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THE CASE OF LUCY DEVEREUX.

There are some features connected with the case of Lucy Devereux that will bear re-reading and a little explanation. The young woman named, as is well known, is a prisoner in the Utah Penitentiary. So is her babe. The cause of her incarceration was that when before the Grand Jury, when the case of W. D. Newsom, charged with polygamy and unlawful cohabitation, was under investigation, she refused to answer certain questions propounded by that body. In consequence of the declaration she was taken before Judge Zane, who decided that the interrogatories were proper. As the witness persisted in her refusal to answer them, the Court decreed that she should be imprisoned until such time as she changed her mind.

That the memories of our readers may be refreshed, we here present the questions, the second of which, however, was withdrawn by the District Attorney.

1.—Is not your little girl's name Malveta Maud Newsom?
2.—Who is the father of your little girl?
3.—Is not Wm. D. Newsom the father of your little girl?

For you went to live at Newsom's house did you not occupy the same bed with him?
The whole burden of each of these questions is apparent on its face. It is plain evidence of sexual intercourse between W. D. Newsom and a person whose case was being investigated—and the witness. The latter had previously stated that she was not married to Mr. Newsom. If she has not his child, the father of her child must be the father of the child at that point. The offense of polygamy consists totally in the act of marrying a plural wife, without any relation to subsequent conduct, an affirmative answer to any or all of the questions would not establish the fact of marriage, which the witness had already denied.

But how would answers in the affirmative affect the charge of unlawful cohabitation? According to the rulings of Judge Zane sexual intercourse forms no part of that offense under the Edmunds Act. We will use his own words, as given in his ruling in the Cannon case:

"I am of the opinion that it is not necessary to show an offense against the law in order to establish unlawful cohabitation. It is sufficient to show that a man lives with more than one woman, cohabitants with her and holds her out to the world as his wife. That being so, that he did not have sexual intercourse with her, occupying the same bed with either of them, is no defense and is immaterial, so far as the jury is concerned."

In the case in which this ruling was given the defendant was not writing a few opportunity of introducing evidence to the effect that these conditions had not existed, yet Lucy Devereux is sent to prison for not answering questions upon these very points.

A pertinent case came before Judge Zane a short time ago. It was the case of a woman named Malveta Maud Newsom, a child being the result. The birth of the infant was not held to be any evidence that the defendant had married the woman. Not only that, but it was not even held to be evidence that she was guilty of unlawful cohabitation. And he, being a non-Mormon, was discharged. But W. D. Newsom is a "Mormon," which makes all the difference, and evidence that he is the father of the child of Lucy Devereux is demanded from the witness in order to fasten either polygamy or unlawful cohabitation, or both upon the accused. How wonderful are the ways of the anti-Mormon crusaders!

The only hypothesis upon which the question can be introduced upon it is that the answers might lead toward proof of a marriage or to unlawful cohabitation according to the "holding out" theory. But why should not precedents in this respect be maintained, without having recourse to ridiculous, unprincipled and retreat tactics? Legal oscillation and somersaulting, are not calculated to keep the head of the Court above the current of popular contempt.

Why should such evidence be ignored in the Ames case and sought with vindictive oppressiveness in that of Newsom? It must be upon the general proposition laid down by Attorney Dickson, that the Saints are a virtuous people, and consequently when evidence of sexual intercourse is apparent, it is to be presumed that it has occurred under the marriage relation. Whereas such is by no means to be presumed with regard to non-Mormons.

Lucy Devereux is incarcerated in prison, yet she has committed no crime. She is not even charged with one. Yet she is consigned to the fate of the law-breaker—placed upon a par with the thief and incendiary. Her sole offense consists in declining to tell who is the father of her infant. And with its mother the little baby girl is also, of necessity, consigned to a place designed for felons.

The proceeding is perhaps more vindictive than most people are aware. No special pains have been taken to hide an expressed intention of adjudging the present Grand Jury from time to time and keeping them in existence as long as possible for the purpose of giving Lucy Devereux and her infant no opportunity of being released from prison. If the present jury were to go into Court and state that the District Attorney had no further business to place before them and ask to be discharged and the judge sat upon the request, the young woman would be liberated, the body to whom she was required to answer being no longer in existence.

The liberation of this unfortunate young woman, who has broken no law and is charged with no crime, would be a great disappointment to such malicious officials as the District Attorney, and probably some of those composing the grand jury, who were "in sympathy with the prosecution" of "Mormons."

It is said that "comparisons are odious." They are, however, not infrequently appropriate. Occasionally some of the "anti-Mormon" crusades have been compared to the methods of the Inquisition. History states that cruelties were perpetrated upon the victims of the latter for the purpose of extorting "confessions" from them. Is not this the very process resorted to in the instance under consideration? Incarceration in a repulsive prison is applied in the case of a woman innocent of any crime, in

order to squeeze a statement from her in relation to the paternity of her babe. Nay, more than this; the denunciatory disposition is evinced to render the indication perpetual. The finding of the witness refuses to answer, which we understand she intends to do, the proposal to make one grand juryman on the other, so that she could be held to answer in definitively would make her a case of imprisonment for life.

The infamy of this proposal is intensified in putting the government to unnecessary expense by adjourning a grand jury from time to time aside from the requirements of legitimate business. Thus is the government made an involuntary participant in a piece of barbaric cruelty worthy of the dark ages.

