Popish institution, and the cross a Popish symbol, both of which our Puritan fathers abhorred. Such bigotry, it is pleasing to record, has passed away, and now churches of every name adopt the symbol of the cross and keep Christmas."

Yes, radical changes take place in the popular mind in the course of a very few years. To-day the masses of the United States will not listen to the "Mormon" side of the "Mormon" question. The consequence is, they know nothing about it, and are swayed by unreasoning prejudice in relation to it. Only one side of it is considered by Congress, the press and the pulpit, and ignorant passion sways the nation in its anti-"Mormon" movements.

The tide will turn. Many good men and women may have to suffer from the bigotry and intolerance of the times. But there will one day come a sweeping change over the minds of the multitude and millions will wonder how their fathers could have been so unjust and inconsistent in their treatment of a people who strive to carry out in practice the teachings of a book and the examples of men that all Christians are taught in theory to venerate and admire.

A MENDACIOUS "CHRONICLE" CORRESPONDENT.

A CORRESPONDENT in this city furnishes the San Francisco *Chronicle* with a number of items concerning Utah, which occupy more than a column of close print in that enterprising but not over scrupulous journal. The writer appears to be ashamed of his name, for none is attached to the medley of fact and fiction, mining notes, agricultural fables, libels on the city, and other misinformation which he has mixed up for the people on the coast. It is not surprising that he was delicate about owning to his work, not even a *nom de plume* appearing to give authority to his statements.

The notes on mining affairs may be correct. We have no fault to find with them. But his statements that the irrigation system of Utah "does not admit of expansion;" that "no practical measures are taken to increase the flow" of water; that no law authorizes any persons or corporations to increase the natural flow in any manner, and that "agriculturally therefore the Territory is at a standstill," are falsehoods so glaring that no one but an anti-"Mormon" would undertake to give them public expression.

There has never been a time, from the early settlement of these valleys, that additions were not being made to the irrigating facilities of the Territory. Every year has added some new features to them. The Territorial law has always favored them. It would have given greater power to corporations for irrigating purposes but for gubernatorial interference and obstructions. A law now upon our statute books, bearing date of January 20th, 1865, provides for associations for the purpose of *adding to and improving the flow of* water from natural sources, and giving power to them for utilizing it for agricultural purposes. A general incorporation law, in addition to this, authorizes the formation of corporations for the same purpose.

Agriculture is not at a standstill, but every year adds to the acreage under cultivation and to the area under irrigation. New tracts are brought under the plow, new canals are dug, new ditches opened and means adopted to increase the quantity and use of water from the natural sources of supply.

The writer of the falsehoods in the *Chronicle* is probably some interloping adventurer, who is angry with both the law and the older settlers because prior rights are protected, and neither land-grabbers nor speculators are permitted to jump claims or steal water rights, which are just as much actual property as anything a citizen can own under the law.

After falsifying the condition of agriculture in Utah, it is not surprising that the mendacious writer proceeds to libel the city and the people, and to garble facts in regard to their social condition and the crusade now being waged against the system they support.

He states that "the local officials make no point of accounting intelligibly to the people for the money they handle." This, in the face of the fact that both city and county officials are required to give, and do regularly publish, detailed statements of their financial affairs. He says further, "A fair instance of the extraordinary ways in which public moneys are used without authority of law, is the late conspiracy here to blacken the character of prominent Gentiles, and drag their names in the mire of the Police Court." He then goes on to give a garbled account of the measures adopted to catch the male lechers, officials and others, who frequented houses of ill-fame in this city, and adds:

"These houses were fitted up by the city, and all expenses paid out of the public money. And yet no sign of it shows in the city reports. unless the extraordinary sums laid to 'street improvements' that were not made, and to various expense accounts, expose the secret as it has been openly charged they do."

The people here can readily trace these unmitigated falsehoods to their source. The lies were started in the columns of the Salt Lake *Tribune*. The letter in the *Chronicle* is a rehash of the *Tribune* libels against the city. The writer of the letter was too cowardly to put his name to the malicious untruths he had copied from the lechers' organ. At the Hampton trial it was argued against the defendant by the prosecuting officer, who worked with vigor to punish the detectors of crime and refused to prosecute the criminals, that the city had nothing to do with the business for which he was placed on trial. The grand jury which found the indictment declared the same thing, and the filthy paper that started the libel against the city, which is repeated in the *Chronicle*, afterwards forgot its charges and assailed Hampton because he was not acting under the authority of the city, but as a private individual.

We need not follow the mendacious plagiarist in the *Chronicle* any further in his mess of misrepresentations. What we have cited is sufficient to condemn the whole batch. Only a mean and malignant soul can take pleasure in lying about the people of this Territory, with the petty spite exhibited in the article which we have stooped to notice. They will reap their reward. And a nice time they will have of it when they are doomed to associate with only their own kind, in the place reserved for them that love and them that make a lie.

