THE EVENING NEWS.

GEOBGE Q. CANNON. EDITOR AND PUBLISHER,



IN Judge McKean's opinion on Naturalization, published in yesterday's EVENING NEWS, he quetes what, he says, some have asserted, that little plo-neers of the present inhabitants of this Territory found Utah unoccupied by civilized men, and that, therefore, no system of laws prevailed here when those ploneers took possession of the Territory, and raised the flag of the United States." And adds, that without conceding or controverting this position, "let us inquire what, in case it were true, was the status of the settlers before Congress had legislated for the Territory. He then attempts to prove that the common law was brought here by the settlers, and that when they came here, the year previous to the treaty of Guadalupe Hidalgo, the principles of the Roman Civil Law prevailed here. But no proposition is more susceptible of proof than the one which he quotes: "that the pioneers who came here in 1847, found Utah unoccupied by civilized men, and therefore no system of laws prevailed here." The principles of Roman Civil Law, might have prevailed in Mexico; but they did not prevail here. His remark that he neither concedes nor controverts this point, is a virtual ad mission that it is correct, for if it could be controverted, so specious a pleader as he is, would never have suffered it to pass without. Now, this being admitted. what becomes of [Judge McKean's argument? He says:

"The Court is bound to take judicial notice of the laws in force in this Territory, at the time of its cession to the United States, not inconsistent with the public policy of the United States, and not since abrogated by the new sovereigm.'

The laws in force in this Territory at the time of its cession to the United States were those enacted by the people -the Latter-day Saints. Among their practices was polygamy. He says he is the right of trial by an impartial bound to take judicial notice of the law enacted here (which was "Mormon" law); and why don't he do it? So much for that point.

The Judge has favored us with numerous quotations in his attempt to prove that we brought the common law with us when we came here, and that it was binding upon us, quoting also from the Organic Act that the said Supreme and District Courts respectively shall possess chancery as well as common law jurisdiction. Suppose this were conceded; what then? Does this help Judge Mo-Kean in his assumptions that bigamy or polygamy was a criminal offence! Authorities, which Judge McKean will not venture to question, state plainly that there is no such thing as a common law criminal offence under the laws of the United States. What, therefore, is the status of our Federal Courts? Have they common law criminal jurisdiction? We say emphatically, they have not. They are statutory courts, and derive their jurisdiction and powers from the statutes; and Judge McKean, if he be the lawyer he would have us believe he is, ought to have known this, and not exposed his ignorance on this point as he has done in his opinion. We have heard it stated, if he has ever been a Methodist preachwe know nothing of the truth of the er, he must have repeatedly held statement ourself, that he abandoned the up for the people to imitate? A man, pulpit for the bar, and that he knows who has ever been a believer in the more about the Methodist discipline and Bible, much more a preacher of its creed than he does about law. After divice truths and examples, should be reading his opinion, we are inclined to believe there is more truth in the report worthy of notice who takes the position than we thought there was. The emigrants who peopled the thirteen colonies, were mostly natives of Great Britain; the country which they THE following sketch of M. Louis settled was claimed by the British Crown. and over it the Crown and Parilament | course of events at this critical juncture exercised jurisdiction. According to in French history has placed at the Entry of the Prussians into Bose, is just entering the Point, du Jour Judge McKean's opinion, the settlers, of head of that nation, will be read with course, brought the common law with interest. It is from the Alta Califorthem. The common law stated that all civil and religious authority emanated from the Crown; but what said these settlers! In the cabin of the Mayflower, and afterwards, they repudiated this principle of common law, and declared in the solemn compact which they formed, that all power emanated from the people, and that no power on earth could control the mind of man on the concernments of religion. Oh! for a Judge McKean to have been present on that occasion, to have read those bold, free men a lecture, to have quoted to them the obligations they were under to as such, emerged from poverty and observe the common law, and to have obscurity into the higher circle of Parstood up for the perrogatives of the Crown! How differently might history have read his acquaintance with these, including had he only been where he could have M. de Talleyrand, alded him in enterdeliveredi an "opinion" to the Pilgrim Ing upon his great historical work, Fathers.

those only should be admitted to the ull rights of citizenship, who were the "Mormony" are guiltless.

