## EVENING NEWS

Published Daily, Sundays Excepted, AT FOUR O'CLOCK

PRINTED AND PUBLISHED BY THE DESERET NEWS COMPAN CHARLES W. PENROSE, EDITOR. Monday - January 18, 1886 NO SUBMISSION TO LAWLESS

VIOLENCE. FRIDAY evening's DESERET NEWS con-

of citizens to the protection of the law, which provides that they shall be sehuman rights.

The lawful execution of the law we cure in their persons and properties from unreasonable searches and seizwill sustain and call upon the people ures, and denouncing the rufflanism of to uphold. Rufflanism, brutality, inbrutes who, under the title of deputy- sult, usurpation and outrage we do Marshals, force their way into people's not ask any one to submit to or bear houses without producing any legal without resistance. Patience has its warrant, and who insult and intimilimits, and they do not include any obligation to lie down and be trampled date helpless women. upon, or bead humbly to the "author-Saturday morning's Tribune contained an apology for the conduct of certain ity" of an axe grasped in the hands of deputies who made a raid upon the arrogance and violence. This is not a village of West Jordan, admitting a threat, it is a warning; and we mean

every word we say. great deal of what had been alleged against them; and attempting to refute one fact by showing that the wrong name had been given in the NEWS account of the outrage. In the

article in our editorial columns no THE remarks of Apostle Lorenzo Snow names were used, no specific charges in the First District Court on Saturday, were made against any individual. It before sentence was passed upon him, was an argument and a warning on will be found in full in this issue of the general principles. The Tribune ap-DESERET NEWS. The position taken plies it to persons, naming them, and by Brother Snow in that speech incalls our article a "scoundrelly editodicates the "Mormon" situation very clearly, and shows his personal integrial."

-The narration of facts in our local rity to principle. His case is a pecultar; one. It is columns is not discredited by any of the apologies and perversions of the difficult to determine for what he was Tribune editorial. The only material sentenced to such heavy penalties, undifference is in the account of the in-trusion of a deputy into Mr. Goff's the Church of Jesus Christ of Latterhouse, Our informant stated that it day Saints. The Court could not and was Franks who, when asked whether did nor pretend that he was guilty of he had a warrant, answered that"'the the charge proferred against him, but only search warrant he needed was an gave as reasons for the triple extreme axe to break in the door." The Tri- sentence, that the defendant is a bune says Franks did not go to the leader of leaders; that he is a house, but went in another direction, scholar; that he has advocated and it was Mix and Vandercook who a tenet of his religion, the practice of went to Mr. Goffs, Mix going to the which the law seeks to put down; that back door. The use of the language in the belief of the Court the defenddescribed is not denied. It is ant could cause the people of this Ter-a mere shift or evasion to ritory to do cartain things. take the blame off Franks and thus Now, neither nor all of these things

leave the inference that the statement. was incorrect because the wrong name was given.

How much better was the outrage i, ommitted by Vandercook instead of Franks? Was it any more proper or Elder Snow was not on trial for less brutal for a creature who has been being an Apostle, nor for being a detected in the beastliest kind of scholar, nor for teaching any particulechery to go to the house of one who lar doctrine, nor for having the power is "a perfect lady "according to his own which the judge imagined him to posstatement and try to enter without sess. He was charged with cohabit-any other authority than an axe to ing with more than one woman.

pressed are "Mormons." And the was of a disgustingly filthy nature, and 'scoundrelly" Tribune would and does a conversation between the parties back them up in their villainy. We implicated a well-known reverend say, no people on earth ought to put up divine. So that there are probably the with such treatment. The creatures strongest reasons why no stone should who take such a course ought to be be left unturned to prevent the facts prosecuted. Affidavits should be obbeing brought out, that the moral lepers tained of the facts. The Marshal is not might be known and avoided by the ustified in employing men who break public. This morning a writ of prohibition, the law under pretense of law. And aued out before Associate Justice such proceedings as we have denounced will have to be stopped or there will Boreman, was gserved on Justice tained an article explaining the rights be trouble for the lawless brutes who Speirs, as follows : have no respect for human feelings or In the Supreme Court of the Territory of Utah. The People of the Territory of Utah on the application of W. H. Yearian Adam Speirs, Justice of the

riffians who would like to ride rough the offense being alleged to have

and under the name of deputies invade fame of Fanny Davenport, whither

any home, seize any person, insult whom they please and terrorize quiet sorted for the purpose. The crime as

communities, if the people so op- it is said to have been consummated,

The fact is, there are sollie low-lived

shod over law, liberty and decency,

Peace, etc.