TWO POOR EXCUSES.

OUR proofs of the conviction of "Mormons" by packed "Gentile" juries, not only without evidence but against the evidence, enrages the prostitutes' apologist and lecher's defender, sometimes called the *Tribune*. It tries this morning to prove that the evidence in the Hampton case and in the Snow case was conclusive. But instead of doing so it merely tries to prove both defendants guilty of something they were not charged with. Mr. Hampton was indicted for "conspiracy." No proof was given to the jury that he had "conspired" to do the thing specified in the indictment.

In the Snow case the defendant was not on trial for polygamy, but for unlawful cohabitation, two separate offenses under the Edmunds law. The *Tribune* argues that he was "known to be a polygamist." That does not count. It is not a criminal offense to be "known as a polygamist." We repeat that it was distinctly proved by the witnesses for the prosecution that the defendant had not cohabited with more than one woman during the time specified in the indictment, and yet the jury convicted him of the offense which it was clearly shown he had not committed.

The *Tribune* asks: "Had any Mormon heard that he had given up those relations." It does not matter whether any "Mormons" or any one else has heard anything about it. Is a man to be tried for what somebody has heard or has not heard? Fudge! Again: "*Did he not urge his people to live up to their religion after as well as before the passage of the law?*"

Quite likely. But are we to understand he was on trial for urging his people to live up to their religion? That was not the charge in the indictment, and it was not stated that it was for that he was convicted. If he was convicted for that then it was without that "ample evidence" that the *Tribune* insists has always preceded conviction of a "Mormon," for no such evidence was offered The *Tribune* had better search for some other excuse to bolster up its falsehood.

BOTH CAUGHT NAPPING.

ON Sunday morning the *Tribune* stated that the December number of the *Century* contained a paper from the pen of Mr. Gladstone, to which Professor Huxley had written a reply. On Monday evening the *Democrat* announced that the *Tribune* was suffering from "nervous prostration," and as evidence cited the *Tribune's* two-fold error. The article from Mr. Gladstone's pen appeared in the November number of the *Nineteenth Century*, which is an English periodical, while the *Century* referred to by the *Tribune* is an American publication But the *Democrat* said Mr. Gladstone's article was on "The Dawn of Civilization," which is as great a mistake as the *Tribune's*. It was on "The Dawn of Creation," being a defense of Genesis on scientific grounds, to which Professor Huxley replied. A full review of Mr. Gladstone's article in the November number of the *Nineteenth Century* was given in Exile's letter from London, which appeared in the DESERET EVENING NEWS of December 2nd, and the point of Prof Huxley's reply in the December number appeared in Exile's letter of December 12th, which appeared in the NEWS of December 31st. It is evident that neither the *Tribune* nor the *Democrat* fully understood what they were writing about. Was it a double case of "nervous prostration?

BIBULOUS BUTTE.

IF Butte, Montana, is to be judged by the admissions of its own publications as to its status (and such a judgment would certainly not be unjust, as its citizens are not likely to represent themselves as being worse than they really are) it is not only one of the most immoral spots upon the face of the earth, but is also hard to surpass in point of intemperance. Following is the jaunty style in which the Butte *Miner* boasts of the bibulous tendency of its patrons under the head of "Liquid Comfort:"

"About 75 per cent. of Butte's population every day drink something stronger than water, tea, coffee or ginger ale. The amount of liquid comfort consumed in Butte on the first day of the new year was something astonishing. Every saloonist in the city had his house full of imbibers and his hands full of business. The frigidity of the outer atmosphere helped his trade wonderfully and the colder it became the more drinks he sold. The seductive egg-nog was a favorite beverage, while Tom and Jerry and hot whisky held their own. Champagne flowed freely, and the so-called temperance beverages were a drug in the market. Everybody who drank imbibed effect-giving liquors, and, as a result, everybody who drank felt more or less happy. A local statistician, who knows as much about the liquor trade of this city as anyone in it, estimated that the total amount of stimulating fluids consumed yesterday in Butte would average two and a half drinks for every man, woman and child within the city's confines. He put that as a low estimate. He excluded from it the infinite variety of mineral waters and semi-medicinal drinks that have become so fashionable lately."

JUDICIAL ACROBATICS

In the trial of Apostle Lorenzo Snow, Judge Powers has performed some remarkable feats of judicial gymnastics. The defendant has been thrice convicted of the same offense. In the first trial the Judge ruled, that to prove cohabitation with more than one woman, it was "not necessary to show that the defendant and these women or either of them occupied the same bed, slept in the same room or *dwelt under the same roof.*" In the second and third trials he ruled, that if it was shown that the defendant had a legal wife from whom he was not divorced, that he held her out as such and contributed to her support, and that he had another woman with whom he lived in the same house whom he recognized as a wife, the jury must find him guilty of cohabiting with more than one women.

