

## EDITORIALS.

## ABOUT NATURALIZATION.

THE NEWS has given numerous explanations regarding the naturalization laws, yet a good many people are uninformed on the subject. Consequently we here insert an extract from the New York World. That journal was asked the following questions:

"What is the law relating to naturalization? Is it necessary for two children, both under five years when their father was naturalized, to take out naturalization papers? Can the foreign-born wife of a naturalized citizen administer on his estate? Does the marriage of a foreign-born woman to an American make her a citizen of the United States?"

This was the World's reply:

"The broad principle is that every person born in a foreign country must have some legal evidence of American citizenship if confronted in court with the legal evidence of foreign birth. The naturalization of the father naturalizes his children under sixteen, and helps children over sixteen to get their papers when they reach their majority. The children under sixteen when their father was naturalized at twenty-one have only to produce his papers to obtain their own without delay or formality. They are citizens and the papers are merely the legal evidence of the fact. The children over sixteen must prove five years residence, but are excused from the 'declaration of intentions.' The marriage of a foreign-born woman to an American citizen makes her an American citizen also, and she may administer on his estate, if there is no objection made to her doing so; but should there be a contest, and she should be confronted in court with the evidence of her foreign birth, the court would have to deny her claim unless she produced legal evidence, in the shape of naturalization papers, that she was an American citizen. Very many American citizens would be unable to prove their citizenship if called upon to do so in a court of law. The late John Morrissey's father was naturalized when John was very young, and the boy grew up as an American, voted when twenty-one, was elected to the State Legislature, and to Congress. Up to this point no one had questioned his citizenship; but at Washington, when he acknowledged to foreign birth, he was politely asked for his naturalization papers; and he had to come back to New York and obtain the legal evidence of his being an American citizen, in the shape of naturalization papers, before he could take his seat in the House. Cases often occur where foreign-born wives have to take out naturalization papers in order to avoid vexatious delay and annoyance; and both native born and naturalized citizens whose wives are foreign-born should, as a matter of wise precaution, see that their wives have the legal evidence of their citizenship. This is especially necessary in the case of naturalized citizens, as it is often very difficult and sometimes impossible for a widow to prove the citizenship of her dead husband."

## A PENITENTIARY INCIDENT.

THE vicious attempt of United States Commissioner McKay to send Elizabeth Ann Starkey back to the penitentiary after having been released by Judge Zane, has been a subject of general remark. It is looked upon as the quintessence of unmitigated meanness. We have not learned, however, that the feeling of indignation that it awakened was associated with any surprise, the unmanly as well as illegal proceeding being in keeping with that functionary's official course throughout. It is a matter of congratulation, however, that some of the low-grade legal business that engages in is susceptible of having the brake placed upon it by a more dignified if not less prejudiced tribunal.

But it is not upon the malignant and paltry action of Commissioner McKay in attempting, without a shadow of justification, to cause the return to the penitentiary of a young woman who has not been even accused of the commission of any crime that we propose to treat. We have a few words to say in relation to the imprisonment of the young woman in question, and a reason why she and all others liable to be placed in a similar position, naturally view such an incarceration with horror and alarm. These feelings are liable to arise from another cause than the mere fact of imprisonment. The question of their protection against ruffianly insult, not to say outrage, is involved.

Reports had been afloat, for some time previous to the action of Commissioner McKay, to the effect that while Elizabeth Ann Starkey was imprisoned at the penitentiary she had been subjected to gross and indecent insult by a contemptible ruffian. These rumors had been quieting down somewhat, but received a fresh impetus from Mr. McKay's action. Those professing to be acquainted with the facts, were, however, rendered more indignant at his proceeding than they probably would otherwise have been. Knowing the un-

certainty of floating reports we took the trouble to ascertain the facts from Miss Starkey herself, who, on being interrogated upon the subject, stated that the rumors were correct, and she made the following statement in relation to the occurrence which has elicited so much indignant comment:

"During my incarceration in the Utah Penitentiary from which I was released Aug. 21st, 1885, the following incident occurred:

"On the 7th day of August, 1885, the door of my cell was unfastened as usual between 4 and 5 o'clock in the afternoon, to enable me to go out into the yard. The day having been stormy I did not avail myself of the privilege, but remained in the cell. A man named Miller, who appeared to be somewhat under the influence of drink, entered. He abruptly pushed the door open and came in without knocking. He asked me how I was, at the same time holding out both his hands toward me. He said he had come to give me good advice, and then approached and encircled my person with his arm.

