

to the virtue of the Latter-day Saints. He cannot think, and he will not permit a jury to think, that a "Mormon" would be over intimate with a young lady unless he had made her his wife. There is something in that estimate of the character of a genuine Latter-day Saint, but a legal mind would not be apt to consider it the kind of evidence to be given to a jury as sufficient to convict of crime.

The jury and many of the public may have, perhaps, a reasonable belief that Jos. H. Dean and Florence Ridges are married, but no rational man can truthfully claim that legal evidence of that presumed fact was presented to the jury which found Mr. Dean guilty as required by the prosecution. The verdict is one of prejudice without proof.

#### A LITTLE REFORMATION.

We are pleased to say that District Attorney Dickson has moderated his behavior toward witnesses in conducting recent cases. We do not mind his attacks upon and misrepresentation of the DESERET NEWS in court or elsewhere, if we can only aid in causing him to act decently towards people, particularly ladies, who are so unfortunate as to be forced to speak to him and endure his insolence and presence.

We understand that he complained to the jury on Friday that the News accused him of being "boisterous." Mr. Dickson was probably too "wrathy to be accurate." We said he was "angry and blustering." Of course he would not seek to prejudice the case of Mr. Dean, against whom there was not a particle of tangible evidence, by misrepresenting the DESERET NEWS. Everybody who has heard his sophistry and noticed his tactics will understand this without any explanation of ours. He can vent his fury upon this paper all he likes, if he will reform in his behavior to witnesses and copy some of the manners of a gentleman if he cannot acquire them as his own.

We do not wish to be understood as claiming that Mr. Dickson is usually noisy and turbulent in his manner, but we have complained and that justly, as all who know of the facts admit except the miserable wretches who lie for him in print, that he is often insulting, overbearing, malicious, angry, passionate and brutal in his deportment to witnesses, including those of the weaker sex, and that he acts under the protection of the court, in a manner that would expose any person out of court who would so misconduct himself to deserved personal chastisement. We are pleased to note a little improvement, and hope that the reformation will become thorough and complete.

#### THE SALT LAKE ACADEMY.

The lack, in this city, of an educational institution conducted upon the same basis and by similar methods to those which constitute the distinctive features of the Brigham Young Academy at Provo, has been greatly deplored by many thoughtful Latter-day Saints. With the approval of the Church authorities of this State, a beginning in the much-desired direction is about to be made. The project is being developed by a number of well-known brethren, and the school will be known as the Salt Lake Stake Academy. President John Taylor has kindly given the use of the basement of the Social Hall for the very laudable purpose. Sufficient funds are already on hand to properly furnish it. All the details are in the hands of Prof. Karl G. Maeser, Principal of the Brigham Young Academy, under whose able supervision and direction the proposed academy will be conducted. This will be an addition to his already onerous duties, but he is irrepressible and indefatigable, and we are more than gratified that he has consented to assume the responsibilities of the new undertaking. As regular teachers Prof. B. Maeser, now residing at Beaver, and Mrs. Camilla C. Cobb, have been engaged, both of whom are markedly competent.

The Salt Lake Stake Academy will open in the building already named on the 1st day of November next. The sentiments of the News upon educational matters are so well known that it is scarcely necessary to state that the movement has our hearty sympathy, combined with the conviction that it will prove a most gratifying success. More than this, we believe it will be the nucleus to something of an extensive character—the seed from which will spring a large and goodly tree that will bring forth the most delightful fruit.

#### CONSTERNATION IN THE CAMP OF THE CONSPIRATORS.

A FIGURATIVE bombshell burst in the Third District Court this morning, during the progress of the Jones-Treseder trial. It was thrown by Mr. E. A. Franks, one of the witnesses for the prosecution. It spread consternation

in the camp of the *bona fide* conspirators. They doubtless felt that a file or some other article equally hard would have been handy just then, as they were evidently in want of something to gnaw. The account of the proceedings, which appear in another column, will be found to be entertaining reading.

The scene was unique and humiliating. It presented the spectacle of official representatives of this great government pursuing with unrelenting vindictiveness a couple of men accused of a crime, watch, according to the testimony of the principal witness for the prosecution, they conspired to procure. The logical deduction to be drawn from the testimony of Mr. Franks is that District Attorney Dickson and ex-U. S. Marshal Ireland entered into a conspiracy to procure a crime, and for that purpose perpetrated a fraud. The conspiracy was in giving official authority to Mr. Franks in order to constitute certain contemplated acts expected to be done by certain persons criminal. They could not be of that nature without. The fraudulent element is introduced in the bogus bond, which Mr. Franks never gave, the truth of his statement being attested by the fact that the spurious document does not have his signature attached.

