

## BY TELEGRAPH

PER WESTERN UNION TELEGRAPH LINE

## FOREIGN.

LONDON, 21.—Nine thousand cotton spinners in Burnley have resolved to strike against a reduction in wages.

The Australian mail brings news of a conflict between the German gunboat *Albatross* and the natives of New Hebrides. It appears that the *Albatross* opened fire on the natives in revenge for the murder of Klein and Cullery. Twenty were killed and many more wounded. The crew of the *Albatross* then landed, whereupon the natives decamped to Pentecost Island, where Upolais, the mate was murdered. The Germans pursued them and opened fire with galling guns, which did terrible execution. Several villages were burned by the Germans.

LONDON, 22.—Ferguson, Under Foreign Secretary, announced in the Commons this afternoon that personal communications were passing in London between the representatives of Her Majesty's government and the United States' minister, in the direction of removal of the friction between the fishing interests of the United States and Canada arising out of the defects of the present treaties.

Churchill gave notice of the intention of the government to introduce early next session measures for considerable modification in the present method of conducting public business in the Commons. The announcement was accepted as portending further repressive measures against the Parnellites.

LONDON, 22.—Thirty-one Unionists voted with the Tories last night against the Parnell land bill. Ninety-six members paired.

Belfast, 22.—The city is quiet today.

PARIS, 22.—A syndicate of Paris and Berlin bankers has subscribed 600,000,000 francs to carry out the scheme sanctioned by the Sultan for a network of railways to connect the Black Sea with the Persian Gulf under the direction of the Austrian engineer Prettel.

SOFIA, 22.—The Russian agent has accepted the Bulgarian reply to the Czar's telegram unmodified, with the exception of the withdrawal of the statement that notes such as those the Russian agent presented might jeopardize the quietness of the country.

PARIS, 22.—A committee of Parisian doctors has challenged Succé to last forty days in a French hospital for a stake of 5,000 francs, on the condition that he reveals the secret of his "elixir," for which a patent is guaranteed.

BERLIN, 22.—Ratifications of the commercial treaty between Germany and Spain were exchanged at Madrid on the 15th inst. The conservatives are jubilant, claiming that Bismarck foresaw the revolution in Spain and hastened a meeting of the Reichstag in order to insure the prolongation of the treaty before a change should be made in the Spanish government.

United States Minister Pendleton and daughter sail for home on Saturday.

The German Iron Founders' Association declared against the participation of Germany in the exhibition at Paris in 1889.

LONDON, 23.—Salisbury will go to the continent on Friday and Chamberlain on Saturday. The latter will be accompanied by his brother Richard, who will remain with him till Christmas.

LONDON, 23.—Edward Salomon, the American composer and husband of Lillian Russell, was arrested in this city today, charged with bigamy. He preferred his first wife, Lilly Grey, who asserts that he was never legally separated from her.

BERLIN, 23.—Two American citizens of German birth, named Schmidt and Steehr, who have been spending several weeks on a visit to their old homes in Kiel, Holstein, have been ordered by the German Government to leave here by the 8th of October.

CROWD THEM TO THE  
UTMOST.

DISTRICT ATTORNEY DICKSON COMES OUT FLAT-FOOTED IN THE LINDBERG CASE, AND DEMANDS THAT NO MERCY BE SHOWN TO "MORMONS."

In the Third District Court yesterday afternoon, Jonas Lindberg, who had pleaded guilty to a three-count indictment charging him with unlawful cohabitation, was called to receive sentence, when the following occurred, Mr. Richards appearing for the defendant, and Mr. Dickson for the prosecution:

Mr. Richards—If your Honor please: Before judgment is passed in this case I desire to ask the leniency of the court in behalf of Mr. Lindberg. He is a man 53 years of age, and is this the first and only offense, I believe, that he has ever been charged with; being a man of excellent character, who has been in every sense, I believe, a good citizen. With the exception of this charge that is now against him, I do not know of anything ever having been brought against his character. Mr. Lindberg, also, has a family of nine young children, who are dependent upon him for support. He has simply homes for his family. He has no farm, nor any business, nor

means to support them with. They have been dependent upon his individual labor, as I understand it, as a shoemaker, for the support of the family. And I therefore suggest, if your Honor please, that a heavy sentence of imprisonment, would be a great hardship upon this family of the defendant as well as upon himself. And this being his first offense—there are three counts in this indictment—I ask, that your Honor will take into consideration these facts and modify the penalty as much as you feel that you can under the circumstances.