"I indignantly told him to keep his hands off me and resisted his movements by pushing him away.

"He then left me, went to the door and looked outside. Returning he closed the door tightly, but there was nothing with which he could secure it on the inside. Miller then sat in the recess of the window and asked me to sit on his lap. I told him abruptly I would not. He approached me, took hold of me and tried to get me to sit upon his lap. He tried to take hold of my hands, but was unable to do so owing to my resistance. He also placed his hand on my person, from the breast downward.

"I struggled and succeeded in releasing myself from his hold. At this juncture Mr. Curtiss, the turnkey, appeared at the door, and ordered Miller to leave the cell, finally helping him out by some degree of force.

"I am convinced from Miller's actions and demeanor that he intended to make an indecent assault upon my person."

We do not feel as if we would be justified in hurling denunciation at Marshal Ireland, Warden Dow or Mr. Curtiss, (the turnkey), because of the infamous conduct of the ruffian who invaded the young woman's cell and acted with outrageous indecency that indicated that he would have gone further still if circumstances had been more favorable. It does not appear to have been an occurrence that either of them, except perhaps Mr. Curtiss, could have prevented. And it does not seem that even the latter gentleman, who is doubtless an efficient officer, was to blame, because he naturally supposed the prisoner was out in the yard as usual, and retired to take his customary meal. He could not have had the remotest idea that such an incident would take place during his brief absence. And as soon as he discovered the ruffianly intruder he summarily ejected him. We believe he also informed the Warden of what had occurred, Mr. Dow being greatly incensed, and in addition to questioning Miss Starkey herself in regard to particulars, at his request Mrs. Dow visited and interrogated her in relation to the details involving greater delicacy. The alleged perpetrator of the outrageous act is, however, an officer of the court, and has acted in the capacity of bailiff. How much respect can be attached to any kind of an institution, to say nothing of a court, that will employ men of such a stamp as he? It is due to ordinary decency that the fellow who intruded upon the privacy of a lady prisoner of this Territory and acted with gross indecency toward her, be forthwith discharged, if this action has not already been taken in the case. Not only is it due to common decency that this measure should be adopted, but it is necessary as a salutary example that will tend to prevent any other officer of the court who might be similarly disposed from perpetrating an act of the same kind.

## ABOUT THE "PEN" GENERALLY.

WHILE upon the subject of the penitentiary, we may be allowed to observe that we are informed regarding certain matters connected with the condition and management of that institution. The attention of the Marshal has been directed, in a friendly way, to the subject, that so far as practicable, positive wrongs might be rectified. We do not know what steps, if any, Mr. Ireland has taken in that direction, but remedies, which humanity might suggest, could be made without any publicity being given for their necessity through public prints. It is a notorious fact, however, that of late, reporters of anti-"Mormon" newspapers are given the freedom of the penitentiary, and are enabled to fill their columns not only with glossy statements regarding the condition of the prison, etc., but with heartless ridicule of prisoners who happen to belong to the Church of Jesus Christ of Latter-day Saints. We do not care a great deal for the lack of personal courtesy indicated by a partisan discrimination that reduces the privilege of a "Mormon" journalist to the opportunity of seeing but two prisoners, brought outside of the prison proper for the purpose. That could be got along with, and cause no

complaint. But the writing up of the foul den that, as expressed by Judge Powers, is not even a fit lodging place for cattle, from a one-sided and nicely colored standpoint is carrying the matter so far beyond the point of consistency, that we feel half-induced to give publicity to facts that have come into our possession, and that would probably be sustained by a cloud of witnesses, were an investigation to ensue. Neither does it appear either consistent or humane for a certain class of newspaper writers to be accorded privileges denied to others for the other purpose of enabling them to hold up the inmates of a prison before the public as objects of ridicule.