Shortly before, or about the time of the separation of the colonies from the mother country, there was a number of statutes of England in force abridging the freedom of the press, denying the right of petition, and also that of discusion in public assemblies, and even authorizing the magistrates to suppress such assemblies. For the violation of these statutes many men were fined and imprisoned. Hearing of these proceedings the colonists were profoundly moved at the recital. They were free men, having wrenched their liberty from the grasp of the tyrants who would have crushed them; and they determined to set the seal of condemnation upon these despotic acts. They did so. by adding to the Constitution of the United States, which they had framed, additional guarantees of freedom, behind which they, their descendants and the men of every clime who should choose America as their home, might securely entrench themselves in resisting the encroachments of tyranny. Has Judge McKean read those amendments? The first declares in plain and positive language that "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof, or abridging the freedom of speech, or of the press, or of the right of the people peacably to assemble. and to petition the government for a redress of grievances." The second says that, "a well-regulated militia being necessary to the security of a free State. the right of the people to keep and bear arms shall not be infringed." As American citizens, in coming to this

country the settlers brought that Cons titution, and the principles which it enunciates, with them. They brought jury, not a packed jury, with them. Upon every line of that Constitutution, upon every fold of the flag which waved over it, liberty was written in letters of living light-not

science-liberty to worship God ac- a complete vindication of the truth of what he has been so repeatedly Napoleon III and the Assembly-Prelim cording to the dictates thereof. The men who brought it never dreamed that told. He says to himself: "This ilhere was any law, common or other- I-gal, unjust conduct of this Judge wise, higher than i'. Like the Pilgrim is what I might expect; the Lord Fathers they did not wait for parish is permitting him to act out that priests to come and marry them-there which is in his heart, that it may prove a lesson to me and the rest of the peowere no Methodi t ministers here then -they married as their consciences ple; it is a warning to me that if I dictated no law of God or man future do what I am told." The lesson the President. forbidding their union. A man is a profitable one to him, while the who can talk religion and law as flip obedient allens and those of American pantly as Judge McHean does ought to birth are also more confirmed in the understand both; why does he, in his 'opinion" ignore the fact that we had only path of safety. the Bible and the Constitution with us Judge McKean will find out that he is when we came here, and that we based not without his uses in giving "Morour action upon the foundation they furnish? He professes to believe the monism" strength in the earth, and in confirming the people more firmly in former as well as we. Why does he their belief in its principles; "his wrath call us immoral, because we believe in the marriage law practiced by Abraham. shall be made to praise the Lord." Jacob, Moses, Samuel, David, Solomon and many other men whose lives, [SPECIAL TO THE DESERET NEWS.] By Telegraph. Per WESTERN UNION Telegraph Line sahamed to ever allude to it again as AFTERNOON DISPATCHES! which Judge McKean has done.

mourt of Massachusetts did declare that inflexible honesty, and the resolution great. to adhere in his action to the convictions in arriving at which he has expended so great labor. He has undoubtcolony; a stretch of power of which ably make the most satisfactory President France could choose at the pres-

en time.

JUDGE MCKEAN BUILDING UP "MOR. MONISM."

WE believe it was a polygamist, who wrote a statement, which is now incor. porated in the book balled the Bible, to the effect that "Surely the wrath of man shall praise thes [the Lord] the remainder of wrath shalt thou restrain?" This scripture is just now receiving a remarkable fulfillment at the hands of Judge McKean. Probably the Chief Justice is not aware that by his course he is confirming in the minds of the Latter-day Saints the truth of the he had been told before he came here that he would by thought, word or deed, while here, substantiate the correctness and wisdom of the counsel given to the people of this Ferritory by President Young or any of his associates, he would have been ready to swear that the person making such a statement was utterly mistaken. He would, doubtless, have felt like replying as Hazzel did to the prophet Elisha: "What! is thy servant a dog, that he should do this great thing?" For some years back counsel has been repeatedly given to the men who had not taken

out naturalization papers to be sure and do so at their earliest convenience. President Geo. A. Smith particularly has urged this upon the aliens in all parts of the Territory, telling them that they could get them without any difficulty now, for there were some men of sense here who were acting as Judges; but who knew how long we would have Judges of that class? That this counsel was inspired Judge McKean by his recent action is proving to the complete satisfaction of the people. Every alien who heard this counsel and did not obey it, now feels to condemn himself for his neglect, and

license, but liberty. Liberty of con- he beholds in Judge McKean's conduct

Preliminaries of Peace Rati-

fled !

Paris!

Interesting General News !

CONGRESSIONAL.

SENATE.

issues? or does he desire the powers tranted to Laud and his "ring," to be conferred upon him and the "ring" in Utah? Laud could ask for extreme measures with more show of consis-tency than the enemies of the people of Utah can against them; for the general ourt of Massachusetts did declare that YORK .- The steamer Russia NEW

has arrived from Liverpool. Sir Stafford H. Northcote, of the joint high commission, was a passenger.

PENNSYLVANIA. Meeting of miners.

POTTSVILLE,-At a meeting at St. Clair, to-day, the miners voted unanimously in favor of the leaders of, and in support of the workingmen's bene-

volent association. It is now believed there will be no general resumption until April.

