

to the Austrian Government a formal disavowal of sympathy with the address.

ST. PETERSBURG, 28.—U. S. minister Jewell, to-day, signed a declaration respecting the trades mails, giving American manufacturers equal rights with the Russian; this is the first treaty ever signed in both the English and Russian languages.

BERLIN, 29.—The German Parliament has taken a recess until April 9th.

PARIS, 29.—The Assembly adjourned yesterday until the 13th of May.

It is rumored that Pascal, Grousette and Rochefort have escaped from New Caledonia, to Australia.

An unfounded report of the death of Thiers caused great excitement on Saturday.

LONDON, 29.—The steamer *Maleva* arrived off Suez on Saturday. Arthur Laing and Jacob Wainwright were on board, with the remains of Livingstone. The account of the death of Livingstone is as follows—

"He had suffered with chronic dysentery for several months, and though well attended, he was finally confined to his bed at Muillila, and died May 4th, 1873, after four days' sickness."

His remains were salted, and dried in the sun for twelve days. The chief Kitumbo had drums beaten and guns fired in respect to the dead. The journey was commenced to Unyanyembe with the body in a bark coffin, and thence the remains were carried to Zanzibar. His letters to Stanley are in the possession of Webb, the American Consul at Zanzibar, and will be delivered by him in person. All Livingstone's papers and discoveries, sealed and addressed to the Secretary of State, are in possession of Arthur Laing.

An immense crowd witnessed the review by the Queen, of the Ashantee troops; the Prince of Wales, Duke of Cambridge and Prince Arthur were present.

PARIS, 30.—The reported escape of Rochefort and Grouset is confirmed. A Melbourne dispatch, to-day, says they, with their guide, named Bouillier, and two other convicts have arrived at New Casterew.

## Correspondence.

### UTAH AND THE MORMONS.

LETTER V.

Editor Deseret News:

In following up the testimony which is furnished by official data, I would remark that it is anything but pleasant to dig among the records furnished by the filthy slums of vice, and drag from their hiding places, in court records, the acts and doings of the very substratum of society, and expose the grim and hideous visage of crime; yet, when great and important principles are involved, as in the present case; when the most serious allegations are made, and the most calumnious assertions are circulated and avouched, by men who ought to know better, for the evident purpose of depriving a whole community of property, and of "life, liberty and the pursuit of happiness," it is proper that their foul aspersions should be met by facts; and if some of these professed purifiers, have besmeared and bedaubed themselves by the foetid excrement of vice, and others are shown as the shielders and protectors of crime, however nauseating the recital may be, it is but justice to this people, and to the nation, that these acts should be made known.

In the crusade inaugurated by Judges McKean, Strickland, Hawley and others, prosecutions were instituted against Brigham Young, Daniel H. Wells, George Q. Cannon, Joseph A. Young, Hiram B. Clawson, Hosea Stout, William H. Kimball and others; picked and special juries were organized in accordance with the Cullom bill for that purpose, and in anticipation of that bill being passed, containing provisions similar to the Frelinghuysen, Logan and McKee bills, authorizing the United States Marshal to appoint his deputies, they acted upon its provisions as though it had passed. The charges were principally for lascivious cohabitation, with their wives, the Territorial statute applying to lascivious cohabitation being perverted by the court to apply to polygamy. The action of the District Court, it is true, was overruled by the Supreme Court

of the United States confirming the acts of our Territorial Marshal, which, as a natural consequence, as above stated, repudiated the ruling of the McKean court. But these very laws are now sought to be passed in Congress, authorizing the re-enactment of just such a state of things, and calculated to strip the people of the last vestige of human liberty, and place them at the mercy of such men as I now propose to give the record of. I again quote from data, furnished from court records by Andrew Burt, chief of police.

"Oct. 8, 1870. Wm. P. Offley, Deputy U. S. Marshal, was arrested, charged with an assault, with intent to kill E. R. Sloan; committed to the District Court, (compromised) and fined \$1.00.

"Aug. 14, 1872. Richard Keyes, Deputy U. S. Marshal; D. R. Firman, Deputy U. S. Marshal; Wm. Whitehill, Deputy U. S. Marshal, and James W. Steanburn, notary public, arrested, charged with lascivious cohabitation, proven guilty; fined \$100 each; appealed to the Probate Court; not yet settled."

The question naturally arises, Are these the men to correct Utah morals, and introduce a better state of affairs?