## SOMETHING MORE ABOUT THAT INCIDENT AT THE PENITENTIARY.

As was anticipated, the publication in the News of last evening of the account given by Miss Starkey, of the brutal conduct toward her of James Miller, while she was a prisoner at the Penitentiary, raised quite a breeze. The anti-"Mormon" journalistic supporter of prostitution and licentiousness evinced much anxiety to defend Miller, and for this purpose interviewed several persons on the subject, whose alleged statements are published in this morning's issue. That the quality of the defense may be placed more widely before the public, we give it, minus the biased comments of the sheet referred to, which noticeably failed to give Miss Starkey's statement in full.

Mr. Dow, the Warden, is reported by the anti-"Mormon" paper to have said:

"It was true that young Miller was at the penitentiary on the day mentioned, and that he was under the influence of liquor. He went into Miss Starkey's cell during the hour that she was allowed her liberty, and when the door was unlocked. As soon as the guard discovered that he was in the cell he was called out and afterwards apologized to her for the intrusion. Mr. Dow stated that he immediately went to Miss Starkey and asked her if Miller had conducted himself improperly. Her reply was: 'He didn't act very gentlemanly.' Mr. Dow then sent his wife to her to ascertain what Miller's conduct had consisted of, but Miss Starkey did not express herself with any more definiteness, simply stating that he had 'not acted gentlemanly.'"

Here is what is credited to Marshal Ireland:

"I received a slight intimation of the incident just prior to Miss Starkey's release," said Marshal Ireland, "and the day she was discharged I called her into my office and questioned her concerning the affair. In response to my questions, she stated that Miller had asked permission to take her hand, and intimated there was no one around. I asked her if he had done anything further than that, and she stated that he had not. She told me no such story as was published in the News, although I questioned her very closely."

"Was Miller in your employ at that time?"

"No, he was not. He did at one time act in the capacity of bailiff, but at the time this incident occurred and for some time previous was not employed by this office at all, and has not been since. I was very much incensed over the affair, and since I learned of it have not allowed Miller in the office."

This is given as Miller's version:

"When Miller, the young man referred to, was shown the statement of Miss Starkey as published in the News, he immediately pronounced it an infamous lie. 'And more than that,' he continued, 'I am positive that Miss Starkey never made any such statements. I admit that I went into her cell on the day mentioned, and that I had been drinking. Of course I had no business there. She held out her hand and shook hands with me as soon as I entered. I then talked to her probably a minute, telling her how foolish it was for her to remain there for another's offense, and how easily she could get out. Curtiss then came along and called me out. That was all that occurred. The statement that I put my arm around her or asked her to sit on my lap is absolutely false, and as I said before, I am sure she never made any such statement. She was in a good humor all the time I was talking to her, and did not appear to be offended, but, on the contrary, seemed to be amused.'"

With regard to what is attributed to Mr. Dow, it appears to be an honest and straightforward statement, and not only accords with that given by Miss Starkey, but sustains it. She informed him and his wife that he (Miller) did not act "gentlemanly," giving no details as to what the ungentlemanly conduct consisted of. The particulars have been given since, and the News has seen fit to publish them. It is true that Miller, after being discovered in the cell, not only apologized to the young woman, but extorted a promise from her that she would not make known what had occurred, which accounts for her reticence in the first place.

Marshal Ireland's statement does not touch the point. He may have received a "slight intimation" as he designates it, of the incident, but when spoken

to on the subject, after the recent arrest of Miss Starkey, by our reporter, Mr. James H. Anderson, he pleaded ignorance of the affair. Subsequent to the same arrest, he was again spoken to about it by Miss Starkey herself, and used language in reference to it that was more forcible than polite, which, we will do him the credit of saying is not, so far as we know, an ordinary habit with him. The Marshal also chided Miss Starkey for having told anything to other parties about the insult to which she had been subjected by Miller. The young lady replied that she did not intend to do so in the first place, but when she discovered that a report of it had leaked out she concluded that she was justified in telling the whole truth about it.

