THE EVENING NEWS. TRUSHED DAILT, SUNDATS EXCEPTED, AT FOUR O'CLOCK.

GEORGE Q. CANNON, BRIGHAM YOUNG, EPITORS AND PUBLISHERS.

Thursday - . September 27, 1.77

LAYING OF THE COENEE STONES OF THE NEW TABEENACLE. be made in it with advantage. That clause, particularly, which allows divorce under certain regu-lations, "If the court is satisfied a resident of Utah, but at present TABEBNACLE.

ernacle will be laid at noon to-mor- to become one." The words in row (Friday), by the Quorum of the italics, in our opinion, should be Twelve Apostles, and other Quo- expunged from the law, and we berums of the Holy Priesthood. The lieve this is the view of the matter Apostles, the Presidency and High heid by a great many members of Elias Smith issues a summons to be Council of this Stake of Zion, the the Legislature, who will no doubt known place of residence of the presidents and Counselors of the take this subject up at the next sit- defendant as sworn to by the plain-High Priests' and Elders' Quo- ting of the Assembly. But even tiff, and citing him or her to ap-High Priests' and Elders' Guo-rums, the First Seven Presidents of the Seventies, Bishop Hun-ter and his Counselors, and the real evil. The court is to be satisfied granted as prayed for in the comvarious Bishops, with their Coun- of the facts in the case. True some cils throughout the Stake, and persons may be more easily "satisfi. Presidents and their Counsel- ed"than others in regard to any mators of the Quorums of the Lesser ter of fact, opinion or principle, but Priesthood, and the Building Com- the law when framed meant bong mittee and Architest are requested /ide satisfaction. And it is but very to meet at the south side of the recently that any attempts have large Tabernacle, at 11:30 o'clock been made to take advantage of the a.m. Any of the Priesthood and loophele to be obtained by wresting all others who feel interested are and perverting that one phrase of invited to be present at the cere- the law. It was framed in 1852 and mony of laying the corner stones. has stood in the statutes all these

JOHN TAYLOR, years without working injury, un-President of the Twelve Apostles. Il within a very brief period.

DIVORCE

WE publish, as an item of news, the report of the Grand Jury in relation to divorce matters in Salt Lake County. The particulars set forth in that document are of a remarkable character. Whether they are correct or incorrect we are not able to state. Reports have been previously made in this city from committees appointed by grand juries, which were absolute tian and Pagan, that divorce in ly false and evidently concocted general is repugnant to the feelings with malicious intent. We have no doubt, after perusing the present committee's report as adopted by the Grand Jury, that explanations from the Probate Judge would mafraud, intrigue and illegal schemes terially alter the appearance of the and methods, wherever and case, and demonstrate the fact that a similar animas to that which prompted the former garbled and the Church and its faithful memmendacious report which was al- bers with abhorrence and disgust; most universally condemned some and that they do not fellowship the

it is the general rule of practice in this court, where the parties are non-residents and where the com-plaining party prays for relief from his or her matrimonial obligations, endorsed by the teachings of the Church nor the sentiments of the community. We have no hesitation in saving that they are utterly opto employ some not over-sensitive posed to anything of this character, or unscrupulous attorneys whose and consider it unlawful, unrightenames are very seldom attached to the complaint, to forward the same ous and indefensible. The law on di-

vorce as it now stands on the Utah statute book is imperfect there is this document is an affidavit from no doubt. Some changes might

THE corner stones of the New Tab-THE corner stones of the New Tab-resident of the Territory or wishes cant, and that the last known place

of residence of the defendant was so and so, naming the place. Tpon the showing of these valua-ble single-handed documents,made by the plaintiff, his Honor Judge plaint.

Now, the plaintiff in these cases for instance, lives in New York, which gives five days to go and five days to return, and which leaves a margin of only a few days for the defendant to consider whether he or she shall appear in the action. But the time of the court appears to be too valuable to be wasted upon any such trifling contingency as the summons not reaching the party to whom it was addressed, even supposing that the last known place of residence is. given correctly. But the court seems to have great faith in the

postal department, and a letter must, of course, find the party to whom it is addressed. So accordingly on the last day given for the appearance of the defendant, his Honor Judge Elias Smith grants

do evil for dollars, if any such there be; we do know that any one is worthy of consure in this regard; we 100 consecutive cases and among these the following: worthy of censure in this regard; we parties are non-residents, and wered statements of the Grand Jury, wered statements of the Grand Jury, evidently inspired with a desire to grounds of incompatibility of temdo not accept the one-sided unans-13 cases, decr's granted same day comp't fil make trouble for the Probate Court; perament, different aims and objects in life, etc., all of such rea-sons being the most frequeatly but we do wish it to be distinctly

