

# THE EVENING NEWS.

TRUTH AND LIBERTY.

VOL. V.

SALT LAKE CITY, UTAH TERRITORY, MONDAY EVENING, MARCH 11, 1872.

NO. 93.

Owner Paper of the Rocky Mountain Region.

THE EVENING NEWS.

(Published every evening except Sunday.)

One Copy, 5 CENTS.

Three Months, \$1.50.

Six Months, \$2.50.

One Year, \$4.50.

THE DESERET NEWS.

SEMI-WEEKLY.

(Published every Tuesday and Saturday.)

Terms for the Semi-Weekly:

One Copy, 5 CENTS.

Three Months, \$1.50.

Six Months, \$2.50.

One Year, \$4.50.

DESERET NEWS: WEEKLY.

(Published every Wednesday.)

Terms for the Weekly:

One Copy, 5 CENTS.

Three Months, \$1.50.

Six Months, \$2.50.

One Year, \$4.50.

OFFICE—Cor. South and East Temple Sts.

ANSON M. CANNON, General Business Agent.

THE NEWS BOOK AND JOB PRINTING OFFICE.

Has superior facilities for the execution of all kinds of Book and Job Printing.

BOOK BINDING AND PAPER RULING.

GEORGE C. CANNON,

EDITOR & PUBLISHER.

THE MORMON MUSS.

An Interview with George C. Bates.

WASHINGTON, Jan. 29, 1872.

THAT TRUMPET OF JERICO.

The Mormon problem seems to be constantly increasing in perplexity.

The Pacific railroad has long been completed.

The locomotive whistle has for two years been heard on the shores of Salt Lake, but Mormonism has not been overwhelmed, nor polygamy abolished.

The walls of the seraglio of the Utah Turks, which were to have been made to fall by the trumpet of the herald of civilization, as in the Hebrew story, the walls of Jericho fell at the sound of the trumpet, still firmly stand, and the strength of these walls is yet very great. They seem to have been cemented in molten gold.

THE STATEMENT OF GEORGE C. BATES.

I met on Thursday your former townsman, George C. Bates, now United States District Attorney for the Territory of Utah. He is here by the order of the Attorney General, to attempt to extricate the United States government from the very serious legal difficulties into which it has been brought, as it would seem, by inconscientious action, at the instigation perhaps of over-zealous and ignorant advisers. I shall here endeavor to give you a summary of the conversation as a matter of public interest, at the present time, without intending, however, in any way to commit the Evening News, or its correspondent, to the views here given. All the facts of the following statement are derived, in part, from Mr. Bates, and in part from other sources, which I have deemed equally trustworthy. But, as to both sources of information, I am at the mercy of my informants, having myself, from personal observation, no knowledge of the Land of the Bee.

Shortly after the Chicago fire, Mr. Bates was appointed United States District Attorney for the Territory of Utah. He had served in similar capacity a considerable period in Michigan, many years ago, and was well known as an able lawyer of the old school. He was something more than a dexterous and credulous politician, who is generally a lawyer only in name, and he carried to Utah the experience of an active and successful career in the law of a quarter of a century. He was a conservative man, unlikely to be led astray by the tricks of a Police Court, or the partisan arguments of judges sitting, politically, to advance a cause, rather than to administer justice. He was justly to be interpreted the laws as they found them. The speech of Mr. Bates, at his induction into the duties of his office, created a very favorable impression throughout Utah, and wherever else it was made known. In it he declared it to be his duty, as the "chief magistrate," to perform the delicate and sacred functions of his office with candor, equity, calmness and courage; with such equal and exact justice toward all the people of Utah, whether Mormon, Gentile, or Jew, without regard to caste, religion, sex or sect, as to extort from them all the same commendation of the English Bishop, that, in spite of crafty tricksters, law, after all, is "that science whose voice is the harmony of the world, whose seal is the bosom of God." The speech was not above nor beyond its power, or its process. The humblest are not beneath its protecting arm. And he further added, "As a student from my youth to regard its ministers upon the bench as engaged in duties not less sacred than those of the minister of the altar of the living God, I shall bow with deference always to the rulings and decisions of the bench, save only when they are overruled, altered, or reversed by the supreme judicial tribunal of the United States, or the wise action of an intelligent Congress, acting in its capacity as the lawful guardian of its rising ward."

WHAT MR. BATES FOUND THERE—CONFLICT OF TERRITORIAL AND FEDERAL JURISDICTION.

