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TRUTH AND LIBERTY.

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WHAT WAS DONE.

THERE appears to be some difficulty on the part of persons not versed in legal technicalities to understand the nature of the proceedings yesterday (Jan 24th) in the Supreme Court in relation to the suits instituted by the government against the Church and the P. E. Fund Company. As we understand it, Mr. Williams, attorney for the Receiver, desired the court to decide that his filing of an application for certain enumerated property now in the custody of Bishop Winder was a notice in the premises served upon Messrs. Sheeks & Rawlins, who were present in behalf of the Church. The latter objected and the court, without giving a decision, set Monday next as the time for hearing the matter.

In reference to the main suits—against the Church and Perpetual Emigration Fund Company—arguments were made on the question as to whether they should go to trial or not. The defense took the affirmative and District Attorney Peters the negative ground. The court took this matter under advisement.

It will strike the average individual as a remarkable departure in judgment for a defendant who requests that he be granted his constitutional right to a speedy and fair trial, to be opposed by the legal agent or representative of the government, who is plaintiff in this instance; also that a court should take such a plain proposition, involving a right under the constitution, and refuse to advise. The entire pursuit of the defendant in these cases seems to be operated on the theory that the rights of the latter should either be lightly esteemed or ignored.

STUMP SPEAKING AT THE PUBLIC EXPENSE.

PERHAPS the most severe arraignment of the administration generally and the President and his message particularly that has yet taken place, was that of Senator Frye in the Senate chamber on Monday last. If anyone will take the pains to read it, he will, after the impression produced by the fine flow of oratorical and analytical argument has given way to calm and impartial thought, conclude that it is a cleverly devised arrangement for introducing in the guise of a public speech on the national welfare a stump oration having in view the furtherance of partisan purposes and the success of the Republican ticket in November next. That kind of thing is to be looked for just now, and it will continue right on until there is no longer any use for it. It must be said, however, in justice to the gentleman named, that he did not initiate the campaign in the Senate, but one of the co-operators—Sherman—did, a few days ago. The latter was immediately replied to by Voorhees, of Indiana, in a manner indicating that the Republican gambit was no sooner down than up; so, we expect, Frye is being taken to task today, or will be soon, most likely by Beck of Kentucky, admittedly the hardest hitter on the Democratic side. Beck has great tenacity and pugnacity, is thoroughly informed on all public questions, a tariff reformer, and the most eloquent debater in Congress. When he takes the floor it will not be for effect in the galleries, but to make somebody feel as if the chamber was in need of ventilation.

The only trouble about this is that it goes on at the people's expense.

ENERGIC SAN FRANCISCO.

The San Franciscans are a rather liberal-minded and go ahead sort of people. They hardly ever do things by halves, and when they move for ward for the accomplishment of an object, if it be one appealing to them as a community, they move as a solid phalanx, each man doing his level best and working shoulder to shoulder with political, religious, or other opponents. If money is wanted they don't seem to think of a dollar or two, but of how many hundreds or thousands each can spare for the occasion.

This disposition on the part of Golden Gate society was never more strikingly manifest than since they have set their heart upon having the next Democratic National Convention held there. Of course the hospitality of the city was understood to be a tender in advance without formally naming it; but there would be in addition ex-

penses running away up into the thousands for which ready cash must be had, and it being roughly estimated that \$50,000 would be needed, that amount was pledged instantly. Recently finding that New York had the "inside track" in the convention race, with Chicago a strong second, San Francisco has bidden away above and beyond all competitors, by offering to not only make absolutely everything free to the delegates individually and as a convention while there, but to pay all expenses going and returning! As it is, which means fully as much more as the amount named, were not enough, and proposing to leave no stone unturned, the committee having the matter in charge called the Democratic managers' attention to the fact that the nominee of the convention being already agreed upon, the gathering will to that extent be a mere matter of form, the delegates simply ratifying a decision already formulated, so the trip there and back will be a pure pleasure junk and give all hands a chance to see the country.

We are willing to see our western neighbor succeed, not only because of her perseverance, liberality and public spirit, but because half, perhaps, of the constituent elements of the large and important assembly spoken of have never seen the vast, bounding, expanding, populous and fertile region lying between the Missouri River and the Pacific Ocean, and they should be informed by actual experience as well as by hearsay. We should be pleased to have them drop in on their route either way, and believe they would regard a day or two spent in our midst as profitably spent.

DEATH OF DAVID WHITMER.

