

## Correspondence.

SALT LAKE CITY, Oct. 22nd, 1871.

To the Editor of the News.—Dear Sir.—On Friday evening, Oct. 20th, for the first time in many years, I stepped into the Court room of the U. S. Court, for the Third Judicial District for this Territory, and listened to the closing plea of the Prosecuting Attorney, in the case of the People vs. Thomas Hawkins.

In the opening of his remarks the learned counsel for the prosecution objected to the course of the counsel for the defense in addressing himself to the jury instead of to the court, and labored to impress upon the jury a sense of their utter ignorance of all matters pertaining to law, although written in the simplest English language; their business was simply to Judge whether a fact had been proved, and if so they must leave it to the Court to attach the name to that fact, so that if they were instructed by the Court to bring in that fact murder, murder it must be, if adultery they must decide accordingly; and to those who had read previous decisions of his honor it was thought uncertain what his instructions would be, as he had previously decided that a man might be indicted for one offense and tried on that indictment for another and, of course, "the Court could not be consistent with itself without admonition from counsel." The drilling of the jury into a proper sense of their own significance, and the great knowledge of the Court, they received with becoming meekness, while the utmost self-complacency was manifest upon every inelegant of the countenance of the Judge.

The attorney then spent about two hours in instructing the judge how to instruct the jury and reasoned that in this case he had better follow the indictment and call the fact, as fact there must be, adultery. The authority he placed his greatest stress upon was that portion of the Decalogue, which says, "Thou shalt not commit adultery," which I thought a very unfortunate quotation, as the command was given to a polygamous people who, nor any of their descendants ever supposed it could apply to a man's associations with any of his wives; but as the mind of the judge has undoubtedly been occupied in studying the discipline and doctrines of his own peculiar faith in order to bring the people of Utah in accordance therewith by some future ruling, he has had no time to study Josephus or the five books of Moses, consequently he did not discover the discrepancy, in fact it would be impossible for one with his peculiar turn of mind to discover any truth that was in opposition to his own views, and be consistent with himself.

There was also much said about the authenticity of a particular revelation not having been established before the court, &c. Did the Court or Prosecuting Attorney know so little of the spirit of American institutions as to suppose any such proof necessary? What if all religious denominations were required to prove the divinity of their various creeds before their ministers could perform the ceremony of marriage so as to ensure those married from the charge of adultery before some court of an opposite faith? What a time some of them would have, going beyond the bounds of time and space to bring down their God without body parts or passions from the top of a topless throne, to be tried before a U. S. Court on his identity! The world would come to an end before there could be any more marrying or giving in marriage.

Every American school boy that has learned to read and love the Constitution of his country, knows that religion is to be understood as a matter of faith rather than fact, and that the only question which can properly be considered before any court is, "What is the religious faith of a community," and not, "Is that faith susceptible of proof." That obedience to the revelation referred to, constitutes a part of the religion of the Latter-day Saints, is abundantly proven by its having been preached in the four quarters of the earth, and proclaimed aloud in the very capital of our nation before any law was thought of upon the subject.

The prosecuting attorney stated that such a revelation would produce an inequality, and that the law that would punish a Gentile would not a Mormon. Since the settlement of Utah has any denomination ever been prevented from preaching or practicing their various religious ideas, however absurd, and however abusive they might be to the mass of the citizens? If the faith of any had led them to adopt the practices of Abraham, Isaac and Jacob and their ministers had performed the necessary ceremony, they had the same right to do so as the Mormons, and none would have interfered with that right. If there were none to believe and sanction that practice why blame the Mormons for their not being allowed to do what their faith and belief would not allow them to do?

But the real idea of the Attorney seemed to be that if the Mormons believed in plural marriage the officials and others should be allowed to practice unbridled licentiousness to equalize the matter. It is certainly remarkable how fair our learned and just Judge and attorneys are.

In 1862 the Congress of the United States passed a law against polygamy in the Territories, but in a manner legalizing existing marriage relations. This law, although got up by the most violent enemies of the

people of Utah, was found inoperative, and therefore two years ago, there being still no opening found to oppress and rob the people of Utah, another bill was originated, I forget the name it went by, but as every child should be called by the name of its father, it ought to have been christened as the B——n-H——y Bill, and it is well known that it with the chief of its various amendments and addenda was begotten in Salt Lake City instead of Washington. This bill, by the influence of a clique, passed the House but the Senate could not be induced to adopt such a monstrosity.

When all their schemes had thus failed in Congress these same wire-workers, assisted by fresh importations, suddenly discovered that they did not need any new act upon the subject, that polygamy, adultery, licentiousness, lewdness and I do not know how many other crimes, were all synonymous, and that by placing the laws of Utah upon their judicial bedstead, and cutting off what were too long and stretching what were too short, and mingling therewith parts of Congressional acts, civil, military and ecclesiastical law, they could get up a better anti-mormon code than any they could possibly get passed by any legislative body. This is the code by which the Mormons are now being tried, and although contrary to any precedent, it is claimed that it is an executive measure, and that the judiciary is hereafter to be controlled on the same principle as the military—by orders from "head quarters." The fragmentary case thus found by the judiciary was pressed upon the minds of the jury by the Court assuming, to ease their consciences upon the case, all necessary responsibility, evidently considering them, the jury, merely as tools to accomplish certain political purposes of the "ring."

