

tines were proceeded against had been upon the statute book of the Territory, and no prosecutions had been instituted under it. Did it strike him how that statement made him and his coadjutors appear? Under the laws and their oath of office they were bound to conduct such prosecutions, taking their own view of the scope of the authority of the District Courts as a guide. Why has not either Mr. Dickson or Mr. Varian endeavored to enforce that statute? We can understand why Assistant District Attorney Lewis never endeavored to enforce it. But the fault, if any, lies with the public prosecutors.

The reason why the city and county officials have not availed themselves of it was because the city ordinance was considered sufficient, and did answer the end until set aside by Judge Zane. In the country settlements where "Christian civilization" does not prevail and attorneys do not congregate, the law is not of force because there are no such houses as it was designed to suppress. There is neither opening nor use for them. And in the cities the ordinances prevailed and answered the purpose. If houses of ill-fame exist at all in this Territory, it is because the vigorous efforts of the police which would have suppressed them were thwarted by the power of Federal authority, as they are in the present instance to punish the supporters of those vile institutions.

Mr. Varian in one part of his harangue inveighs against the gentlemen who laid plans to obtain proofs of the guilt of the lechers, because they acted in a "private capacity" and spent their own money for the purpose, intimating that it was a labor of private malice. He said: "This is a private scheme, it is not a public one." In another part, forgetting this plea, he attacked them from another standpoint. He said they were "holding official relations in the territorial, county and municipal government, and perhaps acting in their official capacities." So that whether official or unofficial, in their endeavors to detect the criminals they were, to use his dignified, official language; "scoundrels," "informers," "spotters" and "spies." Inflicting publicly they were to be assailed for not acting privately, and if privately for not acting publicly.

These men whom Mr. Varian was cowardly enough to assail in open court, in a way he would not dare to do when unprotected by its covert, are gentlemen of excellent repute and standing in this city. The word of any one of them would be taken in business circles quite as soon as that of Mr. Varian. What is their offense in his eyes? Simply proving beyond doubt the damning guilt of the individuals whom he stood up in court to defend, instead of prosecute as it was his sworn duty to do. He knows, as every lawyer knows, that his proper course was to bring those lechers to trial. It would be for the jury to determine the credibility of the witnesses. If on cross-examination they were shown to be unworthy of credence, if there was nothing substantial in the case, he could then have abandoned the prosecution or taken a course consistent with the circumstances. But everybody knows, who has watched the cases, that the evidence before the Justice's court was simply crushing and overwhelming, and the public consider that it was for that very reason, and not for any weakness of any kind in the cases, that the public prosecutor in open court refused to prosecute.

In any other part of the United States such an exhibition of unfitness for office of any kind, would have aroused sufficient public indignation and influence to whisk him out of his position so quickly that he would never again disgrace the temple of justice.

### PROPOSED ANTI-"MORMON" LEGISLATION.

THE San Francisco Chronicle of the 10th inst., contains the following dispatch relating to the legislation which Senator Edmunds was in such haste to propose after the opening of Congress. It will be seen that the provisions of the bill are similar to those contained in one of the bills introduced into the last Congress:

"WASHINGTON, December 9.—Edmunds has a bill to put the Mormons in chancery. It proposes that the Act of the Legislature of the State of Deseret, under which the Church of Jesus Christ of Latter-day Saints was incorporated, shall be repealed and annulled, and that the temporal affairs of the church shall be managed by a Board of Trustees to be appointed by the President of the United States by and with the consent of the Senate, and shall close up the institution as rapidly as possible. Under direction of the Secretary of the Interior, the Attorney General is directed to institute and prosecute proceedings to forfeit and escheat to the United States all property owned by the Mormon Church, except the buildings used for public worship, and the Secretary of the Interior is directed to sell and invest the proceeds for the benefit of the public schools. The laws organizing and creating 'The Perpetual Emigrant Fund Company' are also annulled, and the Attorney General is directed to dissolve the corporation, to pay its debts, to dispose of its property and devote the proceeds to the benefit

of the schools. The Legislature is forbidden to create any company or association for the purpose of bringing emigrants into the Territory."

