

EVENING NEWS.

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CHARLES W. PENROSE, EDITOR.

Wednesday, March 29, 1892.

EDITORIAL NOTES.

Hon. George L. Converse is talked of as the next Democratic nominee for Governor of Ohio. He is an able lawyer, an upholder of constitutional liberty, a sound Democrat and a brave man. He would make a good Governor.

The extinction of slavery in Brazil is proceeding very gradually, and it will take more than thirty years to accomplish it. Emancipation began in 1850, but there are still a million and a half bondsmen in the country.

The Denver News says: "Now that polygamy is suppressed in Utah by statute, why should not that Territory be admitted as a State? It possesses double the population and quadruple the wealth of Southern Dakota, which is now being dragged in by the ears to make a Republican majority in Congress. Let them both in and the honors between the two parties will be easy."

Massachusetts is a great place for "woman's rights." In proof of this the late president of an institution called the "Ladies Deposit," Mrs. Sarah E. Howe, has been sent to prison for three years, while the Legislature of that State has decided the right of women to vote, even in municipal affairs. A woman there has the right to be tried, sentenced and imprisoned, but not to have any voice in the making of the laws or in any other public affairs.

A DISPUTED POINT.

THE peculiar provisions of the Edmunds bill continue to create discussion. When we consider the differences of opinion concerning their legitimate bearing which prevailed in both House of Congress, and among members learned in the law, it should not be surprising that ordinary people dispute as to the meaning, validity and practical application of the doubtful paragraphs.

It is claimed by some that the provisions which are intended to disfranchise polygamists and persons cohabiting with more than one woman are unconstitutional, because they form in effect a punishment without a judicial trial. Others maintain that this is not the case, but that simply a new qualification for voting and holding office is provided, and that to determine the qualification no judicial action is necessary.

This is a point worth considering. Something can be said, of course, on both sides of the subject. But it is desirable that it should be examined from every standpoint and that a correct understanding should be reached. It will not be disputed that every accused person has the constitutional right to a trial before punishment is inflicted for the alleged offense. But is the declaration in the Edmunds bill concerning certain classes of persons and the qualification for voting and holding office, in the nature of punishment? Those who argue that it is not, claim that Congress has the right to impose qualifications for such purposes in the Territories, and that its action in that respect is not of a judicial nature. But it must be considered in this connection that the aim of this measure is to create and enforce a disqualification; to take away from individuals political rights and franchises which they have held, exercised and enjoyed. It is not like imposing some new condition such as the requirement of a tax, the arrival at a certain age, an educational test, a property qualification or anything of this nature, a position or status which may be reached or acquired by all citizens. It is a deprivation of something already attained and used as an acknowledged and vested right.

Strictly speaking, the provisions of section eight of the Edmunds bill do not form a new qualification at all; they are neither more nor less than an attempt to prevent people having all the qualifications required by law from exercising the powers arising from those qualifications, because of some alleged acts the committing of which has not been proven. If this is not punishment without judicial trial, what is it?

This brings up another question which has occasioned much debate, and that is, if a man is to be debarred from voting on the ground that he is a bigamist, polygamist, or person cohabiting with more than one woman, how is the disqualification to be determined? Supporters or apologists for the bill will answer, "In the same way that the required qualifications as to age, citizenship, taxpaying, etc., are determined." Well, we ask, how is that done? This reply will be, "If a man's citizenship is challenged, he can be required to prove it, so with his age or other qualification." This is all very well, but in the case under review, it is not a qualification to be established, but a disqualification to be determined. Is the citizen to prove his innocence, or the objector to demonstrate his guilt?

If a disqualification is claimed, must not the party urging it establish the validity of his charge? If not, is the challenged person to be compelled to prove a negative? How is a man to prove to a registrar or judge of election that he has not done a certain thing which has been made a penal offense? How is a man to prove, for instance, that he does not cohabit with more than one woman? There is no provision in the law for any such thing. And as every one is to be legally considered innocent of an alleged offense against the law until legally proven guilty, it is clear that he cannot be lawfully punished by the deprivation

any right that he possesses under the law until it is proven that he has committed the offense with which he is charged.

