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PRINTED AND PUBLISHED BY THE DESERET NEWS COMPANY CHARLES W. PENROSE, EDITOR. Wednesday . Sept. 29, 1886 SEMI-ANNUAL CONFERENCE.

Tuz Fifty-sixth Semi-Annual Conference of the Church of Jesus Christ of Latter-day Saints will be held in the new Stake House, at Coalville, Summit County, U. T., on Wednesday, involved." This, it appears to us, was October 6th, 1886, at 10 a.m. All the very misleading. The question is not, officers and members who can attend did the defendants make a mistake "as are cordially invited.

A MOST DISGRACEFUL AFFAIR.

THE verdict in the Jones-Tresoder case will be a surprise to many people. We confess it is not so to us. When juries are understood to be empaneled for the purpose of carrying out the instructions of the Prosecutor and the shal, for the reasons we have cited. Court, it is not to be expected that any If they bribed anybody it was not a other verdict will be rendered than lawful officer. Even taking the views that desired by the prosecution. We of the prosecution, the defendants did do not believe, and the general public | not know they were inducing a United do not believe, that it the accused had | States officer of any class to perform not been "Mormons" there would have an unlawful act, and the matter being been any pretence of a case against in doubt, they were entitled to the them. That the verdict was not only benefit of the doubt. unsupported by the evidence but actually in direct opposition to the evideuce, must be patent to every person who has watched the case intelligently.

The defendants were indicted under lows

"Every person who promises, offers er gives, or causes or procures to be promised, offered er given, any money or other thing of value, or makes or tenders any contract, undertaking, obli-gation, gratuity or security for the payment of money or for the delivery or coverse of anything of value, to or conveyance of anything of value, to any officer of the United States, or to any person acting for or on behalf of the United States in any official function, under or by authority of any de-partment or office of the Government thereof, or to any officer or person act-ing for or on behalf of either House of Congress, or of any committee of either House, or both Houses thereof, with intent to influence his decision or action on any question, matter, cause or proceeding which may at any time be pending, or which may by law be brought before him in his official capacity, or in his place of trust or profit, or with intent to influence him to commit or aid in committing, or to collude in, or allow, any fraud, or make opportunity for the commission of any fraud, on the United States, or to induce him to do or emit to do any act in violation of his lawful duty, shall be punished as prescribed in the

mplete, the crime will stand be-

'in hand," and the pliant Marshal mas ready to carry it out, fix up the straw bond and swear anything and do any-thing "to make the crime complete." Under such circumstances and in view of these dacts, can any fair-minded person say the verdict was ac-cording to the stidence? The court is cording to the evidence? The court is plank. largely to blame for the result. Judge Zane, as reported, ruled that it was "immaterial whether defendants knew that Franks was in fact a deputy-Marshal." That if "defendants were mistaken as to the character of the office held by Franks, and if the

latter did not held the office they supposed he did, the bribery is not less criminal because of the mistake." Also, that "it is not material whether the bond was or was not signed by the sarcties, or that the surcties were not worth the amount secure the repeal of the dram shop act and that the association should support only such men for office, irrespective of party, as have shown themselves to be in favo- of personal liberty. to the character of the office," but did they believe that Franks held any office

under the United States at all, and further, did he hold the office of deputy-Marshall Also the point is not the signature of the suretion but the

The Jury in the Jones - Treseder The charge is bribing a U.S. deputy-Trial do the Prosecutor's Marshal; the evidence showed that according to the requirements of; law

Franks was not in lawful deputy-Mar-The Perfidy of some Federal Officials

> Held Up to the Public Gaze by Mr. Brown,

BUT THE COURT CLOSES ITS, EYES TO CONSPERACY THIS TIME.

Yesterday afternoon, in the trial of But the jury was selected from N. V. Jones and F. M. Treseder, on the class opposed to that to which the decharge of attempting to bride Deputy Marshal Franks, Arthur Brown, for the defense, continued his argument after fendant Jones belongs, and to which it was supposed Treseder belonged. It

was picked with the view of having it from that class. It was not an im-Section 5451 of the Revised Statutes of | partial jury. It was not a just verdict. the United States, which reads as fol- The whole proceedings are tainted with the odor of the plot between Dickson and Ireland, to turn a lawful

signature of the principal?

act into a crime, and then pursue the alleged criminals with that malice and vindictiveness that have disgraced the anti-"Mormon" prosecutions and made the trial of a "Mormon" a sham and a pretence.