The People of the Territory of Utah to Adam Speirs, Justice of the Peace of the First Precinct in and for Salt Lake County Territory of Utah. Whereas, William H. Yearian, of Salt Whereas, William H. Yearian, of Salt Lake City, Salt Lake County, in said Territory, lately in our Supreme Court of said Territory, to wit on the 16th day of January, 1886, did represent by his sworn and verified petition and affidavit, a copy of which is hereunto attached and made part hereof, and that you, the said Adam Spiers, Justice as atoresaid, nevertheless, weil know-ing the premises, yet contriving, as it THE TESTIMONY OF LORENZO

intercourse with Mrs. Newcomb,

been committed at the house of fil-

ing the premises, yet contriving, as it is said, the said William H. Yearian is said, the said William H. Yearian nnjustly to aggrieve and oppress, have done the acts and things alleged in said petition, in contempt of us and against the laws and customs of our against the naws and customs of our said Territory and of the United States, and to the manifest damage, prejudice and grievance of kim the said William H. Yearian; wherefore, the said William H. Yearian has prayed relief and our writ of prohibition in that head?

hat behalf. We therefore being willing that the We therefore being willing that the laws and customs of our said Terri-tory and of the United States should be observed, and that our citizens should in no wise be oppressed, do command that you do desist and refrain from further proceedings in that certain ac-tion or proceeding entitled "The Peo-ple of the Territory of Utah vs. W. II. Yearian." under complaint dated Dec. Yearian,"-under complaint dated Dec. 4th, 1885, and filed in your said Justice's 4th, 1885, and filed in your said Justice's Court, mill further order of this court; and that you show cause, if any you have, before our said court, on Friday, the 22d day of January, 1886, at the Federal Court House, in Sait Lake City, Utah Territory, in the court room thereof, why you should not be absolutely restrained and prohibited from any other proceedings in such action or matter, and have upon you then and there this writ. technical subject. then and there this writ.

Witness the signature of the

Hon. Jacob S. Boreman, Justice of our said Supreme Court, this 16th day of January, A. D., 1836. Jacon S. BOREMAN, Associate Justice of Supreme Court of Utah Territory.

Attest my hand and the seal of said Court, E. T. SPRAGUE, Clerk.

In the petition for the writ of prohibition, Wm. H. Yearian, the applicant, in substance; makes the follow-

charges, without any redress, such being the object of the prosecu-tion; that the law does not include as tion: that the law does not include as offender spersons of the male sex; that the complaint does not state facts sufficient to constitute an of-fense; that the offense, if any is charged, is an indictable one; that the offense is one which entitles the defendant to a trial by jury, which is not provided for in the justice's court; that the jurisdiction in such cases as provided by the statutes is in violation of the Organic Act and the Constitution and laws of the United Constitutiongand laws of the United States. The petitioner asserts that "The Justice should be restrained and ipre-vented by this Court from the exercise of any jurisdiction under the facts of

this case, and all others of the same class, for the reasons that they are not prosecuted to prevent crime and pro-tect the community, but for the pur-pose of ministering to the malice and revenge of individuals and of a sect, and to embarrass the courts in administering the laws of the United States, by subjecting to terrorization and scandal as many not of the Mormon faith and opinion as possible." That "the prosecution of the peti-tioner is in defiance of the action of the District Court in similar cases and the District Court in similar cases and its Turther continuance a degradation and scandal of the courts of justice."

The petitioner then asks that a writ of prohibition issue, and the case was set for Friday, Jan. 22, for hearing before the Territorial Supreme Court. Verily, the morality-screechers are determined to shield themselves in the practice of the most shocking crimes against law and morality ! "

BY TELEGRAPH PER WESTERN UNION TELEGRAPH LINE.

AMERICAN.

Of for Samoa

WASHINGTON, 17.-The Secretary of the Navy has directed that a vessel of the Pacific Station be sent to the Sanoan Islands.

