EVENING NEWS. Published Daily, Sundays Excepted, AT FOUR O'CLOCK. PRINTED AND PUBLISHED BY THE DESERET NEWS COMPANY CHARLES W. PENROSE, EDITOR. July 9, 1886 Friday THE LATEST JUDICIAL

This malignant pursuit of the gentleman shows the animus of the prosecuting officer and the flendish venom RULING. THE Supreme Court of the Territory has again ruled in favor of the segregation trick, by which one offense under the third section of the Edmunus Act can be split up into sections and each made to do duty as a arbitrary power? Has the country or rocks consisting almost entirely of separate offense-carrying the fall

penalties of the law. The text of the decision will be found in another part of this paper. It is an ingenious spology for cruelty and injustice. It places in the hands of one official-the Prosecuting Attorney, power to say whether an offender against the third section of the Edmunds Act shall be imprisoned OTS. for six months or for life.

It rests with the District Attorney to prepare indictments. He can divide up the time during which an accused equal to a contract, that his submisperson is charged with unlawful cohabitation into periods of years, half years, quarters, months, weeks or the case appears in a still more shame- unsurpassed scenery presented to our view. Hundreds of ieet below us the days, as it suits him. The grand jury does not count. That body becomes an outrage, let biased courts rule as the rocky surface of the cliff; the little have on each side of the island are selected to indict. If any of its mema defendant that offered no rebers have conscientious scruples in resistance, was unnecessarily severe. gard to the schemes of the Attorney. they can be discharged and others chosen who are supposed to be more the agreement concerning the second pliant. A charge, if it be against a "Mormon" for unlawful cohabitation, and that the word of the person who nsually means an indictment. As made it is not worth the shadow of a many counts can be made in it rotten straw.

as the Prosecuting Attorney chooses to The whole community will sympaprepare. Each count, before a trial thize with Brother Stuart in his diffijury, selected to convict, can be made culties and will aid him, no doubt, ina to bring a penalty of six months imvigorous defence if he decides to reprisonment and a fine of three hundred sist this second attack upon his liberty, dollars, in the "discretion" of a merciwhich may prove an assault upon his less court. Thus a man for one oflife as well as upon his home and fense so segregated, may be stripped family. of his property if he has a fortune and

be imprisoned for life, while another for the same offense may be let off with a simple fine or no penalty at all, or if convicted under a single count, at most be punished with a fine of three hundred dollars and six months imprisonment. That is what all the talk in the learned Opinion really smounts to, summed up.

According to a report that went out the public were led to believe that some extra and wonderful light had been thrown upon the matter in this case. But it appears that so far as the issue is concerned, nothing more was shabby genteel style, while the rest on

effect that if he would take this course effect that if he would take this course the other indictment should not be pressed. He went to the penitentiary, served the full term of imprisonment and thirty days extra because unable to pay the fine, and on Thursday was liberated after taking the oath that he had no property from which the fine to do the nests were the nests of pelicans. In some of the nests we found little help-less creatures just hatched from the eggs about the size of goose eggs. These were the nests we found little help-less creatures just hatched from the eggs about the size of goose eggs. These were the nests we found little help-less creatures just hatched from the eggs about the size of goose eggs. These were the nests we found little help-less creatures just hatched from the eggs about the size of goose eggs. These were the nests we found little help-less creatures just hatched from the eggs about the size of the nests we found little help-less creatures just hatched from the eggs about the size of the nests we found little help-less creatures just hatched from the eggs about the size of the nests we found little help-less creatures just hatched from the eggs about the size of the nests we found little help-less creatures just hatched from the eggs about the size of the nests we found little help-less creatures just hatched from the eggs about the size of the nests we found little help-less creatures just hatched from the eggs about the size of the nests we found little help-less creatures just hatched from the eggs about the size of the nests we found little help-less creatures just hatched from the eggs about the size of the nests we found little help-less creatures just hatched from the eggs about the size of the size o Young pelicans of all sizes were hud-dled together in groupes here and could be collected. Before he could fairly breathe the sir of liberty he was re-asrested, and placed under bonds and ungainly mass of fat covered with to appear at 2 o'clock Friday-to-daylight color. The old pelicans retired to answer to the second indictment. quietly to a distance where they re-mained sailing around in the air, or floating on the waters of the little bay,