The defense was vigorously con- crime, "it cannot be characterized in ducted, and the utter baselessness of too strong terms." . So the conduct of the charge and the shameless conduct E. A. Ireland could not be characterof the official conspirators were forci-bly exhibited. The verdict was not the iault of the defendants' case nor of defendants' counsel. It was simply with intent on the part of the defendthe echo of the prosecution and the ex- ants to induce him to violate his duty pected finale to another anti-"Mor-mon" farce. The verdict was wanted by the Prosecutor, and all he needs to knew that Franks was not a deputy do under present arrangements, is to marshal? Treseder goes at once to this let the jury know it. A new trial will person and asks him, "Are you a dep-be asked for and probably refused. We must assume) that to knowing (we hope it will be carried up as far as the hope it will be carried up as far as the law allows. It is a disgraceful affair, and whatever may be the outcome, the official conspirators who plotted to

Following is the result of the first ballot for Governor: Whole number of votes, 994; necessary to a choice, 498. Gliver Ames 945, M. W. Crapo 35, J. C. A. Brackett 10, Henry Cabot Ledge 2, Geo. D. Robinson 2. Ames' nomi-nation was made thanimous and the convention took a recess till 2 o'clock. The Liquor Dealers.

SPRINGFIELD, 11. 29.—The, State convention of liquor dealers 'to-day adopted the report of the committee on resolutions, which declares the liquor basiness legitimate and recognized as such by the State constitution, and that it should not be especially finded down with restrictions and refula-tions; that efforts should be made to secure the report of the dram shop act

A VERDICT OF GUILTY.

Bidding.

not material whether the bond was, or was not signed by the surefies, or that the soreties were not worth the amount involved. The court further charges the jury that they are the sole judges of the sufficiency of the evidence and of the credibility of the witnesses The jury returned a verdict of "guil-ty as charged" in about fifteen min-

Mr. Brown gave notice of a bill of exceptions to the charge, and the days' stay-until October 8th-wss allowed when sentence is to be passed

The following are some of the re-quests of the unlease, refused, by the Court, in its charge to the jury: we went to press. He called attention to the fact that Franks was made a deputy especially to catch the defendants, that au act that would not otherwise be reached A conviction cannot be had on the testimony of one or more accomplices, testimony of one or more accomplices, unless such an accomplice or accom-plices are corroborated by other evi-dence which in frash and with the aid of the testimony of the accomplices, tends to connect the defandant with the commission of the offenses and the corroboration is not sufficient if it merely shows the commission of the offense, or the circumstances thereof. An accomplice is every person who knowingly associates or participates in the commission of a crime. by the law woold be made criminal. In the Hampton case it was charged that the officers had opened houses of assignation for the purpose of entrap-ping individuals into crime. Mr. Var-ian, refused to prosecute persons ac-cused of offime under those circum-stances; he bonored him for it; the Court in ruling upon the matter, said then of the conduct of those discussion. then of the conduct of those officers, who were accused of encouraging

the commission of a crime. To constitute Franks a duly qualified Deputy United States Marshal, som be puty outcut chatters marshall, some act equivalent to a delivery of the bond by him to the United States Marshal must have taken place. If, in this case, the bond was procured by the obligee therein, Marshal E. A. Freind, and was not seen, nor procured, nor signed by E. A. Franks, and Franks had not consented to the signing of the suretles named as suretles, or done any other act recognizing the bond as his bond, and had not delivered it or handed it to Marshal Ireland, then there was no delivery of the bond such as the law contemplates, and Franks was not a duly qualified Deputy United States Marshal. If the jury find that at the time ne-colisions begin the defendants were

gotiations began, the defendants were informed that Franks was not a Deputy United States Marshal, and that he was appointed such officer afterward for was simply a servant of



If the above animal is not claimed within ten days from date, it will be sold at public auction to the highest cash bidder, at the South Bountiful estray pound, October 7th J. JOHNSON,

District Poundkeeper. South Borgatiful, Davis Co., Sept. 27th



ceding section is a fine of "not more than three times the amount of money or value of the thing so offered, promised, given, made or tendered, or caused or procured to be so offered, promised, given, made or tendered," and imprisonment for not more than three years.

preceding section.'

this offense, the person sought to be bribed must be acting at the time in an official junction upder authority of the United States, If he is not an officer of the United States no, grime is committed in offering a person money for information such as the defendants sought to obtain from E. A. Franks. Everybody is at liberty to form an opinion as to the propriety, morality, wisdom or expediency of such a proceeding. But that was not the question before the jury. If Franks was not acting in an official capacity under authority of the United States at the time when the the money was said to have been ten-

dered to him, as prepaid wages for the services required and agreed to be readered, no offense was committed against the statute under which the defendants were indicted. This is beyond dispute.

