

# EVENING NEWS.

PUBLISHED DAILY, SUNDAYS EXCEPTED  
AT FOUR O'CLOCK.

DAVID O. CALDER,  
EDITOR AND PUBLISHER.

Tuesday, August 24, 1875.

## NEWS OF THE DAY.

Another commission has been appointed to examine the Chicago custom house and post office building.

More Mononites reached New York yesterday.

Last Saturday night, Frank McLeary received fatal injuries from blows with a shovel, during a fight in New York.

Fallacies of brokers were announced yesterday on the New York Stock Exchange.

Mr. Moran, U. S. minister to Portugal, is suffering from privations endured during the wreck of the steamer *Berne*.

A failure is announced in London, liabilities one million two hundred and fifty thousand dollars.

It is said that the Bosnian insurgents have put to death ninety-five Turkish prisoners.

The verdict of the commission which investigated the loss of the steamer *Abdullah*, on the Welsh coast, will be found in today's telegrams.

Madrid dispatches announce that the *Alphonso*, besieging Seo de Urgel, have cut the aqueduct from which the city obtained its principal water supply.

A grand demonstration was got up in San Francisco on the arrival of the General Sheridan.

Fifty thousand dollars damage by fire at South Norwalk, Conn.

The Kansas Central and Black Hills Narrow Gauge Railroad Company has been organized at Omaha.

Great damage has been done by frost to the corn crop in Wisconsin.

According to the confessions of some of the prisoners, the negroes of nineteen counties were to take part in the plot to murder the president and massacre in Georgia.

Thirty thousand dollars damage by fire at Bloomfield, N. J.

A highly sensational story comes from Chicago, to wit, that, on Friday night last, an attempt was made to murder one Miller, an important witness for the Government in the pending suits against the whiskey ring, and that the intended assassination was instigated by members of said ring.

The Atlantic cotton mills at Lawrence, Mass., employing 1,250 hands, suspended in July; will resume work next Monday.

## LAWYERS, COURTS, AND CLIENTS.

Every person charged with an offense against the laws has a right to legal counsel, and to make the best defense that can reasonably be made for him. But no counsel has the moral right, at least, to endeavor to bring about the conviction of a man whom he knows to be guilty. A reasonable mind would consider that in such case the efforts of the counsel, even for the defense, should be for the portrayal of such mitigatory circumstances as attended the case.

Upon this subject Mr. Charles S. May, addressing the law department of the University of Michigan recently, and in answer to the question whether a lawyer ought to endeavor to obtain the acquittal of a man whom he knew to be guilty, said:

"I protest against such a doctrine as a wrong to society and a slander upon the law. I insist that the first duty of the lawyer is to society and the law, and that his duty to his client is always subordinate to his higher duty. He is first of all sworn to uphold the Constitution of the state. Upon this rests the whole civil fabric of society. None he is to be true to the court. The court represents and stands for the sanctity and majesty of the law itself. It is the interpreter and dictator of the law. Last, he is to be true to his client. But he cannot be true to his client in any just sense while he is false to society and the law. This is not the kind of truth he is to keep with his client. His oath presupposes no conflict between his client's interest and the interests of the state. He is not sworn, therefore, to help a guilty man, whom he knows to be guilty, to escape at the expense of law and justice.

"The indiscriminate and overzealous defense of criminals without thought or care as to the guilt or innocence of the accused, the unscrupulous tactics, the browbeating of witnesses, the reckless assertions and the bold affectations of truth and innocence—these are things which have brought criminal advocacy into disrepute with the people, which have led to such a general respect for lawyers from this department of practice, and made the very term, criminal lawyer, signify want of character and high character almost made, indeed, the adjective stand for a designation of the kind of lawyer rather than the kind of practice.

"No, the highest public duty is always to the state, and nothing must conflict with that. The lawyer should never forget that he is a citizen. He should never lead himself or hire himself to any which will harm or hurt society. His noble profession does not require him to do this. It does not demand that he be the unscrupulous alder and helper of rogues and law-breakers, nor a mere unthinking human machine of advocacy. It has other and higher commands for him, other and nobler work for him to do."