anxiously watching our movements. The food of these birds-consists enwith which this persecution of the tirely of fish, which they must neces-"Mormons" is conducted. No good sarily obtain either from Rear River, the Jordan or the Weber. The nearest purpose is served by this severity. It of these points is more than 30 miles disis cruelty without a cause. Will so-ciety be bettered in any way by this least 50 miles to procure and transport exhibition of spicen and exercise of food for the sustenance of their young. the Territory been purified or improved compact limestone. Between the in the least by his incarceration? Will water and storm line on the western in the least by his incurced and in the beach, coarse and line conglomerate or puddingstone is found in broad lamine of various thickness, very hard, and generally desire? Not at all. Such generally inclined to the slope of the beach. It is surrounded by beautifully beach. It is surrounded by beautifully beach. heart with zeal for the faith and with of the pleasantest and most interestdespising for their heartless persecut- ing spots we visited. The northern and of the island is a nearly perpendicular cliff of black and gray limestone, be-

When added to this needless ven-geance upon this worthy man is the height. This cliff is quite easily asviolation of a square understanding, cended on the south, so leaving the equal to a contract, that his submisthemselves, we climbed to the summit sion to the first indictment should of the rock, and were amply rewarded bring him clemency as to the second, for our pains by the cool breeze and they will. The full sentence upon bays on each side of the island are covered with guils floating lightly and gracefully upon the undulating waters: while flocks of the more dignified peli-But this re-arrest is utter-ly contemptible, and shows that distance. We enjoy our pleasant and peculiar surroundings as long as time will permit, then slowly. and almost indictment was a fraud and a snare, reluctantly retrace our steps toward the ship.

## OFF FOR THE SHORE.

Once more on board we set sail to the southwest with the object of visiting the shore of the desert which borders the lake in that direction. A stiff north breeze carries us over the waves, and almost before we know it the rudder, which extends a few inches selow the flat bottom of the lost, becomes unmanageable and on examination we find that it has cut a long ser-pentine track in the soft yielding bot-

tom of the lake. It is not long before we come to a stand-still. It is un-necessary to cast anchor. We are aground. Although the water is not **GRAPHIC DESCRIPTION OF** more than two feet deep, we look for-ward in vain for the shore. Before us as far as the eye can reach is present-AN INTERESTING TRIP. PARTY OF WELL-KNOWN GENTLE. ed the beautiful, clear and calm sur-MEN EXPLORE THE GREAT SALT LAKE, face of the lake. We are gazing upon a mirage. Nothing daunted the little ITS ISLANDS AND A PORTION OF ITS

rection the shore should be. After go-ing about one and a half miles the About S o'clock on the morning of June 28th, there might have been seen, at skiff touches bottom and refuses to yield to the persuasive powers of the oars. Shoes and stockings are rethe Utab Central depot in Salt Lake City, a group of fourteen persons earnestly discussing something of great moved and after wading for nearly three lourtns of a mile, the shore-line is reached, but so low and ill defined that it is difficult to, 

night.

the

er tacks off towards

· HAT,

CARRINGTON ISLAND

with tilick seams of white guartz.

dictment, the agreement being to the found more guils and their young. We miles, and went ashore. The beach is very pretty, being composed of pebble of all shapes, sizes and colors. Spec of all shapes, sizes and colors. Speci-mens representing the characteristic rocks and formations of this island were collected and, stowed away in the ship. The same was done on all the islands visited, some very fine speci-mens being obtained. Church Island is so large that we had to be contented with going over but a small parties of it. However, as we sailed up the western coast we could sailed up the western coast we could not help appreciating the beautiful scenery presented. About sundown we set sail, a fine and exceedingly thick down of

"HOMEWARD BOUND."