The prosecution understood # that fact, and, therefore procured the indictment of the defendants for bribing a United States deputy-Marshal. This, then, is what the defendants were tried for. They were not triad for bribing a balliff, or a penitentiary guard, or any one else but a deputy-Marshal. The evidence established the fact that the so-called deputy-Marshal was not an officer of the United States nor in any official capacity, but simply an unofficial employe of Marshal Ireland's. It is beyond doubt that he was neither, when approached by Treseder who claimed to be acting for Jones. He had been both guard and bailiff, but had been discharged. No attempt was made to endow him with official authority until District Attorney Dickson, as the evidence shows, conspired with Marshal Ireland to entrap Jones and Treseder by making Franks

a deputy. That they did not succeed was shown in the fact that Franks never executed a bond. A purported bend was introduced, but it was not signed by the principal; and the pretended sureties, if they swore they were worth \$10,000 committed perjury. The document was a "straw bond;" i. e., not worth two straws. Branks swore he never gave the bond, or saw it, or knew of its existence. That a bond to be valid must be signed by the person exceut-ing it, need not be explained to any one with the least knowledge of law. The Poland Act of 1884 provides concerning the appointment of deputy-Marshals in Utah :

"Such appointment shall not be complete until he shall give a bond to said Marshal, with sure", es, to be by him approved, in the ", enal sum of ten thousand dollars conditioned for the faithful discharge of his duties," etc.

not a deputy-Marshal. The attempt to make him one for the purpose of en-trapping Jones and Treseder into com-mitting a crime was a failure because of the false bond business. The whole scheme was disreputable, almost too low for the scrubblest pettifoggers, and all granks were, indication of the source people in the city. Even the most courageous have real source people in the city. Even the most courageous have real source people in the city. Even the most courageous have real source people in the city. Even the most courageous have real source people in the city. Even the most courageous have real source people in the source people in the city. Even the most courageous have real source people in the source people in the source people in the city. Even the most courageous have real source people in the source peop

The penalty prescribed in the presmirched with the dirt of their doings to the disgust of every honorable man in the country.

BY TELEGRAPH. PAR WESTERN, UNION TELECROPH LINE. It will be perceived that to constitute AMERICAN. > LATEST BY LIGHTNING.)

Cheating the Gallows. BINGHAMPTON, N. C., 29.—George Axtell, who in May, 1885, ishot and kulled Elias Freeman, H. French and Wm. H. Perry, and who was in jail here under sentence to be ha ged, was found yesterday lying in his cell in an unconscious condition and breathing heavily. The murderer died within an hour. It is not yet known whether an eplicate at ended his life.

Diplomatic Difficulty.

OTTAWA, 29.-Since the first demand for the release of the Canadian scaling schooner Onward, recently seized by the United States revenue cutter Cor to the colonial office in London to be aid before the authorities at Washington, a supplementary demand has been made through the same channel, in which it is pointed out that in the con-vention signed at St. Petersburg be-tween England and Russia, one of the articles guarantees to Bultish subjects

from whatever quarter they may de-rive the right, to forever enjoy the privileges of navigation and fishing in the Pacific Ocean or any part thereof. From, this point it is argued that the United States could not have received from Russia the right to exclusive navigation on fishing or the sealing privilege in Alaskan waters.

Another Tacht Race.

MARBLEBEAD, 10:30 a. m., 29.—An international yacht race has been agreed upon. The Mayflower and Gal-atea have left for the starting point. ANOTHER FIZZLE.

12:40 p.m.-The wind is from the north and is not now so fresh, and there will be no race after all. The vachts are now returning.

Judicial Nominations

New York, 29.—The Republican State Committee to-day nominated Jude Daniels by acclamation for the Court of Appeals. The Democratic State Committee selected Rufus W. Peckham as their candidate for the Court of Appeals.

WILTED WIGGINS.

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him approved, in the "enal sum of ten thousand dollars conditioned for the taithful discharge of his duties," etc. Franks n°t having given a bond was not a deputy-Marshal. The attempt to make him one for the purpose of en-trapping Jones and Treseder into com-mitting a crime was a failure between the set to be a course out the set to course out to course out the set to course out the set to course out to course out the set to course out to course

which would but for that appointment not have been a crime, and that the defendants had no knowledge or means Ireland's, in his private employ. "I have no doubt," said the speaker, "that Ireland probably believed that he was the whole United States, and bi knowing of such appointment, then the defendants should be acquitted. that if a man tampered with a private servant of his, he was tampering with To constitute the effense charged a part of the United States govern-To constitute the effense charged in this case, it is necessary for the prosecution to prove beyond a reason-able doubt, that the defendants did the acts complained of, with intent to in-duce Franks to do, or omit to do, an act in violation of inis landal duties. Where the offense consists of an act combined with a particular intent, as in this case, that intent is, just as i.e. consisted with a particular intent, as ment. I can believe that Dickson and Ireland have persuaded themselves that they are the whole United States (laughter); but you, gentlemen, will be apt to take a different view of the matter." The new testimony of Ire-land in the morning was after Dickson and Varian had a chance to think of it over night, and see the weakness of the claim as to a knowledge of the defend-ants that Franks was a deputy-the fact that they had decided to abandon cessary to be proven as the act itself, and must be found by the jury as a matter of fact, before the conviction that claim, and set up the new one that Franks was a bailiff; he can be had.