Prizes for Photographers. Sr. Louis, 17 - The executive com-mittee of the National Photographers Association have held a meeting and decided to hold their next annual con-vention in the Music Hall of this city. commencing June 22, In order to en courage displays of photographic art, the committee decided to offer ten gold medals as prizes. A prize will also be given for the best paper on any

The Congressional Program,

WASH NGTON, 17.- The past week having been devoted by the Senate largely to speech making and executive business, the calendar remains al-most as it was at the beginning of the week with respect to measures of gen-eral legislation. The judicial salary bill is unfinished business. The Dakota bill, bankruptcy bill and electoral count bill are to be brought forward for debate and action as soon as possible, and an understanding will prob-ably be reached on Monday or Tues-day, by the Senators respectively in charge of these measures, as to the order in which they small be taken up. Senator Harrison's resolution, looking to an inquiry into certain statements of the Commissioner of Pensions re-garding the official acts of his prede-cessors, and Senator Voorhees' sub-stitute for it, are still pending. Senator Eustis has given notices of



MUSIC LESSONS!

MISS ELLENOR R. KEEP.

(Late of London, England,)

II. L. ROGERS,

OFFICE AND

L'HE SHORTEST

Mest Direct Route

**TO THE EAST** 

ATCHISON,

SALT LAKE CITY, UTAH,

IS VIA THE

NORTH TEMPLE STREET,



WINTER GOODS

Contraction of the second second

SNOW.

in the Ldoor? We neither whiether nor care was one officer or, the other who used that language. It is the fact and the principle or rather utter lack of principle of the outrage that we are We editorially mentioned no names. It was the conduct that we denounced. But it appears that after all it was Franks who committed the offense, as appears from a letter from Mr. Goff, in another part of this paper.

Then as to the insult to the young unmarried lady, of which we com- that which he was charged with doing. plained. The Tribune account of the matter is that two deputies went to with his, wives, and therefore the house and asked for Mr. Goff, and had not lived his religion. Brother when informed that he was not there, "one of them told her he believed she sufficient reasons for their manner of was a polygamous wife of Goff and that life, which is nobody's business he slept there sometimes." The lady's but theirs, and private family testimony is that they behaved in a most insulting manner, told her that she was Goff's third wife, and one had not cohabited with more said "he knew Goff had slept with her there the previous night."

Take the Tribune's account for correct and it is very little better. What mounced was a treble outrage upon a right have deputy marshals to intrude their beliefs or insinuate anything of "leader of leaders." the kind they intimated to the lady whom they insulted? We remarked that it was a pity that some male relative of the lady "had not been present. to have resented it in the only manner fitted to the occasion." After the explanation of the rufflans' organ, we have just the same regrets. If a couple of inknown rough fellows were to act towards the wife, sister or daugnter of the editor of the Tribune as those persons acted at West Jordan, either to that unmarried lady or to Mrs. Goff, what would he consider the proper way to resent

such conduct? Now, as to the intrusion into the against those who have sought his in-house of Mr. Dennis. The accounts of jury, and condemned an innocent serthe NEWS and the Tribune vary very vant of God to unusual and unjust slightly in word, and both show that the officer forced his way into the is the greatest prophet; a lawyer house, pushing by the owner who who speaks for money, or an Apostle of in the doorway, with-Jesus Christ who proclaims the trath out showing any authority for of God undergenalties scalnst his re-. his intrusion. Now if some one in ligion, We endorse his sayings, we that house had hit that intruder over admire his firmness, and we sympathe head with a club, or driven him out thize with him as an innocent victim to with al shotgur, where would have been the wrong, morally or in the light hate. of the law?

According to the Tribune account two men were forcibly seized by the officers without a warrant, taken into custody, forced out of their way, brought before two more of the rufflans on a rampage, and then turned loose again. Is this a lawful exercise of a little brief authority? Put it in the mild and palliative light the Tribune apology, and still how does it look? The fact is that one of those men was riding on horseshield them from exposure. The next back and a pistol was drawn on him by move is to engage the judicial power one of the deputies, who swore he'd of the government in this Territory to shoot him off the horse if he didn't prevent the local authorities from doing their duty in executing the law stop. The other was at his own door, and because the horseman had been to against resorters to houses of illhis house, he too was iforcibly taken fame. before the high and mighty dignitaries The particulars of the latest effort in behalf of "sporadic cases" of sexual iniquity, of those "gentlemanly" exwho usurped a magistrate's position and discharged two men unlawfully cesses and that elevating beastiality which the Tribune palliates as "the arrested. If that officious deputy had been treated as a highwayman he would

have had no remedy in law, and it is common vices of humanity," will be time that such persons are taught to found in another part of this paper. Other details will follow, and our readkeep within lawful bounds. Now let the article in the NEWS be ers will be furnished with a full acscanned, and what is its purport? This