The report to which she had reference was greatly exaggerated, and alleged Miller's conduct to have been much more brutal than it was. We are in possession of this exaggerated statement, or know at least where we can put our hand on it should it be required. In this particular Miss Starkey's statement which appeared in the News is more of a defense of Miller than otherwise.

The Marshal, on the occasion referred to—after the late arrest of Miss Starkey—so we are reliably informed, said, in his wrath, that he would not allow Miller in the office, which does not agree with his statement to the effect that that unsavory individual was not, at the time of the incident at the penitentiary, in his employ. But granting the assertion that Miller was not in his employ at the time he insulted Miss Starkey to be correct, by what right was he roaming about the Penitentiary in a state of semi-intoxication, without restraint? If he was not an officer he had no more business there without restriction than any other person who had no official connection with the prison.

In reference to the statement attributed to Miller, we must here say that had we known that his object in intruding upon the privacy of a young female prisoner was a philanthropic one we would have treated the matter very differently. We were not aware of it however, and are not quite sure of it now.

Simmered down to a fine point the affair rests on a question of veracity between Miller and Miss Starkey. The insinuation that she never made the one that appeared in the News amounts to nothing. The public have our word, which is not surpassed by that of any man on earth, that it was made by her. If there be any who doubt it they can apply to Miss Starkey herself.

Who then shall we believe? Shall it be Miller or Miss Starkey. He says his object was philanthropic; she states on the contrary that his actions denoted clearly that his purpose was to commit an indecent assault upon her person.

It may not be amiss, in this connection to exhibit a little of Miller's philanthropy toward young girls. Perhaps he will not deny that, on the night of the 10th of June he was caught in *flagrante delicto* with a young woman in a back room of Garns & Williams' saloon. Those who desire any evidence beyond this allusion will find it on the police record of the date named, he having been arrested for the offense. As he is credited with having been highly amused at the exposure of the News it would perhaps be cruel to rob him of opportunities to indulge in ebullitions of hilarity. It is to be hoped, however, that he will not burst a blood-vessel with excessive laughter over the following excerpt from Justice Speirs' docket of June 11th, 1885:

SALT LAKE CITY,

vs.

Jane Doe and Jas. Miller,  
June 11th, 1885.

The defendants (whose names are otherwise unknown) were brought before me the undersigned, charged with lewd and lascivious conduct, June 10th, 1885, at Salt Lake City and County, Utah Territory, case set for 2 p.m.—\$25 each left for the appearance of defendants. At 2 p.m. case called. Defendants did not appear nor answer. After waiting one hour, and still defendants failing to appear, it is ordered, by the court, that the deposits—\$25 each, left by defendants, be, and the same are hereby declared forfeited to Salt Lake City.

This will probably give a discriminating public an idea of the nature of the philanthropic tendencies of Mr. Miller toward young, unprotected females when opportunities are favorable for its exercise.

We have some facts that strike in other directions. We do not expend all our ammunition with one volley.

## THE WYOMING MASSACRE.

THE news from Wyoming, to be found in our telegraphic columns, will send a thrill of horror through the minds of all right-thinking people who hear of it. That such damnable deeds can be perpetrated on American soil, and in such an age as this, is a disgrace to civilization; still more so if they can remain unpunished, which is not improbable, because the hapless victims belong to a class who are hated by and unpopular with a powerful element of American society. The very idea should suffuse with shame the cheek, and appal with terror the heart, of every patriot and lover of his country.