We have heard a great deal said about the murder of Dr. J. King Robinson. One of our U. S. Deputy Marshals, S. Gilson, figures rather unenviably in that. One Chas. W. Baker swore before the court that he saw Blythe and Toms, with muffled faces, run from the scene of this homicide, on the night of Oct. 22, 1863. Filled with remorse, or not having received his reward, or both, he made the following affidavit—

"Territory of Utah, ) ss.  
Salt Lake County. )

"Be it remembered that on this, the third day of January, 1872, personally appeared Charles W. Baker, who was by me sworn in due course of law, and who on his oath did say that he is the identical Charles W. Baker who was a witness in an examination before the Hon. James B. McKean, Chief Judge of the Supreme Court of the Territory of Utah, commencing on the 14th day of December, and terminating on the 23rd day of December, 1871, at Salt Lake city; wherein John L. Blythe, James Toms, Alexander Burt and Brigham Y. Hampton were charged with the murder of Dr. J. King Robinson, at Salt Lake city, in the county of Salt Lake, and Territory of Utah, on the 22nd day of October, 1863.

"He further says that the testimony he then, on said examination, gave, was wholly untrue and false. He further says he was hired to give said testimony by S. Gilson; that it was agreed between him and the said S. Gilson and others, that he was to be paid the sum of five hundred dollars, no matter what might be the event of the proceedings, and one thousand dollars for each person that was, or might be, convicted; that during the time he was engaged in said testimony, and detained, his board was paid by said Gilson and others, at the Revere House in said city.

"He further says he had a plat of the grounds, and of the street in the city of Salt Lake, near to the place where the murder was committed, furnished him by S. Gilson; which plat, before he gave evidence, was by him carefully studied, so that he might understand it.

"He further says that since he gave his testimony he has carefully reflected on the enormity of the crime he had committed, and is aiding in carrying out, and he has concluded to make amends so far as it is now in his power. He therefore voluntarily makes this statement upon his oath.

"He further says that on or about the 16th day of December, 1871, he had a conversation with Thomas Butterwood, who then informed this affiant that he was hired to give his testimony in the above named case, and that his testimony was not true.

(Signed) "C. W. BAKER.

"Subscribed and sworn to before me this 3rd day of January, A.D. 1872. "JOHN T. CAINE.

"Notary Public."

The above exhibits the kind of rule that it is sought to fasten upon us, as being so much superior to that of the *vox populi*.

I again quote from Burt. "Dec. 6, 1871. Jannie Cornell, Mrs. C. Wiseman, Mr. and Mrs. Hutchins, Nellie Saulsbury, Cora Taylor, Mattie Orem, Rosa Miller, Carrie Barret, Nellie Hutchinson and Wm.

Williams were charged with keeping houses of ill-fame, and proven guilty; writs of *habeas corpus* were issued by Judge Hawley, and all the parties were discharged.

"April 9, 1872. William Bigler and John Mantle, arrested on a charge of horse stealing; gave bonds in \$500 each; nothing done."

I will now give three cases from Weber county:

"The People vs. Augustus Sprouse, on indictment for murder; Dec. 18, 1869. The jury returned a verdict of guilty of murder in the first degree; Dec. 25, Defendant was sentenced to be shot on Jan. 14, 1870. The prisoner was delivered to the U. S. Marshal, on a mandamus from the Third District Court, and is now at large.

"The People vs. Julius Kiesel, on indictment for rape, Dec. 20, 1873. The jury returned a verdict of guilty, as charged in the indictment, and affixed the penalty at ten years' imprisonment in the penitentiary. Dec. 23. The defendant was discharged by Chief Justice McKean, on a writ of *habeas corpus*, and is now free from bonds, as I am informed.

"Dec. 24. The People vs. Charles Mingo, on indictment for murder. The jury returned a verdict of guilty of murder in the second degree, and the defendant was sentenced accordingly; he was delivered to the Warden of the Penitentiary, Dec. 30, 1873; on the 31st the defendant was pardoned by the Governor, on an *ex parte* statement made by defendant's counsel.

"Territory of Utah, County of Weber, I, the undersigned, Clerk of the Probate Court in and for said county, hereby certify that the within and foregoing abstract of cases tried in said court is true and correct.

"Witness my hand, and seal of said Court, this 26th day of January, 1874.

"F. S. RICHARDS,

"Clerk of Probate Court."