Mr. Dickson—If your Honor please: I know nothing whatever against the character of the defendant except the fact that he has been convicted by his own plea of guilty of a violation of the law of the United States during the periods covered in the indictment. The defendant has it in his own power largely to say whether he shall be punished severely or not. I say that, speaking from my knowledge of the course that has been pursued by your Honor and other district judges in reference to this class of cases in the past. Of course, the government, or any body representing the government, has no desire to punish the man or any other man guilty of an offense of this character simply for the sake of having him suffer. The object that the government aims at, and what should control the prosecuting officer and the judge upon the bench, is obedience to the law on the part of this defendant. If this defendant is willing, in good faith, to say that it is his intention and desire in the future to obey the laws, I would join with counsel in asking leniency at the hand of the court. I would even go further and ask judgment to be suspended altogether during his good behavior. But if he declines to give any assurance of good conduct, I think it is the duty of the Court to deny leniency to him.

When these promises were first set upon foot, and one or two who were convicted or entered a plea of guilty and came before the court and showed a willingness to obey the law, when they were dealt with leniently by the Court, the Church which stands at the back of these people, and which encourages them in disobedience to this particular law of the United States, as we all know, through its press and through its public speakers, denounced those who did promise obedience to the law as apostates and traitors to the Church. The result was that thereafter it was rarely that we found one who was willing to make the promise. Some would come, as we know Mr. Blumwood did, and make a promise outside of the court, but fearing to make the promises in court, showing that he feared the denunciation of the Church or those who were in the authority in the Church more than he feared the power of the government. The result has been that six months, imprisonment upon conviction for this offense is not regarded, apparently, by the defendants as any punishment. It is a sort of cheap martyrdom for them. And therefore I ask that unless this and all other defendants, when convicted upon a plea of guilty or upon a verdict of the jury, and when called before the court for sentence, if they are unwilling to give any assurance of their obedience to the law of the future—I ask that the punishment be so severe as to teach them that, notwithstanding the counseling of their Church, there is vitality in the law and a power in the government to enforce obedience to it.

Mr. Richards—If your Honor please: I would like to say a few words in response to what has been said by the District Attorney. The position which he takes, as I understand it, is this: that unless a man will promise in this court to obey the law he is not entitled to any consideration on the part of your Honor, but should receive the maximum penalty of the law for each offense with which he is charged, and of which he is convicted, either by his own plea or by the verdict of a jury. Now I have this to say in that connection: I learn from my client that he has conscientious scruples against making promises of that sort. I am cognizant of the fact that the Supreme Court of the Republic has said that this is no part of the religion of my people. I realize that your Honor in administering this law is bound by that decision. But that does not do away with the conscience of this man, whatever his purpose may be as to the future in regard to this matter. He may have resolved in his own mind that he will not violate the law in the future, still he tells me that he has conscientious scruples that prevent him from saying he will not violate this law, because he does not know what the future may bring forth. This is to him a part of his religion. He has accepted it as such. And while he may to-day believe that under existing circumstances he will not violate the law in the future, yet he cannot, without violating his conscience, make that promise. I ask it is just and right that a man should be placed in a position where he is compelled to violate his conscience in order that he may receive any consideration from the Court. I am not asking your Honor to refrain from inflicting any penalty upon him. I am not asking your Honor to take such a position as will render these laws nugatory, or make him, or any other man, feel that it is cheap martyrdom for him to go to the penitentiary and suffer the penalty of the law. I am not asking you to do that, I ask in this case that justice be tempered with mercy, and that instead of being coerced into the making of a

promise which would violate his conscience, my client be given a moderate sentence, and after its expiration be allowed to show by his conduct whether or not he will obey the law. I do not know of any of my clients who have felt that it is cheap martyrdom to suffer the penalty inflicted by this Court and go to the penitentiary; the reason they have assigned to me for refusing or declining to make the required promises has been that they could not do so without violating their consciences.

