AT FOUR O'CLOCK.

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UNLAWFUL "HARD LABOR."

A FEW days ago the press of this city pablished, without comment, an account of an accident to a prisoner in itive criminals of a lower grade than the penitentiary while engaged in digthose now amenable to extradition ging or boring a well at that establishshall be subject to its provisions, the ment. This brings forward a question | treaties which provide for it should be that deserves serious consideration. amended so as to cover as broad a cal-We have learned that other prisoners, endar as wanted. To impose upon a friendly foreign Power as well as the sent up for different [offences, have been put to hard labor, against their fugitive from . justice by any such respectful protest and that with no dodges and tricks as that resorted to gentle language when the right to do so in the case reviewed by the court, has been mildly questioned. might be looked upon as sharp work

A Federal Judge once sentenced a défendant convicted of violation ceeding for an enjightened governof the Edmunds law to the penalty ment or any civilized nation. prescribed and added, "with hard la-

bor." He was soon convinced of his error, i however, and reluctantly but promptly expunged the unauthorized THERE are various views in regard to words from the sentence. This illus- ithe right of suffrage. Some think it is trates what we have to say on this matter. It shows that no prisoner, can lswfully be forced to perform hard labor unless that is part of the penalty attached by law to his offence.

The Edmunds Act makes no provision of this kind. The imprisonment prescribed for both polygamy and unlawful cohabitation should be only educational. Woman is placed at certain limits and is imsuffrage has a majority of oppoprisonment, simply and without other indignity. It a Judge cannot add "hard labor" to those penalties, it does the United States, has ever been adnot look likely or reasonable that a vanced. But the latest proposition for jailor can. If the law is exceeded, by a change in the regulation method is those whose duty it is to enforce it, re- something of a novelty. It comes spect for the law is not very likely ito from Hon. James R. Doolittle, of Rabe secured, and it seems to us that it cine, Wisconsin. He calls it the is not very advisable for those who are | "True Home Rule." Here is the plan using power in this unauthorized fashion to cause the question to be spring in a speech at Chicago : before the courts. A suit for damages by a prisoner - injured

while forced to do that which the law does not require, might be taken up to | and who for such time as shall be fixed a tribunal which would do justice in a tribunal which would do justice in the premises. Everything cannot be kept within the narrow circle of local jurispru dence. jurispru dence.

It is argued, we understand, that of "Mormon" prisoners have not had and a householder whose widowed occasion to complain of insubordination on that score. It is admitted that the conduct of the men incarcerated without families have but one, may be under the Edmunds law has been exstated briefly as follows:

emplary and productive of good among 1. Because the man without family other prisoners. We hope it will con-tinue to deserve the encomiums which it has extorted even from epemies. 2. Because a man without family has afforded renumerative labor

own exertions.

THE PRESIDENT'S CASE.

VENING NEWS. based on the technicality, that there is but making open war against him and safely through the great break of '88 and still later the panic following the forbids the trial of a prisoner for an to nanght and his continued efforts inthe failure of the Pelihayivania Bank in '64, forbids the trial of a prisoner for an to naught and his continued efforts into offense other than that for which he ridicule, he exhibits a phase of sycowas extradited. The court evidently phantic scrubbery debasing to himself went beyond this strict and narrow and disgusting to sensible people when construction, and took broader and he asks the hand he has smitten to be more consistent ground, in consonance extended in charity. Open and avowed with equity and moral right as well as opposition is manly in some instances, legal principles that are indisputabut begging from one who is wantonly

antagonized never is. On what moral or lawful plea could man, wanted for some minor offence, who had gone to a foreign country, be

OGDEN DEPARTMENT. arrested on a charge of murder or FIRST DISTRICT COURT. other grave crime and forced back

ON Tuesday, the "hear ye, hear ye! into the United States, when no provision of law; authorized such a room, and the hum of business was subterfuge? If it is desirable that fugmmediately hushed Richard D. Fry, of Morgan City, was arranged and took time to plead to a three-count indictment against him for unlawful cehabitation.