According to the facts elucidated thus far by the prosecution, what position should the District Attorney and the sycophantic and pliant ex-U. S. Marshal occupy? Should they not take the places of Jones and Treseder? Really, it would be refreshing just now to hear some gigantic talk from Chief Justice Zane and District Attorney Dickson about "defeating the ends of justice."

According to present appearances a piece of the most consummate villainy has been perpetrated by men who have sworn to administer and uphold the law. It is on a par with similar other attempts. The object is clear. Indeed, it was defined by the witness whose evidence has so disconcerted the conspirators. It was to entrap influential "Mormons" into an attitude of criminality. The most infinitesimal degree of delicacy, or shame, common to a human being would prompt the District Attorney to instantly resign his office. It is his false, frothy and calumnious utterances before the G. A. R. visitors are coupled with his professions in court, regarding upholding and sustaining the law, and the combination be paralleled with the position in which he now finds himself, a picture of perfidy that has few equals in the present.

This afternoon the testimony of Mr. Franks was corroborated by ex-United States Marshal Ireland, who was placed in such a position that he was compelled to exhibit his own rascality.

#### REPUBLICAN DIPLOMACY.

THE Republicans, or a liberal representation of them, have been talking and to some extent acting temperance in their procedure for some time past, and at last their plans have crystallized into a full-fledged principle, or at least the promulgation of a sentiment as a principle. Politicians are generally shrewd people; they can detect which way the wind is blowing before it fans the cheeks of ordinary mortals, and trim their sails accordingly; and when it becomes a case of the mountain refusing to come to Mahomet, they make the most of the remaining alternative and cause Mahomet to go to the mountain. The Republican party's history shows it to be decidedly adaptable in its efforts to gain and hold supremacy in national and local affairs. Professing to revere as a sacred doctrine the domination of the civil over the military, it established reconstruction with army officers governing and dispensing the law; countering strongly for the equality of the races, it disfranchised the white people and enfranchised the ignorant blacks; the avowed enemy of repudiation in every form, it took the open and avowed repudiators of Virginia to its bosom; after having fought the prohibitionists for years, it now coquettes with and tries to bring them into its fold; and in one of the Territories, after having avowed its unalterable opposition to Democracy and everything Democratic, it packs a convention, with Democratic billing in, for the purpose of nominating an unrepentant and altogether objectionable man for the post of Delegate to Congress, using as a bait the anti-"Mormon" scarecrow. Perhaps there will be found here and there a disciple of Jefferson, Jackson and Johnson who will be enmeshed in this net of fatuity, but we fancy it will be only here and there; and that those who are caught will be sorry for it when they realize—as they must sooner or later—that they have gone out of their own house to throw stones at it; that they have, in a word put a club into the hands of their enemy with which to be beaten. And if double-dealing Dubois should happen to be elected in Idaho, do those leaguers suppose for a moment that he would use the power, privileges and influence of the position in their interest, or that of any one of them? Hardly. If they have no present judgment they must certainly be able to arrive at a conclusion from the history of the past. They must surely know that Republicans once in power work for themselves first and their

partisans next; and that they have about as much use for Democrats as the British had for Benedict Arnold—so long as they can be used to advantage they will be received with open arms, but when that period is past they and their treason are alike thoroughly despised.

We hope, as we always will and have hoped, that the best men irrespective of party affiliations may be chosen; but to say that Dubois is the best man for Delegate in Idaho, is to assert in the face of reason and common sense. He is perhaps the worst man that could be found; and without taking sides in the campaign one way or another, we sincerely trust our friends in that Territory will decline all overtures looking to the conversion of their hands into cats' paws, and that they will elect Mr. Dubois to stay at home with his carpet-bag or take it elsewhere than to Washington.