The Judge himself, in his senten ng representations: against Brother James H. Nelson

That on or about Dec, 4, 1885, B. Y. Hampton filed an alfidavit before Jus-tice of the Peace, Adam Speirs; that pursuant to action based on that affi-davit, the defendant was arrested, and taken before said Justice for trial on the cells observe which preceded that against Brother forenzo Snow, admitted that the witnesses against the latter testified he had not been living in uniswful cohabitation. Therefore the Judge pronounced

the said charge, That petitioner, by his counsel, P. L. Williams, prayed said Justice to sub-mit said charge against said petitioner to the grand jury of the Third District, then in seesion, and that the Justice a three-fold sentence against a defendant who had been proven by the evidence to be innocent of the offense charged in the indictment. The Court intimated, in his remarks to Brother refused to grant the request, claiming Nelson, that Brother Snow was rather culpable than otherwise for not doing

to have jurisdiction to try and deter-mine the case. The petitioner then applied for and obtained a postpone-ment of the trial until Monday, Janu-ary 18th, 1886, and gave ball in the sam of \$1,000. That the insting maintains his insig-That is, that he had not lived That, the justice maintains his juris-diction, and "unless restrained and prevented from so doing, will proceed Snow and his family have doubtless o try and determine the same." "This petitioner further states that aid alleged charge in said affidavit before said Justice is malicious; that the same was made, as petitioner states, on information and belief, maliciously and concerns cannot always be made public. But if Brother Snow with the purpose of disgracing and scandalizing this petitioner, and not to subserve the ends of justice." "Your petitioner further alleges, that than one woman, and the court receg-

nized the fact that this was in evidence, then the sentence thrice pro-

"Your petitioner further alleges, that the complainant in this proceeding against him is a Mormom, and the said Adam Speirs, Justice of the Peace, is a Mormon, while this ipetitioner is not. That during the last year or two, prosecutions of persons of the Mor-mon sect, for a violation of the laws of the United States against polygamy and unlawful cohabitation, have been ould numerous in this Territory and vulitless gentleman, scholar and Judge Powers' bellef as to the powers of Apostle Snow should have cut no figure in the infliction of judicial vengeance. And it was false bellef. quite numerous in this Territory and un this district, and very of-fensive to persons of that sect. That this petitioner has served as a grand juror of the Third District Judge Powers knew nothing of what he was taking about. Neither Lorenzo Snow nor any other man has authority Court, and his opinions in favor of the to abrogate a law of God, and if he were to tell the Latter-day Saints that inforcement of the laws of the United States in the matter storesaid, have been well known to the parties above-named and their sectarian friends, and the revelation on celestial marriage was not of God, they would tell him

are very obnoxious to them. That withare very obnoxious to them. That with-in the past year numerous convictions have been had in said Court, of Mor-mons charged with violations of said acts of Congress, which have greatly exasperated and enraged the Mormons as a sect, and said above-named par-tles, as petitioner is informed and be-lieved 2 that he was an apostate. Brother Snow's testimony to the divinity of the latter-day work and the authority of the Apostleship, will stand on record before heaven and earth

That with a view to terrorize persons who are not Mormons, and sons who are not Mormons, and who are competent to sit on juries and otherwise be instrumental in en-forcing said laws, H. Y. Hampton, "mided and assisted by the monies and services of divers public officers of the County of Sait Lake, and of the municipality of Sait Lake City, and others in authority in the Mormon Church," concerted a scheme to bring prostitutes to the punishment. And time will show who

thize with him as an innocent victim to unhallowed prejudice and vindictive hate.

ment, and so to terrorize innocent persons as to secure immunity from prosecution of those of their ewn sect. That pursuant to this arrangement two such houses were established, one THE LECHERS MUST BE PRO-

TECTED.

A. K. Key

ANOTHER attempt has been made to eing that of Fanny Davenport; that Hampton and his associates had pre-tended to have secured evidence for the conviction of persons resorting to said houses for lewdness. "That save the lechers. Not only does the Federal prosecuting officer refuse to prosecute "Gentiles" who have been complaints were filed in large num-bers, charging many persons with the same offense as is charged against detected in the act of committing crimes against law and decency, but the arm of Federal authority is further petitioner." "That some of said complaints were thrown around the debauchees to

shown to be false, and 'abandoned by the prosecution, after arrests had been made, thus showing that innocence is no protection against a charge of this no protection against a charge of this kind; that in other cases, where the trial was had before the said Justice, and conviction followed by

a judgment of the and imprisonment, on appeal to the District Court, the udge of that court, on motion of the prosecution and on a statement that the means used to obtain evidence was the means used to obtain evidence was so foul and untrastworthy that no just conviction could be asked, dismissed all such cases." That B. Y. Hampton was indicted, tried and convicted for the acts stated, in procuring evidence, and is in the county jall under sentence of im-