The burglar case against William not known. ohnson was then resumed. Bennett was recalled but nothing was de-

\$3,000,000

veloped through him. Mis. Martha Allen was sworn and estilled. This witness failed to appear on Monday, and a marshal had to be sent to Logan to bring her down to Igden. As she did not offer a satisfac ory reason for her non-attendance, the ourt said she could not be allowed for a detective bet is no proper proher per diem and mileage for her at-tendance to-day-the business had

een delayed, the Territory had been put to trouble and expense through her neglect, and she must forfeit her fees.

she smillingly replied that, she would A NOVEL SUFFRAGE QUESTION not lose it all, for the deputy paid her fare from Logan, to Ogden. She then left the stand. The defendant Johnson was sworn and testified in his own behalf, which only a privilege conferred by statute, losed the evidence others that it is an inherent right of Mr. Ma'sn, at 11:45 commenced his plea for the defendant. At 12:30 remanhood as much as the right to life or

cess was taken till 2 p. m., at which bour Richard J. Fry was again ar-raigned and pleaded not guilty. At property, as it is an essential to true liberty. There are many who think a property qualification should be added. the request of his couasel, the case to it, and others who sparn this propowas coutinued for the term. Peter Miller was arraigned on a sition and claim, that the qualification charge of grand larceny. A defect was

found in the indictment, and the case was recommitted to the grand jury. Counsel for the prosecution and de nents, though no logical argument fense finished their pleas in the Johnagainst it, ina government like that of son burgiary case. During their delivery at one time, the listener would uppose the defendant was doomed that he was a convicted felon, and that the "devil has not been painted half as black as he is;" at another time, he would suppose the prisoner was as immaculate as a sheret of white paper or a bank of beautifn i snow, and had become a very much abused man. that he proposed, in his own language, The jury settled the question to the

satisfaction of Johnson, by saying he was not guilty. "For more than tex years I have Peter Miller was again arraigned and maintained that all citizens who are pleaded guilty of grand larceny. A jury was impanded to try the case of householders and heads of families, the People vs. James and James M -say one or two years-shall have Ferren, of Eden, cnarged with obstructing a certain water course, and liverting the water from the use of the proper owners. master

At 5:30 George Chandler was called all other men, and one to represent the for sentence; the persuasive eloquence household, including women and chil- of the court is led to induce George to prisoners must be subject to the rules dren. The term bousehold-or head make a declaration of intention to itentiary, and to pay a fine of \$100 and costs, and to stand committed until it mother or sister keeps house for him. is paid. He was then delivered to the The reasons why a head of family marshal and taken below. Adjourned should have a double vote when men till 19 a.m. to-morrow.

THE BLOCK ON Fifth Street in this city, between Young; and Main Streets, has been raised three feet three inches,

HIATT .- In Brighton, Bannack Stake of Amanda Hiatt, aged 10 months and 2 days.

M. Davis, aged 66 years.

County, Utah, December 5, 1886, Ann John. 1806.

17, 1886.

OBITUARY.

good Latter-day Saint .- COM.

pain to-day and spent most of the time in a recumbent position. Me denied himself to all callers except a few Sens.tors who desired to see him upon important business.

Appointments.

Tre President to-day sent to the Senate the following nominations: Thomas M- of Leavenworth, Kan sas, to be Governor of Wyoming Ter-ritory, Arthur L. Thomas of Pennvivania, to be a member of the Utah commission. Naval Constructor Theodore D.Wil son to be Chief of the Bereau of Con struction and Repair and chief con structor in the department of the navy with the relative rank of Commodore. Pay-Director, James Fulton, to be Chief of the Bureau of Provisions and Clothing and Paymaster General in the department of the navy with a relative rank of Commodore. Pay-Inspector,

Rufus Parks, to be Pay-Director. Paymaster James E. Free to be Inspec-tor and Assistant Paymaster. John Corwin to be Passed Assistant Pay-

[The Bell Telephone Case.

WASHINGTON, 8 .- Jeff Chandler, of government counsel in the Bell Tele phone case, said to-day that govern-ment did not propose to appeal the case, but will institute a suit against the company in Boston, as soon as possible. "Not," he said, "because we believe the Columbus decision with regard to the jurisdiction to be just, or because we have any doubt in the matter, but because we realize that it will be impossible to get action by the Supreme Court for at least two years."





But by what lawful authority can the officers who regulate a prison add to of a family. the punishment which the law and the sentence affix to a given offence?