The Legislature of Utah, twenty-three years ago, passed "an act for the regulation of attorneys," which was approved February 16, 1852, portions of which are as follows: "The same tenor as these healthy utterances by Mr. May. The following is the fifth section of the act—

"Any attorney or person otherwise assuming to appear before any court in this territory in any cause whatever, shall present all the facts in the case, whether they are calculated to make against his client or not, of which he is in possession, and shall present the best evidence that he can in the case to the intent that the true state of the case in litigation may be presented before the court, and for a failure to do so, or to comply with all the requirements of this act, shall be liable to all the penalties hereinafter provided for, and the further penalty of not less than one dollar at the discretion of the court."

"The penalty herebefore provided for" is shown in the following section of the same act—

"It shall be the duty of the Judges of all courts in this Territory to forbid and prevent all indecent and extending language and behavior in their courts; and in case of a rebuke to counsel being disregarded and resented by said counsel, it shall be the duty of the judge giving such rebuke to nullify the right to plead of such counsel, and to take measures to prohibit him from being heard as counsel in the case, and to order him to be removed from the court, until such time as satisfaction has been given for his good conduct in the future. And it shall further be the duty to impose a fine not exceeding one hundred dollars, on each counsel, as he may deem just, and he may commit said counsel to prison during the term of the case then being holden."

In the recent trial at Beaver, one of the counsel for the prosecution, in the opinion of many intelligent citizens, rendered himself heavily amenable to the provisions of the above section. His even went so far as to openly insult the jurors by virtually telling them that they were not fit to sit upon a jury, basing his assertion on false assumptions of his own. This was palpable contempt of court as well as transgression of law and even of the bounds of the wide latitude and license frequently taken by and allowed to the profession. For, in the judgment of the prosecution, the defense, and the court, the jury were fit to try and capable of sitting in the case, having been so accepted by those parties. That the indecent and abusive and contemptuous counsel was not promptly silenced, and, if the rebuke were rendered, fined, and committed, one is reluctantly compelled to think, must have been due to favoritism or some kind of bias that should not have been allowed any influence on the court.

## MOODY AND SANKEY—WORK FOR THEM IN THIS COUNTRY.

THE New York Herald, apropos of the return of Moody and Sankey to America, writes, "The evangelists, to America, fear they have abandoned their labors in England too soon, there being many sinners, and much sin, in that tight little island yet, but nevertheless thinks that their labors are very much needed in the United States. In this connection the Herald says—

"They do not return to the United States too soon. Since their departure for the World the New World has been increasing in sin and wickedness. Wall street has been almost entirely surrendered to gamblers, who have only spared the general public lately because they find a better field for their peculiar talent at Long Branch and Saratoga. It is impossible to preserve a balance of virtue throughout the world. Some portion of the earth must suffer in order that others may be benefited, and that all England loses in the departure of Messrs. Moody and Sankey we expect this country to gain. If we should be bold enough to advise these gentlemen we should insist that they should first go to Saratoga, where the floating population is supposed to be in a very great need of religious instruction, and secondly to Long Branch, where the President has attracted some of the ablest politicians, and, therefore, some of the most sinners in the Republic. They will certainly have this summer ample opportunity for the exercise of their remarkable gifts as the managers of religious revivals, and their only complaint will be the selection of the best field. It is said that they are disposed to rest, but while they are idle the spirit of sin will be active. Why should they convert foreigners and neglect their own countrymen?"

By Telegraph.

## TO-DAY'S DISPATCHES.

### EASTERN.

#### Another Commission Appointed.

CHICAGO, 24.—A Washington special says that there is to be a new deal in the Chicago Custom House middle, so much influence having been brought to bear on the President and Secretary Bristow, that they have jointly decided upon the appointment of another commission, large enough to contain seven members from the engineers, architects and builders of the country, to secure a final report in this matter, which will end the controversy on the subject. The commission is made up of so many lights of their respective professions that it is already known as the High Joint Commission. It contains seven members, and has signed their willingness to serve. They arrived in this city this evening with Secretary Bristow. The following is the list of the High Joint Engineers—Gen. Wm. B. Franklin, of Hartford, Ct.; Gen. J. H. Wilson, of New York; Archibald J. McArthur, of Philadelphia; Henry Bradley, of Boston. Builders—N. J. Dobbins, of Philadelphia; and Andrew Kennedy, of St. Louis. It will be seen that the commission has the representation of all the professions which will be as large as the National Capitol building; Dobbins is builder of the Centennial building, and all are of high character, and their united opinion will constitute a decision with no appeal can be expected.

