**EVENING NEWS** Published Daily, Sundays Excepted,

was not until quite recently that the

courts acted upon any other view of the

meaning of the law. The general

reasonably assured, bail could not rea-

sonably be denied pending an appeal.

No idea was entertained that good

bail would be refused pending an ap-

peal. But a special application was

made in a special class of cases, and

therefore, if the bill giving reasonable

relief has an appearance of a special

purpose, it is only because of the

course of the courts in giving the bail

ONLY BUNCOMBE.

Judge Zane's charge a short time ago

concerning imaginary intimidation.

When a Judge wants to show his ex-

cessive zeal against the "Mormons,"

he can suppose some attempts to in-

flammatory exhortations about resist-

ance, thej right to use farms for self-

protection and similar \_buncombe for

effect at a distance. Judge Powers is

not yet confirmed; by the Senate, and it

may be necessary to stir up the coals

and keep the fire burning that the coun-

try may see, his belligerent attitude.

One point in Judge Powers' harangue

is worthy of notice. It is, that every

man has the right to protect himself

in his own house, and that if men come

to it in the night time to search it, it is

the right and the duty of the inmates

to protect themselves against the

wrong. Of course everybody that

knows his rights was aware of this

before, but it is well enough to treas-

ure up these little judicial utterances

for future use. We do not believe any

one has been foolish enough to try to

influence or obstruct jurymen iin any

such way as is supposed in the Judge's

charge, and it looks like an attempt to

make a large mountain out of a small

TEMPERED WITH MERCY.

THE first indication that Chief Justice

molehill.

law a special construction.

AT FOUR O'CLOCK.

PRINTED AND PUBLISHED BY THE DESERET NEWS COMPANY CHARLES W. PENROSE, EDITOR.

Thursday · February 11, 1886

A GRAND MISTAKE.

There is no getting away from these THE Tribune puts in a specious plea in facts. The veto of the bail bill implies support of the Msrshal, in offering a an absurdity. It maintains a palpainjustice. It was made large reward for the arrest of a gentleble man charged with a simple misdemeanwith a special view to deny common or. The substance of it is, that Presijustice to "Mormons." It renders dent George Q. Cannon's offense, in void in their cases the law of appeal. the eyes of his enemies, is the influ- It is, so far, "nullification." The reaence he carries with the "Mormon" sons" given for it are not reasons but people. But this is not an indictable nonsense. They are not true, and they offense. It is not one that can be are self-refuting. They make the reached by the law, because it is no in- writer look like a noodle, and no defraction of law. It merely makes him fense can be made of the veto but just an object of hatred to those who want show shallow sophistry and begging of the question which is common to the to force the "Mormon" people to forsake their religion. Governor's disreputable organ.

Those bigots and tyrants for whom the Tribune speaks, want to make the preaching of a doctrine which they do not endorse a penal offense. In other JUDGE POWERS has given another words, they would stifle free speech, if charge to the Grand Jury of the First that free speech is opposed to their District. It is an extra speech thrown notions. The reward offered, we are in. It is an extended plagiarism of told, is because of the influence which the public teachings of Prest. Cannon has upon the minds of his hearers The offense for which he is indicted is no different to that charged against many others, but he is singled out for influence a jury and then fulminate inspecial detective endeavor and as a special object of malevolence, because of his public enunciation of principles which he holds to be divine.

But the malicious promoters of this personal attack upon the gentleman, presume a little too much. Their organ says: "It would have been in George Q. Cannon's power last spring, by a word, to have stopped all the distress which has come to this people since." This is a grand mistake. The meaning of it is, that Prest. Cannon could, by a word, change the doctrine of the Church and the faith of its members, in regard to celestial marriage which includes the plurality of wives.

Let it be understood that no such power is held by any man on earth. The word of no mortal being could accompliah any such revolution. Thei faith of the "Mormon" people is not founded upon any man, living or dead. If the gentleman now hounded by his foes were to come out to-day with an enunciation such as the Tribune says he ought to make or leave the country, to-morrow he would be repudiated by the people over whom he is thought to Zane has a heart sensible to the sugexercise such unbounded influence.