At all this I was not surprised. I had been led to expect any amount of legal juggling in the case, but that twelve men should so far forget their dignity as American citizens, and instead of being the bulwark of liberty and justice, protecting the rights of their fellow citizens from tyranny and oppression, they should join the oppressor and pass a verdict that would criminate one-third of their fellow citizens, was more than I could believe.

Let their names be written in history and with that of the judge be handed down to posterity, "d——d to everlasting fame."

NATIVE-BORN AMERICAN CITIZEN

COPENHAGEN, Sept. 21st, 1871.

President Brigham Young:—Dear Brother.—In company with six other missionaries, I left Salt Lake City on the twelfth of April, and arrived at Copenhagen on the sixth of May, all being in good health and spirits, having had a very good and prosperous journey. President W. W. Cluff received us very kindly, and gave us a hearty welcome; he did all he could to make us comfortable.

After resting a little, we held a council, in which it was decided that Elder Peter Madson, from Provo, should be released from the presidency of Aarhus conference and that E. Madson should take his place. Bro. P. Madson's health being very poor, he was permitted to go home. Elders John Holmberg and John Ehrngreen were released from presiding over the Malmö and Jonkoping conferences, as these brethren had labored there two years. Elders Paul Dehlin and A. C. Grue were appointed to take their places. Brothers Weibye, Willardson and Poulson were appointed on missions to Jutland, until further changes should be made, and A. H. Lund to work in this office.

Bro. Cluff had appointed five conferences to be held before he took his departure for home. In company with him, I visited Christiania, in Norway, Stockholm, Malmö and Jonkoping conferences in Sweden, and Odense conference in Denmark. This gave me a good chance to learn the real state of the mission, which I found to be in a good, healthy and thriving condition. There are eight conferences in the mission, consisting of sixty-three branches. Fourteen valley elders and forty of the native elders are engaged in the ministry, five hundred and fifty persons have emigrated this season, and maybe a few more will leave next month, to go with the last company that leaves Liverpool this season. Owing to the extreme poverty of the saints there are not as many emigrating now as formerly. I have urged upon the minds of the saints to do all in their power towards saving means for their emancipation. As a general thing they are exerting themselves to the utmost, but wages being so low, it is but very little that they can save. Still quite a little sum is being put in the "Emigration Savings Fund," in deposits of from two and a half cents upwards.

I find the people are much more indifferent to "Mormonism" than they were on my former mission, and they seem to have sunk much lower in vice and degradation. The valuation of their souls is to them either of secondary consideration, or of none at all. Our elders are working zealously, and a few persons are being constantly added to the church. During the time I have been here four hundred have been baptized. Eight conferences have been appointed to be held during the fall, in which some more elders will be called to work in the ministry through the winter. I hope to swell the number of

missionaries to one hundred. The winter is the best time for missionary labors, the people having then more time to read and listen to our brethren, which they will not do during the summer. The brethren can then work and earn means in the summer to enable them to go on missions when cold weather sets in.

As Bro. P. Brown's health is failing, I have released him from presiding over Christiania conference, and appointed Bro. Weibye to succeed him. There are two valley Elders here who have labored two years and a half, and five who have been here one year and a half. All the Elders are well, they feel excellent and are diligent in preaching to Saints and sinners.

We have laid before the saints the necessity of paying their debts and of living within their own means, also the instructions which we received when we were set apart for our missions. They seem to be happy in complying with these instructions.

There is not much persecution in Denmark and Sweden. In Norway our brethren are still subjected to fines and imprisonment for administering the ordinances of the gospel, but lately a couple of our Elders were tried and convicted of the great crime of baptizing, for which they were treated to five days' imprisonment on criminal rations, consisting of a few ounces of coarse black bread and a pint of water per day. Concerning such matters I feel that where there are sheep the wolf will show his teeth.

I feel well in my mission and in doing that which God through you has called upon me to do, always considering it my meat and drink to follow your counsels and wishes.

May the Lord bestow upon you His choicest blessings, is ever the prayer of your humble brother in the gospel of Christ.

CANUTE PETERSON.

The great value and infinite adaptability of expert medical testimony in questions of mental incapacity is instanced in the case of Lady Mordaunt, who having been pronounced insane by high and undoubted psychological authorities and sent to an asylum to escape a divorce, has now returned to her father's family upon the assurance of both high and undoubted psychological authorities that her insanity was simulated. Both sets of authorities regard the physiology of mind as a positive science.

SPECIAL TO THE DESERET NEWS.]

## By Telegraph.

## GENERAL.

LOS ANGELES, 9 p.m.—Another Chinaman was hung at two minutes past eight, and the third one has just been taken down by the crowd to be hung.

Later, 9:15 p.m.—Eight Chinamen have been hung and nine more will be hung as soon as ropes can be found. The excitement is intense. A general riot is impending.