THE dispatches last Thursday brought intelligence of the death of David Whitmer, at his home, yesterday, in Richmond, Missouri. He was the sole survivor of the witnesses to the divine authenticity of the Book of Mormon whose testimony appears in connection with that record. He was one of the three who had the glorious privilege of beholding the angel of the Lord exhibit the original plates before their eyes from which the book was translated, and who heard the voice of God declaring the record to be true. Not one of the entire thirteen witnesses whose testimonies appear at the opening of the Book ever denied the declarations contained in them, but solemnly affirmed them to the last. Even within the last three weeks Mr. Whitmer, in the presence of his grandsons, with uplifted hand, made the declaration, so often enunciated by him, to President Angus M. Cannon, who recently paid a visit to the part of the country where the decedent resided. He has repeatedly made it to numbers of people, many of whom would gladly have listened to a recitation of his original testimony, but he was in that regard immovable and consistent to the last.

His testimony and that of his associates in the same connection, are a force in all the world. They are sustained by overwhelming internal evidence within the work itself, and by the discoveries that are constantly being made in the form of relics found upon this continent of highly civilized peoples who dwelt upon it ages ago and whose history is succinctly given in the record.

The memory of David Whitmer is entitled to respect, if for no other reason than that he honestly adhered to his testimony to the last, and withstood all the persuasions of men used to induce him to take a different course.

If we are not mistaken, Mr. Whitmer reached the ripe age of 83 years.

SHOULD WE HAVE A LOCAL OPTION LAW.

A MOVEMENT is on foot whose object is to induce the Legislature to pass a local option law in relation to the establishment of saloons in the cities, towns and villages of Utah.

A statute of that character commends itself to the favorable consideration of good citizens generally. It has two strong points in its favor; it confines the liquor traffic to those sections where the people favor its presence and excludes it from localities where they object to it. It is therefore consistently democratic. It is also in the interest of temperance, and consequently of good morals. Intemperance and immorality are twin sisters of hideous aspect.

Should such a law be passed the popular voice under its operation should be as wide as practicable. It would be unfair to confine its expression to legal voters, as is the case in some other communities. What would operate satisfactorily elsewhere would be unsuitable here, because the conditions differ. A portion of the community here has been politically disfranchised. No one could, without placing himself in the position of a falsifier, claim that those who belong to it are less favorable to temperance than those who are clothed with the suffrage. They have an equal right to be heard on questions of the nature of the one under consideration, and to

act as well as to be listened to. No objection in this regard would hold on political grounds, for it is not a question of that character, notwithstanding that it is sometimes—as with the question of prohibition—made a political issue.

To be of any force in Utah, especially in a city of magnificent distances like Salt Lake, a local option law should be operative in the smallest political divisions. For instance, the divisions might be made identical with the school districts. This would be all the more appropriate on the ground of the general healthy sentiment which repudiates the idea of having drinking dens in close proximity to school houses, familiarizing the children with hideous scenes of drunkenness.

Nearly everybody, so far as this city is concerned, appears to be "boom" struck. This means a large addition to the population. If some such measure as the one under discussion is not enacted, if the anticipations of future popular influx is well grounded, it is probable that the liquor traffic will not long be practically confined to a central locality as now. It would be an obvious situation to have what are now deemed suburban localities dotted over with drinking shops. If the residents were empowered with an option as to whether they would permit their establishments in the vicinity of their dwellings those breeders of evil would be kept at bay by the moral sentiment of the people. Doubtless in many sections of the Territory local option would amount practically to prohibition. So much the better, as the power would be in the hands of the people to protect themselves against the introduction and spread of crime, so far as it is susceptible of being produced by strong drink.

The local option system exists in many cities of England, where it has been a great public benefit, keeping localities whose residents are imbued with a proper degree of self respect free from the baleful presence and influence of the dram shop, with all its unwholesome and demoralizing concomitants.

A petition to the Legislature, asking that body to enact a local option law is in circulation. A lady named Mrs. Garrette, who is connected with the National Temperance Union, is taking a lively interest in the matter. We see no reason why such a document should not be numerously signed, and the prayer of it granted by the production of a statute on the subject that will be commensurate to the needs of the community.

A SOUND DECISION.

ON Thursday the Supreme Court rendered a decision upon a question of considerable local importance. It appears in this issue. It defines the jurisdiction of U. S. Commissioners so far as the question is involved in the seventh section of the Edmunds-Tucker act, which gives to that class of officials authority to exercise all the powers and jurisdiction that are or may be possessed or exercised by justices of the peace of said Territory under the laws thereof. The decision was rendered by Judge Henderson, Chief Justice Zane and Associate Justice Doremus concurring.

