ANOTHER LEAGUE EPISTLE.

To-day we present, for the edification of our readers, another of those delectable epistles issued by O. J. Hollister, in the interest of the Loyal League fifty cent corruption fund, for use in pushing special legislative measures to consummate the theft of a Territory. These documents are frequently sent out as back-stiffeners—a kind of porous plasters, as it were—lest the monthly dues from the dupes should diminish.

In this instance Deputy U. S. Internal Revenue Collector and Loyal League due dunner Hollister assumes the role of congratulator, exhorter and taffy dispenser, the self-righteous element protruding much more conspicuously than in the instance of the conceited pharisee of the scriptures, who felt thankful that he was not "as other men!" If the chief secretary feels that way, "other men" have far greater reason for congratulation than he on account of the difference.

The exhortation to the "Liberals" to beware lest they—in the event of their riding into power on the back of the pending anti-"Mormon" bill—become like unto the notorious carpet-bag crew that conducted matters with a high and ruthless hand in the South for some time subsequent to the war, is timely. It must be admitted, however, that the comparison does the carpet-bag leeches who infested the South a manifest injustice, as it is to be gravely doubted whether the worst of them could hold a candle in point of downright unscrupulousness and tyranny to the central group of the political plotters of Utah. This fact is exhibited by the methods they resort to under a slight color of law. What the condition would be were they to have control as law makers and administrators requires no specially vivid imagination to depict.

The wily secretary of the League essays the position of a predictor and asserts that in the event of the power passing into the hands of the element of which he is a representative there would be a great influx into the Territory of "our kind of people." Taking the gentleman as a sample, that such an augmentation of the population would be beneficial to the Territory is open to serious question. What has he done, in any sense, to better the condition or build up the community? Has he been engaged in any industry? Has he caused two blades of grass to grow where only one grew before? Has he contributed in any way to make any kind of improvement? Not much. We have a distinct recollection that, on a certain occasion when he presented himself as a voter, an examination of the tax roll failed to find his name there.

The circular promises a revolution not only in a political but in a business sense. Doubtless there would be such a revolution. The point of prosperity on the wheel of fortune which has been gradually borne downward by the agitations and schemes of the plotters would speedily reach the lowest point, never to rise until they should be hurled from the position of barnacles upon the political machinery. What kind of business revolution does Mr. Hollister refer to? Would it be the prevalence of Fitchette principles, when business crookedness could be covered up by Mr. Hollister's organ asserting that men engaging in questionable transactions and making assignments in consequence have been "ruined by a "Mormon" conspiracy?" Would the business revolution open up a wide field for men who come here, make money, pay it out to the tune of $8,200 in two years to creditors outside the Territory, build $9,000 houses, and then make an assignment, and yet be extolled by Mr. Hollister's organ and the same sheet speak of respectable men who presented just bills as coming "howling after their pay?" Utah should be spared such business revolutions as that.

The funny part of the circular is that it sounds like a solemn and timely warning of the "Leaguers" against the "Leaguers." The members are admonished to preserve the "honor" of the "Liberals." Before giving this advice it would be well to hunt around and see whether such an article exists in that quarter. If it should be discovered, there is sufficient evidence on record to warrant the assumption that it could be contained in a half-ounce vial and then have commodious quarters. Tooele County, control of which was obtained by the Liberals by fraud, is an evidence of the stainlessness of the plotters. It was, under "Liberal" rule, despoiled and plundered, until it was plunged into the slough of financial prostration, from which it was subsequently rescued by official management of men who are members of the "Mormon" Church.

The profession of friendship for the majority of the people of Utah reaches the acme of hypocrisy. It is inserted to catch professing "Mormons" of the weak-kneed stripe. Take the secretary himself as a sample. His bitter hostility to the people is not only well understood, throughout Utah and elsewhere, but the extreme and malicious nature of it has caused it to be a sort of standing joke among his own class. His malicious antipathy to the "Mormon" people and their institutions causes one to be reminded of a character depicted by the graphic pen of Thomas de Quincey; in place of blood, there coursed through his veins a "sort of green sap."

THE FISHERIES SQUABBLE.