### GEN. TOOMBS.

GEN. ROBERT TOOMBS died at his home in Washington, Georgia, yesterday, in the seventy-sixth year of his age. He has been a conspicuous figure in the affairs of the country for nearly half a century, but his greatest prominence was achieved through his career after the rebellion, all talk of pardon for the part he had taken in the struggle meeting with sullen but pronounced contempt. He arose step by step from the position of legislator to that of United States Senator, which latter position he held when the war broke out; he had advocated secession for some years, and when the blow fell he resigned his seat in the Senate, and shortly after, absurd as it seems, was expelled; he became a Senator in the Confederate Congress, was in President Davis' Cabinet, and finally took the field as a brigadier general. He was a man of fine scholastic attainments, a lawyer and an orator of rare ability and possessed of excellent traits of character; but he never forgot nor forgave. He believed strongly in the correctness of slavery, owning several negroes himself; but he was never known to resort to cruelty or even harshness, and his acts of generosity toward the black people, even after they were freed, were numerous and ample. He died without verifying his prophecy of twenty-five years ago, that he "would yet call the roll of his slaves from Bunker Hill monument," and the void created by his departure is not likely to be seriously felt.

### "MORMON" IMMIGRATION.

A NUMBER of eastern papers have the following sentence added to the paragraph about Utah, in the President's message:

"Since the people upholding polygamy in our Territories are reinforced by immigration from other lands, I recommend that a law be passed to prevent the importation of Mormons into the country."

It is rather strange that this should have been omitted from the press report which came to Utah, if the sentence really appeared in the message. It is rather unlikely that such a suggestion will become a subject of legislation, and in any event it could not be made practical.

### FROM THE BRETHREN IN PRISON.

It will be remembered that we published, a short time since, a letter written by a number of the citizens of Oxford to their brethren who are imprisoned in the Idaho penitentiary for conscience' sake. Following is their reply to it:

BOISE CITY, Idaho Territory, December 6th, 1885.  
To M. F. Cowley and other brethren in Oxford:

Dear Brethren.—Yours of the 26th of November is at hand, and carefully noted. In reply, we must say that we feel very grateful to you for your sympathies manifested toward us, who are imprisoned for our belief and obedience to the law of God. We realize and feel grateful that we are not forgotten, although absent. We are all contented with our lot, realizing that it is for our good. We find by reading the Scriptures that, whenever the Lord had a people on the earth who tried to keep His commandments, they had to suffer persecution, and we are in prison suffering the penalty of an unjust law.

We were happily disappointed on our arrival here to find things better than we expected. We do not feel to find fault. All things are working for the best, if we can only see it in that light.

Our rooms and bedding are clean and good. Our food is good, substantial and palatable. The officers of the prison are kind and gentlemanly to the prisoners, and extend to us all the privileges they can without infringing on the rules of the prison.

The weather here is fine. We have exercises in the yard every day from one to three hours, according to the state of the weather, which we appreciate very much. The rest of the time is spent in our rooms reading and writing, so you can see we are not idle.

We had a good time on Thanksgiving Day—a fine dinner and a treat of apples and cigars. The cigars we did not take, but the apples we enjoyed very much. Brother George C. Parkinson, the youngest of our number, and who is sent here for the longest term, feels first-rate under the circumstances, and bears his imprisonment manfully, and our prayer is that God may help him to do so continually. There are between seventy and eighty prisoners here at present, and we get along first rate with them. We all join in returning you thanks and the gratitude of our hearts for your kind remembrance of us. The prayers which you have offered in our behalf,

we feel have been answered by our Heavenly Father.

