

# EVENING NEWS.

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CHARLES W. PENROSE, EDITOR.

Tuesday, Jan. 17, 1892.

## A REMEDY WORSE THAN THE COMPLAINT.

The Sacramento Record-Union quotes the words of Congressman Reed, of Maine, in reference to the difficulty of an enforcement of law in a community where the local sentiment is opposed to it. He is reported as saying in relation to the "Mormon" question: "It is useless to attempt to force a law upon a community where the weight of public opinion is hostile to it." The Record-Union endorses this, and claims that it is the argument on this subject with which it has made its readers familiar, all of which is right enough. But it goes on to prescribe a remedy in this way:

"The only way to enforce measures against which the community rebels, is to pave the way by depriving the community of its political liberties."

If this is not a case of "the remedy worse than the disease" we do not know where the aphorism can be better applied. In the case under consideration a petition of the community have entered into family relations which are considered right and proper and conducive to general morality by the great majority, but are contrary in one respect to a law enacted by Congress. Difficulty is experienced in the enforcement of the law for the reason above stated. And the only remedy that the Record-Union can suggest is to "deprive the whole community of its political liberties."

There is an old saying "What is sauce for the goose is sauce for the gander." How would our Sacramento remedy for such conditions applied to its own State? In another article in the same paper from which the above quotation is made appears the following:

"How long has it been a murderer was brought to the gallows in San Francisco? How many murderers now occupy the prisons of that city? How long have many of them been there? The wretch who deliberately strangled his sister-in-law, to prevent her escape from ruin, and packed her body in a trunk, is still alive, and we should be less surprised to hear of his release than of his execution. The jail of San Francisco fairly swarms with murderers, either untied or convicted and held under appeal. And while it remains possible for the most infamous assassin thus to cheat justice, and to postpone or evade punishment, human life will be held cheap, and every cowardly hoodlum will think it safe to make a reputation by homicide."

There is a law in California against murder and the penalty is death. But it appears that it is almost impossible to bring a murderer to the gallows in the Golden State. Will the Record-Union recommend that the people of California be deprived of all their political liberties until murderers are promptly choked to death according to law? Utah is to be deprived of all political liberty because the officers of the law who drive it is to see to the enforcement of the law do not attempt to secure convictions. The law is a statute of the United States, the officers are the appointees of the United States, and therefore they do not succeed in the work expected of them, the whole community in which they live and draw their salaries, is to be cut off from the common rights of citizens. Singular logic and a peculiar remedy.

The real root of this small difficulty, which the imagination of the people has magnified into such huge proportions, is in the religious belief of the community. And we venture to assert that this cannot be moved by penalties of any kind. If every Latter-day Saint was deprived of the right to vote and hold office, and reduced to the political condition of a child or a Chinaman, the root of the matter would not be touched in the least.

Most of the trouble is in the exaggerated and incorrect ideas of the public. There is not a State of the Union in which laws are not disregarded to a far greater degree than in Utah. In general obedience to law, the "Mormons" will compare to eminent advantage with any other community on the continent. And considering the smallness of their numbers, and their admitted good qualities as citizens except in that one respect against which exceptions are taken, it is simply preposterous to raise such a tumult about them, especially when known and indubitably worse things than those alleged against the "Mormons" abound so widely in other parts of the country, without causing a ripple of excitement. If the non-enforcement of law in any locality is sufficient ground for depriving the people there of their political liberties, there will remain but few places in the United States where political freedom will be left.

## SOMETHING FOR CONGRESS TO CONSIDER.

CONGRESS is continually pestered with petitions to squelch "Mormonism." Thousands of people want it put down by force of arms or the power of law, who have not the remotest correct idea of what it is. And those who have some conception of what they want are singularly blind to greater needs in their own neighborhoods. Laws are demanded to uproot and destroy the domestic relations of a community living in the quietest kind of peace, and interfering with no one else, and managing their own affairs without injury to other communities or the nation at large.