The United States is at present engaged in a very interesting dispute with its northern neighbor—Canada—on the question of the fisheries. The seaboard having no regard for political divisions or distinctions, exists to-day as it came from the hand of nature many centuries before the American provinces took shape or Canada became a province of Great Britain; and this contiguity being established by a decree from which there is no appeal, there is or should be a community of interest divided by the agreement of the parties thereto. But there seems to be no agreement, quite the reverse; the great Powers disagree as widely as though their maritime and coast affairs were not to a large extent mutual, and what it will result in or how it will end are questions which even those most skilled in political economy and national rights will not attempt to answer.

In a note addressed to Congressman Belmont and others on Monday, Secretary Manning, as head of the Treasury Department, states the case in a lucid and somewhat lawyerlike way. He says, among other things, that the plea is "that the treaty of 1818 permits and stipulates for such legislation. That we deny and reply that such legislation is a repeal and annulment by England of the arrangement made in 1830 and to that repeal we are entitled to respond by a similar repeal of our own law and by a refusal hereafter, and while the debate or negotiation goes on, to offer hospitality or any privileges whatever in our ports to Canadian vessels or boats of any kind." This shows the Secretary's meaning to be that whatever may result of an untriendly nature, it will be England's fault as to past precedent and present provocation; he thinks, however, that it is not a *casus belli* but merely a ground for the suspension of comity. "England may judge for herself," he says, "of the nature and extent of its comity and the courtesy she will show to us in the present case. We do not propose retaliitiation. We simply respond, we too suspend comity and hospitality and now comes the question, what shall be the character and limitation of the response? Shall we only exclude Canadian fish or such fish and all Canadian vessels or both of them and all merchandise coming from Canada by any sort of vehicle, including cars? Under what conditions can negotiations go on with the least injury to ourselves, our dignity and self respect? I cannot believe that the government at London will persist in its present course, unless inspired for some occult reason by a purpose to break the friendly relations with ourselves or unless she is under the will and at the mercy of her colonies."

While the question for the time being assumes a serious aspect, it is hardly probable that the two foremost nations of the earth, which settled a more troublous and delicate case by arbitration, will resort to any other plan to reach a conclusion satisfactory to each and binding upon both; statesmanship, backed by reason and justice, not demagogery hounded on by unthinking mobs, is what is wanted.

CHANGES MADE BY THE CONFERENCE COMMITTEE.

Our special from Washington conveys important intelligence in relation to the progress of the pending Congressional legislation against the liberties of the people of Utah. Some of the worst features have been eliminated by the conferees, but no amount of cutting short of obliteration can render it other than a hideous and unjustifiable measure.

That the reader may clearly understand the nature of the work of the committee, so far as it has proceeded, we present the changes indicated by the dispatch in a simplified shape. The portions of the bill stricken out (whether by or without substitution) are printed in small type.

Following is the section of the Senate (Edmunds) bill substituted for Section 9 of the Tucker amendment:

Sec. 19.—That whoever commits adultery shall be punished by imprisonment in the penitentiary not exceeding three years; and when the act is committed between a married woman and a man who is unmarried, both parties to such act shall be deemed guilty of adultery; and when such act is committed between a married man and a woman who is unmarried, the man shall be deemed guilty of adultery.

Here is the dead section supplanted by the foregoing:

Sec. 9.—That when sexual intercourse is committed between a married person of one sex and an unmarried person of the other sex, both persons shall be deemed guilty of adultery, and shall, upon conviction thereof, be punished by fine not exceeding $100, or by imprisonment not exceeding three months, or both, in the discretion of the court.

The following sections of the House bill are stricken out:

Sec. 11.—That the marriage relation between one person of either sex and more than one person of the other sex shall be deemed polygamy. Polygamy or any polygamous association or cohabitation between the sexes is hereby declared to be a felony, and shall be punished by confinement in the penitentiary for a term of not less than one year nor more than five years; and the continuance of the polygamy or polygamous association or cohabitation between the sexes after any indictment or other legal proceeding is commenced against any person, shall be deemed a new offense, punishable as aforesaid.