May the blessings of the Almighty be upon you, and may peace and the love of the Gospel abide with you, is the humble prayer of your brethren,  
NAHUM PORTER,  
I. B. NASH,  
GEO. C. PARKINSON,  
J. M. PHELPS,  
ALEX. LETHAM,  
A. L. BLACKBURN,  
A. BJORN,  
A. PECK.

With grateful hearts we thank you  
For your sympathy and love;  
May our Heavenly Father bless you  
With His Spirit from above.  
Your prayers we know are answered,  
For God has blessed us here.  
He has promised to protect us;  
Why should we doubt or fear?

We will strive to bear our burden,  
In a brave and manly way.  
Although confined in prison,  
We are cheerful day by day;  
We'll ne'er complain nor murmur,  
But meekly bear the cross,  
For freedom without honor  
Is naught to us but loss.

I. B. NASH.

### OGDEN NEWS.

AN INDICTMENT FOR LIBEL—REMARKS BY APOSTLE LORENZO SNOW.

OGDEN CITY, Utah,  
December 13, 1885.

Editor Deseret News:

The business in the First District Court in this city may now be said to be fully inaugurated, and

### INTERESTING DEVELOPMENTS

ere long may be expected: indeed they are looked for, and, though some of them may tarry for a brief season, they will surely come. A large number of presentments have already been made by the grand jury, against persons charged with violating the Edmunds law and the laws of the Territory of Utah.

Mr. C. W. Hemenway, editor of the Ogden Herald has been indicted, and was arraigned on Saturday morning. On the 30th ult., an editorial article appeared in the Herald, said to be written by the defendant, the language of which is construed by Charles S. Zane, Chief Justice of the Territory of Utah, against himself, the said Charles S. Zane, in which the writer of said article "did unlawfully, wilfully and maliciously intend to injure and defame" the Chief Justice of this Territory. The details are too lengthy to reproduce in this correspondence. No monetary amount of damages is claimed in the indictment. Defendant will plead on Monday.

### APOSTLE LORENZO SNOW

had been previously arraigned, and will plead on Monday also. This afternoon Brother Snow occupied the time in the Tabernacle, in a highly interesting and edifying discourse. There was a good audience, and quite a number of strangers were present, all of whom apparently listened with

### INTENSE INTEREST

throughout. He spoke at some considerable length on the gathering of the scattered remnants of Israel from various nations of the earth and the islands of the seas; the restoration of the Gospel, with the Holy Priesthood through the Prophet Joseph Smith, etc. In the course of his remarks he spoke of the prosecutions of the Latter-day Saints, charged with the violation of the Edmunds law, their incarceration in prisons and the fines imposed upon them as parts of the penalties. Knowing that Apostle Snow was under arrest, the Saints naturally enough expected he would speak of it. This he did, in a

### CALM, DIGNIFIED MANNER,

casting no aspersions nor expressing any bitterness toward anyone who had taken part in his arrest and arraignment. He felt resigned to the will of God, and trusted in Him for strength and power of body and mind to enable him to endure whatever he may be called to suffer or sacrifice for the truth's sake, knowing that it would be sanctified to him for his good, his glory, his honor and exaltation inasmuch as he continued to keep sacred and inviolate the covenants he had made with his God.

The speaker bore

### A POWERFUL TESTIMONY

to the great work which God has done, and is still doing on the earth in these last days. He knew that through the instrumentality of the Prophet Joseph Smith, and others, the Lord had again organized His Church with all the officers, ordinances, powers, gifts and blessings, and that it will continue to go forward until every man and woman who is an heir of salvation is saved. The speaker closed his instructive discourse by giving wise counsels, fatherly advice and instructions to the Latter-day Saints to be faithful to God and to each other, to harbor no acrimonious feelings towards their enemies, for some of them may, possibly, think they are serving God by the course they are pursuing. We are all in the hands of God, and if we trust in Him He will be our friend and come to our aid in the time of need. He assured his audience that all who would

"live godly in Christ Jesus must suffer persecution," and advised all to be prepared for events that may happen to them in the providences of God.