A jailor has as much right to add to the term of an imprisonment as to add to its character. Simple imprisonment does not signify, "with hard That is understood in labor." civilized country as an every additional punishment. It is tacked on to the term of imprisonment in aggravated cases. And if & Judge may not attach it when the law does not give him that latitude or discretion, it seems clear that it cannot be imposed without warrant of law thy a years of human life-inose years, too, regulation invented by an executive children are molded into men and officer. The latter certainly has no women,"

more legislative power than the former. On behalt of men imposed upon in plan will be adopted. There are far this manner we protest, and more reasons why a woman should have that our remarks will trust have the desired effect without have two votes. And if a man with further action. We do not wish one family should have twice as much to be over technical, nor to interfere political power because of his position in any manner with the proper con- and experience, a man with two famiduct of the penitentiary, to throw any lies should have three votes, and so on obstacles in the way of officials who in proportion to his family extension honestly endeavor to do their duty, or and the experience it develops. We to find fault without a cause. We think it will be considered that Mr. think some employment for prisoners Doolittle attempts in h's plan of sufis likely to be beneficial to them and only reasonable on the part of the power that enforces the law. But we object to baving men forced to perform hard labor against their will DURING the lat e political campaign, and in violation of statutory President Clev eland suspended two U provisions, and while we believe

that our frieads who are serving out terms in the ipeniten- Stone, the former a Democrat of Mistiary, for refusing to violate their re- souri and the latter a Republican of ligious obligations, will be, and should Pennsylv, anis-on the ground of "ofbe willing to conform to any proper fensive partizanship" in taking part in rule, and aid in any reasonable way 10 the cr anvass going on in their respecpromote simprovement and (perform tive 'states by making speeches at ponecessary service, we do not believe litti al meetings, etc. Shortly af they ought to be nor can be legally compelled to work in the manner that to, the President a complete is understood by the term "hard la-, statement of his iconnection with the bor." We trust this protest will be, proceedings, showing that he had not sufficient.

A SOUND JUDICIAL DECISION.

A VERY important decision was rendered by the Supreme Court of the United States on Monday. It was in regard to extradition; that is, the delivering over, by one nation to another, of lugitives from justice. The case was that of an officer of an Americivil service law. can vessel brought from Great Britain on a charge of murder, and then tried for cruel and unusual punishment of a

nerved no doubt by the example of his-Missiouri coadiutor and its fortunate seaman, the man he was first accused outcome, and explained to his chief of murdering. The question was, that he was in the same boat'(comwhether a person extradited under one monly speaking) with Benton, and criminal] charge can be tried for anasking that he be also reinstated. Mr other and different offence. Cleveland did not send him a person-It would seem that this is an easy al reply over his own autograph,

question to decide. If a fugitive can be as in the Missouri case; he made his seized in a foreign country and brought reply to the Attorney General, with a here for trial, under the false pretence direction that its purport be conveyed that he has committed a crime which to the ex-official of the Keystone State, comes under the extradition treaty, and and it was one of the most pointed, then, when his person is secured, be pungent and logical documents that tried for an offence which is not covhas yet emanated from the Presidential ered by the extradition laws, the limipen. The analogy which Stone pictations of extradition are simply a tures as the basis of his request for resham and a snare and a breach of good storation is not only not visible to faith with the government surrendering the fugitive. The agreement that White House, but the specious and ficthe phlegmatic gentleman of the

for a great number of poor men. The not more than one-half as much at stake in good government as the head work will be continued to the west end of the same street. 3. Because, other things equal, the DAN WOOD, a dice thrower from the man without family is only half as well educated in all that concerns the good

north, | was arrested to-day and taken before Justice Der, and convicted. He was fined \$20. ", wo other gamblers of society as the head of a family, liv ing with them and supporting them by were caught and fined \$20 each. Because the man without family JOHN CARVEF ., of Eden, was arrested has had little, if any, experience in o-day on the unlawful cohabitation governing in human society ; whereas the head of a family, by the laws of God and man, is trained to govern. In charge by Dur juty Marshal Steele and others. He was taken before Comnissioner V ardleigh, waived a prethe family the man is king, and the liminar', 6' camination, and was bound over ir, \$1.60 bonds, M. S. Browning woman is queen. It is a little nation by itself. Within its government all and Johr. Snaw becoming sureties. human beings are reared, trained and