The world ought to know by this time that the "Mormon" faith in plural

Mr. Taylor moved to strike out of the use of the public when it has and persons unknown." He was not used as a public thoroughfare for a meaning of the law. The general in favor of selling the property of ab-principle obtained in practice, that if sent and unknown persons for delin-the attendance of the defendant was reasonably assured, bail could not reaperiod of five years. It further pro-vides that no right shall accrue to any person using private property as a private by-way, other than as may be granted in writing by the owner of the prepare amendments to this section. Mr. Taylor moved to strike out of = This last named proviso elicited a

section 21 the words "one and one-half per cent. per month interest," allowed the purchaser when the owner Section 3, as am great deal of discussion, and was fin-Section 3, as amended by the Council redeemed his property, that had been sold to satisfy delinquent taxes. Considerable discussion en-sued on this and Mr, Hammond's mo-tioned, to allow the delinquent six months logical discussion en-tioned, to allow the delinquent six months instead of two years in which to redeem his property. The time of two years and one per cent. per month interest was finally agreed to. Mr development of the section to strike out that part of the section by section 5, whenever any cor-

Mr. Grover moved to strike out the words "county clerk" from sec. 28 and insert the words "county court," wigon road, is dissolved or disconthus making the section to read that tinued or has expired by limitation, the collectors of the various counties the bridge or wagon road has become should make their annual settlements a highway, and section 6 decides with the county courts in their that a road not worked or used for a respective counties. The dis-cussion of this amendment showed that the judges of probate and county period of five years ceases to be a highway. These provisions passed by uuanimous vote. The bill is very clerks had been considered by the electors good and lawful men to repre-sent them in the Legislative Council, tions. Much of it relates to county courts, supervisors, assessors and colwhich in the present instance is largely lectors and payment of poll tax. Two composed of such. The clerks, how-ever, being in the minority, failed in lieu thereof, three dollars their opposition to the motion, and the lawful money, annually, is required words "county clerk" were according-ly stricken out; so the collectors will have to make their annual settlement of every man over twenty and under fifty years of age, who are not physiquent poll taxes can be collected, and no property of the delinquent is exwith the courty clerks. Mr. Hammond offered a lengthy amendment to the last section of this bill, and, with the understanding that several important amendments would be made on the third, reading, the bill

empted from being levied upon for the purpose. One good feature of the bill is, that it exempts men from paying poll tax when they reach the fiftleth year of their age, instead of continu-ing to pay this kind of tax until they The substitute for a bill to pre-vent the befouling of waters, etc., passed its second reading and was filed are three score years old. At 12:15 p.m. section 13 was reached,

for final passage. C. F. No. 26, a bill in relation to the Territorial Insane Asylum, was read when the House took a recess unti 2 p.m.

and placed on file. C. F. No. 30, amending section 817, chapter 8, title 11 of the code of civil BY TELEGRAPH

PER WESTERN UNION TELEGRAPH LINE.

procedure, was read the third time and passed, and the House notified. The bill reads as follows: AMERICAN. 's A bill amending Section 6, Chapter 46 Laws of Utah, 1384. LATEST BY LIGHTNING. Be it enacted by the Governor and Legisla

> A Costly Blander of St. Louis Po licemes.

That Section 6, Chapter 46, Laws of Utah, 1894, entitled "An Act Relating to Fire In-surance Companies," is hereby amended to read as follows: Sr. Louis, 11—Mullaly's livery sta-bles were burned at an early hour this morning. The fire originated in the hayloft and spread rapidly. Emyloyes of the stables turned their attention read as follows: It shall be lawful for any number of per-It shall be lawful for any number of perdishment of a Fire Insurance Company in this Territory, and they shall be deemed a body corporate authorized under the laws of the Territory to transact fire infirst to saving the horses, 65 in number, and had taken about seven of them surance business, on complying with the provisions of Chapter 1 of Chapter 46 Laws of Utah. 1884, relating to corporations for general purposes; *Provided*, That it shall not be lawful for any such company to from the burning building when two policemen arrived, and thinking that the employes were thieves clubbed them into insensibility and thus de-stroyed the only chance of saving the stock, and the remaining 58 horses transact a fire insurance business in this Territory unless it shall have a capital of not less than on hundred thousand dollars, twente five per cent. of which shall have been paid np, and shall have complied with the provisions of this Act. were burned to death. The total loss is estimated at \$12,000. **Arrested for Contempt.** 

At 5. p. m. the Council adjourned.