It is useless to say that in this instance he is not called to answer before a court but is merely challenged to the possession of rights; the disqualification urged against him is made a criminal offense and he cannot lawfully be compelled to prove his innocence in order to escape the punishment of a deprivation of that right; the burden of proof rests upon the accuser, and whether in a court or before a registrar the charge should be proven, not left for the accused person to disprove.

In view of these considerations we are of the opinion that the attempt is made to enforce the law after the fashion desired by the enemies of the "Mormons." It will be, in practice, an unconstitutional measure. The right of suffrage once obtained is the inalienable property of the citizen who holds it, of which he cannot be rightfully deprived without due process of law, and such deprivation is punishment not corporal, and cannot be rightfully inflicted without a judicial trial.

THE COURSE OF THE NATIONAL LEGISLATURE.

THE following letter from the seat of government will be read with interest, as it expresses the feelings and views of an intelligent spectator of the scene in the House of Representatives during the passage of the Edmunds bill:

WASHINGTON, D. C.,
March, 1892.

Editor Deseret News:
The manner in which business is conducted in the House of Representatives, and the confusion that exists, does not impress one who looks on with the eyes of a stranger, but in the presence of great minds, not here assembled some of the first gentlemen of our land, and that they have met to consider dispassionately and weigh with care every thing that pertains to the interests of all the people, and guard the constitutional guarantees as sacredly as their own lives.

We expect statesmen, upon whose wisdom we rely, and in whose hands is a great measure are left the peace, good order, happiness, and that priceless jewel, liberty, to be men of judgment, unimpaired by passion, not guided by the popular cry, but strong only in the love of country, and in the maintenance of human rights, throwing all the safeguards of constitutional law around the citizen, protecting the weak against the strong, but making every regulation necessary to a constitutional and efficient government, and the religious right, that does not interfere in the least with others.

Shall the National Legislature gratify, and fall into the stream of an intemperate popular clamor, and priests and politicians who are ignorant of what they speak, and seized upon the statements of unprincipled adventurers, without investigating into and finding out the truth or falsity of the same? I say that our statesmen should stand upon a higher plane, being conversant with the circumstances and wants of the country, and of our country, should say to the unscrupulous multitude, and misguided priest, I cannot prostitute my time and talents, to aid you in persecuting an innocent country to the charter of all our liberties, you must accomplish the reforms you desire to make by moral suasion, and if that fails, leave those you feel to the judgment of an all-wise God. Such has not been the case. Congressmen have taken advantage of the excitement, have drunk of its corrodent influence, have shut their eyes and closed their hearts to the appeals of an innocent people, their ears have been closed to reason, and the love they bear for their own wives and children, does not lead them to strive to save around the families of the prescribed class the safeguards of home, education and love, but the proposition is to war ruthlessly upon men, and to strip them of the position to be harassed into the abandonment and severance of every sacred tie, men to be driven from home as outcasts and felons, and women and children to be left to the tender mercies of that herd of vile fiends who have done the plotting, and laid the wires to bring about this misery.

It is indeed strange that a man like Speaker Keifer, who stands in his exalted position, ought to be a lover of liberty, a gentleman of honor, education and fair-mindedness should be so far from the truth, and his duty as a public officer as to trample upon the rights of the minority, breaking down the rule, and disregarding all precedents, in order to accomplish the will of the majority. That ruling was a flagrant outrage, and marks him who made it as a partisan, unfit for his high position, and an enemy to the liberties of the people.