governed for twenty-one years-half, and more than half, of the average SAME SENSATIONALISTS EXPECTED that wonderful developments would be rasde in court to-day. Last night it during which character is formed, and was brought to the notice of his honor that the grand jury had been investigating is matter in reference to the

petit jury that acquitted Lorin Farr. We do not think that Mr. Doolittle's t was stated that, during Sthe time lese gentlemen were making their verdict in the case, whisky these found its way among them, of which it was alleged several of them partook and became genial. The grand jury had not been able to indict any one, a vote than that a married man should but thought, nevertheless, the matter ought to be brought to the knowledge of the Court, who said the matter should be jinquired into. When the jury had retired to make up their verlict in the Johnson case, the Court rought the matter to the attention o ssistant Prosecuting Attorney Bierower, whom he instructed to investirage reform |to laccom plish too much. gate the affair, with a view to bringing said jurors, if guilty, to punishment for contempt. For some reason known at Silgo

to themselves, the verdict in the Farr case has proved a sour diet to some folks

THE EDUCATIONAL interests of this S. District Attorneys-Benton and community are receiving much of the attention of the trustees, superintend ents and promoters of instruction in his city and county. They are visiting the wards and holding meetings, to which they invite parents, guardians and all others who are interested in educational matters.



nothing more." Upon this showing, Member of the Utah Commission the executive action taken in his case was rescinded and Benton restored to

the place from which he was excluded By Telegraph to the NEWS. because of alleged violation of the

General Sheridan.

WASHINGTON, 8.-General Sheridan Then came the other offender, Stone.

NEW YORK, S.-C. M. Foster & Co, mporters of upholstery goods, corner of Grand and Crosby Streets, said to In particular did Mr. Thomas H. Borns make a good impression in the role of the deceptive husband, who is so fond or footlight favorites. Mr. Newton Chisnell is one of the old be the largest house in their line in the city, announce their failure. The members of the firm, Chester M. Fos-ter and his son, Charles E. Foster, made a 'general assignment for the only persons accused of the graver crimes shall be given up by either nation to the other, is rendered which Stone would crawl back into his years ago by Charles M. Foster, and

nation to the other, is rendered void, and a piece of deception is practised which is most despicable on the part of the government that resorts to it, and a flagrant insult to the government that is thus played upon.

and until now has aever been brought to a judicial settlement.

forfeited place, is depicted in trenhe admitted his son Charles chant and incisive terms, and the E. as a partner ten years old. The prayer of the petitioner was conclu- firm did a large business, buying principally in Europe and had a branch house in Paris. Charles E. Foster, junior sively denied. This drew from Stone, charges constituting offensive conduct toward the administration, but he did engaged the attention of famous repre-sentatives of the governments of Great Britain and the United States, has been discussed in the English Parliament, and until now that over a word pretered the canvass in the interest of the party opposed to the one in power, and in that capacity and until now that a contract of the party opposed to the the interest of the party opposed to the one in power, and in that capacity and until now that contract of the party opposed to the the interest of the party opposed to the one in power, and in that capacity the breditors there being secured. Of

arraigning the other, at least indirectly, and that was enough.

The opinion of, the Supreme Court st the United States is in accord with common sense' and sound morality. It was given by Justice Miller, and was only dissented from by Chief Justice Waite. It is to Justice Miller, and was only dissented from by Chief Justice Waite. It is to the effect that a person who has been brought within the jurisdiction of the court by virtue of proceedings under an extradition treaty, can only be tried for one of the offences described in the for one of the offences described in the afford to have unhealthy or reactiontreaty; and further, that he can only ary measures prevail in any part of the be tried for the offence for which he vast trust committed to his care; and was extradited, until reasonable time and opportunity have been given him to return to the asylum from which he was brought on the previous charge. The dissent of the Chief Justice was The dissent of the Chief Justice was

Earthquake in Missouri.

minute.

Sudden Panie in Petroleus

Sarah Winnemucca, the Plute prin-cess, writes to the papers complaining tuat her neighbors, permit their stock to run upon her ranch and do much damage to the crops.

A Woodland physician has caused the arrest of a traveling lecturer on a charge of practicing medicine without a diploma, and the lecturer retallates by suing the physician for damages in sum of \$10,009.

The cable for the Postal Telegraph Company, to connect with Oak-land, is expected to arrive in San Francisco this week, and will be laid thereafter as soon as possible.