Federal officials here are in the habit of claiming that they are not acting from personal motives in the anti-Mormon crusade. They are operating in the capacity of agents of this great Republic, and upon this question of 50,000,000 of people. If it were true, and all the intemperate greatness—done up in inflated parcels—really existed, great heavens, what a spectacle would be presented! A ponderous Republic of great magnitude centralizing its mammoth powers to crush a helpless woman is not only an insult to the government of this country, but a parody on common sense.

The perjury of this contemptible business should be placed where it belongs. It rests upon the shoulders of the actual operators, and may be asked what properly constituted people whose hearts have not been ejected the last drop of the "milk of human kindness" think of such things? Ask them what estimate they would place upon the creature, magnanimity, benevolence and manhood. A manhood of the burly ruffian who, taking advantage of the plenteous of his physical powers, falls to the earth a poor, helpless woman. The answer to each would doubtless form a titling parallel, except that there would be a surplus in favor of the latter. The brutal infliction of corporal blows. His cruelty would be of a temporary character while that of the modern inquisitor is intended to be perpetual. While the latter are inspired with cold, calculating vindictiveness, the former would be more the result of impulsive passion, and therefore more susceptible of being excused, if cruelty to the helpless can be palliated under any pretext whatever.

GRAIN STORING.

In a communication published elsewhere in this issue, we are asked to give the orthodox opinion as to the propriety of preparing for a time of future scarcity of food. It would seem from the statement made by our correspondent that some of the Latter-day Saints with whom he has talked are inclined to doubt the truth of the predictions which have been uttered in regard to a coming famine, or think that the time for their fulfillment is so far distant that there is no present need of their preparing for it.

A correspondent, in writing a few days since upon the same subject, remarked that the predictions of President Young and others as to a time of coming scarcity either meant something or nothing. With us there is no question on that point. They mean something. They were the result of inspiration. They will certainly be fulfilled; but just when, we are not prepared to say. However, the Latter-day Saints have been counseled year after year to prepare for that time, and that counsel, given by the highest authority of the Kingdom upon this earth, has never been revoked. It is binding upon the Saints to obey it now, and any view contrary to this cannot be orthodox among the Saints.

Aside, though, from all considerations of inspired counsel or command upon this subject, we consider that the policy of combining our efforts upon some intelligent plan for the storing of grain is a wise one to pursue. There is virtue in the self-denial which it would involve and the communion of interests which would extend out of such measure alone. And suppose the day of want for us as a community be deferred beyond the limit which the sauciness would set for it, is it not a fact that failure of crops and consequent want occasionally occur in other parts outside of this Territory and among people to whom we might with propriety extend relief? Why should we not aspire to extend temporal as well as spiritual salvation to our fellow-men. We have heard of late of the famine in West Virginia, and of food. True, that is a long distance from here, but such a condition of things is liable to prevail at any time nearer by; and what joy it would afford every generous, right-feeling man in the community to be able to vote unselfishly the necessary relief in such an extremity!

The present prospects indicate that a very abundant harvest will be reaped in this Territory, but not so through the nation. A large part of the probable wheat yield for 1885 has been based by S. W. Tallmadge, of Millwaukee, from which it is shown that the yield for the present year will fall far short of former ones; in fact, that there will be a shortage throughout the Union of considerably over one-fifth of the figures are made up by States with the assistance of the different State Agricultural Departments and other reliable authorities, and are based upon the actual acreage sown and present condition of the growing crops.

The estimate shows the probable yield of winter wheat to be 331,000,000 bushels, and of spring wheat 138,000,000 bushels. The United States Department of Agriculture estimates that the total wheat crop for 1884 was 470,000,000 bushels; spring wheat 145,000,000 bushels; winter wheat 325,000,000 bushels. From these figures it will be seen that the crop of 1884 compared with the crop of 1885 will show a shortage in winter wheat of 120,000,000 bushels; spring wheat 13,000,000 bushels; total shortage 133,000,000 bushels. The average wheat yield of the United States for five years past has been 461,000,000 bushels. The estimate shows a shortage compared with the average crop for five years of 100,000,000 bushels.

The following is a table of the estimated yield by States and Territories:

WINTER WHEAT.				
Minnesota	37,000,000	Iowa	29,000,000	
Nebraska	25,000,000	Dakota	25,000,000	
Wisconsin	20,000,000	Illinois	18,000,000	
Total Spring, bushels				130,000,000
WINTER WHEAT.				
California	26,000,000	Michigan	25,000,000	
Ohio	22,000,000	Indiana	21,000,000	
Illinois	21,000,000	Washington	2,000,000	
Oregon	14,000,000	Idaho	2,000,000	
Kentucky	5,000,000	Maryland	2,000,000	
Tennessee	2,000,000	Texas	4,000,000	
Washington	4,000,000	Virginia	2,000,000	
Montana	2,000,000	Wyoming	2,000,000	
W. Virginia	2,000,000	Georgia	2,000,000	
S. Carolina	1,500,000	Alabama	1,500,000	
Arkansas	1,500,000	Mississippi	2,000,000	
Alabama	1,500,000	Delaware	1,000,000	
Mississippi	2,000,000	Florida	1,000,000	
Idaho	1,000,000	Maine	500,000	
Utah	1,000,000	Arizona	2,000,000	
Mississippi	2,000,000	Arkansas	2,000,000	
California	26,000,000	Michigan	25,000,000	
Total Winter, bushels				221,000,000
Total Winter and Spring				351,000,000
We shall be pleased to hear more upon the subject of storing grain and see a movement to that end take definite shape at no distant day.				
DENHAM THOMPSON is billed for the Theatre June 15th and 16th.				