used But we find a still more novel and direct method of shuffling off the matrimonial obligations. For instance, a husband and wife, both and faith of the Latter-day Saints, non-residents, and either of them and contrary to the doctrine of the making complaint and swearing that the defendant has abandoned his or her home, and filing such sworn statement without any ether corroborative evidence, can get the decree granted on the same day the petition is filed. As this may seem too incredible for belief, we will here cite several cases as examples of many more, viz:

kind has been practised it is not trust of any court. We find that in my case, Shall I send them to you? I expect two more in a few days, If you wish them I will send them all at once. Respectful-

Emery and that officer, after inves-tigation, has produced before the "(Signed) A. H. GRANT. "To D. Bockholt, Clerk Probate . Court, Salt Lake City, Utah." grand jury such evidence as con-vinces us that the subject is one of such grave importance as to de-mand the immediate attention of

He writes again, March 10th, the Secretary of the Interior. The

"To D. Bockholt, Esq.

the secretary of the Interior. The testimony, in brief, is as follows— The legal place of residence for these Indians is Fort Hall, Idaho, "Dear Sir: Herewith find two the party complaining to the effect affidavits; will send the others as soon as they arrive. "(Signed) A. H.

To this Louisa A. Grant, the de-ion for their support is made at fendant made answer under date of Fort Hall and, when in want of March 5, 1877.

there to get them, returning to "That no service has been made Utah afterwards. upon her, and she has only during At the present time there are the week past received a copy of the complaint and summous through about 100 Indians near Corinne.

1 day afte 2 days "

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44

44

44

rially in character from those here-

We also find that in a large num

ber of cases the complaint and al

handwriting of Elias Smith, pre-

These developments made by

your committee in their investiga-

tions, fully vindicate his Honor, Chief Justice Schaeffer, for his or-

der enforcing the law relative to

the inspection of public records, and

furnishes an explanation of the re-

Attest: G. W. BOSTWICK, Clerk.

C. K. Gilchrist, E. M. Barnum,

... 16

R. MACINTOSH.

G. A. LOWE.

practicing in his own court.

in detailed.

10 11 . 4 4

half of them males. They are unthe mail; has not had time to present counsel all the facts and cir-cumstances to enable him to preder the immediate control of Bishcumstances to enable him to pre-pair her answer, but will do so with op Hill says they are improving as little delay as possible; is advis-ed by counsel that she has a good them. A number of them have aiready filed on land, as the foland meritorious defense; her resilowing statement taken from the books of the U.S. Land office in dence is Animosa, Jones Co., Iowa; said plaintiff abandoned her without cause and left her with two Salt Lake City shows-

(Then follows a statement of sunyoung children dependent upon dry pre-emption entries made by her for their support, said children being the fruits of the marriage be-Indians.)

Still the lawlessness of these In-

dians has been but measurably con-trolled. Some complaints against

them have been made to Governor

as they have not yet renounced

their tribal relations and live and dress like all wild Indians. Provis-

ion for their support is made at

provisions, blankets, &c., they go

The evidence given by witnesses tween plaintiff and this defendant; she is compelled to support herself and them by her own labor; she has no means to pay counsel for preparing and conducting her de-been built thereon. There are a live in bush and huts. Nearly all ense, and she asks to be granted live in brush shanties. The Inreasonable time for preparing her, dians give little evidence of becoming farmers. They do but little defense, and that the court will orwork, the most of it being done by der that plaintiff shall pay her such white neighbors who are detailed sums by way of temporary alimony for that purpose as missionaries, as shall seem reasonable to this court for employing counsel to pre-pare and conduct her defense herewhile the Indians roam about at will. Witnesses state their belief that the Indians could not live there if left alone and that sub-"(Signed) LOUISA A. GRANT, scriptions in the settlements are made for the aid of the Indians. Upon this showing the Court granted a continuance of thirty The adjoining settlers and Montana days, at the expiration of which

freighters are annoyed by the Intime a decree was granted, April dians stampeding stock and ruining the road. Your committee have examined This bad conduct on the part of the Indians is believed by these

witnesses to be caused by certain white men, who are using them as tools for the purpose of entering land for the benefit of these white people, and that they are also used te frighten and deter obnoxious white settlers from coming into the same valley. Once the Indians should acquire a U. S. Patent to the land it is supposed that means would speedily be found to transfer the title to the unprincipled parties who are using the Indians for such illegal purpose. And this belief is the more probable in view of the notorious fact that only about five years ago more than a hundred white men were induced to file on and enter an immense tract of land, known as the Church Farm, only a few miles from the present location of the Indians, and on which land so filed upon and entered, there was

Rose Barney vs Dennis Barney; complaint filed January 3d, 1877, and sworn to in San Francisco; 343, in the Probate Coart of this the person for whom the parties

FALL TRADE '77.