In the minds of some—anti-Chinese demagogues and anarchists, with whom the end sought ever justifies the means used in attaining it—the killing off of a score or more of coolies, the looting and burning of their houses, and the driving out into the hills of hundreds of the helpless heathen, who have perchance escaped the shot-gun and bowie-knife of the assassin, to fall victims to hunger and starvation, may not be a very serious matter. But to the statesmen, the patriot, the humanitarian, and even the better-minded among anti-Chinese agitators and their followers, such deeds of blood and butchery can only appear horrifying and detestable, and meet with unqualified condemnation.

The outrages referred to were the result of preconcerted action, and were evidently inspired and carried out by some of the secret societies hostile to Chinese labor, which are among the secret combinations that are rapidly filling the land. "It had been arranged," says the dispatch, "that the first attack on the Chinese was to be made in Carbon, a mining town about 150 miles east of Rock Springs, to be followed by like movements in the latter place and Evanston." But the Rock Springs miners took the initiative, it appears, and the killing of three Chinese miners in Mine No. 6, was the signal for a general scene of slaughter, pillage and house-burning. Even women with loaded shot-guns in their hands aided the men in butchering the unfortunate Celestials. But the reader must go to the dispatches for the soul-sickening details. It devolves upon us to treat of the subject in a more general way.

We have had occasion more than once to point the prophetic finger and lift the warning voice in relation to the intents and workings of these murderous combinations which are spreading a network of ruin throughout this land, to ensnare the feet of the goddess of Liberty, prior to outraging, defiling and trampling her under foot. We have been laughed at for our pains, and been told in derision that the evils spoken of were indigenous and congenial only to the soil of the Old World, and could not be transplanted and made to grow upon the shores of free and happy Columbia. The possibility of such things has even been called in question while they were taking place, and after their occurrence, so eager has been the desire, either through criminal indifference or that anxiety which hopes even in the presence of despair, to prove untrue that which stares us in the face as a positive though unwelcome fact. "It is natural," says Patrick Henry, "for man to indulge in the illusion of hope. We are apt to shut our eyes against a painful truth and listen to the song of that siren till she transforms us into beasts."

The slaughter and pillage of the Chinese in Wyoming is only one more evidence of the evils which threaten society and the nation itself, by permitting these secret and murderous combinations to exist. The voice of warning we have lifted, although it may be unheeded, is once more vindicated and justified by passing events, to say nothing of impending evils yet to come. The fiendish picture of women with loaded shot-guns, vying with their husbands and brothers in the work of murder, rivals any horror of the massacre of St. Bartholomew. For the love of heaven, let us hear no more cant about the impossibility of such happenings in a land of liberty like this—as though worse horrors have not happened time and time again, from the days of Missouri and Nauvoo, when the despised and unpopular "Mormons" were the sufferers, down to these later events when the despised and unpopular Mongolians are made to feel the heavy hand of oppression. Let us hope that in the latter case, unlike the former, the fiends and murderers will be brought to justice, that this outrage, which is but the legitimate outgrowth of mobocracy and murder unwhipped of justice, from the day of Haun's Mill, Missouri, to that of the massacre of Cane Creek, Tennessee, may not bear fruit for the future still more bitter and appalling.

Let us hear no more buncombe about the adamant stability of American institutions, until the volcano, even now belching forth ruin and disaster, is extinguished by floods of righteous law and impartial justice. For just as sure as the American people do not rise in their majesty and grapple with this terrible evil, which, unlike the "Mormon" problem, threatens the very existence of the nation, and stop wasting time on imaginary evils in Utah or elsewhere, just so sure is the knell of doom sounded for America and all her glorious institutions.

We will quote from a prophecy uttered by Joseph Smith, God's Prophet to the nineteenth century, on the 9th of February, 1831:

"And behold it shall come to pass that my servants shall be sent forth to the east and to the west, to the north and to the south;

"And even now, let him that goeth to the east, teach them that shall be converted to flee to the west, and this in consequence of that which is coming on the earth, and of secret combinations."

In another place, Joseph, speaking of a vision the Lord had shown him, and which he begged to have closed, as he could endure its horrors no longer, says:

"I saw men hunting the lives of their own sons, and brother murdering