AFTERNOON SESSION, FEB. 10. At the hour appointed the House again assembled, and Hon. Abraham

passed its second reading.

tive Assembly of the Territory of Utah:

perore that body for contempt, in re-Hatch, the speaker pro tempore, who so ably presided over the dellocrations of fusing to allow the committee to make a photographic copy of the tally sheet of Precinct A, Fourth Ward, Cincin-nati, and also in falling to produce the the morning session, resumed the speaker's desk. The House being again settled, resumed the considera-tion of the House bill, regulating the herding, branding and care of stock and punishing certain offenses conoriginal returns before the committee

at Columbus, yesterday. A resolution was offered directing that Dalton be placed in the fail of Franklin County for a period of 30 and punishing certain offenses con-

avs.upless heag

by attorney.

private one.

niture.

this morning.



Use Syrup of Prunes for constipation

DEATHS.

1886, of diphtheria, Charles Henry, son of

Hosea, Jr., and Elizabeth Stout, aged 5

STOUT .- At Phœnix, Arizona, January 24,

75 cents large bottle. For sale by Z. C. M. I. Drug Store.



marriage is rooted and grounded in the revelations of God and the manifestations of His spirit to them, individually. Principles not men are their stronghold. The principles that guide them are not the creations of men. The leaders of the Church are but the expressers, expounders and exemplars of truths that are independent of all men and all things. Those truths are beyond the powers of congresses, courts, officers and even of malignant and falsifying scribes and Pecksnifflan Pharisees. They are unreachable by pains and penalties, by the rifle or by the sword. Prison walls cannot confine them, chains cannot bind them, death itself cannot destroy them. They live and burn in the hearts bones and finest fibres of the Latter-day Saints, and no edict of man, civil or eccleastical, will change them or drive out faith in them from the souls of the people who know of their truth for themselves. Rewards may be offered, the blood-

hounds of the law may be let loose, cruel and unusual punishments may be inflicted, confiscation, pillage, fire, rapine and bloody murder may be employed as weapons against those who believe and teach what heaven has rebelieve and teach what here to crush out faith in the remotest degree, to stop the spread of "Mormonism," as the world call it, a single hair's-breadth, nor to force its adherents to recart and deny that which they know to be true

On the contrary, all these imeasures which Latter-day bigots and howling being very numerous-entirely too sectaries, backed by political schemers have resurrected from the dark ages, that there is a municipal ardinance rewherewith to coerce the "Mormons," will but serve to spread their doc-Providence, hasten the triumph of those principles for which the servants the city; but it is just possible that of God are living and laboring and for two or three of the pestiferous curs which if needful they are willing to suffer and die.

THE BAIL BILL VETO.

In attempting to defend Governor Murray's senseless and illogical message in vetoing the ball bill, which the lewd women have congregated in that NEWS riddled to pieces last evening, his organ says of the bill: "Except to provide some way through which polygamist law-breakers might evade the penalty of their crimes, the Utah Legislature would never have thought of passing the bills which the Governor has vetoed. It had been the law for years; and was satisfactory to all. That