Z. C. M. INSTITUTION

We are opening and offering for sale, an entirely new stock of Dry Goods and Notions, all fresh and of the most modern styles and best manufactures.

The stock is ample, complete and varied in every class of goods known to the trade, and comprises a greater variety, better grades and lower prices than has ever been offered in Utah since the opening of the Institution. Our resident buyer in New York, by purchasing largely for Cash, has secured rare and un usual bargains in the leading lines, and these advantages will in every instance, be shared with our patrons.

We call special attention to recent arrivals in English French and American Dress Goods, comprising the newest shades and colorings, and in the very latest designs and combinations, which offer unusal attractions to all buyers for first dass Retail trade. We are displaying thirty styles of English. Scotch and Domestic Cheviots, Forty styles of Ethal Plaid Dress Goods, five thousand pieces of Fall Prints, among which are. Hamilton, Manchester, Pacific, Knickerbocker, Oriental, American, Garner, Washington and Mallory. Also the Peabody Solid Prints. In Bleached Goods we offer the Social, Hope, Western Products, Dwight, Pocahontas, Farwell, Lonsdale, Fruit of the Loom and other brands of leading mills; we also offer a new article of special merit for underwear, known as Double Warp Har Bleached Cottons.

Our Dress Flannel Department is thorough and complete in all recent choice designs. Buyers are requested to order early. as the line is now full.

Retailers in this and neighboring territories will save time. money and expense by ordering from us instead of sending East. as our assortment is so large, they will be able to make selections without stocking up with unsalable goods, in fact no dealer. however remote from business or manufacturing centres can af. ford to pass by this city with a view of purchasing elsewhere. In short, during a season unparalleled for Auctuations in the prices of general merchandise, we still offer better goods, lower prices and more favorable terms than any house west of New York, and we take this opportunity of inviting those who read this notice and who have never favored us with their patronage; to make a trial of our goods for the fall and winter of '77-'78.

We are not arguing in favor the statute as at present worded; we do not wish to defend any one who has perverted its letter or spirit to

understood by Jew and Gentile,

"Mormon and anti-Mormon, Chris-

Church to which they belong; that

such divorces as are obtained by

whenever secured, are viewed by

deeds and doings of any persons in time ago, has had considerable to or out of this Territory, if such do with the present statement. there be, who trade upon the pas-However, we leave the facts in the sions and vices of erring humanity, matter to be explained by those and lend themselves to secret who are personally interested, believing that the Probate Judge is schemes for the disruption of famabundantly able, if proper time is ily ties that should be held as sacafforded him, to give a sufficient red, inviolable and indissoluble. answer to every allegation.

But we deem it a duty we owe to the people of Utah, to correct the

VA SHAMEFUL REPORT.

public mind upon the views of the WE give in other columns the re "Mormon" Church on the subject port of the Grand Jury in regard to of divorce. It has been represent- the Indians on Bear River. All who Louis, filed April 16th, 1877; plained by many newspapers as well as are acquainted with the truth relatby pulpit orators, that the putting ing to this matter know that many away of wives is a common prac-statements it contains are utterly filing of the application. John B. Vial vs. B. D. Vial; comthat it is fully in accordance with dation in fact. The few poor Inditheir religious doctrines. This state- ans who have been farming on Bear ment is entirely without founda- River, many of them holding land tion in fact. which they have legally entered

The teachings of this Church are and obtained by complying with utterly hostile to divorce. Marriage the provisions of the laws of the is represented as a sacrament. It is United States, are not attached to not only binding until death, but any reservation, but are roving contracted for time and all eternity, remnants of bands long since and sealed by the Holy Spirit of broken up, and that they are peacepromise under the authority of one able, docile, anxious to learn the a personal service cannot be made holding the power to "seal on arts of the white man, and to turn earth" so that it shall be "sealed in away from the vices and idie habits heaven." There is nothing in any of their race.

of the revelations believed in by The brethren who have, in the the Latter-day Saints that en- true spirit of the Gospel, acted as courages a man to put away missionaries among them, are worhis wife. The doctrine of the thy of all praise for their disinterest-Church is that he is not justified in | ed labors in teaching them the docdoing so except in case of adultery. trines of Christ, and showing them And even in such cases, which we how to till the soil. The Indians are happy to say have been of very on Bear River have worked faithrare occurrence, the husband has fully and accomplished marvels, generally been advised, if the wife considering their traditions and forwas repentant, not to cast her off, mer habits, and this attempt to but to provide and care for her that again drive them from their hardshe might not be impelled to travel earned crops and possessions is noin the path of evil. thing less than fiendish.