"HOMEWARD BOUND." All the fight we drifted helplessly about in a succession of calms and puffs of wind. Morning found us in bearly the same position we were in the previous night. The whole of July 6th was spent in strengous ef-forts to reach home; but calms and contrary winds halled our fondest hopes. Another night was spent upon the water. The user morning about 6 o'clock the schoouer anchored off the Farmington beach, and eight as hard, rough-looking characters as are not generally seen in the west, were put on shore. Two wagons and a buggy were ore: Two wagons and a buggy were shore: Two wagons and a buggy were pressed into service to carry them and their baggage to the railway station, where they boarded the train, and reached Salt Lake City about half-past 8, Wednesday morning, July 7th.-All expressed themselves as being pleased and satisfied with the trip, and all certainly, looked browner and healthier than when they left the city; ten days before. D. R. A.

BY TELEGRAPH

FER WERFERM UNION TELEGRAPH LINE.

XLIX CONGRESS. BENATE.

Ponsions - Seisures of Vessels American Prisoners in Mexican

WASHINGTON, & Sewell, from th WASHINGTON, & Sewell, from the committee on pensions, presented a report in the case of the vetoed bill granting a pension to Margaret P. Marchand. The committee repeats its former report in the case and recom-mends the passage of the bill over the President's objection. Referred. Hoar offered a resolution calling on the President for information as to the selzure or detention in any foreign ports of any American vessels, the pre-texts or sileged causes therefor, and

texts or slieged causes therefor, and what efforts had been made to provide redress for such seizures and to prevent their recurrence. The resolution went over.

Call offered a resolution calling on the President to direct the American representative in Mexico to investi-gate the truth of statements made in the newspapers, that citizens of the United States are comfined in Mexican dangeons without trial for alleged offenses against the laws of Mexico, and that their final trial has been postponed without cause, and re-quiring the United States government (if such statements are found to be true) to demand the trial of such persons and their humane treatment. skiff is manned and rowed in the di-

HOUSE.