I now propose to bring one case from Box Elder county. "In the Justice's Court for Malad Precinct, at the city of Corinne, before O. H. Elliot, Justice of the Peace, (Mr. Elliot is not a Mormon) Dec. 28, 1872, Richard Martin and Martha Martin made affidavits, charging Othello S. Wright, Thomas Heller, William Shoonover, Alexander Toppence and Edmund P. Johnson, (the two last named are reported as Deputy U. S. Marshals) with stealing cattle and horses. After a lengthy examination and the hearing of a number of witnesses, all of the above named defendants, and one George Butterbaugh were committed to answer to the charge of grand larceny, in the Probate Court of Box Elder County, Jan. 6, 1873. There, the grand jury, being duly empanelled, found indictments against all of the above named defendants, for stealing cattle and horses, 267 in number, and of the estimated value of \$8,590.

"Associate Justice C. M. Hawley issued a writ of *habeas corpus*, Jan. 20, 1873, which was served by M. T. Patrick, U. S. Marshal. Judge Hawley's Court met at Corinne, Jan. 29, 1873; but the people, chagrined and outraged at such infamous proceedings, retired in disgust, and that feeling was not much mollified by the following remarks of Judge Hawley: 'If any judge or sheriff of this county, or any other county in the Territory, should at any time, in the future, seek to interrupt you in the free exercise of your liberty as American citizens, you will please make the fact known to me, and I shall see that they are punished to the utmost extent of the law. Gentlemen, you are now discharged and this Court adjourned.'

"Brigham City, Feb. 10, 1874. John Burt, Sheriff of Box Elder County."

Well might the sheriff, Mr. Burt, indignantly express himself as follows, in regard to the infamy of their liberation: "Thus turning a horde of bandits loose on the community; suffering them to commit their depredations with impunity, aided, encouraged and backed up, in their nefarious practices, by the judiciary; while the officers were threatened with the severest penalties of the law, if they should presume to interfere."

"All of the above statements can be substantiated and well established by multitudes of living witnesses, residents of said county.

"Brigham City, Feb. 10, 1874.

"JOHN BURT."

A question naturally arises, Were these cattle stolen, and were these men thieves? They were so proven before a justice's court, and they were

afterwards indicted on unquestionable evidence by a grand jury. But according to Justice Hawley this jury was not empanelled correctly. Nevertheless a score of other judges have decided differently in regard to these same courts and juries; and these same courts have used the same jurisdiction for upwards of twenty years. But again, the people ask naturally; "Did this opinion of Hawley's do away with the guilt of men who had been proven thieves? If it did not they were still thieves, and Hawley knowing this, and having them in possession, why did he liberate them? Why did he not punish them according to the rule of Hawley if the other mode was not right? and by what process were these thieves manipulated into gentlemen? Why were gentlemen thieves turned loose upon society to steal 267 more head of cattle, and officers threatened if they should take them up?" Another query arises, If it should be said that it was contrary to his rendering of the law, how could he threaten to punish officers and honest men if they should attempt to bring these vagabonds to justice? Has it come to this, that a U. S. Judge can find a way to punish honest men, but cannot discover a method to punish the guilty? What a spectacle, to see that little buttonholing Judge, arrayed in the judicial ermine, with the blind goddess above his head holding the balances of justice in her hand, with the cap of liberty elevated above him, and the spread eagle behind, enwrapping himself in the stars and stripes, as a representative of the Great American Republic, hobnobbing and fraternizing with felons, men whom a jury of their peers had pronounced THIEVES!!! bedimmed and besmeared with crime; and how must those guilty ruffians have felt, to hear from this pure, upright Judge: Gentlemen, (*thieves you are all right, I meant to protect you, but*) "If any Judge or sheriff of this County or of any other County in the Territory," (*for stealing is protected here*) "should at any time in the future attempt to interrupt you" (*in your nefarious practices*) "in the free exercise of your liberty" (*to steal*) "as American citizens" (*thieves*) "you will please make the fact known to me" (*of this infringement of your franchise to steal*) "and I shall see that they are punished to the utmost extent of the law. Gentlemen" (*thieves*) "you are dismissed." Well done Associate Justice of the U. S. Court, C. M. Hawley!