Sec. 13.—That nothing in this act contained shall be construed to repeal the act of Congress entitled "An Act to amend section fifty-three hundred and fifty-two of the Revised Statutes of the United States, in reference to bigamy, and for other purposes," approved March 22d, 1882; but the provisions of said act, except in so far as they are repugnant to this act, shall be applicable to this act as if herein expressly mentioned; and the power given to the President by the sixth section of said act shall be applicable to the offenses created by this act.

The following section of the Senate bill has been adopted as a part of the report of the committee in place of the section of the same number of the House bill:

Sec. 16. That it shall be the duty of the Attorney-General of the United States to cause such proceedings to be taken in the Supreme Court of the Territory of Utah as shall be proper to dissolve the said corporation and pay the debts and to dispose of the property and assets thereof according to law. Said property and assets, in excess of the debts and the amount of any lawful claims established by the court against the same, shall escheat to the United States, and shall be taken, invested and disposed of by the Secretary of the Interior, under the direction of the President of the United States, for the benefit of common schools in said Territory.

Here is the section of the House bill discarded by the conferees, the one immediately foregoing being substituted:

Sec. 16.—That it shall be the duty of the Attorney-General of the United States to cause such proceedings to be taken in the Supreme Court of the Territory of Utah as shall be proper to declare void and to dissolve the said corporations mentioned in the preceding section and in the 14th section of this act, and pay the debts and to dispose of the property and assets thereof according to law and equity.

The following section has been stricken out by the conference committee:

Sec. 17.—That the eleventh paragraph of the third section of the act entitled "An act in relation to courts and judicial officers of the Territory of Utah," approved June 23d, 1874, be, and the same is hereby amended, so as to read as follows: "A writ of error from the Supreme Court of the United States to the Supreme Court of the said Territory shall lie in all criminal cases where the accused shall have been sentenced to capital punishment, or convicted of bigamy, polygamy or unlawful cohabitation, or of any offense under the act entitled "An act to amend section fifty-three hundred and fifty-two of the Revised Statutes of the United States in reference to bigamy, and for other purposes," approved March 22nd, 1882, or under this act, whether the judgment complained of was rendered before or after the approval of this act, and a writ of error from the Supreme Court of the United States to the Supreme Court of the Territory, or an appeal to the Supreme Court of the United States from the Supreme Court of the Territory shall likewise lie and be allowed, or to any decree or judgment rendered in any proceeding or suit authorized under the sixteenth section of this act. And the Supreme Court of the United States is authorized to speed all cases arising under this section and dispose of them as promptly as possible without regard to their place upon the docket: *Provided, however*, that the writ of error or appeal hereby allowed shall be taken and prosecuted within the period limited in like cases from judgments and decrees of the Circuit Courts of the United States, or within one year from the approval of this act.

In the following section unimportant verbal changes are made, and the proviso (in small type) is stricken out:

Sec. 18.—That all religious societies, sects or denominations shall have the right to have and to hold, through trustees appointed by the several county courts of the Territory, so much real property for the erection of houses of worship, and for the residence of minister, priest or other religious teacher, as shall be needed for the convenience and use of the several congregations of such religious society, sect, or denomination;

Provided, however, That such real property shall not exceed in an incorporated town or city, ten acres, or elsewhere fifty acres. Nor shall any such society, sect or denomination have and hold, except in the value of buildings erected on said real property as aforesaid, and in the value of the personal property used in religious worship, or for the comfort of those assembled therefor, a greater amount in money value than fifty thousand dollars.

Section 22 is in relation to dower. The committee has stricken out its last clause, which is as follows:

(4) The term lawful wife, wherever used in this statute, shall be held to mean, in all cases, of Mormon or plural marriages the first wife, and such wife only shall be entitled to dower under this act on the death of her husband.

Section 23 relates to redistricting of the Territory and apportionment of representation in the Legislative Assembly. In the House bill, as it went into the hands of the conferees, the duty in those particulars devolved upon the Governor, Secretary and U. S. Marshal. The Utah Commission are substituted for the Marshal.