We defy any one to show where-And the general practice has been in accord with these teachings. In they have done the least injury Cases in which the husband has to any white person, by repenting Smith's court, and wants the acapplied for a divorce from his wife of their evil ways and working for are exceedingly scarce. Wives a living, or their occupation of the have applied for divorces from their vacant lands on Bear River, which have applied for divorces from their vacant lands on Bear River, which answer on plea as containing no husbands, and their request has they hold for their own exclusive defense within law or equity to the been usually granted. And the women so sundering their family in the name of truth, humanity, common sense and justice, against 1877. obligations have generally obtained such a pecuniary settlement as more this shameful attempt to deprive than covered the demands of jus- them of that to which they have tice so far as they were concerned. as good and legal a right, as any

It may be asked, why grant di- member of the Grand Jury has to vorces at all if the Church does not any property to which he may lay encourage them? The answer is claim. for the same reason that Moses per- We have neither space nor time

mitted them to the people this evening for further remarks in his day-"because of the on this subject, but shall allude to hardness of their hearts." it again. And, under the system of plural marriage practised in this Church, DIVORCES IN THE PROBATE it would be considered a system of COURT.

boudage, if women desiring to sever

decree granted same day. Dominick Morogh vs. Josephine Morogh; complaint sworn to in mpidly this disgraceful business is on the increase, we give the num-ber of cases for the first six months, New York and filed January 3d. 1877; decree granted same day. Bently Stevens vs. Adeline Stevdating from September, 1876, as also ens; complaint sworn to in Chicathe last six months ending Septemgo, filed February 20th, 1877; de-

13, 1877.

ber, 1877, viz: First six months, 62 cases; last cree granted same day. Robt. E. Nesbit vs. Frances H. aix months, 281 cases.

Nesbit; complaint sworn to in Ter-re Hante, Ind., filed February 20th, Your committee deem that the statistics taken from the records of 1877; decree granted same day. Alice Attwood vs. Nathaniel Attthis Probate Court, and as shown herein, are sufficient evidence to wood; complaint sworn to in St. call for the prompt suppression of these unjust and illegal proceedtiff swears that defendant's last ings, and your committee have known place of residence was at good reason to believe that other sea; decree granted two days after county Probate Courts of this Territory are likewise engaged in this class of divorce bu-in as to as equal plaint sworn to in New York; filed if not greater extent.

April 5; last known place of resi-A significant fact as shown by dence of defendant, in France; dethe examination of your commitcree granted April 9, 1877. tee, is that all divorces on file from To further instance the fradulent non-residents, which we have ex-

and nefarious practice of this divorce business, we would cite the following cases: Helen Leonard applied for a di

vorce from Peter Leonard, of 111 ceedings may be, except where drington, Canada, files her comsome resident attorney has appearplaint in the Court, swearing to it ed to make defense. And also in many cases the words "county of Salt Lake and Territory of Utah" in Allen Cousty, Indiana; asks, as upon defendant within the jurisdicwere left blank at the time the petion of this Court, that the Court direct that service be taken as fortitions were sworn to, and afterwards filled in with another hand feited, according to section 5, Utah writing, different from that in the Statutes, in reference to divorce. body of the complaint.