That ruling was sustained by the republican party, only one man of that party, daring to place himself in opposition to a ruling that wiped away at one blow the protection the rule gave the minority. During the brief consideration of the Edmunds bill, the House was in much confusion. Mr. Keifer, like a wild ox goaded to desperation, swinging his hands and frothing at the mouth, many men were upon their feet at the same time, yelling at one another across the hall. A few of the democrats were striving, amid the din and confusion, to impress upon their friends the deplorable nature of the proposed law, they with the republicans denounced "Mormon" marriage, but stood upon constitutional ground, contending that if the bill became law it was an error, for, and in contravention of all constitutional rights. They said the commission was a vile scheme to rob and plunder the people of Utah, and not to eradicate plural marriage; that the measure was intended to destroy social order, to create enmity, to breed mischief and to disorganize everything in the State. These efforts were fruitless; the bill passed 159 yeas and 43 nays. Success attend that gallant 43 who would not yield to the oppressor, but fearlessly opposed, by every reasonable means, a measure that strikes down religious liberty, constitutional guarantees, and places every American in jeopardy.

BY TELEGRAPH.

VIA WIRELESS TELEGRAPH LINES.

AMERICAN.

LATEST DISPATCHES.

Final Report Explodes.

CORNING, Ohio, 29.—The boiler of a portable saw mill near here burst, killing one and fatally injuring four.

Keokuk, Ind., 29.—The boiler of a steam engine, owned by the city of Keokuk, exploded this afternoon. One killed and another fatally hurt.

Florida Railroad Suits.

WASHINGTON, 29.—The letter of railroad commissioner Armstrong,

favoring the vigorous prosecution of suits against Pacific railroads, is referred to the Attorney General for his guidance in the conduct of these cases.

First Presidential Reception.

President Arthur held his first public reception at the Executive mansion to-night. He was assisted by General and Mrs. Arthur, and several ladies of the Cabinet, Mrs. Senator Pendleton, Mrs. Cameron, Mrs. McPherson and a few personal lady friends. Col. Rockwell introduced the guests. The crowd was enormous. Every element of Washington society was present, including Cabinet officers, members of the diplomatic corps, justices of the supreme court, U. S. senators and representatives, and hundreds of citizens with the members of their households.

Forty Cases of Smallpox.

CINCINNATI, 29.—Forty cases of smallpox, five deaths, the largest mortality in one day yet reported.

The Zuni of the Sea Shore.

HOUSTON, 29.—The Zuni Indians today received their religious rites at the sea shore. They will take to their home in New Mexico some water from the Atlantic Ocean for use in their religious ceremonies.

The Census Bill.

New York, 29.—The venerable Thurlow Weed writes to the Tribune: "There are two sides to the Chinese question. In our national infancy we commenced house-keeping by opening our doors to guests from all portions of the old world. It has been our boast for a hundred years that America would welcome strangers from every clime, but China is taxing our hospitality too severely. In the Pacific States Chinamen deprive our industrious classes of employment. They work cheaper, do their work better and far less tired than our laborers and domestics with whom they come in contact, and it is alleged and feared that Chinese immigration will crowd these states with an incongruous element, an element which does and will not assimilate to, or fraternize with, our institutions or people. In the Atlantic States the Chinese, comparatively few in number, are industrious, frugal and inoffensive. The question is further embarrassed by diplomatic and treaty relations. Will not the passage of the law closing our ports against the inhabitants of a friendly power not only disrupt our relations, but provoke retaliation? Without entering upon this or other features of the question, I regret that Congress did not limit the operation of this law to five years, that would have given time for negotiation with that nation in the amicable adjustment of the question. In view of its importance and the difficulties by which it is surrounded, would it not be wise for the President to recommend to Congress the suspension of the law, and the question of modification, which would make it acceptable to the fair minded men of all parties."

The Floods.

The New Orleans correspondent of the Times-Democrat, writing from Mission, Louisiana, says, "The protracted contest is over and the beautiful State of Louisiana, and the Graceland country is desolated by a vast sheet of water pouring over it from four crevasses. Two hundred square miles of land, occupied by 4,000 people, are covered with water. Only three plantations escape."

No Compromise With Kelly.