Yet there are evils affecting society in all the States that need the attention of the law-making department, and are rapidly growing in their disastrous consequences. We do not now allude to those gross vices which are so prevalent, but which

are properly under the purview of local authority, but to a source of trouble and disorder which may be best illustrated by a statement of fact and reasoning based upon it, which we clip from an eastern journal, the narration being given in the International Record:

"In 1871 Frank Baker married Sally West in Ohio. A short time thereafter Sally procured a divorce from Frank for 'gross neglect of duty' under the laws of this State. Later, Baker married a Miss Nelson in Ashtabula, in the State of New York, whereupon he was immediately indicted and convicted for bigamy, and the court of Appeals sustained the judgment. This was the end of Baker's first marriage. The courts of Ohio had taken Sally from him, and the courts of New York declared that the act of splicing to Miss Nelson was a piratical act, involving penal servitude for two years. The Record thus sets forth the possible status of Baker and his two wives in different States."

"If Baker's wife had procured her divorce in New York, and he had then married Miss Nelson in the State, he would have had no wife in New York, but he would not have been guilty of bigamy. The court left him with Miss West for his wife in New York, but with no wife in Ohio. If he had married Miss Nelson in Ohio, he would have been his wife there, but when he came to New York he could have deserted her with impunity, for Miss Nelson would then have been his wife, although she might have had another husband in Ohio. If he had married Miss West in Massachusetts, and she had procured a divorce from him in New York, and he had then married Miss Nelson in Ohio, he would then have had Miss Nelson as his wife when he was in Ohio, Miss West as his wife when he was in Massachusetts, and no wife at all when he was in New York. If, having married Miss West in Massachusetts, he had after the divorce remarried in Ohio, and Baker had married Miss Smith there, the result would have been that Miss Nelson as Mrs. Baker in New York, Miss Smith as Mrs. Baker in Ohio, and Miss West as Mrs. Baker in Massachusetts."

An ordinary mind will become stupefied in an attempt to unravel the complications growing out of this state of affairs, and to make clear the domestic status of children brought into the world under such conditions. Eminent jurists are of the opinion that Congress has the right to regulate these matters, seeing that they affect the relations of the different States one with another. We do not pretend to pass an opinion on this constitutional question, but will merely suggest that if Congress has that right, it would be far more consistent to exercise it for the correction of the irregularities and gigantic evils springing from the defective system above portrayed, than in pottering over the marriage relation of a sprinkling of people in the Rocky Mountains, whose domestic affairs affect no one else but themselves.

## THE DUTY IS CLEAR.

The Cincinnati Times-Star says about the Utah election case:

"The duty of Congress in reference to the Campbell-Cannon case is clear. If the evidence shows Cannon to be ineligible to a seat in the House, there should be a new election. It would be an unpardonable and high-handed proceeding to admit Campbell, who received scarcely one-eighth of the votes cast at the election."

Quite right. But suppose that the evidence shows Mr. Cannon to be eligible, and all the objections against his eligibility to be simply lawyers' quibbles and trumped-up objections; what then? Will it not also be an unpardonable and high-handed proceeding to reject the elected candidate, and deprive a Territory of any representation in Congress just because of popular dislike to the religion of the masses of the people there? If Mr. Cannon is found to be a citizen and duly elected there is nothing under the act and no reasoning prejudice to hinder his immediate admission to his seat. The duty of Congress in this matter is indeed clear.

## A LIVELY CHANGE.

AN EXCHANGE says:

"Congressman Julius Caesar Burroughs, the sky-invading orator of Kalamazoo, will speak on the Mormon question as soon as an opportunity offers. We shall then witness the terrific power of logic clothed in thunder."

All right. Anything for a change. Anti-Mormon "harangues" are usually exhibitions of the density of ignorance clothed in garments of fog. Give us the logic and the thunder by all means.

## BY TELEGRAPH.

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## AMERICAN.

LATEST DISPATCHES.

Our Columns.

SAN FRANCISCO, 17.—The annual product of precious metals in the States and Territories west of the Missouri River, including British Columbia and receipts at San Francisco from the west coast of Mexico reported to Wells Fargo, gold, \$81,000,000; silver, \$40,000,000. California shows an increase in silver and a decrease in gold, Nevada a fallow in Utah, Colorado and Arizona an increase.

Palmer Cars.

St. Louis, 17.—The Pullman Palace Car Company has just completed a new repair shop at the corner of Scott Avenue and 2nd Street, which will be ready for work this week. The capacity will be 12 cars at one time. They will employ 250 men and it is one of the finest buildings of the kind in the country.

Sanction's Trial Continued.

WASHINGTON, 17.—Scoville resumed his argument and was at once interrupted by Guitau, who had been looking over towards the jury for some minutes in an anxious or expectant manner.