The wording of the test oath section has been subjected to some verbal changes, but remains substautially the same. It is here given without the changes, intelligence as to their character in detail not having been yet received:

Sec. 23.—That every male person over 21 years of age resident in the Territory of Utah shall appear before the clerk of the probate court of the county wherein he resides and register himself by his full name, with his age, place of business, his status, whether single or married, and if married, the name of his lawful wife, and shall take and subscribe an oath to be filed in said court stating the facts aforesaid and that he will support the Constitution of the United States, and will faithfully obey the laws thereof and especially will obey the law aforesaid, approved March twenty-second, 1882, and this act in respect of the crimes in said acts defined and forbidden; and that he will not directly or indirectly aid, abet, counsel or advise any other person to commit the same. No person not so registered, or who shall have been convicted of any crime under this Act or under "An Act to amend Section 5352 of the Revised Statutes of the United States in reference to bigamy and for other purposes," approved March 22d, 1882, or who shall be a polygamist, or shall associate or cohabit polygamously with persons of the other sex, or who shall not take and subscribe the oath aforesaid, shall be entitled to vote in any election in the Territory, or be capable of jury service or to hold any office of trust or emolument in the Territory.

The following sections (26 and 27) have been stricken out, with the exception that the President appoints all probate judges:

Sec. 27.—That the Council of the Territory of Utah shall hereafter consist of thirteen members, appointed by the President, by and with the advice and consent of the Senate, every two years, the members of which shall be citizens resident in said Territory, one to be selected from each district of the Territory, according to the appointment provided for in the 23d section of this act.

Sec. 24.—That all judges of the county and probate courts and selectmen of each county of said Territory, and all clerks of said courts, justices of the peace, sheriffs, constables and other Territorial, county, district and municipal officers, shall hereafter be appointed as follows, and all laws to the contrary are hereby repealed:

The President shall have power to nominate and, by and with the advice and consent of the Senate, to appoint all judges and selectmen of the county and probate courts for the term of two years. The said courts shall appoint their clerks, recorders and registers of deeds, wills and other papers by law required to be recorded.

The Governor, by and with the advice and consent of the Council, shall have power to appoint all justices of the peace, sheriffs, constables and all other county, district and municipal officers of the Territory not herein otherwise provided for.

The Territorial law remains in force in relation to the appointment or election of all other officers, with the exception of the Commissioner of Common Schools (provided for in Section 28 of the bill). That functionary is to be appointed by the Supreme Court of the Territory.

MORE DISGRACEFUL PROCEEDINGS.

The Hamilton case scores one more on the list of vexatious prosecutions without excuse, unless the fact that the individuals put to annoyance and expense without cause are "Mormons," may be considered in that light. As usual in cases where there is no evidence against the accused, District Attorney Dickson exhibited his malevolence and spleen, in brutal disregard for the natural feelings of the lawful wife of Mr. Hamilton and of her condition as the mother of twin babies six weeks old. He also took another excursion beyond the limits of law and official duty, in forcing witnesses to state their belief and testify as to rumors they might have heard, all of which he knows as well as any body is not evidence and cannot be legally extorted from any witness.

Of course he was supported by McKay in this excess of law and violation of right, and the Commissioner further indulged in remarks that exhibited his low nature, coarse disposition and lack of ordinary good breeding. No wonder that he is Dickson's pet Commissioner, for they harmonize in grossness and are equally regardless of propriety and decency.

We would like to see this compulsion of witnesses in regard to the disclosure of their belief and what they have heard from rumor, fully exposed and tested. We know that it is considered incompetent and improper in respectable courts in England and in the United States. We believe it is wrong and an outrage upon the rights of witnesses. Messrs. Dickson and McKay, however, do not seem to think that witnesses have any rights which they are bound to respect. Is there no witness with backbone enough to stand up for his rights in this regard? A refusal to answer as to belief of an alleged fact would probably bring the point to a definite issue. The witness might possibly be committed for contempt. But he would not be compelled to remain long in confinement. There is a legal remedy at hand, and it would be promptly applied and the matter could be determined by competent judicial authority. Of course before any test of this kind is made reliable, legal advice should be obtained.