Upon assuming the proper functions of his office, Mr. Bates found that the former law officers of the government had wrought almost insupportable inexplicable confusion in the law matters of the Territory and the government. To give greater clearness to subsequent explanations, I here also portions of the statements to which so much publicity has recently been given, and concerning which there has been so much ignorant legal exegesis.

THE UNITED STATES LAW.

On the 1st day of July, 1863, President Lincoln approved an act of Congress, entitled, "An act to Prevent the Practice of Polygamy in the Territory of the United States," the text of which, so far as it relates to the chief Mormon indictments, is as follows:

Be enacted, etc., That any person having a husband or wife living who shall marry another person, whether married or single, in a territory of the United States, or other place over which the United States have exclusive jurisdiction, shall be adjudged guilty of bigamy, and, upon conviction thereof, shall be punished by fine not exceeding five hundred dollars and by imprisonment for a term not exceeding five years.

THE MORMON TERRITORIAL STATUTE.

Something more than ten years prior to this act, on March 6, 1863, Brigham Young, at that time the husband of eight wives, and Governor of the Territory of Utah by the appointment of Millard Fillmore and the confirmation of the United States Senate, affixed his signature to a bill of the Territorial Legislature entitled, "An act in relation to Crimes and their Punishment," and under the sub-title of which "Offenses against Justice, Morality and Decency"—are found the following sections:

"Sec. 31. Every person who commits the crime of adultery shall be punished by imprisonment not exceeding twenty years, and not less than three years, or by fine not exceeding one thousand dollars, and not less than three hundred dollars, or by both fine and imprisonment, at the discretion of the court; and when the crime is committed between parties any one of whom is married, both are guilty of adultery and shall be punished accordingly. No prosecution for adultery can be commenced except on the complaint of the husband or wife.

"Sec. 32. If any man or woman, not being married to each other, shall lewdly and lasciviously cohabit together, or if any man or woman, married or unmarried, is guilty of open and gross lewdness and lasciviousness, or if he or she, or her person, or of the person of another, every such person so offending shall be punished by imprisonment not exceeding ten years, and not less than six months, and fined not more than one thousand dollars, or both, at the discretion of the court."

The Legislative Assembly which passed these acts were all Mormons, and each of the thirteen members of the Upper House were in possession at that time of more than one wife, and of the Lower House all but three members were polygamists. These three have since been expelled from the territory, and are now in the Mormon faith before.

These are the two principal statutes which have excited so much recent public discussion, the peculiar construction of which, by some of the law officers of Utah, has been the occasion of so much indignant comment by the leading lawyers of the country.

LEGAL CHAOS IN UTAH.

Mr. Bates, upon arriving there, found that there was not a single case pending in the United States District Court of 1863, above cited, prohibiting polygamy, or in which the United States claimed to have jurisdiction over the acts of Congress, as such, were involved. He also found that the Territorial Supreme Court had decided that in all criminal cases, from which there was no appeal, it was a United States court, assuming thus, in an extra judicial and unauthorized manner, a chameleon-like jurisdiction. This Territorial court also claimed all the criminal cases, and Petit Jurors must be, and had been, drawn as a United States jury under the law of Congress, although the court itself was a United States court, and had no authority to look to other laws than the statutes of the Territory by which it was created, and the general common law of the land. The court had assigned multifarious and most peculiar duties to the United States District Attorney. Mr. Bates discovered that the judges had determined it to be his duty to prosecute all criminal cases pending in every district of the Territory, although cases of purely local character, in which the United States had no concern; that he must prosecute Brigham Young for lascivious cohabitation in the United States court, as well as a common strumpet for breach of the peace in the district of Territorial Police Court. He was assigned to the duties performed in your own city by United States Attorney Glover, State's attorney Charles Reed, and formerly by the departed Grosvonor, Prosecuting Attorney of the Police Court. He was to prosecute all sorts of people, for all manner and kind of infraction of Territorial laws, the offenses in question being defined and punishable only by Utah law, and he was to do this for the United States, and in addition, to provide his own jail and penitentiary, since the United States had none. The Mormon Territorial Legislature, which claimed to be the sole legislative body of the Territory, had determined that, if the United States government was resolved to conduct the prosecution of the cases, it must make appropriations of money for the Territorial Courts, which had assumed to be exclusively Federal courts. The result was an act, that the United States Marshal has incurred an expense of some eighteen thousand dollars for the ordinary expenses of the courts, and the United States is utterly without funds to continue the existing prosecutions against the leading Mormons, and this, too, while the Mormon leaders are in the hands of the Federal Government. He has official records which show that his action has been approved in every instance by the Attorney General, and by Solicitor General Bristow, who is one of the most gifted legal men that has ever occupied that position. The agent of the Associated Press at Salt Lake, who is so eager to attack the District Attorney, Mr. Bates believes is acting in behalf of some material interests, without regard to the directions of his employers.