Attempts to Murder by the Whiskey Ring.

The leading Washington special says that the Treasury Department has decided to resort to murder, if necessary, to protect its members.

The clerical one which points directly to this conclusion is the attempted assassination of J. C. Miller, in Chicago, last Friday night. Miller was a member of the whiskey ring; he was discharged the service in May last for violating the rules and regulations of the internal revenue bureau; his offense was technical, and not of a criminal character, and he subsequently volunteered valuable information, in which he implicated the whiskey ring, and persons who held high social and civil positions in Chicago, whose names have never yet been mentioned in this connection. This disclosure is attended the treasury officials, the Heresgovinian revenue and secret service who had previously had the most knowledge of the inside workings of the ring, and through whose efforts, in a great measure, the whiskey ring was discovered, and whose secrets had been made known to the ring fully understood Miller's means of knowing of their operations, and through treachery they learned

## Our Country Contemporaries.

Ogden Junction, Aug. 23.—

We sympathize with Mr. George Horrocks in the loss of his infant daughter. A short time since this wife was taken from him by the grasp of death, leaving a helpless infant. The family of Mr. Edward Horrocks kindly charge of the motherless babe. Then one of his children was taken, and now the babe follows its mother to the sweet rest of the righteous departed. May he be strengthened for his trials.

Yesterday morning, as the tender herd was coming down the hill past the U. P. Brewery, a boy threw a rock at a cow, which struck her on one of her hind legs and broke the limb like a stick. The animal belonged to a poor woman. Being informed by Sheriff Brown, who witnessed the outrage, of the name of the boy, she visited his parents, who properly agreed to pay for the animal. The cow lingering in pain, it was shot by Sheriff Brown. Teach the boys to be merciful to animals.

A respectable young lady in New York City, who had created excitement and distressed her friends, eloping with a lover who has served two terms in the State Prison for horse-stealing. Very respectable.

## NEW ADVERTISEMENTS.

### SALT LAKE THEATRE.

#### RETURN.

##### TWO NIGHTS ONLY.

###### Grand English Opera Company.

Mr. F. D. HESS, Director.

En route to New York from their eminently successful engagement of

Eight Weeks in San Francisco.

This unrivalled organization, mindful of their excellent treatment at the hands of the Salt Lake public, during their former engagement, derive extreme pleasure from the opportunity thus offered for re-visiting the city, and will make their headquarters at the Grand English Opera Company.

Friday Evening, August 27,

In Hall's very popular Romantic OPERA

### BOHEMIAN GIRL.

With the following excellent cast:

Artino.....Miss Julia Rosewald

Count Arminio.....Mr. Wm. Carleton

Deylshof.....Mr. Henry

Ruda.....Miss J. Ching

Thaddeus.....Mr. Wm. Castle

And on

William Vincent Hall's delightful

### MARITANA.

Cast as follows:

Maritana.....Miss Annie Beaumont

Don Jose.....Mr. Carleton

King of Spain.....Mr. Henry

Marquis.....Mr. Wm. Castle

Marchioness.....Mrs. White

Don Cesar de Bazan.....Mr. Castle

Mr. S. Dehrens.....Conductor.

### A LOWER SCALE OF PRICES.

Will be adopted than that formerly charged. The Price of Reserved Seats in

Parquette and Dress Circle.....\$1.00

First Circle.....\$1.00

General Admission Prices:

Parquette and Dress Circle.....\$1.00

First Circle.....\$1.00

Second Circle.....\$1.00

Third Circle.....\$1.00

The sale of Reserved Seats will commence on

TUESDAY, Aug. 24th, at the Box Office of the Theatre.

The Piano used by the Grand English Opera Company is from the celebrated

manufactory of M. Hardmann, and is a highly

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