Grosvenor, of Ohio, Attacks the President on the Veto Question. WASHINGTON, 9.-Immediately after the reading of the journal, the Speaker announced that the regular order was the vote on the demana for the previous question, on the motion to refer to the committee on invalid pensions the message of the President vetoing the bill granting a pension to Sally Ann Bredly. Amid a great deal of confasion, Bur-rows, (Mich.) on the part of the repub-licans, and Watson, (Ind.) representing the Democrats, endeavored to come to some arrangement to prevent time be-ing frittered away with roll calls. It was finally agreed that the demand for the previous question should be withpoles and cars the vessel is again got afloat and worked off into deeper water, where she anchored for the A STATIONARY SAIL, ETC. Just before dark, three of the crew, the previous question should be with drawn and that Grosvenor (Onio) wishing to play smart, boarded the skiff and started for Strong's Knob, an island lying apparently but a short hould be allowed 15 minutes to oppos the motion to refer, with permission listance to the eastward of the vessel to some Democrat to reply if so desired. Grosvenor said be They took turns at rowing, which they kept up for nearly two hours. They desired to heap no recrimination or condemnation upon the President had by this time lost sight of the ship, and the island seemed farther away for his veto messages. They were caused by a total misapprehension on than ever, The wind rose and with it the waves. It was determined to row the part of the President of his rela-tion to the administration of the Gov back to the ship. The skiff was turned around and a star taken for a ernment. He (Grosvenor) had read all the vetoes coming from that prolific source of vetoes, and he thought the trouble was that the President underguide. After rowing for a length of time thought necessary to take them back to the ship,. weary steersman put down stood it was his duty to exam-ine carefully every act of Congress and if he was a member of his oar to see what progress was being made, when, lo and behold! the boat was stationary-it had run aground. How long they had been traveling at Congress would not vote for any bill He gave no sort of consideration of that rate of speed they could not tell. The fact that they were lost slowly and weight to the fact that the legislative branch of government had acted afbranch of government had acted af-firmatively upon it. The President acted upon the idea that the executive had a right, and it was his duty to de-cide absolutely on every question. Another idea of the President's was that no private acts should be ap-proved. unless there was a law authorizing it, wholly oblivious to the fact that Congress was the law-mak-ing observation. gloonfily dawned upon their minds. No trace of the snip could be seen. The horizon in all directions was closely scanned, when away to the north ward they beheld a flicker of light; its direction was fixed by a star. They removed portions of their clothing, jumped into he shallow water and pushed the boat against the wind until the water and mudibecame too deep for comfort, when ing power and had the right to confer they climbed into the boat and pulled a pension on anybody. Grosvenor shen detailed facts of the special bill under consideration, and commented on the fact, as he asserted, that the President had approved the Fitz-John for the star. After a time a black hulk gradually arose from the darkness, and about midnight three tired men climbed over the side of the vessel and went quietly to bed. Those three were never President had approved the Fitz-John Porter bill on the very day that he had vetoed the bill grantingla pension to Saliy Ann Bradley, the mother of four sons, two of whom had died on the battle-field and two of whom were in the hospital disabled. Fitz-John Porter would go on the pension bill, while Sally Ann Bradley would go to the poor house, and this was a govern-ment which undertook to say that it was dealing generously and liberally known to leave the ship again after the shades offevening began to fall. The next morning finds the wind still blowing from the north. The schoon-STRONG'S KNOB, where we arrived about 8 a. m. This island was once and not very long ago, a portion of the main land, the bar by which it was connected being plainly was dealing generously and liberally with its soldiers. visible beneath the water. It is bare and lifeless. After a short stay we are all aboard for Hat Island. We en-counter contrary winds and spend the night drifting back and forth on the waters. On the morning of July 3d we ind ourselves eight or ten miles from visible beneath the water. It is bare administration of the generosity of the government to one man. (Applause on the Republican side.) with the wind blowing directly from the Island. By tacking we reach the Island about noon. It is almost cov-Watson merely remarked in reply that he had first learned that in the 47th Congress a republican committee of the Senate had reported that a woman ought not to be pensioned for the same reasons. The President said he thought she ought not to be pen-sioned. (Applause on democratic side) ered with the nests of guils, pelicans and herons. The nests were arranged without order, and the three kinds were found in the same locality. As we walked over the island the gulls filled the air overhead, the pelicans retired to a respectful distance, and the herons perched themselves on the high points of rocks, with their long macks stratched out respecting onr side.)



and in the Groesbeck case separate counts were made in the same indict-ment. The segregation principle was and W. G. Nebeker.

SHORE.

involved in both, the result is just the same. The Court in this roling refers to its ruling in the Cannon case as being sustained by the Supreme Court of the United States. Seeing that the higher court withdrew and an-'nulled that ruling, it does not look very ingenuous on the part of the lower

court to make such a reference. The careful reader will observe in this opinion another new definition of the term "unlawful cohabitation." It seems capable of endless variations. The latest is in these words:

"The crime of unlawful cohabita-tion consists in having or associating with more than one woman as their husband-apparently in the marriage relation-under the semblance there-

How long this fresh definition will last, it is impossible to tell, may be till another;casecomes up before the Court. "Association" now takes the place of the word used in the law. "Cohabitation" is what a man must be charged with, but it need not be proven. "Association" will do just as well in the cant

Notice too that the crime is now "semblance" of "the marriage rela-tion." Will not this be a little danger-ous for certain "Gentlies" who have "semblance" of "the marriage relabeen heretofore carefully guarded by aboard the boat. We were soon sailthe rulings of the courts? If a man has a ling for wife and;a mistress, and his association with the latter has the "appearance" or "semblance" of "the marriage relation," is he not just as indictable as a "Mormon" who has two wives with whom he associates in the grand in the extreme. appearance of the marriage relation? Ah! we forgot one thing. The improbability of the "Gentile's" being indicted, may the certainty that he will the western shore of the Promontory, not be disturbed, slipped from our mind on a first examination of this point in the ruling. The law and the rulings are for the "Mormons," of rulings are for the "Mormons," of face. The captain was unacquainted course, that settles the matter. The with this portion of the lake, and the mistress-keeper is safe.