"Hear, I replied deliver it now," he called out.

"Oh, yes," replied Scoville, "I had forgotten." Then turning to Judge Cox: "He desires your honor to present a request that he be allowed to address the jury. I have looked over the speech which he desires to make and see nothing of an objectionable character."

Judge Cox nodded assent, and Guitau said:

"I have written down what I wish to say, and I will read it. It is in regard to my speech." He then read with considerable emphasis "I intend no disrespect to this honorable court. I intend no controversy with this honorable court. In general I am satisfied with the law as proposed by your honor, but I have suggested a still broader view, which I ask your honor to follow, to wit: that if the jury believe that I believed it was right to remove the President because I have special divine authority so to do, and was forced to do it by Deity, they acquit me on the ground of temporary insanity. Sickles, McFarland and I were acquitted on the ground of temporary insanity."

In my speech, published in all the leading American papers yesterday, and which I presume your honor has read, I gave my reasons for asking your honor so to charge. I read made a brilliant and lawyerlike plea for my defense and Scoville is making a brilliant and lawyerlike plea for me. I am here as my own counsel and as stated at the opening of the case, no one can represent me but I. I know my feeling and my inspirations in removing the President and I have set it forth to my satisfaction in my speech published yesterday, and as your honor in the name of justice, in the name of the American people to allow me to address the jury of my countrymen when my duty is at stake. If a man on that jury has doubt as to his duty in acquitting me, my speech will probably settle him in my favor, and therefore in the interest of justice it is of the greatest importance that they hear me in my defense. Your honor can decide the matter if you have any doubt as to your duty."

Scoville began with a general complaint of the alleged unfairness on the part of the prosecution, particularly of the prosecuting attorney. He had from the beginning predicted who should visit the jail and who should not. He had introduced persons into the prisoner's cell under a false guise to worm out his secrets, and when the prisoner said nothing which would injure to his benefit, the prosecuting attorney has been very careful to let it become known. He complained of Corkhill's unfairness in destroying the notes which Scoville had written, so that the defense could not have the benefit of them. The conduct of the prosecution in the court room, he alleged, was not only unfair to the defense, but was often discourteous and more befitting a police court than this.

## California Wine.

To-day's session of the agricultural convention opened by the reading of a paper on vine culture in California by J. F. Page, of Cal. Many delegates participated in the debate which followed, the reading. The author dwelt at some length on the exemption from phylloxera, which is a characteristic of the California vine.

## Sunk by a Whirlwind.

NEW ORLEANS, 17.—The steamer City of Dallas, from Belle, brings news of the sinking of the British schooner Weathergauge off Collins Point in a squall. She was loaded with 25 mules and 10 passengers and was on her way from Omea for the purpose of running under a light breeze at eleven o'clock at night, Dec. 31st, with all sails set, when she was struck by a whirlwind. The vessel was lifted by the wind and went down by the bow end and sank. Captain and all the mate and crew Mr. Stapleton's servant and a passenger named Henriques clung to the mast and were finally picked up by a floating dory and made their way ashore. Nothing was saved and the following named passengers were lost: Mrs. Stapleton and M. Hayden, of the Henderson; Eliza Melham, Rebecca Bellize and child, John Augustus, Frederick Huize and a Spaniard.

## Washington Items—Probable Promotions.

NEW YORK, 17.—The Graphic's Washington special says: It is believed by Secretary Kirkwood's friends that he is to be tendered a first class foreign mission when his successor is appointed. There is no doubt of the President's intention to appoint Sargent, Secretary of the Interior, and the delay is not owing to a hitch in this programme, but is for special reasons that have their origin in the appointee himself. Whether Kirkwood will be offered Berlin or Vienna is not announced, but it is currently believed that it is one of these two. It is said upon authority of Senator Harrison that Secretary Kirkwood is to be promoted to the position of Secretary of State to succeed Col. Foster. There is a good deal of gossip within a day or two, since attention was called to the many vacancies in relation to probable domestic duties. It is understood that the Secretary of State and the President have a number of names on the slate for various places, and when it has been adjusted, the President will be predicted that the nominations will be sent in in a bunch. John Baker is to go to Chili to take the place of the late Gen. Kilpatrick, and to Pittsburg, Louisiana, is to be sent to Mexico. Geo. A. Sheridan is talked of for consul general at Montreal as well as a prominent Illinois politician whose name has not been named out. He is not to be a personal friend of Senator Logan. Report has it, too, in this connection, that Judge Denny, now at Shanghai, China, is to be promoted to Paris, and that a Frenchman from Hong Kong to Denny's place. Gen. Burbridge's friends are pushing him for the Belgian mission, but with what success there is no indication. There is talk also of sending Badeau back to London, and giving Merritt some other place equally as good. It is understood also that General Logan is to be promoted to the Portuguese mission, and Stanton, consul at St. Petersburg, it is said, will be sent further south, owing to failing health in that rigorous climate. It is announced that the President has determined to offer Chauncey J. Fliley a first class foreign appointment, but his friends say he will not accept. It is also rumored that General Arthur may find this a convenient way of disposing of Secretary Hunt when he makes up his mind to appoint a new man in the Navy Department, who it may be asserted on pretty good authority will be Wm. E. Chandler. It is believed that a change will be made at Havana. Hall, consul general there, being rather too advanced in life to fill the position much longer. It is believed that Gen. Strother will be continued consul general at the City of Mexico.