BLOOD IN THE HEMLOCK.

It is the opinion of Mr. Bates that, unless the prosecutions shall be conducted in accordance with law, instead of in defiance of all established forms of legal and equitable procedure, there will inevitably be bloodshed in Utah. While Brigham Young asserts that he would willingly consent to a test case, which would bring the question of polygamy before the United States Supreme Court, by which it would be decided, to abide—it is certain that the Mormon leaders will not voluntarily submit to conviction under the present illegal and irregular procedure which they have made it their duty to follow. Brigham Young is not much longer to be stayed. But if he should die now of a broken spirit, as the result of what the Mormons would consider prosecutions of an illegal character, he would die a martyr. And in the country of Deseret the world would then once again learn that the blood of the martyrs is the seed of the church.

The Mormons may not have strength enough to attempt resistance to Federal authority, or spirit enough to undertake another exodus, leaving the country which they have made to "blow as the rose" to again become a sterile desert. They may be induced to

believe that it is not worth while to fight or die for polygamy, and that their patriarchal government has become a political anachronism to be abandoned.

Such, however, is not the opinion of those who seem to have had the best opportunities for the formation of intelligent opinions.

E. B. W.

—Chicago Post.

TOWNSEND HOUSE,

SALT LAKE CITY,

THE LEADING HOTEL

OF UTAH.

JAMES TOWNSEND, Proprietor.

THIS HOUSE is centrally and pleasantly located, well furnished, and has accommodations for 150 guests.

THE PROPRIETOR is now preparing to build large additions to his hotel, which, when finished, will render it the

Most Complete Establishment in the

ROCKY MOUNTAIN REGION!

TAYLOR'S HOTEL,

West side East Temple St.

ROOMS BY THE SINGLE NIGHT, WEEKLY OR MONTHLY.

TAYLOR & CUTLER,

PROPRIETORS.

We have rented our Restaurant to

MESSRS. GLADE & GOODMAN.

AMERICAN HOTEL!

A Select First-Class

HOUSE.

ONE BLOCK EAST OF THEATRE,

SALT LAKE CITY.

TERMS:—\$3 Per Day.

Board, without room, \$10 Per Week.

J. C. LITTLE, Proprietor.

Salt Lake City, May 24, 1871.

EVERY DESCRIPTION OF

FANCY JOB PRINTING,

AT DESERET NEWS OFFICE.

WHITE AND RED

Pine Lumber!

OF EVERY KIND

FOR SALE AT THE

Month of Deer Creek,

American Fork Canyon, by

SANDERS & PRATT.

412 1/2

BILL LUMBER!

I am prepared to

Saw and Deliver.

On the Shortest Notice.

LUMBER AS PER BILL.

RED AND WHITE PINE.

LUMBER AT THE MILL.

TWO AND A HALF PER FOOT.

As Liberal Prices Paid to persons desiring to

cut H. W. BRIDGEMAN, Partner's Park.

H. D. N. WOODLEY, Agent, S. L. City.

J. M. JOELSON,

DEALER IN

FURNITURE,

And Manufacturer of

Upholstery, Mattresses, &c.

Groesbeck Corner,

Opposite the WHITE HOUSE,

SALT LAKE CITY, UTAH.

J. R. MURPHY,

Assayer, Metallurgist and

Mining Engineer.

OFFICE—Three Doors South of Hooper,

Edwards & Co's Bank,

MAIN STREET, SALT LAKE CITY.

Examination and survey, with report and map, made on mining property.

Plans furnished and advice given as to the most efficient style of building Furnaces for the ore of this Territory, and guaranteed.

Assaying in all its branches done promptly and cheaply.

CHARGES—\$5.00 for Single Assay.

Established 1860.

BARBOCK & CO.,

Importers & Jobbers of

Teas, Coffees, Spices,

Sugars and Fine Syrups.

44 & 46 PARK PLACE, NEW YORK.

By permission we take pleasure in referring to Messrs. Barbock & Co., New York, N. Y.

BALL, BLACK & CO.,

558 & 559 BROADWAY, N. Y.

Largest Importers, Manufacturers & Dealers in

Silverware,

Preserved Stoves,

Bronzes, Clocks,

Marble Statuary,

Oil Paintings,

Gas Fixtures,

AND ALL KINDS OF

Fine Jewellery.

At the Lowest Prices.

Z. C. M. I. BOOT & SHOE DEPT.,

At the Sign of the BIG BOOT!