The anti-Kelly Tammany democracy met to-night and resolved that the so-called Kelly-Cornell alliance, in such an infamous display of party treason as to make it manifestly inadvisable that the democrats of the State central committee be convened and such measures adopted as will forever assure loyal democrats that hereafter there will be no cowardly recognition or compromise with John Kelly.

An Arkansas Horror.

CHICAGO, 29.—The Evening Journal's Fine Bluff, Ark., special says: "Mrs. Ballard, of Lincoln County, after a disagreement with her husband on Monday morning, took her children, aged seven and four years, and a four months' old infant, and repaired to a pond near her home, where she broke the necks of the two oldest, then she jumped in the pond and drowned herself and infant. The family were respectable."

Naval Reports.

CHICAGO, 29.—The Inter-Ocean's Adrian, Mich., special dispatch says: "On the examination of trial of E. H. Jewett and Francis Stanton for conspiracy to conspire with Mayor Navin's bogus water loan it was developed that Navin, since his flight has written a letter to Jewett on the 3d of March from Philadelphia. The envelope was in another hand than Navin's. The letter is devoted to convincing Jewett over his arrest as an accomplice and to vindicating him from any connection with the transaction, except as an innocent bystander. Navin offers to come back and go to the States prisoner rather than allow Jewett to suffer wrongfully on his account. He says he has suffered greatly for the time and means to pay every cent he owes. He will not be able to repair the wrong done Jewett and Stanton in lying to and deceiving them."

Shot in a Saloon.

Edward Sucher, a saloon keeper of unsavory reputation, shot and killed a young man named Tom Mitchell in his saloon, 144 West Lake Street, to-night.

Beaming Over the Roads.

NATZIE, 29.—Steamboats are now sailing over the wagon roads. All bottom lands on the Mississippi as far as Floods are under water.

Montgomery, Ala., 29.—Steam

in southeast Alabama, blew down the house of R. T. Richardson.

600,000 Fire

TORONTO, 29.—Fire to-night destroyed J. Oliver & Co's printing mill, the Toronto Wagon Wheel Co., and the Consolidated Purifier Co. Loss \$300,000.

FOREIGN.

Emigrants from the Alps.

GENEVA, 29.—The depression in agriculture seeds to the United States 450 of the flower of the Bernese Oberland peasantry.

Forster Charged.

LONDON, 29.—In the House of Commons, Forster admitted it was true that the protection act had done a great deal of damage, but he had done something. He had prevented many outages and murders by enabling the authorities to look up those who were liable to have committed such acts of violence. "There were," he said, "signs of hope, but outages must be stopped if they were not, it would become his duty and the duty of his colleagues to have stronger measures still."

Forster's speech was frequently cheered in the warmest manner.

Militia Chief Captured.

St. Petersburg, 29.—The chief of the militia executive committee connected with the construction of a mine in Little Garden Street is arrested.

Resolute Answer.

Vienna, 29.—English alliance of rion delegation to confer with the delegates arrived to confer with the delegates on the emigration of Russian Jews.

More Emigrants.
ST. PAUL, 29.—Five hundred and eighty passengers left for the United States to-day via Bremen.

THE HARVESTER WAR.

Harvesters of Twine Blunders.
Barnes—Barnes of a Great Cause.
In the Harvesters' War—Barnes with Twine.

St. Paul, Minn., March 29.—The building of the twine harvester, of Rockford, Ill., and Mr. Charles Calahan, of Chicago, to this city and Minneapolis to-day was, it is understood, for the purpose of settling the Minneapolis Harvester Works, in the name of C. H. McCormick, of Chicago, and Norman G. Thompson and Helen A. Gorham, of Rockford, Ill., a royalty of \$10 upon each twine harvester that said company has made or will make. This claim is based upon the patents which, after several years of controversy in the United States courts, were, in 1889, granted to Marquis L. Gorham, of Rockford, and it is claimed by the parties who demand the royalty that they own and control all the patents relating to the automatic binding of the bundles of grain. The Minneapolis Harvester Works, the William Deering Company, of Chicago, the Chicago Reaper Company, of Springfield, Ohio, the Eaterly Harvester Company, of Whitewater, and all others that are using twine binders, made under the Appleby patents, are to be proceeded against by the parties controlling the Gorham patent. The attorneys who have been engaged by the latter or McCormick faction are George Harding, of Philadelphia; E. N. Dickerson, of New York; M. D. Leggett, of Cleveland, and Parkinson & Parkinson, of Cincinnati.—Chicago Tribune.