In the course of examination, Deputy Arthur Pratt, who, without doubt, made a terrible blunder as to the identity of a witness, declared that he would not answer a question as to his authority for certain alleged information, even though commanded by a court. He had given his word of honor not to tell, and would not obey an order of court requiring him to answer. Well, if that is right in one witness, it is right in another. Or is there one law for deputies and another for ordinary citizens? If A. P. has the right to refuse to reply even though commanded to answer by a court, so has C. B. or I. H. or M. W. or anybody else. And if a promise not to tell is binding in one case it is binding in another; if it would be dishonorable for one person to break it, it would be dishonorable in anybody else, and the court must protect all witnesses in honor alike.

This is the second case of groundless judicial proceedings against Mr. Hamilton, and one more instance of common barratry for the purpose of making fees for certain officials. And thus is Uncle Sam bled to satiate this inordinate greed for fees, while respectable citizens are put to the ignominy of being forced from their homes to go before a hog-like official as criminals, and be badgered and browbeaten by a brutal attorney, and all upon a false complaint and without any beneficial result to the government or the community. Such proceedings, which have become quite common, are a disgrace even to the most disgraceful judicial crusade ever inaugurated since the world began.

SCOPE OF THE DECISION.

There is considerable misunderstanding among some of the interested parties in regard to the scope of the decision of the Supreme Court of the United States in the Snow *habeas corpus* case. Without elaborating upon the nature of those misunderstandings we will endeavor, in simple terms, to define the effect of the decision in its relation to unlawful cohabitation cases.

It makes no change whatever in the legal status of cases in which but one indictment containing one count has been found.

The decision defines cohabitation as but one offense; in other words, it is a continuous offense. Therefore but one penalty can be imposed. This being the case those who are now incarcerated under an indictment containing more than one count cannot be liberated until the penalty imposed under the first count has been satisfied. The penalties imposed on the remaining counts are void. So soon as the first penalty is served steps will be taken to have that class of prisoners liberated.

In relation to cases now pending in the courts it is supposed by some that those indictments embodying more than one count are rendered void by the decision. This is not as we understand it. The indictments will probably stand, but the decision will involve the necessity of an election or choice, as to which count the defendant will be tried under.

A RIDICULOUS FALSEHOOD.

The following special to the *Herald* appeared in this morning's issue of that journal. It gives a fair sample of the Associated Press dispatches sent from this city:

"Washington, Feb. 8.—The following is published in this afternoon's papers as a press dispatch from Salt Lake: 'A strong Mormon lobby left here yesterday for Washington to work against the Edmunds-Tucker bill. Among its members are: E. A. Smith, president of the Council; W. W. Riter, speaker of the House in the last Legislature; Mayor Armstrong, and other officials. The talk here is that they go as monogamous Mormons prepared to give up polygamy, provided the Mormons be not pressed and that Utah be admitted as a State, after which they would do as they pleased. The Gentiles here are much discouraged at the delay, and begin to dread another failure of Congress to assert itself against Mormon treason."

The statement about the gentlemen named going east as a "Mormon" lobby is an unqualified falsehood. In the first place Hon. W. W. Riter is at home, and sat serenely in his place last evening as a member of the City Council at the regular meeting of that body. The trip eastward of Judge Elias A. Smith and Mayor Armstrong has not the slightest political significance. Recently Salt Lake County decided to erect a new jail, and as it was desirable that it should be of modern and improved style, the County Court appointed Judge Smith and Mr. Armstrong to go east, and there inspect some of the most recently erected prisons, and in the event of an iron building on the rotary principle being deemed the most suitable, to visit some of the manufactories with a view to making preliminary arrangements in relation to obtaining materials.

The Loyal League telegraphic falsifier should call upon Mr. Riter and ask him whether he is in the east on a lobbying expedition or at home.

A Salt Lake Invention.—We learn from the *Scientific American* that a horse power has been patented by Mr. Ira A. Jefferson, of this city. It is a machine especially adapted for use at mines, being very compact and the parts detachable united for convenience in transportation, the construction being such that the machine can be very easily operated and hoisting may be speedily accomplished thereby.