And before leaving this subject I will simply say that so far as the Church is concerned, I do not know by what authority the gentleman speaks of what the Church has done and what the Church has said. I am not standing here to-day representing the "Mormon" Church. I stand here representing Jonas Lindberg, a man who has been convicted upon his own plea of guilty, on three counts, of unlawful cohabitation with his wives. This is the person I am representing. And I say here, to-day, that it would be an act of justice, an act of mercy, and one that would appeal, it appears to me, to the better feelings of all people, that this man should have some modification of the sentence that is to be pronounced upon him. It is true, he knew what the penalty of the law was. It is prescribed that the penalty may be six months, imprisonment and \$300 fine; but the offense has been segregated three times, and now he is brought here to this court, without any notice, and charged with three such offenses. He has admitted that he is technically guilty. And it is sufficient now to say that owing to the financial condition of this man, and the family he has to support, and all the circumstances connected with the case, it would be an act of mercy and, I think, of tempered justice in this case for your Honor to modify the sentence that should be pronounced, and not give him the full penalty in each of these offenses.

Mr. Dickson—While Mr. Richards, as he says, is representing his client here and not the Church, I represent the Government here; and there is no use of our disguising the fact that on the one hand the Government commands obedience to its laws; it commands its subjects to refrain from the practice of polygamy and the practice of cohabiting with more than one woman in the polygamous household. On the other hand, we know, as Mr. Richards goes, it is a matter of public history, in this Territory certainly—that against the Government stands the Mormon Church commanding its people to disobey this law; that it is their duty to obey the revelation from God; that it is a higher law than the law of this government. And while Mr. Richards says that I cannot say what the Church does, I know it has been proven in this court. I refer to the *Deseret News*, and I believe what I said before, and I speak in reference to what I have seen from time to time in the columns of that journal. I know, so far as my memory serves me, that there has never been a case of a man that was called to the bar of this court who promised to obey the law, or said it was his intention to obey the law in the future, but what that journal—the organ of the Church—has denounced. I know, on the other hand, where a party would refuse to make any promise, his course has been commended by the organ of the Church. So I say, I am justified in saying the Church does use its power to put these people in an attitude of hostility to his government.

Now, I say that justice should always be tempered with mercy; but I say justice is tempered with mercy in this class of cases as it is with none others, when the judge upon the bench suspends judgment altogether if the defendant will simply give the assurance that he intends to obey the law in the future. What more mercy can they ask at the hands of the law? If it were a man convicted of any other offense against the laws of the United States or the Territory of Utah, and he was called before the Court to receive the judgment of the Court, and on being asked if he repented of his past transgressions, and if it was his intention to obey the law in the future, he should have the effrontery to stand before the court and say, "I have no promise to make," and your Honor were to ask him if he intended to live an honest life in the future and refrain from his larcenous practices, if it were larceny he was convicted of, and he should say, "I can make no promise, nor can I say, if judgment is suspended over me, that I will not go out and steal again before the sun sets," would anybody question the course pursued by the judge if, in view of those circumstances, he should pronounce the full sentence of the law?

This man is a poor man, I doubt not. But he has it in his own power to say whether his family will be deprived of his comfort and support or not. As Mr. Richards says, the Supreme Court of the United States has said that this is no part of the religion of this man. If it be his intention to obey the law in the future, it can do no violence to his conscience to say he will do so. If he does not intend to obey the law, his counsel has no right to stand here and ask mercy for him.

The Court—Mr. Lindberg, how many wives have you?

Mr. L.—Two.

The Court—You understand, of course, that the purpose of this law of the United States against polygamy and unlawful cohabitation and that

class of crime is to protect society from such practices. I will give you the opportunity that I have extended to all persons convicted of polygamy and unlawful cohabitation, to state whether it is now your intention to yield obedience to this law against polygamy and unlawful cohabitation in the future.