Well now, let us see. The ball bill does not provide any special re-lief for polygamy cases, in any shape or form. Granting ball to a do is all there is to it." A communication from the House shape or form. Granting ball to a defendant on appeal permits no one to 15, a bill in relation to the manner of "evade" any "penalty." It simply determining disputed county boundary postpones the punishment until the lines, had been passed by that body validity of the conviction is tested. referred to the committee on counties. validity of the conviction is tested. A second communication from the Appeal is made a matter of right by the law. But appeal is of no use in mis-demeanors, and of little use in some more important cases without bail is allowed because the sentence would Appeal is made a matter of right by the allowed, because the sentence would culture. Also a message from the Governor returning H. F. No. 30, in relation to be served, before the appeal could be determined. To refuse bail and allow ball, without his approval. appeal, is to say a defendant may be appeal, is to say a defendant may be lawfully punished if unlawfully cou-victed. It is impossible to deny either the absurdity or the injustice of denythe absurdity or the injustice of deny-

gestions of mercy, appeared in the slightly modified sentence upon Brother Willow (State of the same, The bill was read by sections by the chiet clerk. When the first section, Brother Willey. . Then, as if the which contained fifteen lines, had been heart once softened still further re- read, an exceedingly interesting and animated debate ensued. Some of the laxed, the sentence upon Brother Penman was a further modification of the the bill was formulated simply in the usual extreme penalty of the law. It interests of the stock owners of this is a good sign. And we are pleased to county; while others contended that the first section, if it became part of the proposed law, would work much record it. We do not believe that the Edmunds law requires the severity hardship to the owners of stock. with which it has been administered Others again argued that the section as its provisions then stood was none in every case, and when a Judge exhibits too strong and that it ought to some degree of that "discretion" which pass. Mr. Farnsworth, who is the fa-ther of the bill, in a meek, but digni-tied, manly manner defended this secis vested in him by the terms of the statute, it has a much better effect uptiou, which had elicited so much dison the defendant and upon the public cussion and opposition. The section then the rigid, unbending, unmerciful was ultimately amended, and at 3:10 enforcement of the law's full penalties, passed. Sectied 2 passed, but section a was stricken out. Other sections were amended. At 4:10 the reading was completed and the bill was filed to come up again in its order. 'The Council notified the House that it had passed a bill to amend Sec. 56, in every case of one peculiar kind. We have had so much to find fault with in Judge Zane that we are pleased to note some symptoms of other feelings than implacable hate, and excess of venchap. 44, laws of 1884; read by title geance, against "Mormons" charged and referred to the committee on judiwith violation of the Edmunds law. clary. The insolvent debtors' bill next came

ON DOGS.

Editor Deseret News:

responsible owners.

ers."

"Butte City has the name of being the toughest town in Montana Terri-

tory. More notorious characters and

wicked city than can be found in the

entire Territory, outside of Butte's incorporated limits."-Dillon Tribune.

That accounts for Butte being a fa-

vorite resort of the "morality-screech-

THE LEGISLATURE.

COUNCIL-FEB. 10

when a motion to postpone further consideration of it indefinitely pre-valled, and the bill was laid on the Will you please answer the follow-ing: Is there a city ordinance in this table. This closed the special order of city in relation to dogs? If so, is the same enforced or not? My reasons for asking these ques-tions are, that in my travels through-

the day. Mr. Young presented a report of the chancellor and board of regents of the Deseret University for 1884-5, which was referred to, committee on educaout the Territory I find more dogs in Mr. McLaughlin sent up a petition from citizens of Park City, asking

\$3,000 to build a road on Summit and Wasatch counties. Referred to comnittee on highways. Mr. Thurman presented a petition from citizens of Pleasant Grove in re-

lation to the boundary lines of said city; referred to the committee on cor-While pleading guilty to the charge made by our correspondent of dogs perations and townsites. Mr. Houston presented a from Panguitch, asking aid for the renumerous-in this city, we may say pairing of a road in Garfield County; referred to the committee on high-

such officials.

morning session.

quiring the keepers of canines within Ways. A report from the committee on the city limits to pay an annual tax on trings, intensify their zeal, unite them each of the brutes, and a man con-closer together and, under divine stantly employed whose duty it is to recommended that it be allowed; claims and public accounts in relation see that no unlicensed dogs exist in adopted.

up on its third reading, and had occu-pied 20 minutes in its consideration

the city; but it is just possible that two or three of the pestiferous curs about town may have escaped his eagle about town may have escaped his eagle

Several other reports from commit tees were read and adopted.