WASHINGTON.

Pacific Railroad bonds-Confirmations-A veto.

WASHINGTON. - The statement bonds issued to the Pacific Railroad Company, with interest payable in lawful money, shows a total as follows :--Amount outstanding, \$64,618,832, interest accrued and not yet paid, \$646,188; interest paid by the United States, \$10,-53,910; interest repaid by transportacounsel and predictions of their leaders. tion of mails \$2,460.818; balance of in-Yet it is the case. We expect that if terest paid by the United States, \$8,-293.091 The Senate, in executive session, confirmed the nominations of J. Milton Turner, to be Minister Resident and Consul General to Liberia: Henry Cox. to Plymouth, England; Henry J. Simmermou, to Cadoba, Argentine Repub-lic; Henry David, to Martinique; Hor-ace H. Houghton, to Pernambuco; John J. Sykes, Postmaster, at Grass Valley, California; Andrew Miller, of Calfornia, to be Receiver of Public Monies, and John Lord to be Register of the Land Office for the Susanville District of California.

A veto message is lying on the Speak er's table, the President having returned a private bill without his signa-

Although the Senate is much behind with its public business, some Senators say that they will be able to pais all the remaining general appropriation sand Mile Tree a spark of fire from the bills by the end of this session.

FOREIGN NEWS. CREAT BRITAIN.

Bill for burial of dissenters. LOMDON -In the Commons, this evening, the bill authorizing the burial of dissepters in parish church yards, without the burial service of the Church of England, was carried to its second reading by sixty-two majority, after a favorably." short struggle.

FRANCE.

NEW ADVERTISEMENTS

CIRCULAR SAW MILLS Vibrator Threshing Machines

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EVERY I ESCRIPTION

Champs Elysees to the house of Queen Christina, where their headquarters were established. Three hundred yards behind the staff came a battalion of the 88th, with drums and fifes. Then came the troops of the blue dragoons. After these marched a mixed detachment of Bavarians, composed of infantry and cavalry, followed by two hundred men

then a corps, consisting of about a dozen officers of artillery at the head of a little column, which was closed in by some thirty red horses, and containing, altogether, probably two thousand men, brought up the rear.

By a quarter past nine, the whole body had passed the Arc de Triomphe and was descending the Elysees. Several hundreds had now assembled, but no real crowd, and all seemed tranquil, the people present manifesting little ill temper.

At a quarter-past ten, the patrol hussars came back from the Arc and trotted to the Ponte Maillot; at the same moment, half-a dozen infantry soldiers turned the corner of the Avenue St. Cloud and posted a sentry on the Place in the rear of the Avenue de l'Imperatrice. They then entered the Rue de Preabourg and began billeting in the houses surrounding the Place l'Etaile, whose doors were all open. The moment the solitary sentry was observed, the mob surrounded him, gazing and gaping at him like astonished children. At this time the crowd began to increase near the Palais de l'Industrie. The troops were halted at Point de Jour. Only a few dragoons had entered up to ten o'clock. No advanced guard had been pushed forward.

vesterday

recover.



Beterence: H. B. Clawson, Beq., Supt. 2.0.

Next door to Old Constitution Building

BATHS

WARMSPRING BATHS

THESE celebrated baths are open to saput-tive are so widely known that it is notices to enumerate them. Besides the the Private Baths, the large and handsomely furnished PLUNCE SATHS, for Ladies and Gentlismen, are now open.

By Cut this out for reference. The Offer the ippelia Erns from "First Class Pare Bred Featury of the following

Houdane 80 00 White Fared Black Buff Cochin 900 Spanich St Dark Brahmas 500 Ross Coup Domin

NEGGS !" "NEGGS !"

ry given by

Private and Plange.

MRS. COLEBROOK

H. ABNOLD.

HEGGS

d179 1y

d304 ly

the people to be married by their parish prisets. This the colonists, we suppose, listed the Nationale, a paper of Demobrought with them to America also. But these sturdy non-conformists anap-But these sturdy non-conforming and principles administration ped their fingers at this requirement of common law. They repudiated it, and were married by their own non-conforming ministers and by civil authority. Bad stories reached England about the aminarize of the Chamber of Deputies of their of the Chamber of Deputies of the the chamber of Deputies of the money appropriated by

Adolphe Thiers, the man which the mia:

As this famous Frenchman now The Assembly and Napoleon III comes to the front once more, the following sketch of his career will be read with interest:

M. Louis Adolphe Thiers was born April 16, 1797, at Marseilles. His father was a locksmith, and his mother belonged to a broken-down commercial family, some of whose members had been distinguished as financiers. He studied law at the university of Air, but, upon being formally admitted to the bar, preferred the more fascinating and influential area of journalism. Proceeding to Paris, he soon became the leading polit-ical writer of the Constitutionnel, and, the great revolution still survived, and for the first time.