These gentlemen are constantly telling us that there is a dead lock in the courts, and that they can do nothing, whereas, when it suits them, they are the greatest hands at breaking locks of any set of men between the Atlantic and Pacific Oceans. When Chief Justice McKean, in his raid on President Young and others, wanted to fulfill his mission he stuck at nothing. He had a United States law, passed on purpose to punish polygamists, but that did not suit him; so he perverted a Territorial law, made by its framers for the punishment of *Las Co-hab.* and twisted it to mean polygamy. He, at the same time, repudiated the officers selected by the same Legislature and appointed U. S. officers, contrary to Territorial law, to administer this perverted Territorial law. He then could surmount another barrier, and issue his remarkable mandate, that it was "a principle that was on trial," and not the accused; "That while the case at bar is called the people versus Brigham Young, its other, and real title is, Federal authority, versus Polygamic Theocracy;" that the whole thing, in fact, was a farce, a fiction. Marshals and deputy marshals sprung up under his administration like mushrooms; attorneys and deputy attorneys almost *ad infinitum*; he could manipulate juries to order, as easily as a juggler could his cards; he could send civilians to military prisons, or confine them in their own house, at will; and he manifested the most inventive genius of any judge in existence. He now knows how to liberate thieves, men guilty of rape, counterfeiters, purjurers, murderers, and criminals of every grade, but he cannot find a way to punish the guilty. The Legislature have tried to assist him to unlock; the governor vetoes their laws. The County Court hands him a key to unlock; but he won't have it. He and the governor are unyielding on the lock question. He evidently thinks that the Supreme Court of the U. S. has infringed upon his judicial rights, and he is determined to be revenged.

This locking evidently suits thieves and vagabonds, as the following, from the *Ogden Junction*, of March 13, will show:—

"A few days ago, Skein and Davis visited Wadman at the County prison" (Ogden) "and were overheard by the guard, making propositions to Wadman, to take all guilt on himself; exculpating them, and promising that they would raise him \$300; and in the event of his conviction they would get him out by the aid of Judge McKean, and *habeas corpus*; which they had found out would cost them \$30. Skein declared he had never heard of one case of the kind that Judge McKean had not cleared."

I must now close the Black Book for the present; and I have no especial desire to return to its disgusting record, unless circumstances should require. But I will say, there are many who now desire to be thought very passable men, who would very much dislike to have their record given.

Respectfully, &c.,

JOHN TAYLOR.

## Weather—Lecture—Improvements—Railroads.

OGDEN CITY, Utah,

March 26th, 1874.

Editor Deseret News:

Since my last note the weather has been sometimes very stormy, and sometimes clear and bright. This morning we had a light sprinkle of rain and it still looks as though we should have more ere long. A warm, gentle shower would be an excellent thing, not to moisten but to settle the ground, and start vegetation. The snow, for a week past, has been melting and passing rapidly away, and in some places gardening has commenced. Our excellent road supervisor is busy fixing up our streets and getting eye-sores and obstructions to water-courses removed.

The new Junction office, on Fifth Street, is progressing rapidly to completion, and the Ogden Publishing Company expect before a great while to move into it. The foundation for Levy's new store on Main street is being laid, also the foundation for the new Episcopal church on Fourth street. The edifice will be 70 x 25 feet, and fifteen feet high to the square. There will also, when completed, be a transept on each side of the building, each transept fourteen feet wide. Other improvements are going forward gradually.

The Utah Central R. R. company is laying a new track for switching purposes, north of the old freight house—it extends to Wall street. When this is done, I expect one of the tracks on Fifth street will be taken up to make more room for vehicles and teams.

The trains are coming in much more regularly than they did a week ago, the lines being pretty well cleared of snow.

Since writing the above the gentle shower of rain has come, and everybody appears to feel the better for it.

SEMPER.

## School Exhibition.

TOOELE CITY, March 28th, 1874.

Editor Deseret News:

Usually all is well here. General health prevails. We have courts at law occasionally, but few at present.

Last night, in the Court House, was the second of the exhibition of the school of Mr. W. C. Foster. His pupils, John Tote, Brig. Bowen, John McLaws, and Frank Lee, with others, deserve notice, so especially do the efforts of Mr. Foster, the preceptor. By him was presented a piece of penmanship which was excellent. The presentation of the specimen was made to the Mayor of our City as the umpire thereof, accompanied by a touching speech from Mr. Foster, which was appropriately replied to by his Hon. A. Galloway, Mayor.

The festivities, by dance, recitations, etc., were kept up until a late hour. The decorations of the house were exquisite.

To Mr. Foster and his pupils, much credit is due.

L. GEE.

"Napkins, sir! napkins!" roared a Green Bay landlord. "No, sir, we haven't got any; but if you want to wipe your nose I'll lend you my handkerchief!"