Decree granted two days after filing the petition. Mary A. Smith files a complain against Orla Smith, on June 29, 1877; in application makes usual statement that she wishes to become a resident of Utah, but circumstances at present prevent. Orlo Smith makes an-wer, sworn te before John F. Evans, clerk of the papers in said cases are in the Common Pleas, Delaware, Ohio, stating that plaintiff is not and never was a resident of Utab; is and always was a resident of Delaware,

Ohio, and that her petition for di-vorce is a fraud, practised by di-verse wicked and unscrupulous at-torneys; defendant does not consent to the jurisdiction of Judge Attorney for plaintiff, on February sistance of Judge Ellas Smith, and Clerk, D. Bockholt. 16, 1877, demurs to defendant's use and benefit. And we protest bill filed in this court, and prays in the name of truth, humanity, the bill; decree granted March P,

The within report was adopted this 26th day of Sept., 1877. MARTIN K. HARKNESS, Amelia L. Etifritz applies for a divorce from Daniel G. Elifritz; petition sworn to in Chicago, Februtition sworn to in Chicago, Febru-ary 21, 1877. Defendant writes Feb-raury 28th, from Atlantic, Iowa, to the court, "Received this day no-tice purporting to come from you, and in regard to a suit by my wife against me; the notice does not sey what for; I want particulars." It states that his wife is not, nor never

was in Salt Lake. He wants to

know in time, so he can send an attorney to defend. March 1st he writes again, stating that his attor-neys say the notice received is il-legal, unless it states what the ac-tion is brought for. "If you render Beport of the Grand Jary.

their relations with a husband hav-ing other wives, were refused the liberty they might demand. But it has decree against me," he mays, "for a decree against me," he mays, "for anything without legal process, I will make it hot for you." After the Grand Jury of the Third Judicial District; April term GENTLEMEN: Your committee appointed to examine and report upon the conduct of affairs in the Probate Court of this county, beg leave to offer the following as the result of their investigations: Your committee have confined head, to whom she has been united by the most sacred covenants and holy obligations. Any departure from this course marked out by the Church for its members, no matter by whem it is taken, is contrary to the letter and spirit of the gospei taught therein, and to the sayings of Christ and the holy prophets. In adding otherwives to his family a man has no right te "deal treacherously with the wife of his youth." And, as the Bible would at once stay such proceedmarriage vows by diverce, but not a single word of disapprobation can be found in the sacred records against a man's marrying wives, The charge that the "Metmen" Thurch encourages or connives at church encourages or connives at

county, for the year ending Sep-tember 1st, 1877, and to show hew in so doing. in so doing. The following letter is significant

in this connection-SALT LAKE CITY, Jan. 3rd, 1877.

Elder Asa Garner, Ogden City.

Dear Brother-Whilst seeking informa-tion with regard to the admirable work that is being, at the present time, accom-plished amonast our Indian brethren, on the Malad farm, we incidentally learaed that, s yee, you had not responded to your calling and appointment to labor as a missionary in their midst. Feeling a deep interest in the welfare and happiness of all out brethren we think it desirable to kind-ly remind you of this fact, so that you might know that you were net forgotten. for we are full well assured that the path of duty for a Latter-day Saint is not only the path of safety, but the path of salvation also. We therefore feel im-pressed. not only for the sake of out brethren (f the Lamanites, but also for soir own, to suggest that you were assin ped, and report, at as early an opportunity as convenient, to Brother George W. Hill, of Ogden, who has the direction of the labors of the missionaries on the farm. If, how-ever, there should be any circumstances which ou deem a valid excuse for not per-forming this work, please communicate with us, and rest assured the same shall Dear Brother-Whilst seeking informa-tion with regard to the admirable work amined, have been granted, no matter how trifling or unwarrantforming this work, please communicate with us, and rest assured the same shall have our kindlicst attention and consideraable the alleged grounds of complaint, nor how informal the pro tion. Praying the Lord to abundantly bless you in every good word and work. We remain, Your brethren in the Gospel, (Signed) JOHN W. YOUNG, DANIEL H. WELL Missionary work, alluded above, consisted in performing manual labor on the Indian or Malad farm, while the Indians themselves either loafed or went to Your committee accompany thi Fort Hall for fresh supplies. report with an abstract of over 150 We desire to add our conviction cases, which, upon examination, have been found not to differ mate-

be susceptible to the malign influence of these white mischief makers who now use them for their own selfish ends and profit.

Clerk.





has been clearly announced, and it is generally understood, that unless for the gravest offences committed by the husband, the wife is under transgression before God who becomes divorced from per earthly head, to whom she has been united

"deal treacherously with the wife of his youth." And, as the Bible declares, "God hateth putting ""deal treacherously with the wife divorces in said court is such an outrage on justice and law, that measures should be taken that His anger is denounced away " against those who violate their

previding it is done in the way at least eighty per cent. of that manked out by Divine command- number were applied for when both parties to the suit were non-real-

Church encourages or connives at the granting of secret divorces for people not residing in this Terri-tory is untrue. If anything of this supposed to be the most sacred tory is unique, If anything of this au



follows: