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TRUTH AND LIBERTY.

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PATENT ON DRIVE WELLS.

We have been requested to state what effect the recent decision of the United States Supreme Court relative to the drive well patent will have on the driven or flowing wells of this Territory. The text of the decision has not yet been published, and our only sources of information regarding its effect and scope are the meagre telegraphic references to it, and brief comments which some of our eastern exchanges have made upon it.

From these we gather that the patent confirmed by the decision referred to was in litigation fourteen years, and that it expired January 24th, 1885. Hence the decision has no application except to wells sunk prior to that date, and while the patent was in force. The particular patent confirmed by this decision is that of Nelson W. Green, and he is authorized by it to collect a royalty on all wells sunk prior to Jan. 24th, 1885, that infringed on his invention. An exchange says this royalty will probably be \$10. As very few wells were sunk in this Territory prior to that date, very few if any will be subject to the royalty.

The *Rural New Yorker* says that about 100 different patents, covering various features of tube wells, have been obtained, nearly all of which have expired. A few, however, remain in force, but what points they cover we have no means at hand of ascertaining. It is hardly likely that the drivers or owners of tube wells in this Territory will be molested by any patentee, otherwise there would likely have been some stir regarding the matter before this.

QUEEN VICTORIA.

The announcement comes that Queen Victoria, on the occasion of her jubilee, will formally proclaim the liberation of all prisoners of the army and navy who have been convicted of minor offenses. This is an indication of that political generosity which has ever characterized Her Britannic Majesty, though that she can be stern and unyielding if necessary has been evinced on too many occasions to need comment at this time. She has been an undisturbed occupant of the British throne for fifty years, and during that time has witnessed such transformations in the national affairs of mankind as have made the nineteenth the most eventful of the centuries save only the first. Receiving the crown less than a generation after the second attempt of her government to coerce its American offspring into subjection to the royal sway, and knowing all of the history of both struggles for liberty, she has profited by the past and recognized as one of the foremost powers of the earth, separate and independent, the former colonies of her Empire on this side of the Atlantic. That she has been overruled at times and induced to give her consent to measures which her counselors were determined upon, is a matter of history, but it is at least a fair presumption that her heart and her judgment were both in conflict with her action, and that not only herself but her family entertain the warmest of feelings for the offspring beyond the sea.

It is customary among those who are unimpaired to attribute all the abuses of power, the fostering of aristocracy, the condition of the tolling masses, and the wretched manner in which Ireland has been systematically dealt with, to the head of the British government. Nothing could be further from the possible and the probable facts. She is only the head of the nation by hereditary right, her presence and her title being merely the cement which binds the governmental fabric together; the term "Her Majesty" is more a symbol denoting the survival of a traditional and deeply-rooted system than a term implying power; for while her assent is necessary to all measures which become operative, the act is nearly always the registered decree of her ministry. This must be of necessity, from the fact that an infant or a lunatic might be the King or Queen and the burdens of state would fall then exactly where they fall now. So that abuses at home or abroad need not be charged to Victoria's account; the example which she sets as a mother, her deportment as a woman, her dignity as a public figure and her amiability as a sovereign being the features of her life which most command attention and concerning which alone criticism can

properly be used. In all these respects she has been, if not beyond reproach, at least nearly so as any one surrounded by such voluminous circumstances and confronted with such vast consequences could be and remain human; that is why the civilized world do her personal homage and why many who abhor the system of which she is the English representative unite in paying proper respect to herself on the fiftieth anniversary of her reign.

A SENSELESS FABRICATION ELABORATED.

From John A. Bagley, now pursuing a course of studies at the Ann Arbor, Michigan, University, we have received the following under date of the 11th inst:

"Enclosed find an article clipped from the *Detroit Free Press*. This is only one out of many such statements that 'Young Latter-day Saints' are called on to explain while abroad. The Mountain Meadow Massacre has become an old chestnut; most of us can give the origin and history of that. But many such stories as this generally formed on nothing, and if there is anything to start from we have but little opportunity to become acquainted with the character and circumstances connected therewith. As you no doubt are aware it is exceedingly embarrassing to become an interrogate for the alumnus on such subjects. If I was acquainted with any of the circumstances of the above named article I would answer it in the *Free Press*, but we are compelled to remain silent as to its origin, but can raise our voices in defense of the reputation of the people of Utah."

The clipping referred to appeared in the paper from which it was taken under a large type heading—"Escaped from Bondage," with appropriate sub-headlines, rendering the terrible tale duly conspicuous. It is the same story, in a more elaborate shape, that came over the wires a short time ago as an Associated Press dispatch, and was then referred to by this journal. The reason of its being in more extended form in the *Free Press* is doubtless owing to the special correspondent of that paper being determined not to be outdone as an enterprising news fabricator in detail by a common Associated Press dispenser of relations of impossible incidents.

That the people who are located at the scene of the fabulosity may be able to peruse a fuller account of what never occurred among them, we herewith present it for their entertainment:

"John Brennan, chief gate keeper at the Pennsylvania Railroad station in Jersey City, this afternoon noticed a young woman who had arrived on a train from the west and who seemed to be at a loss what to do. He questioned her and after a while succeeded in learning her story. Her name, she said, was Eleanor Paston. Several months ago she and sixteen other young women came from Cornwall, England, with a party of Mormon converts. The party was in charge of Elder Bascom. On arriving in Salt Lake City Eleanor and a friend named Amelia Clegg, a delicate young woman, were assigned to Elder Bascom and were taken to his house. There they found three of the Elder's wives, the eldest of whom is described by Miss Paston as an old hag with a violent temper. The new arrivals did not like the prospect and resolved to make their escape if possible. They were assigned to a room and it was understood that the next day the ceremony of 'sealing' them to Elder Bascom would be performed. They then tore the bedclothing into strips and lowered themselves out of the window. Wandering about they met Junius F. Wells, another Elder, to whom they told their story. Wells took pity on them, and agreed to aid them in escaping from the city. He took them to his stable and dressed them in male attire, which had been worn by two of the farm hands. As they were leaving the stable to go to the railroad station Bascom appeared and asked Wells if he had seen two young women. He answered that he had not, and turning to the disguised and trembling females commenced giving them some instructions about the work they were to do that day on the farm. Bascom left and Wells started the females in the direction of the depot, after providing them with some money. They boarded a train and got safely away. When they thought they were at a safe distance they confessed their secret to some ladies, and were provided with some suitable wearing apparel. One of the ladies, who lived in Omaha, took a fancy to Miss Clegg and offered to provide a home for her. The offer was thankfully accepted. Miss Paston came on to New York."

There are a number of inaccuracies that stand in the way of the story being believed here. Perhaps it may be unnecessary to enumerate them, but a few may be appropriately mentioned: Eleanor Paston and her consumptive companion are myths. As no such person as Elder Bascom ever brought a company of "Mormon converts" here, and there being no person in this region by that name that we know of, or can discover, that imaginary individual, originated in the reportorial brain, must be relegated to the same sphere. The awful escape scenes must be placed in the catalogue of the impossible. It is difficult to understand how Mr. Junius F. Wells

the only bona fide person mentioned, could possibly be so prominent an actor in such a dramatic occurrence without being aware of it, and he has no knowledge of it whatever. We must be excused for declining to believe the story except on condition that the inaccuracies above enumerated are corrected and the balance of the narrative eliminated. Then we will agree to accept of the remainder as constituting the whole foundation and structure of the tale.

Knowing that the libelous statement is a whole-cloth fabrication, doubtless renders its absurdity doubly conspicuous to us, but it appears peculiar that even people at a distance can be deceived by such inartistically constructed rubbish, the whole aspect of which has an impress of improbability about it. Yet it is but a sample of sensational anti-"Mormon" hotch-potch which goes down the public throat by wholesale.

A STEP TOWARDS STATEHOOD.

The action taken by the Territorial Central Committee of the People's party before adjournment last evening will occasion some surprise. A new effort was commenced for the purpose of obtaining Statehood for Utah. Without understanding the intentions of the promoters of this action as to its details it would be improper and premature for us to attempt to comment upon their probable character. We can only say that Utah of right should be admitted into the Union on an equal footing with the existing States and be placed in a position where its people may enjoy the political privileges to secure which this nation was founded and its earliest patriots perilled their property and their lives.

Our views on this subject have been many times expressed without reserve. We do not believe that the fathers of our country contemplated the establishment of that servitude which is incidental to the territorial system when they framed that palladium of human rights, the Constitution of the United States. It is antagonistic to the principles which they advocated and defended and for which some of them shed their precious blood.

The right of the people to a voice in the conduct of their own affairs and in the selection of officials to carry on their government, is the keynote to the music of republican liberty and an essential to our national system. As a Territory, citizens are deprived of the very rights and powers which are the characteristics of citizenship. They are excluded from participation in affairs that vitally concern them, and are treated as adjuncts to the land claimed as the property of the nation. They have less political freedom than the denizens of constitutional monarchies, and in some respects are subjected to worse than European despotism.

Utah has the population, the material interests, the intelligence, the stability, and the regard for republican principles and institutions which are necessary to the establishment of a free and sovereign State. Agencies that need not be named, have operated to prevent her admission into the Union as a living factor in the sum of its organism. They have been used to effect the disfranchisement of many of her leading citizens and to hinder her progress and development socially as well as politically. The elements which now compose the political body of Utah are such as cannot be assailed or objected to on the grounds from which her older citizens were assaulted. What they can do to bring about the freedom to which the body politic is entitled, and to transfer vexed questions from national to local politics remains to be seen. An honest step in that direction should receive the support of every patriotic citizen.

We notice that the call for county conventions to elect delegates to a Constitutional Convention, is made broad enough to cover all the political parties and factions in the Territory. This is sufficient evidence that the movement is not sectarian, partisan or confined to any sectional interest. It is general and universal. And this is eminently proper. It is to be hoped that a united effort will be made by all the reasonable and permanent citizens of the Territory in response to the call of the People's Central Committee, and that in the convention proposed such a Constitution may be adopted as can be approved by the voters of Utah and will be without reasonable objection on the part of the true statesmen of the nation.

THE CHAIRMANSHIP OF THE CENTRAL COMMITTEE.

The resignation of Hon. John Sharp as Chairman of the People's Territorial Central Committee which was tendered last evening will be regretted by many friends who hold him in affectionate regard and are acquainted with the extent of his faithful services in that capacity. The reasons he advanced, however, were considered sufficient by his coadjutors and they relieved him from the onerous responsibilities which, added to his personal duties, were be-

coming more than he could well attend to with due regard for his health.

The gentleman's name is thoroughly identified with the People's Party, as he has been its Chairman from the date of its organization. He has labored assiduously and devotedly for the people's interests and he retires with the best wishes not only of the Committee whose affairs he has so ably conducted but of the entire political party. He will still remain a member of the Committee.

He is succeeded by an active and well known member of the Central Committee who has acted heretofore as its Vice Chairman. Under the direction of Col. J. R. Winder, the party will continue to be conducted with ability, fidelity and that regard for the true interests of the Territory which has characterized it from the beginning.

THE RETURN OF THE FLAGS.

Civil war is always a disaster. It is sometimes a necessary evil. But its necessity is occasioned by the passions, ambitions and designs of wicked or unreasonable men. The resultant consequences of fratricidal strife are often worse than the loss and sufferings that accompany the struggle. The malevolence, blood thirstiness, and indifference to the feelings of others engendered in bloody battle remain to a large extent when the cruel war is over, and are transmitted as a legacy to the next generation. The feelings aroused in maternal bosoms are impressed upon their unborn offspring, and the children who listen to the grievances of their parents grow up with sentiments of hatred to the foes of their fathers.

The great war of the rebellion was pregnant with evils to this country. They have been manifest during the past quarter of a century. They leave their taint to-day, and this shows itself in most national questions, the North and the South each exhibiting rancor that ought to have been buried with the dead issues of the conflict. The simplest occurrence, the slightest word is sufficient to wake up the slumbering embers of discord and fan them into flames of hate.

The most recent illustration of this is the issue made over the Confederate flags. Applications having been made to the War Department for the return to several States of flags captured or recaptured in the progress of the civil war, it was thought advisable by the chiefs of that department to make a general return of such flags, which were boxed up and useless to the Government but would be regarded as precious relics in the States to which they originally belonged. It was thought that as the prevalent desire is to promote union, discard sectional feelings and blend together the North and the South in full accord, the flags captured from the Confederates as well as those taken from the Unionists and recaptured might be returned to the respective States, without doing injury to the feelings of any, and with the probability that it would do much towards allaying irritation in the South.

The President was consulted, and he at once fell in with this view and endorsed the contemplated action of the War Department. Then ensued a burst of animosity and bloody shirt spread-eagles, chiefly from the organization called the Grand Army of the Republic, which for unadulterated vindictiveness and reckless expressions of defiance and hostility has rarely been paralleled. The red-hot speeches of flannel-mouthed orators of the North were lurid with the hues of battle, and utterly devoid of charity, forbearance and that fraternity which appears on the surface on occasions like Decoration Day.

The question then assumed an importance that was not expected to be attached to it. The attention of the President was directed to its legal aspect, and finding no positive authority in law for the order to return the flags, he arrested further action in the matter, and so the dusty, tattered and battle-worn banners repose in the receptacles to which they were retired when first brought to the seat of Government.