That notwithstanding every convic-

his intention to deliver a speech on Tuesday upon his resolution to pay in silver, bonds that have been called for redemption on the first of February. This resolution, with Mr. Beck's sub-stitute for it, is still in the finance committee, with no provability of receiving early action. In the House to-morrow, after the introduction of bills, committees will be called for motions to pass measures, one for each committee, under suspen

sion of the rules. A two-thirds vote is requisite in every in-stance. The committee on military affairs will avail itself of this opportunity to bring before the Honse, the Senate bill appropriating \$450,000 to purchase the old Produce Exchange building in New York City, for army

purposes. Among the more important measures Among the more important measures that are likely to be passed in commit-tee and reported to the House this week, are the bills known as the McPhelson bill in last Congress, au-thorizing the National banks to inthorizing the National banks to in-crease their circulation notes to the full amount of their security bonds; a bill authorizing the Comptroller of Currency to sanction changes in the name and increase the capital stock by the National banks; the Oklahoma bill; Mr. Hatch's bill to create a depart-ment of Agriculture, and Mr. Matson's bill, to increase the pensions of widows.

bill, to increase the pensions of widows. The Boutelle resolution relative to the Norfolk navy yard will be further considered by the committee on naval affairs to-morrow or Tuesday. The author of the resolution has little doabt that it will be reported to the House on Wednesday, and as it is a private resolution immediate action can be demanded. If the toge of the discussion of the measure in commit. discussion of the measure in committee can be taken as an indication of the discussion to follow in the House, that body will find thrust upon it a spirited political debate.

spirited political debate. Senator Cullom's select committee on inter-state railroad transportation will probably report to the Senate to-morrow or Tuesday an original inter-State commerce bill, and at the same time submit an exhaustive report in its support. The committee which spent a good part of the summer in in-vestigations have been holding daily sessions since the assembling of Con-urate

In addition to two or three volumes of oral testimony which the committee has taken in its pursuit of information upon the subject, an appendix con-taining a number of interesting papers from leading authorities has been printed for the use of the committee and will be made public with the report.

Opposite Temple Block Is prepared to give LESSQNS in Explosion of the "Notice"-Names VOCAL MUSIC and on the PIANO. of the Killed and Wounded.

of the Killed and Wounded. PITTSBURG, 18.—The steam tug Mo-doc exploded her bollers in the Alle-when River near Sixteenth Street Bridge shortly before 8 o'clock this morning, instantly Killing the plot, Joe Davis and seriously, and perhaps fatally, injuring the fireman, Mathew Highns, and Capt. Jeff Evans. The re-mainder of the Grew escaped unhurt. The fireman had just fired up when the explosion occurred. The concussion was terrific and the boat was rent asunder, the fragments being scattered fully 500 yards. The pilot was blown into the river and the body has not yet been recovered. The fire-Here is an opportunity for Young Ladies and Children who are Musically inclined. The Teacher is unusually efficient. d im **CLOCK MAKER** (Formerly with Seth Thomas Clock Co.) REPAIRING ESTABLISHMENT, 429 S. Seventh, East Street. was blown into the river and the body has not yet been recovered. The fire-man was blown on a raft. His inju-ries are thought fatal. The captain was badly hurt, but will probably re-cover. Others were blown into the river but rescued usinjured. The cause of the explosion is not known. Orders respectfully solicited at either of the slove places, for which PhOMPT and KI LAHLE WORK will be guaranteed, in hearing, and Repairing French, German, bigitsh and American CLAM Bin, ancient a modern make. Also, Watches and Ma ical loxes at reasonable rates. es Wirk called for and delivered. du

Robbed of \$300.

Pirragung, 18. — Geo. Hassel, an Englishman ireported mysteriously missing, and who, it was feared, had met with foul play, was found by a detective late last night. He claims that an alleged officer arrested him yesterilay, led him to an unfrequented part of the city, and then robbed him of his pocket book, containline over \$300 and papers of great value. Has-sel came here to establish himself in business as an architect. The thief has not been arrested.