The Tramp.

The following special to the Deseret News was received this afternoon:

OGDEN, March 29, 1892.

The Ogden Herald learns that the authorities have determined to suppress the tramp nuisance. Yesterday the police commissioners resolved to increase the police force. To-day Justice Middleton sentenced six tramps out of the 15 arrested. The others have been given warning to leave the city.

\$500 REWARD.

They cure all diseases of the Stomach, Bowels, Blood, Liver, Nerves, Kidneys and Urinary Organs, and \$500 will be paid for a case they will cure, or for any injury or incurable disease found in them. Hop Bitters. Test it. See "Truths" or "Proverbs" in another column.

"Great Expectations"

are always realized when the sufferer seeks relief by using Brown's Cough Balsam, for Coughs, Tightness and return of the chest, and difficult expectoration. For sale by all Druggists in Utah.

SALT LAKE THEATRE.

Engagement of the renowned Artist

MARIE GEISTINGER

Supported by her Opera Company of 30 ARTISTS 30

From the Theatre, New York.

Managers, . . . AMBERG & HEDMANN

Opera every evening, commencing

Thursday, March 30,

When will be presented the charming

Opera of

BOCCACCIO

Marie Geistinger as Boccaccio

FRIDAY, March 31,

Overseas's Favorite Opera,

LA BELLE HELENA

Marie Geistinger as Helena

SATURDAY, April 1st, at 8 p. m.

GRAND GEISTINGER MATINEE,

BOCCACCIO!

Saturday Evening,

Parovell performance, the Comedie Opera

by Johann Strauss

THE DAT, OR, CONTEMPT OF COURT

Grand Choral Enlarged Orchestra!

CONDUCTOR, . . . A. NOWAK

STAGE MANAGER, . . . MAX LUBBE

Box Plan for sale of reserved seats open

Wednesday, March 30, at 10 a. m.

Box seats, 25c; Reserved seats, 1st Circle, 50c; 2d Circle, 35c; 3d Circle, 25c. Extra.

FOR SALE.

TWO HUNDRED BUSHELS OF SEED
1 potatoes, Early Rose and Excelsior, at
twenty-five cent per bushel. Apply to
J. F. W. 7th Ward, Salt Lake City.

NOTICE

ALL THOSE HAVING WATCHES IN
A. G. Ferguson's establishment will
please call and get them by April 1st, as we
are going to close on
GEO. C. FERGUSON.

FLORIST & SEEDSMAN.

AS AGENT FOR TWO OR THREE OF
the largest and best seedhouses in America,
I will receive about Conference time, a
large stock of the leading varieties of
garden seeds, which I will sell in bulk as well
as in retail. The seeds are all fresh, pure
and of 1892. Peas, Beans, Corn, etc., in
great variety and large quantity. Flower
seeds, largest stock in Utah, over 200 kinds
of 1891; also all kinds of Trees, Shrubs,
Fruit trees, etc., in great variety. I have
also a large stock of seedling plants, such as
Gardenias, Tuberoses, Dahlias, etc., from
France, Germany, Italy, etc., and all kinds of
Flowers, shrubs, etc., and all kinds of
Ornamental Grass and Shrubbery land in
great variety. Catalogues, Countrymen, to
be sent and orders filled in season. Catalogue
free to all customers on application.

Two blocks north of the Valley House,
SALT LAKE CITY.