Now let us look at these proceedings. The Constitution of the United States, in Article V. of the Amendments, says: "Nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb." Brother Snow has been thrice put in legal jeopardy for the same offense, contrary to that provision and in the face of numerous judicial decisions which were cited by counsel for defense. Thus, both the spirit and the letter of the supreme law of the land have been violated.

At the first trial Judge Powers had the jury convict the defendant of cohabiting with more than one woman, when it was proven he had not done so, and in order to secure conviction he ruled that cohabitation with *any one* need not be proven. He said it need not be shown that the defendant had lived under the same roof with the women named in the indictment "*or either of them.*" That is to say, the jury were to find the defendant guilty of cohabiting with more than one woman, even if he had not cohabited with *any* woman. It is almost incredible, even in the prosecution of a "Mormon," and in the case of a Judge anxious to keep an office the tenure of which was doubtful, that a judicial officer could be found who would utter such a palpable absurdity and urge such gross injustice. But these are his words, spoken in his charge to the jury on the first trial of Brother Lorenzo Snow.

At the second and third trials he took another turn, a double somersault, so to speak. On these occasions he ruled that cohabitation with *one* of the women must be proven in order to constitute cohabitation with *more* than one. If it could be shown that the defendant had a legal wife whom he recognized and supported but did not live with, and a woman whom he recognized as a wife whom he did live with, it was to be considered by the jury that he lived with both.

Who can anticipate the flip flaps, contortions, transformation scenes, and harlequinades of Utah judicial acrobatics? They are as bewildering and astounding as a Christmas pantomime, and if they were not so serious in their consequences would be as diverting as any burlesque.

But they help to make up the history of the irrational crusade against the "Mormons," and to demonstrate the fact that in order to bring them under the penalties of the law, it is necessary to go outside of its plain provisions and to fabricate new interpretations. The priests have to misrepresent our doctrines, the lawyers have to subvert the law, or no advantage can be gained against the Latter-day Saints.

The two latest contradictory rulings of Judge Powers are both in opposition to the decisions of Chief Justice Zane. In the Third District Court it has been ruled that unlawful cohabitation under the Edmunds law, means the living with and holding out of more than one woman as wives. This decision has been sustained by the Supreme Court of the United States, by which the lower courts are supposed to be governed. But Judge Powers holds that it is not necessary to show that the defendant lives with the women, "or either of them."

In the Third District Court, in answer to questions from defendants, Judge Zane has decided that it does not matter with which wife a man lives under the Edmunds law, so long as he only lives or cohabits with *one* woman. And under that decision there are men who are now living with their plural wives but not with their legal wives. Thus, what is lawful in the Third Judicial District is unlawful and criminal in the First Judicial District. And that which a man may do in one, under judicial approval, will in the other render him liable to imprisonment for six months in the penitentiary and a fine of three hundred dollars. Is not this a mixed-up mess and a puzzling situation? It comes of twisting and wresting the plain and common signification of a term having an established meaning in criminal law.

A full and complete definition of the requirements of the Edmunds law was earnestly desired of the Supreme Court of the United States. This was urged by the counsel on either side. It is a necessity. If, as appears from the synopsis furnished by telegraph, the full text of the opinion does not contain the explanation required, other cases, if possible, will have to be submitted to the court of last resort, that the people of Utah may have a reasonable opportunity of knowing what the law is, and what it means, which so many thoughtless persons in and out of Utah are urging them to implicitly obey.

But judging from what has taken place in the Snow trials, can we look for any settled doctrine or practice? If the Supreme Court of the United States decide one way, and an Associate Judge of a lower court rules another way and has the power to enforce his decisions, what hope can the people have for a correct administration of the law, to say nothing about the rule and triumph of even-handed justice? And who can predict what will be the next exploit in judicial ground and lofty tumbling?

"The Mormons declare that they have no intention of destroying the United States Government. They have arrived at this conclusion since the soldiers arrived at Salt Lake with their big guns."—*Butte Miner.*

What the "Mormons" declare is true. They have never intended to destroy any government at any time or place. Their message is peace on earth, and they trample on no one's rights, but endeavor to do good to all men. And it grieves them to see the editor of an enterprising newspaper so lost to honor and manhood as to utter the malicious falsehood contained in the last sentence quoted from the *Miner*. Editor Ziegenfuss seems to know as little about the "Mormons" as Kate Field does of motherhood, and is just as anxious to exhibit his ignorance and prejudice.

—A few days since Lee Long, a Chinaman, went into a Montana store and purchased some rice on credit, representing that he was the proprietor of a restaurant. The storekeeper learned that the heathen had misstated facts, and had him arrested on a charge of obtaining goods under false pretenses.