#### A PRETTY PAIR.

THE admissions of E. A. Franks, the chief witness in the Jones-Treseder case, when under cross-examination on Monday, place District Attorney Dickson and ex-Marshall Ireland in a very unenviable position. The latter is emphatically a "dead duck," and all that it matters in regard to him is to make his official corpse a little more odorous. But it concerns the former and the public in a very serious way. It appears from the evidence of Mr. Franks, corroborated by the admissions of ex-Marshall Ireland, that Mr. Dickson conspired with others to consummate a crime. In this way:

The offense charged in the indictment against Messrs. Jones and Treseder is bribing a United States deputy-Marshal. When Treseder approached Franks for the purpose of obtaining information from him for which money was to be paid, Franks held no official position. He was not a bailiff nor a guard, though he once held those positions. He was simply working for Ireland without any official appointment whatever. In order to make the act of Treseder an offense against the law, it was necessary that Franks should be an officer of the law. Dickson and Ireland, the evidence shows, conspired to make him a deputy-Marshal in time to receive the money which had been promised to him for his services, and thus an act that would not have been a crime but for their intrigue, was brought within the line of criminality. Jones and Treseder could not have been charged with crime if it had not been for that act of Dickson and Ireland.

The plot to lead Mr. Jones into a trap, and thus make business for the Marshal and the Attorney, with the fees accompanying, would bring the conspirators into the position of participants in almost any other place but Utah. It shows the kind of creatures sent here to represent the Government of the United States in the prosecution of "Mormons." And in what position does it place the Government itself? Instead of preventing, it virtually assists in the promotion of crime, if it sanctions the act of District Attorney Dickson. Let the Prosecuting Attorney and his assistant turn back to the arguments used against Mr. Hampton, who simply took measures to detect and expose the lechery which was afterwards protected in the District Court, and apply those arguments to themselves. And if Mr. Hampton was justly indicted and imprisoned for the part he took in endeavoring to suppress debauchery, what should be done to Dickson and Ireland for their part in the completion of an offense which could not have been called a crime but for their machinations?

And what about the "knot hole" peepings that were so loudly condemned, when resorted to by the police to obtain proof against promiscuous "Gentiles" known to be common resorters to houses of ill fame? Are the same tactics, when adopted by the United States Marshal and his aids and sanctioned by the District Attorney, changed into honorable methods of vindictive law because put into use for the purpose of entrapping "Mormons"? Will the apologists for the bestial resorters, now turn the vials of their abuse against detectives and informers upon the heads of the Attorney and ex-Marshall for engaging in similar business but for a far less worthy purpose? We know not. That which was called damnable in the Hampton case will be deemed admirable in the Jones-Treseder case, and Dickson and Ireland will be glorified for measures that sent Hampton to prison.

But it appears that the plot did not quite succeed. The intention of Dickson and Ireland, as disclosed in this trial, was to make Franks a deputy-Marshal in a great hurry, so that Jones and Treseder might be trapped into an offense against the law. But Franks was not fully "armed and equipped according to law." When he was first approached he was not an officer; during all the negotiations he did not pretend to be an officer; the defendants never bribed him as a deputy-Marshal, as charged in the indictment; and at the last, when the money was received, he was not really and truly a deputy-Marshal, for the straw bond executed with the then Marshal's connivance was not signed by Franks and he never knew of its existence. He really gave no bond and therefore was not really a lawful deputy, one of the

requirements of the law not having been fulfilled.

And what about the acceptance by Ireland of a bond not signed by the alleged executor, and with sureties in \$10,000 neither of whom could lawfully sign a bond for a hundred dollars? Will Mr. Dickson pour out a trade upon the perjury of two officers in swearing that they were worth \$10,000 when they had no available property at all? Or is that commendable in a "Gentile" official employed to hunt down "Mormons," which he so fiercely denounced when merely trumped up in the case of a "Mormon" witness? It is a pretty mess all round and look at it from any side one can see the rottenness of the whole scheme to make a case against the defendants.

The facts, then, as disclosed in the evidence, are that Jones and Treseder did not bribe a deputy-Marshal. They did not do so in fact, neither were they knowing to the fact if the ugly business of the bond is glossed over. They were not treating with a person who claimed to be an officer. What they did was an arrangement with a private individual from whom they expected to gain information for the benefit of friends and for which they agreed to pay. It was not a crime, because the man whom they engaged was not an officer; and if it is still claimed that he was a deputy, he was made a deputy for the very purpose of trapping them into crime! And the men who made and laid the trap for this creation of crime, were the then United States Marshal and the United States District Attorney!

Whatever may be the result to the defendants, the odium of this transaction cannot be removed from the conspiring Prosecutor and the hole-peeping ex-Marshall. A packed jury, a vindictive and scheming attorney, doubly venomous because exposed, and a biased and partisan court may bring down the law's vengeance upon two men seeking by means they considered lawful to protect their friends. But the taint of the conspiracy to entrap these men into a cunningly laid snare and to turn their lawful act into a crime, will cling to the skirts of the conspirators and will proclaim their true character to a disgusted and despising world.