ADMINISTRATOR'S NOTICE

Estate of MICHAEL J. T. MATTHEWS,

deceased.

NOTICE IS HEREBY GIVEN BY THE

undersigned, administrator of the es-

tate of MICHAEL J. T. MATTHEWS, de-

ceased, that all persons having

claims against the said deceased, to credit

of MICHAEL J. T. MATTHEWS, deceased, are

to present the same to the undersigned

within four months after the first publication of this

notice, to the said MICHAEL J. T. MATTHEWS, deceased, at his

residence, in the City of Salt Lake, Utah.

Dated at Salt Lake City, March 29th, 1892.

Administrator of the estate of MICHAEL J. T. MATTHEWS, deceased.

J. T. MATTHEWS.

W. DeMeyer's
CATARRH
CURE
ABSOLUTELY CERTAIN.

WANTED.

A MAN WHO UNDERSTANDS THE
building of Iron Blast Furnaces,
the Thomas Process, and other
things connected with the Iron
and Steel Industry.

FOR SALE.

A NEW HEAD OF GOOD SADDLES AND
a Work Horse at H. P. Kinsler's
and other things at the same place.
See Thomas Taylor, 1st Ward, City.

TREES & PLANTS.

Cherry and Peach, a Specialty,
at 222

STAR NURSERY, Two Blocks west of
County Court House, Salt Lake City.

J. W. CHAMBERLAIN.

FOR SALE.

CHOICE VARIETY OF ORNAMENTAL
Shade Trees, Shrubs and Vines. Also
very choice variety of Grape Vines, Apples,
etc. etc. Prices for cash only.

Twelfth Ward, corner of South Temple
and Fifth East Streets.

NOTICE.

In the Probate Court, in and for
Salt Lake County, Territory of
Utah.

In the matter of the Estate of RICHARD V.
MORRIS, deceased.

PURSUANT TO AN ORDER OF SAID
Court in said matter, notice is hereby
given that Friday, the 31st day of March, A.
D. 1892, at 10 a. m., at the County Court
House in Salt Lake City, let be and appointed
at said Court the time and place for the hearing
of a petition of Richard V. Morris, Jr., and J. R.
Morris, praying for the admission to probate
of a certain document therewith filed, purporting
to be the last will and testament of
Richard V. Morris, deceased, and that letters
testamentary issue to petitioner at which
time and place all persons interested may
appear and oppose the probate of the said
will.

D. ROCKWELL,
Clerk of the Probate Court, Salt Lake
County, Utah.

Salt Lake City, March 18, 1892.

FOR ALL KINDS OF

BOOKS,
STATIONERY

AND

PERIODICALS

JOSEPH HYRUM PARRY,

Bookseller, and Stationer,

NO. 10, MAIN ST., OPPOSITE Z. C. M. I.

CHURCH WORKS OF ALL KINDS.

GOOD BOOKS

A SPECIALTY.

4 108 123 217 St.

JOHN CLARK, H. S. ELDREDGE, N. A. EMPER.

Clark, Eldredge & Co.,

WHOLESALE DEALERS IN

GROCERIES,

CROCKERY, GLASSWARE,

Tinware, Woodenware,

BRUSHES, GLASS,

PAINTS, OILS, AND NAILS.

FORKS, HOES, SCYTHES, RAKES, ETC.

A portion of your Patronage is Respectfully Solicited.

CLARK, ELDREDGE & Co.

HOOPER & ELDREDGE BUILDING.

Spencer Clauson

Wholesale

DRY GOODS

SALT LAKE CITY.

(HOOPER & ELDREDGE BUILDING.)

300

BOYS' AND CHILDREN'S SUITS.

THE BEST LINES OF

MEN'S SPRING SUITS!

Latest Style Hats!

WELL SELECTED STOCK OF

BOOTS AND SHOES,

JUST ARRIVED AT

Thomas W. Jennings'

24 & 26 First South St.

WINDOW GLASS

PAINTS,