## Section of Bonds Filled.

DENVER, 17.—The Denver, Utah & Pacific road, between Denver and Longmont, is open for business. Freight is now being run through via Denver and the 13th Grande & Jackson, Topock, Santa Fe, and without breaking bulk between Denver and Kansas City.

## FOREIGN.

Immigration.

VIENNA, 17.—A correspondent of the Times telegraphs the following: The alarming accounts of immigration from sensational newspapers here. There seems no doubt that the Bohemian government is endeavoring to spread organized resistance to conscription, and great uneasiness exists. The vote to be asked from the Austro-Hungarian delegations is

for a precautionary measure and is only 4,000,000.

## Insurgents.

A dispatch from New Orleans announces that the militia of that town subsequently released their prisoners. Those of the gendarmes who are natives of the province joined the rebels, while those who came from America and Hungary were forced to retire to Mostar.

## The Herzegovinian Rebels.

LONDON, 17.—The rising in the Balkan peninsula commenced in Herzegovina, extending to the border district of Dalmatia, Bosnia, Albania and probably Montenegro. It has been determined to dispatch an army corps to crush the insurrection.

## BRIEF TELEGRAMS.

A fire at Mexico, Mo., Saturday night, destroyed several stores. Loss, \$25,000.

It is rumored in London that the British naval attaché at Washington, is to be recalled and no successor appointed.

Major Wm. Arthur, the President's brother, Chester A. Arthur, Jr., and Miss Nellie Arthur, the President's son and daughter, left for New York to-day.

A passenger train on the Virginia Midland road, ran a slide last night near Faber's Mills, killing the engineer, John Martin, of Alexandria, and badly injuring the fireman.

There is no definite information about the end of the trunk line war. Vanderbilt has said it is settled, and rates would soon advance, and young Cornelius is reported to have said the same, but Jewett, of Erie, denies this.

A Marshalltown dispatch says: Ex-Judge McKenzie, a leading lawyer of Hampton, who sent General Sherman the signal during the war, died at the fort, where he was confined in verse, died at his home this morning, after a lingering illness from consumption.

## DIED.

In this city, January 16, 1892, of pneumonia, ELLEN HUGHES CROWTON, aged 3 years and 1 day, daughter of Fredrick and S. A. Crowton.

## ESTRAY NOTICE.

I HAVE IN MY POSSESSION:

One red COW, branded on left side of body S, O S vented on left shoulder, crop off right ear, tips of both horns broken off, a piece of rope tied on her head, some white on her bag.

One light red COW, branded on right hip, B, B, B, with a quarter circle over it, upper and under bits in both ears, right horn broken and kipped.

If either of the above cows will be sold at auction to the highest bidder at the City Estate Pound, Washington Square, at 2 p.m. on Wednesday, the 19th day of January, 1892.

JAS. SHLEMBERGER.

City Poundkeeper.

Salt Lake City, Jan. 16, 1892.

## 1892.

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ELECTIONS WHO HAVE NOT REGISTERED for the Municipal Election, to be held February 12th, 1892, are hereby notified that any office will be open every day during the week commencing January 20, 1892, from 9 a.m. to 5 p.m., where any voter who complies with the provisions of the registration law, can have his name entered on the Registry List.

JOHN R. WINDRER,

City Assessor and

Registration Officer.

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