We do not intend to argue the main question, the segregation business, just now. But the court pretends to whistled and moaned through the rigif after that he commits the offense, he may be proceeded against on a new or additional charge.

We did not expect the court to give storms that he had encountered during a different ruling from that in his experience on the lake. With daythe Snow case. Having the power apparently, to make final decision, it was not to be expected that it would

THE START. The 8 o'clock train carried us to Farmington from which place we were conveyed in wagons to the lake shore, and without much delay were aboard the ship, ready to make a tour of the Great Salt Lake.

THE CRAFT AND WEATHER.

The boat is a schooner-rigged, two-masted vessel, 60 feet long, 12 feet wide and stands about four feet out of the water. About noon all were aboard, and the vessel set sail for Fremont Island, where we arrived after dark and anchored in a little bay near the southeast end of the island. The wind blew all night, the vessel rocked, the waves roared as they beat against the share, so that to sleep was next to impossible. Next morning the sun rose bright and early, so did the crew. Af-

ter breakfast, most of the party went ashore to walk over the island, collect specimens, and to study the character of the geological formations; while the vessel was to sail around to the north end of the island and pick us up.

FREMONT ISLAND. . Fremont Island is about 14 miles in circumference, and is covered mainly with sage brush, or island pine, some specimens of which were about

evidence, although it will not do in the seven feet high, and from six to eight indictment. The difference between the meaning of the two terms is obvi-ous, and the fact that "association?' is not in the law although it is injected into the ruling, is strikingly signifito the object-end of his telescope, and

we instinctively looked for it, but did made to be in the "appearance" or not succeed in finding it. After a short rest, during which we enjoyed the mag-

PROMONTORY POINT.

which we reached early in the afternoon, and all went ashore where remained a couple of hours. The view from .Promontory Point RATHER ROUGH.

Our next objective point was Dolphin Island. We sailed northward along

before a stiff breeze which gradually developed into a heavy gale. It was now night, there was no moon, but the stars were shining brightly, shedding a dull, uncertain lustre over the watery surgreat speed with which the vessel was driven before the wind produced some fear that she might be driven ashore on

and set sail for state the views of the appellant, and ging; the waves dashed against the sides of the vessel with terrific wind swept over the deck. Attempts where we arrived before sundown and them, but we know that the position were made to sleep, but with very pdor success. Three or four heads at a time could be seen rising from the blankets not fairly stated in the opinion. They held that only one offense can be charged, up to the time a man is inmain for some minutes watching the dicted for unlawful cohabitation, but fury of the waves-and doing other boulders on the southern slope, velned

the herons perched themselves on the high points of rocks, with their long necks stretched out, regarding our movements with suspicious eyes. This bill and message were then referred, island is the smallest yet visited and we "went over it" in about an hour, yeas 112 nays 111.

> AMERICAN LATEST BY LIGHTNING.

Excended!

anchored in a bay on the west side of the island. Carrington Island is about eight miles in circumference. It abounds in slate of time quality, some of which will admit of a nail being driven through it almost as easily as NEW YORK, 9.-Miguel Chacon, the young Cuban negro, who killed his paramour while attempting to shoot her husband was hanged at 7.40 this through a shingle. Some of the slate morning in the yard of the Tombs contains cubic crystals of iron. Quartzose rock was observed in large prison. A 4411 15841

Stealing From Uncle Sam.

MINNEAPOLIS, 9. Burglars entered the postoffice last night and carried off twenty thousand dollars in stamps and oney. No clue.

Limestone and and gray granite with quartzose conglomerate existed in con-siderable quantities. The island is covered with fine bunch grass, and if fresh water could be obtained, it would





EXECUTED PROMPTLY