More anon.

WEBER.

### FIRST DISTRICT COURT.

OGDEN CITY, Utah,  
Dec. 14, 1885.

Editor Deseret News:

At ten o'clock this morning the traditional

"HERE YE, HEAR YE, HERE YE,"

was heard from the musical lips of the bailiff in the First District Court in this city, when the hum of human voices was suddenly hushed, and silence prevailed in the "Hall of Justice?"

Of the members of the bar present there were Hon. F. S. Richards, P. H. Emerson, V. Bierbower, C. C. Richards, H. H. Rollapp, J. N. Kimball, P. J. Barratt, Ransford Smith, Heywood, R. K. Williams, Judge Bennett, D. W. Felshaw, and others.

The minutes of former court proceedings were read and received the signature of His Honor, who looked feeble and tired.

The case of the U. S. vs. Lorenzo Snow was continued till Tuesday, to allow him time to put in his demurrer to the complaints against him.

The case of — Gray, charged with

procuring abortion, was also continued till the same time.

Thomas Henderson was then arraigned on a charge of grand larceny, and allowed the statutory time to plead, and H. H. Rollapp, Esq., appointed to defend him.

J. C. Morton and C. W. Carson, indicted for burglary, were allowed two days in which to plead, Mr. Heywood being appointed to defend them.

Wm. Wheeler was arraigned on a like charge, and Judge Emerson appointed to defend him.

Edward Johnson, charged with grand larceny, took the statutory time, to be defended by D. W. Felshaw.

The names of

### THE PETIT JURY

were then called, most of whom were present. Several were excused, some on account of sickness, one because he was postmaster; another was given ten days to gather up his cattle from the range; another asked to be excused because his business was very important—that of a saloon-keeper; request denied. The cases of the U. S. vs. Jas. H. Nelson, Sr., James Taylor and C. F. Middleton were continued, pending the decision of

THE UNITED STATES SUPREME COURT, in the case of *Angus M. Cannon*, testing the rulings of the District Courts of this Territory, as to the definition of "unlawful cohabitation." These cases therefore will not be tried, at any rate until the latter part of the term. The case of *Sarah A. Nelson*, who is sick, was also continued.

C. W. Hemenway was given further time, till Tuesday, to plead. He will conduct his own case. Apostle Snow will enter his demurrer to the complaints against him, on Wednesday. Quite a number of civil cases were called but the parties to them not being ready, were given further time to prepare themselves for trial.

Some persons who came to the court room this morning expecting sensational developments went away disappointed, as the cases that had the most attraction for them have been passed over for an indefinite period.

The city to-day is full of people from the country, including marshals, bailiffs, other court attaches, and members of

### THE LEGAL FRATERNITY

from the Territorial capital. The weather is splendid, the sunshine bright and clear, the atmosphere bracing and healthful, and the people appear to feel hopeful.

WEBER.

### "OIL ON THE TROUBLED WATERS."

We have mentioned on more than one occasion accounts of the remarkable effects of oil poured on the waters of the ocean in a storm. These incidents have demonstrated that the adage about pouring oil on the troubled waters is not a mere figure of speech, but a practical reality. Oil poured on the angry waves, it appears, prevents them from breaking over a vessel, and seems to calm their rage and fury. This has now received official endorsement. Commander Bartlett, chief of the Hydrographic Office, states in his annual report that the evidence in regard to these effects of oil is too conclusive to be disregarded by the most conservative. This ought to be good news for the oil dealers, and no vessel should proceed to sea without a good quantity of oil wherewith to soothe the turbulence of the restless sea. Wonder how much oil it would take to calm the troubled waters of Utah just now?