When a person contemplating the one that Franks was a balliff; he was an officer, anyhow, they say. "If they couldn't hit him as a deer, they could hit him as a calf;" (laughter); "Franks was nothing but a hauler of books and water about the Marshal's office. But how about Franks' title to. this office of balliff? He was sent from being a balliff to the penitentiary as a guard, and Ireland says that was a revocation of his appointment as bal-liff. This casy swearer, Ireland, this man whom we find swearing to asy-thing, says he came back a balliff again. I asked him now he became one? Then the genius of Ireland flashes forth. Oh, I appointed him again. When' He couldn't say, and when Franks comes to the stand he swears he never was apwhen a person contemplating the commission of an offense approaches an officer of the law, and asks his as-sistance, it would seem to be the duty of the latter, according to the planest principles of duty and justice, to de-cline to render such assistance, and to take such steps as would be likely to prevent the commission of the offense, and tend in the alexation and imand tend to the elevation and im-provement of the would-be criminal reliant than to further his debasement. It the jury find that Ireland and Dick-son and Franks agreed and conspired together to appoint Franks a Deputy United States Marshal, in order that they might entrap these defendants, and that beither of them knew that the said Franks was a Deputy United. States Marshal, and did the act. comthe stand he swears he never was ap-pointed again. So this man Ireland not plained of believing he was nobsuch, only stoops to help this crime along but he swears readily, willingly to any-thing to help the prosecution fasten it upon Jones and Treseder. That was the kind of a United States Marshal

Franks, then the defendants should, be acquitted. The indictment alleges that the con-sideration of the bride and promise to Franks was that Franks. "would promise and aree" to de, certain things. "in violation of his, duty as Deprty United States Marshal" and inform the defendants of certain "hings. "from time to time themaster, and while he, the said Edward A. Reants, should continue to be such Deputy United States. Marshal." The facts must be proven as allege in or else the defendants can be continued to be such or else the defendants cannot be continued. the kind of a United States Marshal we used to have in Utah. And what is the attitude of Mr. Dickson here in all this, the public prosecutor? When this spy and peep-hole Ireland reports to him how things were going he says at once, "Oh, it will be no crime unless you make him it deputy," and so Ire-laad makes him it deputy," and so Ire-laad makes him a deputy. It was a conspiracy, wasn't it, to enable other people to commit crime? Just whei Brig. Hampton was indicted for, and if it had been any one except the Mar. Brig. Hampton was indicted for, and if it had been any one except the Mar-shal and the Prosecutor who did is, they would have been indicted long ago. In this case it vas not Treseder, but Ireland, who furnished the means and cleared ind way for the crime. Mr. Diotson blushed when the facts were woodght to light. But such work was meat and drink for

LA CITY COUNCIL.

The City Council met in regular ses sion at 7 o'clock last de, ening, Mayor

Armstrong presiding. that he be given the new buildings rred to the com-orks.

b. Star orks. ag stated that while been f the Courcil had re-alled to the Salt Lake ance, nothing had been ate it. Petitioner stated nch was so unbearable that usve to move, and asked that purchase his property. Re-to the committee on quaran-

W. Irons and D. L. Davidson A permission to lay two and a half in pipes from the main into their esidence, at petitioners' expense. Referred to the committee on public

works. One license to manufacture malt liquors, sultwo to retail liquor deal-ers, were granted. The committee on litense recom-mended that the petition of Mrs. Min-kle for the remission of dog tax be granted. Referred for further expla-nation. nation.

The plans of J. W. Fox in regard to

The plans of J. W. Fox in regard to grading were adopted. The committee to whom had been referred the petition of D. A. Swan and others, asking that a wagon bridge to built across City Creek to their pro-perty, recommended that the Creek to made fordable at that place, instead of built across City Creek to their pro-perty, recommended that the Creek to made fordable at that place, instead of built across City Creek to their pro-perty, recommended that the Creek to built across City Creek to their pro-perty, recommended that the Creek to built across City Creek to their pro-perty, recommended that the Creek to built across City Creek to their pro-perty, recommended that the Creek to built across City Creek to their pro-perty, recommended that the Creek to built across City Creek to their pro-stat Lake City Camil and the expendi-tures of Liberty Park were appropriation of \$1,000 was made to the Supervisor's fund. The Council them adjourned for one week. The Council them adjourned for one week.