I wish to explain what I mean by that before you answer. The law does not punish a man for his mere beliefs. A man can entertain any belief he chooses; the law cannot reach him. The Constitution of the United States protects a man in his religious beliefs and in his faith, and you are not asked now what your religious beliefs are, as you may consider it; you are not asked what your belief is as to any subject—not asked your belief at all. You are simply asked as to whether you intend to practice unlawful cohabitation in the future, or engage in the practice of the polygamous relation in the future—you are simply asked that question. The law does not punish belief; it punishes what is termed the overt act, when it is accompanied with the intent to violate the law. Now, with this view—as you are not asked for your belief, but simply asked as to whether you intend to obey the law in the future, or whether you intend to yield obedience to the law or to defy it in the future—with this explanation I wish you to answer the question, whether you intend to yield obedience to the law in the future or to disregard it. You can state what your intention is.

Mr. Lindberg—Your honor on the bench, with regard to the future I can make no promises.

The Court—Is it your intention to disregard this law in the future or to keep it?

Mr. Lindberg—I don't feel to disregard any law. I have always been considered to be a law-abiding citizen. I am willing to obey all good laws of this country, but with regard to my situation as to unlawful cohabitation, I cannot make any promises.

The Court—Well, of course, the law is made for all people. This is a law other people have to obey or take the consequences. Similar laws exist in all civilized countries, in substance the same, and in all the States; and if every person may choose to say that he doesn't think the law is right in this regard, you must see, as a reasonable man, that the law would amount to nothing. If the legislative department of the government when they pass a law, with that also extend the right to every person to choose whether the law should be enforced or disregarded, you can see that that law would not amount to anything. As a reasonable man you must understand that. If everybody may have it in their power to say that they have the right to disregard the law because they think it is wrong, and if this statement is to be regarded in court, I suppose all criminals would come into court and say they think the law is wrong, and that they were doing right. You are not asked for your belief at all; the court has nothing to do with your belief; you are simply asked as to your overt acts, as to your practices—what you intend they shall be in future, what you intend your conduct shall be as to this law in the future. Now you had better think about that. Of course, if you answer that you intend, in good faith, to yield obedience to this law, your punishment would be very light. I should not impose any imprisonment whatever upon you. It is no pleasure to me, or to any right-minded man, to punish a man. I regret that I have to do it. But this law must be respected and obeyed. I sit here as a servant and agent of the American people, and happen to be their representative here in this particular place, and it is my duty, under the oath which I have taken to the law of this land, to enforce it honestly and fairly, so that it may accomplish the purpose which it was intended to accomplish.

Now, if you want to think about this, I will give you until to-morrow morning at 10 o'clock, and then if you can come and say it is your intention, in good faith, to obey this law and yield obedience to it in the future, I shall not impose any imprisonment upon you. If you desire to take until to-morrow morning at 10 o'clock, I will defer sentence until that time.

Mr. Lindberg—I love this country.—The Court (interrupting)—The best way for a man to show that he loves his country is to obey its law. The country exists in its laws.

Mr. Lindberg—All wholesome laws I have promised to obey, but the laws in conflict with my conscience I cannot obey.

The Court—Well, of course, the court cannot sit here and allow men to trifle with it. To inflict punishment upon you for a short time, and you then come out and disregard it again, and to bring you to trial and send you to the penitentiary again, it is a great deal of trouble and expense to do this. The court cannot afford to allow men to trifle with the law in that way. I have given you an opportunity to say whether you wish till to-morrow morning to consider this matter.

Mr. Lindberg—I am very thankful, your honor, for the privilege of having until to-morrow morning, but my religion and my conscience will not change. I will take the counsel of my counsel what to do in regard to this.

[Mr. Lindberg here consulted with his attorney, F. S. Richards, for a few moments.]

Mr. F. S. Richards—If your honor please, Mr. Lindberg says to me simply this; that he has given this matter

careful consideration for a long time, and he says that his convictions and conscience as he expresses it, will not change by to-morrow morning. So I, under the circumstances, do not know whether I should advise him to wait till to-morrow morning or not. I would rather not give any advice. This is the statement he makes to me.