Not Confirmed.

eye or not been traced by him to their court of the Supreme VIENNA, 11.- The New Freie Press has received a telegrain from Belgrade Court of the Territory. Reasons for saying that the reports that King Milan has ordered a disbandenment of his troops has not been confirmed. the cutting down were Liven by the chairman of the committee. The chair-

that the law provides that the county court shall fix and pay the salaries of All Quiet in London To-day,

PATCHES.

Country.

LONDON, 11 .- Everything is quiet in the metropolis this morning. Trades-men have re-opened their shops and business is proceeding as usual. Considerable uneasiness, however, is still felt lest there should be further riotous Mr Young made a motion to instruct demonstrations.

the committee on fish and game in re-lation to fishing in Mill Creek and other streams in Salt Lake County; ad-Six Thousand Pounds for the Poo

Three hundred unemployed working-men called upon the Lord Mayor to-day to urge upon him the necessity of About 2:30 p.m. Mr. Hatch was called away on important business, and Hon. Jos. A. West occupied the chair from that time till 4 p. m., when Mr. Hatch again returned and took the loing something to relieve the distress among the unemployed of London. The Lord Mayor courteously received the deputation and promised to per-sonally assist distressed people so far as his means would permit him. He added that the Lord Mayor's fund for the relief of the distressed poor of the city, which had been started on Tues-day, already amounted to six thousand pounds. chair for the remainder of the day. After a long debate on the time to which adjournment should be taken, the House adjourned at 5:05 p. m. till 10 o'clock a. m., on Thursday.

FEB. 11TH. Pursuant to adjournment the House met at 10 o'clock this morning, and was called to order by the Speaker, After the usual opening exercises, Mr. pounds.

DEMENT'S PROSPECTS. West was excused from attending the

A petition from a number of citizens of Salt Lake County, asking that stock owners may be restricted from allow-ing stock to run at large to the detri-ment of farmers, and that stock owners be made responsible for all damages by stock i thus done, was re-ferred to the committee on agricul-ture. A petition from the wives and moth-ers of Utah, in relation to the wide-spread evits caused by the sale and use of intexicants, was referred to the committee on manufacture and com-Morning session. A petition from a number of citizens of Salt Lake County, asking that stock owners may be restricted from allow-ing stock to run at large to the detri-ment of farmers, and that stock owners be made responsible for all damages The official head of Richard S. De-

CLARA M. ROBISON, the administratrix of the estate of Lewis Robison, de-ceased, having filed her petition herein duly verified, praying for an order of sale of certain part of the real estate of said decedent for the purposes herein set forth. It is therefore ordered by the Judge of said Court that all persons interested in the estate of said deceased, appear before the said Probate Court on Monday, the 22d day of February, 1886, at 11 o'clock in the forencon of said day at the Count Room of said Probate Court; at the County Court House; in the City and County of Sait Lake, Territory of Utah, to show cause why an order should not be granted to the said administratrix to sell se much of the real es-tate of the said deceased at public or private administratrix to sell so much of the real es-tate of the said deceased at public or private sale as shall be necessary; and that a copy of this order be published at least four suc-cessive weeks in the DESERET EVENING NEWS, a newspaper printed and published in said city and county. Dated January 19th, 1886. ELLAS A. SMITH, Probate Judge.

TERRITORY OF UTAH, County of Salt Lake. | 88 I, John C. Cutler, Clerk of the Probate Court in and for the County of Sait Lake, in the Territory of Utah, do hereby certify that the foregoing is a full, true and correct copy of au order to show cause in the matter of the estate of Lewis Robison, deceased, as appears of record in my office.

DR. SAIN'S pecialty is Diseases of the EYE and EAR; Ringing in the Ears, CATARRE of the Ears, Eyes, Nose, Throat, and Mucous Passages. Dr. Sain has acquired GREAT SKILL AS AN EYE SURGEON; he performs all opo-In witness whereof, I have hereunto set my hand and