### THE TAMPICO METHOD.

The postmaster at Tampico, Washington Territory, whose name is Robbarts, got his fame up in that region as a wife beater. His cruelty to his better half became so notorious that he received a warning to cease his brutality or clear

out. This failing to effect the desired object he was waited upon by a deputation of women, or persons who appeared to be women—it is claimed that they were really of the "gentler sex"—who seized the luckless P. M., tied him to a fence, and administered to him such a castigation that he will carry the memory of it for a long time. When his chastisers had finished and he obtained his liberty, he mounted a steed in hot haste and rapidly drove away. He is not expected to return. This method is not strictly legal, but it appears in this case to have been quite effectual. It is pretty good medicine for wife beaters, and would be just as wholesome in other places as well as Tampico.

### DEATH OF S. B. GUION.

It will be seen by reference to our dispatches that S. B. Guion, the founder and chief owner of the Guion Steamship Line, which the Latter-day Saints have patronized so extensively for years past, died at his home in Liverpool to-day, from apoplexy, aged sixty-five years. He was a native of New York, but for a great many years has resided in England, at the chief port of which nation he figured conspicuously in the shipping line and as a municipal officer. He was the only native American we ever heard of who ever foreswore his allegiance to the United States and became a naturalized subject of Queen Victoria. He was a man of excellent business ability, enterprising, thorough-going and strictly honorable in all his dealings, and very modest in his deportment. To him is due the credit of having started the fast-going steamers which have made it possible to cross the ocean within a week—a feat formerly thought to be impossible.

He met with serious reverses in business during the past year or two, which have probably hastened his death.

He never married, but devoted his life to business, and lived in a quiet style in company with a maiden sister, to whom he was devotedly attached. He was one of the honorable men of the earth. Peace to his ashes.

### AN ACT OF JUSTICE.

It affords us genuine pleasure to be able to record in favor of President Cleveland an act of justice which though tardy is none the less acceptable—the pardoning of Bishop David K. Udall, of St. Johns, Arizona, who was some months since tried before the notorious and infamous Judge Sumner Howard, on a trumped up charge of perjury, and who was sentenced to imprisonment in the Detroit House of Correction. A greater outrage upon justice in the shape of a trial never was perpetrated. Even a number of the persons who took part in securing his conviction afterwards acknowledged the injustice of it, and did what they then could to secure for him immunity from punishment by signing a petition which was forwarded to President Cleveland, asking for his pardon. The order of clemency reached Detroit yesterday, and this morning Brother Udall telegraphed to us from Chicago to say that he was that far on his way home.

### An Eloquent Lecturer.

A well known Temperance worker and Bible reader. Mrs. M. Cator, of Camden, New Jersey, has been raised almost from the grave, and restored to good health, by the use of Compound Oxygen. In giving a reporter of the press an account of her recovery, she spoke of a number of cures by means of this treatment which had come under her immediate notice. We give one of the cases mentioned: "Let me tell you," said Mrs. Cator, "that what Compound Oxygen has done for me is nothing to what it has done for some of my friends." "There is Miss Frances E. Willard, who is everywhere known as one of the most eloquent of our Temperance speakers. The other day I had a letter from Iowa, in which she thanked me for having brought Compound Oxygen to her notice. She had been badly run down by overwork, constant speaking and travel. She is now as strong as ever, and in perfect health for active duty."

Other cases, even more remarkable, which had come to her knowledge were described by Mrs. Cator.

Write to DR. STARKEY & PALEN, 1529 Arch St., Philadelphia, for their Treatise on Compound Oxygen—sent free.

Orders for the Compound Oxygen Home Treatment will be filled by H. N. Mathews, 615 Powell St., between Bush and Pine Sts., San Francisco.

—At Boise City, Idaho, Dec. 16, E. M. Reed suicided by shooting himself in the head. "Depressed in spirits" was the cause assigned by the coroner's jury.

—On Tuesday, Dec. 15, near Helena, Montana, a number of persons were riding on a hand-car, when they were run into by a passenger train and one woman, Mrs. Gannon, killed. A dense fog prevented the discovery of the engine in time to escape.