The Court (to defendant)—In view of the position which you assume—which is equivalent to saying that you, if you choose, would violate this law in the future and disregard it, and set it at defiance—cannot expect the court to extend you any benefit. The court cannot do it under the obligations which it is under.

You will be sentenced to be confined in the penitentiary for six months on each one of these counts—there are three of them—which makes 18 months, and pay a fine of \$100 on each count, and you will also be adjudged to pay the costs of the prosecution, and stand committed till the term of your imprisonment and fine and costs are paid. That is all.

## LETTER FROM GEORGIA.

SOME OF THE USUAL VICISSITUDES OF A "MORMON" MISSIONARY'S LIFE.

LICK SKILLIT,  
Lumpkin County, Ga.,  
September 11, 1886.

Editor *Deseret News*:

Thinking that a few lines from Georgia would not be amiss, I take the liberty of giving you a synopsis of my labors as a missionary.

I left Salt Lake City October 12th, 1886, in good spirits, little realizing the enemy that dwelt in the bosom of the Christians (?) towards the "Mormons." However I was not long in finding it out after I arrived here. I reached Chattanooga, Tenn., Oct. 20th, 1886, accompanied by Elder T. W. Roberts, where we met President Morgan, who made us feel as though we had met "a brother and a friend." The next morning I was on my way

## AFOOT AND ALONE

to Cassandra, Walker County, Ga. After waiting till 8 o'clock at night I arrived at a salaried house (Bart Fawcett's) where I met Elder Gardner, from Spanish Fork, Utah, with whom I labored a short time. I next labored with William Spry until February 2nd, when I joined Elder L. P. Madsen, of Mount Pleasant.

We made our way to Fanning County, where we met some

## LATTER-DAY "DEVILS."

as well as some Latter-day Saints, who forced us to lie in a fodder-pile one night, and to take "shansponys" for a feather bed the following night, with a pocket full of apples for a feast after a couple of day's fast. We arrived at Elijah early the next morning, and met Elder E. S. Kimball on the train, who wiped away our tears, and informed us that we could find one family of Saints in Hall Co. We took courage and started from Atlanta by the slow rail—afoot—and landed safely into the jaws of Miss Roxey Gougeon—the place that E. S. Kimball mentioned in a recent issue of the *News*—who

## WENT AFTER US "RED HOT"

about the "deluded Mormons." But we talked like a father to her, and soon had her pacified. She gave us supper, a feather bed, and breakfast, for which the Lord will reward her.

The next morning our eyes grew dim as the tears of joy ran down our cheeks at meeting Brother Payne and family, who gave us a welcome both of heart and store.

Like wild-fire the news "flew abroad" that a couple of "Mormon preachers" were in the neighborhood. Some said, "whip them out." Others said, "Let them alone; let them preach." That is just what we wanted to do, so we made arrangements to hold meeting at a Mr. Gibbs'. Many people came to the meeting. A man named W. Evans at the close of the meeting said: "That is Scripture, if ever there was any preached." And so many have turned from enemies to friends, and we hold meeting nearly every Sabbath with a fair attendance. One old gentleman here says he would rather hear Brother Madsen ask a blessing than hear a Methodist minister preach.

We made a visit to see a family of Saints living in Habersham County, and while there appointed meeting at their house. So did the Devil, for just about the time for us to commence, a Baptist preacher at the head of

## SIXTY OR MORE MOBOCRATS

came and upset our equilibrium. When asked why the disturbance, the answer was: "You are preaching false doctrine." We invited them to come inside, with all their Scripture-read men, and we would go to the "Law and Testimony," and determine the matter. "We have no argument for you," said the preacher, "But if you will raise one from the dead that has been dead three or four days, then we will believe." We referred him to what the Savior said of sign-seekers. After preventing our meeting, and threatening us by flourishing hickories, they scattered.

Our field bids fairer at present than ever it has before. Some have declared their intention to be baptized, new houses are being opened for us to preach in, and more friends open their houses for us to sleep in.