The action of the Supreme Court decides a question that could not be left open without injury, as in that condition it was liable to lead to complications and serious wrong to interested parties. Judge Henderson has been particularly nappy in making it perfectly clear that the co-equal power and jurisdiction of U. S. Commissioners with justices of the peace must necessarily be subject to similar territorial limitations as the latter are under. Otherwise the equality would not exist.

It is difficult to understand how any other view could be taken than the one expressed by the decision. What a manifest absurdity would exist if a U. S. Commissioner located in Logan could, while officiating in a similar capacity to that of a justice of the peace, take jurisdiction of a case and try it, if the offense involved had been committed in St. George, or vice versa. This is right while he is acting in his office proper, that of commissioner, but there is little if anything upon which to base a claim that his jurisdiction over trial cases is territorially co-extensive while officiating as a justice of the peace. Such an outspread jurisdiction would be in excess of that enjoyed by the District Courts, which are limited to the trial of cases in which the offense in question, when the cause is a criminal one, has been committed within the judicial district in which the court is situated.

The possibilities under a jurisdiction of cases that come under the trial cognizance of justices of the peace wielded by U. S. Commissioners limited only by territorial lines would be tremendous. They might not occur to any great extent, but the taking of defendants, witnesses and other interested parties long distances, involving great and unnecessary expense cannot properly be possible under a system of jurisprudence based on common sense and fairness.

The decision rendered yesterday, combining the jurisdiction of U. S. Commissioners in cases which come co-equally under the purview of justices of the peace, is a good one, and the reasoning on which it is based exceptionally sound.

THE AUDITOR'S REMUNERATION.

AT every session of the Legislature held within the last six or eight years, there has been friction between the Assembly and the Territorial Auditor regarding the latter's remuneration. It is a matter of surprise that all question on this point was not settled long ago. The debate which took place in the House yesterday over the item in the appropriation bill allowing the auditor \$3,000 to reimburse him for clerk hire since and including 1882, did not add dignity to that body, and was not calculated to increase the prestige of the office of Auditor of Public Accounts. Such episodes should be forestalled by amendments to the law, definitely fixing the compensation of the Auditor and the limit of the expenses of his office.

A DECIDED DIVISION.

THE Democrats of New York are divided among themselves, and evenly, but not perhaps seriously. They are always engaging in something of the kind, but generally manage to heal the breach in time for the struggle. This time the break comes in an unexpected and unusual way, being caused by the firmness and loyalty of the following of President Cleveland and Governor Hill respectively. There have for some time been suspicions afloat that all was not friendship and faith between the two great leaders, albeit they met and mingled on such excellent terms that those who saw or even fully heard of them were loath to fear of their parting at all, it was so much like the reunion of a Damon and a Pythias. Certainly an open disclosure of a decided difference was hardly looked for, much less a practical measure of political strength; but it took place on Thursday in this wise: The task of choosing a member of the National Democratic Committee for New York devolved upon the executive committee of the State, numbering thirty-four members. They met on that day for that purpose and the Cleveland men and Hill men each put up a candidate, Russell P. Flower representing the former and William J. Mowry the latter. The first ballot stood seven votes for each, so did the second and so on to the thirtieth and last. Neither party seemed willing to concede anything, at least neither did, and the result of the evenness and stubbornness was that an adjournment was had without the committee accomplishing the purpose for which it came together and leaving the Empire State without representation in the National Committee. This latter body met in Washington on the 22nd of February to choose the time and place for holding the national convention, and just at the time when New York city had settled down to it that she was to have the gathering, she finds herself without a representative and with her cause left to the advocacy of those from elsewhere. It will doubtless be specially annoying to the President, who particularly desired the convention to be held in Gotham and whose wishes in that regard will now have to be urged by those who, perhaps, would as lief some other city received the compliment.

As we said before, the day of election will undoubtedly find the lines unbroken. The Democrats cannot win without New York, and it has been held in authoritative places that they cannot get New York without Cleveland. With such an understanding they will scarcely permit a merely local issue growing out of personal preferences to lead them to commit national har-kari in November.

THE CROWN PRINCE.