Still later, 9:30 p.m.—Fifteen Chinamen have been hung. The authorities have succeeded in preventing further violence. Another Chinaman has been captured and put in jail. The crowd is dispersing.

SAN FRANCISCO, 24.—Bill Russell, one of the escaped prison convicts, who had been sentenced to six years for highway robbery in Story Co., was arrested on Vallejo St. this eve, by officer Bohen, as he was hunting for a vessel in which to ship for a foreign port. He owns up to his identity.

SAN FRANCISCO, 25.—Wm. Russell, the highwayman, who escaped from Carson at the great break, and who was recaptured here last night, while attempting to ship on a sailing vessel for a foreign port, will be taken back to Carson to-morrow.

YREKA, 24.—A fire occurred at Muglinsville, Scott Valley, yesterday morning about 2 o'clock, destroying a large barn belonging to D. W. Jones & Son, together with seven horses and a large amount of hay and grain. Loss between \$2,000, and \$3,000. The fire is supposed to have been the work of an incendiary.

WASHINGTON, 25.—The President has ordered the issue of the land patents due the Southern Pacific R. R. company, the commissioners having reported the second section of twenty miles of the railway and telegraph line completed.

The secretary of war has dismissed from the military academy, for treating with violence and harassing other cadets, John W. Wilson of Detroit; Charitan Frazier, of San Diego; F. Hubbell and John L. Styles. For the same cause it was ordered that cadets Miller and Hammond be deprived of their furloughs, and be confined to the limits until next year.

WASHINGTON, 26.—Information has been received here that eighteen citi-

zens of Look Co., S. C., were arrested this week, charged with being members of the Ku Klux organization. There are forty persons already in Lookville jail, on the same charge. Attorney General Ackerman is personally aiding Marshal Johnson in the proclaimed counties.

NEW YORK.—A Herald special, dated London 25, says Baron Von Beust is preparing a note, regarding the International Society, to be addressed to all the governments of Europe. The Prussian government will propose to the Reichstadt a law on the same subject. An eminent jurist, and a special functionary, are charged with the duty of drafting the law.

Chas. O'Connor, last night, stated he could recover three and a half million dollars from Tweed, in civil suit.

Several more removals of sinecurists were made by comptroller Green yesterday.

LOS ANGELES, 25.—The vigilance committee of Los Angeles had nothing to do with the attack on the Chinese. They were the ones to stop the riot. A report was circulated among the Chinese by the lynchers, that the Chinese had been ordered to leave within forty-eight hours. A number have packed up and left the city. Everything is quiet in the city to-night. Special police guard the streets in the vicinity of the late riot.

COPPEROPOLIS, 25.—The skeleton of a man was found five miles south of here, yesterday. A nearly new saddle, also a bridle, spurs and derringer were found near. Wild animals had eaten the flesh and scattered the bones. The clothing found indicates a black coat, striped cassimere pants, calico shirt, felt hat, calf boots, lasso and gray blankets. The saddle blanket had been used on a gray horse. An inquest was held, and the verdict, by the jury, was death by a gun shot wound, in the top of the head.

## FOREIGN.

LONDON, 22.—The Times says that Napoleon has declared that the reports of a Bonapartist conspiracy and intended descent upon the coast of France, are without foundation. The emperor, claiming to be the legitimate sovereign, advocates no violent measures for the restoration, but believes his partisans should urge taking the will of the French people upon the settlement of the question of government by a prebiscite.

LONDON.—The Liverpool subscription is sixteen thousand pounds to the Chicago relief fund. Nottingham one thousand. The steamer Russia took a large consignment of clothing and supplies for the sufferers by the western fires. The National Choral Society, to the number of of a thousand members, will perform the oratorio of the Messiah in Hyde park for the relief of the fund.

Sir Roderick Murchison, Baronet, president of the Geographical Society, died yesterday, aged 79.

DARMSTADT, 24.—The court theatre of this city took fire this evening, and is now wrapped in flames. A heavy easterly wind is blowing, and it is feared the flames will spread to adjacent buildings.

DARMSTADT, 8 p.m., 24.—The fire is rapidly spreading. The theatre is entirely destroyed, and a strong wind carries the flames and sparks westward into the upper town. The arsenal is in danger and the troops have evacuated it.

NEW YORK.—A special dispatch from Mexico reports that the anti-Juarez revolt continues in many districts. Pronunciamentos are in force at different points along the line of the Grande. In various places in the interior telegraphs have been cut and mails robbed.

PARIS, 25.—The Courier Diplomatique publishes what it says is a semi-official communication, stating that in 1864 Earl Russell, then British minister of foreign affairs, made overtures through Lord Cowley, British ambassador to Paris, proposing an alliance offensive and defensive with France, to help Denmark in case Prussia and Austria should declare war against her. England was willing to promise France, in return, assistance in the rectification of her frontier on the Rhine by the annexation of a portion of the Rhenish provinces. Napoleon accepted in three days, and Lord Cowley immediately communicated his acceptance to the British government, when Russell said it was too late, and her Majesty's government decided not to interfere. It is intimated that Denmark would re-open the subject.

PARIS, 26.—The number of Communists released by the courts is not less than 1000.