The President is accused on the one hand of undue regard for the people once in rebellion, and on the other of cowardice in yielding to the outrageous clamor of the rampant war horses and radical demagogues who spit the air with their expletives and anathemas.

We do not view his action as censurable. In the first place he moves in the line of thought of the best minds of the nation. They wish to sink all asperities, to bind up all gaping wounds, to allay all irritation, and establish harmony between all portions of this great republic. It was in that spirit that he approved of the movement to restore the flags. But when he learned of the opposition he inquired more closely into the legal bearings of the case. He found that he would not be sustained by any positive warrant of the law. He therefore wisely called a halt. In this we see no mark of weakness. It would have been wiser and better perhaps in the beginning, if he had found out the limit of his authority. But having made an error, if it may be so designated, he had the manhood to acknowledge it.

This we consider a mark of manhood and a sign of courage. He is known to be a firm man. An obstinate and

less courageous man would have persisted in his mistake and been afraid to confess that he had blundered. President Cleveland showed his good feelings to the South when appealed to in this affair, and then bravely retraced his steps when he discovered that they were not fortified by law. We do not understand that the return of the flags would have been any violation of law, but as it could be construed as an excess of law the Executive of the nation said that it would be improper for him to go beyond the bounds of his prerogatives when objections were raised to his action.

As to the return of the flags we think it might have been permitted without injury to any sensible and patriotic person unmoved by the bitterness of a bygone strife. It is not in itself a matter of much moment. But as an indication of the strong antagonisms which still exist and of the consequences that follow fratricidal strife, we view it as highly significant, and as evidence that a very small match and a slight degree of friction may set this alleged united nation on fire in every part, resulting in a conflagration such as has not been recorded in the history of the world.

THE FOURTH SECTION.

The Inter-state Commerce Commission after giving the subject a great deal of attention and doubtless thoroughly digesting the subject, has given an elaborate opinion, or rather ruling since it amounts to that, on the much-discussed and greatly-disputed fourth section of the law by which that body was created. This is the section relative to the long and short haul and providing that no discrimination shall exist in favor of the greater distance at the expense of the lesser distance but in the construction and application of which the Commissioners were allowed a great latitude and freedom of judgment. In consequence the appeals made to them for suspension or modification of the principal feature of the objectionable section have been voluminous, not all of them coming from the railroad companies by any means, but a large number emanating from California growers and producers.

A case which causes the Commission to define the object and scope of the law in a few words is one in which a railway is subjected to competition with a river or lake steamer, in which the roads must be losers as compared with former arrangements, because the steamers can afford to make much lower rates. Regarding this the Commission say:

"Instances exist, and many can be found along the routes of petitioner's lines in the states of Kentucky, Tennessee, Georgia, Alabama, Mississippi and Louisiana, where competition with water-ways had forced down the railroad rates below what it is possible to make them at non-competitive points and still maintain the roads with success or efficiency. The only question fairly regarding it is whether competition can be kept within proper bounds. Low rates are a necessity of the situation, and if railroads compete with water transportation, either on the ocean or on the navigable rivers, they have no choice but to accept such rates. To compel the roads to observe strictly the general rule laid down by the fourth section, would necessitate their abandonment of some classes of business which their competition with the water transportation makes of public importance. Railroads must either be allowed to compete with vessel owners and make low charges for the purpose, or they must leave the vessel owners in possession of the business without any check upon the charges which competition would afford."

The Commission is of the opinion that Congress had these circumstances in view in passing the law. This means that the object of the bill was to secure low and as nearly as possible uniform rates, without favoritism or discrimination, throughout the country. Railroad men must construe the law for themselves now, but they must keep the above in view and will be held responsible if they do not. They may not like it, but there is no present help for it.

SHOULD BE PREVENTIVE.

In our local columns appears a statement regarding the action of a Justice of the Peace in four cases of selling liquor without license in American Fork. The parties charged with the offense pleaded guilty. Perhaps this had some weight with the justice in causing him to mitigate the penalty. It is, as a rule, proper to make some allowance in that regard in making up the judgment, but it does not warrant the making of the penalty nominal, and consequently rendering it practicable for the offenders to continue their illegal traffic at a profit independent of the fine. The object of the penalty is to stop the practice for which the punishment is accorded. It does not appear that Justice McNeil's way of dealing with such cases, taking the quartette in question as samples of his manner of disposing of them, would have that effect. The town of American Fork is