Every style and quality of Boots and Shoes made to order. Satisfaction guaranteed.

ALWAYS ON HAND, A LARGE AND CHOICE STOCK OF

HOME-MADE AND IMPORTED BOOTS & SHOES

A full assortment of Shoe Findings, Horse Collars and all kinds of LEATHER.

AS HIDES WANTED, SEE H. B. CLAWSON, Sup't.

Z. C. M. I.

RETAIL DRY GOODS DEPARTMENT!

Too Late For Christmas,

But those who were unable to make the usual CHRISTMAS PRESENT can do so now.

Styles Unique. Prices Low.

SEE OUR SHOW WINDOW!

140,000

SINGER SEWING MACHINES

WERE SOLD WITHIN THE PAST YEAR. —Scientific American, June 10, 1871.

The Singer Manufacturing Company,

AT THE WORLD'S FAIR

—Constituted by the homes of the people—

Received the Great Award of the Highest class and have left all rivals far behind them, for they

Sold in 1870 127,633 Machines!

SEWING MACHINE SALES FOR 1870.

"The magnitude to which the manufacture of Sewing Machines has attained is shown by the sales of the leading makers, on whom they pay a royalty. According to these returns the number of machines sold by each manufacturer in 1870 is as follows:

Machine	Singer	Wheeler & Wilson	White & Sewing	Brother	Lucy B. Knott	John A. Johnson	Wheeler & Wilson	White & Sewing	Brother	Lucy B. Knott	John A. Johnson
Wheeler & Wilson	127,633	85,000	75,000	65,000	55,000	45,000	35,000	25,000	15,000	10,000	5,000
White & Sewing	85,000	75,000	65,000	55,000	45,000	35,000	25,000	15,000	10,000	5,000	2,000
Brother	75,000	65,000	55,000	45,000	35,000	25,000	15,000	10,000	5,000	2,000	1,000
Lucy B. Knott	65,000	55,000	45,000	35,000	25,000	15,000	10,000	5,000	2,000	1,000	500
John A. Johnson	55,000	45,000	35,000	25,000	15,000	10,000	5,000	2,000	1,000	500	200
Wheeler & Wilson	45,000	35,000	25,000	15,000	10,000	5,000	2,000	1,000	500	200	100
White & Sewing	35,000	25,000	15,000	10,000	5,000	2,000	1,000	500	200	100	50
Brother	25,000	15,000	10,000	5,000	2,000	1,000	500	200	100	50	20
Lucy B. Knott	15,000	10,000	5,000	2,000	1,000	500	200	100	50	20	10
John A. Johnson	10,000	5,000	2,000	1,000	500	200	100	50	20	10	5
Wheeler & Wilson	5,000	2,000	1,000	500	200	100	50	20	10	5	2
White & Sewing	2,000	1,000	500	200	100	50	20	10	5	2	1
Brother	1,000	500	200	100	50	20	10	5	2	1	0.5
Lucy B. Knott	500	200	100	50	20	10	5	2	1	0.5	0.2
John A. Johnson	200	100	50	20	10	5	2	1	0.5	0.2	0.1
Wheeler & Wilson	100	50	20	10	5	2	1	0.5	0.2	0.1	0.05
White & Sewing	50	20	10	5	2	1	0.5	0.2	0.1	0.05	0.02
Brother	20	10	5	2	1	0.5	0.2	0.1	0.05	0.02	0.01
Lucy B. Knott	10	5	2	1	0.5	0.2	0.1	0.05	0.02	0.01	0.005
John A. Johnson	5	2	1	0.5	0.2	0.1	0.05	0.02	0.01	0.005	0.002
Wheeler & Wilson	2	1	0.5	0.2	0.1	0.05	0.02	0.01	0.005	0.002	0.001
White & Sewing	1	0.5	0.2	0.1	0.05	0.02	0.01	0.005	0.002	0.001	0.0005
Brother	0.5	0.2	0.1	0.05	0.02	0.01	0.005	0.002	0.001	0.0005	0.0002
Lucy B. Knott	0.2	0.1	0.05	0.02	0.01	0.005	0.002	0.001	0.0005	0.0002	0.0001
John A. Johnson	0.1	0.05	0.02	0.01	0.005	0.002	0.001	0.0005	0.0002	0.0001	0.00005
Wheeler & Wilson	0.05	0.02	0.01	0.005	0.002	0.001	0.0005	0.0002	0.0001	0.00005	0.00002
White & Sewing	0.02	0.01	0.005	0.002	0.001	0.0005	0.0002	0.0001			