THE reports, with their confirmations and contradictions, that have been waited to the western world from time to time regarding the Crown Prince of Germany, have been received with marked interest not so much on account of the sufferer personally, because there is too much suffering near at hand to make it necessary to cross the ocean for an occasion for our sympathy; but because of the place he occupies and the position his death or total incapacitation would place his country and Europe at large in. For a long time his life quivered in the balance, gaining slightly at times, then receding further from the point of health. It is stated that he is now on the road to complete recovery, but this, in the light of recent events and consideration of the character of the ailment, would seem to be extremely doubtful and used more for the purpose of encouraging the loved and loving ones and giving renewed stability and courage to the pillars of the nation than otherwise.

A correspondent of the New York World says that the Crown Prince and Crown Princess are very devoted to each other. Their marriage, although between people of high stations, was a love match. Prince Frederick William came as a visitor to the Queen at Balmoral Castle more than thirty-one years ago. The Crown Prince was then twenty-six years of age. It was un-

derstood that his father desired an alliance with the English royal family when Prince Frederick came to Scotland, but the Princess Victoria was regarded too young for any thought of marriage; but Prince Fritz and the Princess became so well acquainted during this visit that he declared his love to her one afternoon when they were walking over the heather-covered hills, and asked her consent, in true American fashion, to tell of his love to her mother. The engagement was made at this time, although the marriage did not take place until eighteen months later.

A more valiant soldier than Frederick William never led a squadron to the field, and yet he is represented as being anything but enthusiastic in this calling. He said in this connection that in a recent conversation with the Count de Paris at San Remo, the Prince avowedly expressed his hopes for peace, saying: "I have participated in three great wars in my life—the Danish, the Austrian and the war with France. All three have been fortunate for my country, but I brought away, in spite of that, an inviolable repugnance for war. I have a veritable horror of a battle-field." Such sentiments do him honor, and we have no doubt that with him on the throne, the Bismarck party would be less conspicuous and potent.

WAITING FOR THE VERDICT.

NOR content, perhaps, with confronting modern customs and recent conditions, Italy some time since engaged in a contest with those who claim to be lineal descendants of King Solomon and the Queen of Sheba living on the western shore of the Red Sea, a body of water which is not more than 160 miles wide in the broadest place and is fully 1,200 miles in length, and through the Suez Canal connects with the Mediterranean. These form the dividing line between Europe and Africa on the north and Asia and Africa on the east, this country on either side of the latter being noted for its biblical towns, cities and plains, so that it is quite possible there is a share of truth in the claim previously stated. It is also the fact that in such a fact, among a people who have never seen any other land nor coaxed in their customs any more than a small traffic with the outside world has made necessary, and who form in themselves a direct connection between the misty past and the living present, can establish such claims with something more than mere plausibility to back them—they cannot be disputed, for the reason that no one has the disposition or resources at his command to conduct a successful dispute, and to conduct one on Abyssinian soil would be dangerous. Well, it is in this land and among this people that the Italians are now striving to gain a foothold by virtue of a treaty entered into some time since in which England and Egypt were concerned and assented, the latter after making three unsuccessful campaigns on her own part and being beaten back each time with severe loss by the more hardy and warlike hordes of the mountains of Abyssinia.

Massowah, the chief port of commerce on the African side of the Red Sea, is the objective point. It occupies a position near the northern boundary of Abyssinia and is the place at which nearly all the supplies, traders' stores, etc., for interior Africa are received. In the days gone it was also the point at which slaves were transferred to foreign vessels, and while this practice no longer exists as a system, individual instances of the barbarous traffic still occur. Massowah is strongly fortified, and it is held by the Italians by military occupancy pursuant to the treaty referred to, but they would also take and hold the province of Boghos, in which it is situated, and have so far met with only disaster and defeat in their efforts to secure it. The latest expedition against the forces of King John has not yet been heard from, and the civilized world is waiting anxiously for the tidings. The dispatches published in the News from time to time have indicated the progress made by the white-skinned occupants, which, with the exception of a few forged marches and getting the worst of it in every encounter, has been stationary. The present movement is, however, being conducted on a much larger scale and with better preparation than any preceding it, and it is hoped that the barbarous Emperor, if not compelled to yield a footing to civilization, may not be able to overwhelm its representatives and subject those captured to such treatment as is his custom and pleasure. The Italians have properly a hold on Massowah, but its possession is comparatively valueless without a reasonable amount of the country to the rear of it, on the principle that a dwelling house would be almost useless if the owner stepped on another man's soil as soon as he emerged from the door.

Of course the feeling in Italy is intense, and the absence of tidings has a tendency to keep it wrought up to the highest tension. The Italians know the kind of people their sons and brothers have been sent to do battle with—that they are the fiercest fighters in the world, that they are the most powerful physically, that they know every inch of the soil