#### PROSPECTS OF JUSTICE.

THE following special dispatch from Washington appears in the Denver Tribune Republican of September 25th:

"The President had before him to-day the case of the three Mormon Bishops who were convicted some eighteen months ago in Arizona of unlawful cohabitation, and who are now serving a sentence of three years at hard labor in the Detroit penitentiary and a fine of \$5,000 each. It seems that these Bishops could not be convicted of polygamy under the Edmunds law, and hence they were tried under a Territorial statute against unlawful cohabitation, the extent of the punishment for which is six months imprisonment and a fine of \$300."

The Attorney-General has examined into the facts and the law and he has recommended their pardon. The President under these circumstances will doubtless exercise the Executive clemency."

The cases referred to in this dispatch are those of Elders Tenney, Christopherson and Kempe, whose unjust incarceration in the Detroit House of Correction was brought about through spite and the wilful perversion of law in Judge Sumner Howard's court in Arizona. They had not committed the offense of polygamy as defined in the Edmunds Act, for this was demonstrated by the evidence. Even unlawful cohabitation was only proven against them constructively. But the law of Congress and a statute of the Territory were so "thoroughly mixed and mingled" together, that the penalties of the former and the definitions of the latter were made to do united duty, and the defendants were convicted of the lesser offense and sentenced, to the greater punishment. Having only been technically guilty of unlawful cohabitation, they were sentenced for polygamy. Tenney's plural marriage occurred fifteen years and Kempe's twenty years before indictment, and both were barred by the statute of limitations. Their sentences were an outrage on law as well as justice, and will stand to the everlasting infamy of all parties who were concerned in the conspiracy to "cinch" the "Mormons."

There never was a stronger call for official clemency than the case of those brethren. They have served more than eighteen months' imprisonment in a prison conducted on the hard labor and silent system, over a year more than their alleged offense could justify as to time, and the whole of it more than the law prescribes in degree, for there is no "hard labor" in the lawful penalty. "Clemency" is the only resource now, but it is an improper term to use in relation to those brethren. All that is asked for them is a small modicum of justice. They have no business to be where they are, and the facts presented to the President, which are not disputed and are undeniable, leave no room for justice to refuse the application.

We hope that the next news concerning our friends who have been the victims of spleen and bigotry, of shameful perversion of the law and of prostitution of judicial power will be

of their freedom and restoration to home and friends. Their persecutors are in the hands of Him who will render a just judgment, and who will reward "every man according to his works."

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#### DELINQUENT NOTICE.

NOTICE IS HEREBY GIVEN TO F. A. Earls, whose address is not known, that I, Philip Neder, have done the necessary amount of work required by law on the following Mines, Alexandria and Plato, situated in Rush Valley Mining District, in Constitution Canon, Tooele County, Utah Territory. The amount due me for labor performed and expenses for assessment from the year eighteen hundred and eighty-one to eighteen hundred and eighty-five, the amount set forth being his share of assessment \$739.39, and if not settled within the required time of law, I shall, in accordance with law, claim the above named Mines, together with all their Patents. Date 23rd, 1886. w3m PHILIP NEDER

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#### SUMMONS.

In the Probate Court in and for the County of Summit and Territory of Utah.

Third Judicial District.

Elizabeth Jones, Plaintiff,

vs.

Owen Jones, Defendant.

To Owen Jones, Defendant, Greeting: YOU are HEREBY SUMMONED TO appear in an action brought against you by the above-named plaintiff, in the Probate Court, in and for the County of Summit and Territory of Utah, and to answer to a complaint filed against you in said Court by said plaintiff; within ten days (exclusive of the day of service) after service on you of this summons, if served within the County of Summit, Utah Territory; otherwise, if served outside of said county but within the Territory of Utah within twenty days, and within forty days if served elsewhere.

This action is brought against you by plaintiff to dissolve the bonds of matrimony alleged to exist between you and the plaintiff; and for the care and custody of three minor children, the issue of said marriage, on the grounds of habitual drunkenness and a failure by you to provide for defendant.

And you are hereby notified that if you fail to appear and answer as above required, the plaintiff will apply to this Court for the relief therein demanded.

Witness the Hon. Alma Eldredge, Judge, and the seal of said Court, affixed at my office in Courtville, said County, this 13th day of August, A. D. 1886.

THOMAS ALSTON, Probate Clerk.

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