Vickers objected to its second read-The common law of England required L'Historie de la Revolution Francaise. This raised him to the highest literary rank, and from thenceforth he has been The army appropriation bill was posed its passage, because of the rejec-tion of his amendment, prohibiting th

inaries ratified-Paris authorities acensed of supineness-The entry of the Prussians into Paris. BORDEAUX .- In the Assembly, to-

day, the committee on consultation, which accompanied Thiers to Versailles. made a report, unanimously recommending the ratification by the Asple; it is a warning to me that if I sembly of the preliminaries of peace, would escape trouble, I must in the which was agreed to and submitted by

Bamberger, the deputy from the de-partment of the Moselle, adjured the ssembly to reject any terms involving the cession of French territory He belief that the path of counsel is the strongly denounced Napoleon the Third. A violent agitation arose in the Chamber on an attempt being made by M. Conti, formerly private secretary to the Emperor, to speak in justification of the

Empire. The Assembly enthusiastically and unanimously voted, by acciamation, a resolution offered by M. Targe, decreeing the fall of the Empire and stigmatizing Napoleon as the author of the misfortunes of France. The Assembly woted the ratification of the preliminary men of Ogden, let them alone for a few

conditions of peace by 546 ayes against years and you will then have plenty of 107 DAV8. PARIS, 28.-To-night the French and vicinity. troops have evacuated the barracks of

Louvre and Champs Elysees. The posting of all placards is prohib- a contemporary: "He is too lazy to earn ited during the occupation of the city a meal and too mean to enjoy one. He by the hostile army.

Minister Picard remains in Paris. The Ambassadors of England, Austria and Russia will return immediate-The press attacks the authorities for only day he worked was the day he ly to their legations.

their supineness during the recent out- mistook castor oil for honey.' rages. An official journal announces that measures have been taken to pre-

vent their recurrence. PARIS.-The head of the column of the eleventh corps, under General Von and Porte Maillat, and is moving toward the Arc de Triomphe No hostile movements of the populace have yet been seen, and the prospect of a collision is diminishing. PARIS, noon, 1.-Last night, a rumor

prevailed that the enemy had given up the intended occupation, and it found credit in many quarters. The completion of the preparations and the activity manufacture. This is owing to the perfect puof the authorities, however, forbade a rity of the ingredients entering into its comhope of truth in the rumor. The scenes in some portions of the city beggar description. Excited crowds had gathered in ten minutes, and such as can be eaten with at Mont Martre and Belleville, nearly impunity by invalids or dyspeptics for sale all night, listening to incendiary by every first-class Grocer. Prussians.

The regular order of business was Since Vinery's proclamation the best temporarily suspended, and Cole, from part of the national guard have been active in perfecting barricades as safe- A FEW WORDS TO THE PUBLIC the committee of conference, on the guards against the approach of armed crowds, on the line marked out by the CEBTAIN Agents of Organ Makers visiting that their Indian appropriation bill, submitted a report which was read, and, after con-siderable discussion, concurred in. The bill, repealing the duty on coal, morning, the preparations were com- instruments are fully as good as the Mason & was received from the House and read pleted, and the streets presented a sid- Hamils Organ Co's no Le. Being Mason & gular appearance, from the absence of Hamilin Organ Co's General Agents for the people and the almost entire deser-tion of the line of march, except by prove, beyond all possibility of a doubt, The army appropriation bill was strong bodies of regular French troops, that their instruments are superior in every again taken up, when Saulabury op- who occupied a triangle during the respect to these of any other make. night, with the intention of failing back on the advance of the Prussians and per week, being nearly double that of my taking positions commanding the approaches to the line.

Pamphlet sent free.

We have the testimony of Joseph H. Ridges,



torious army entered within the En-ciente, under the eye of his Imperial majesty. In accordance with the pro-gramme, favored by splendid weather, Esq., builder of the Salt Lake Great Ogan; Professors George Careless, John Tuilidge and O. Pratt, jr.; C. J. Sundback and Ben, Judson the eleventh corps, numbering thirty Makers and Repairers of Organs and other thousand, with ninety-six pieces of reed instruments, and many other musicians in his American History talls us, orator, the attention of the Assembly. how widely the colonists' pro-more in variance with finiter of the assembly. finiter took a recess until evening session the naval sp-how widely the colonists' pro-more in variance with finiter of the sweet of the s to. NEW YORK. Sethedist Book Concerse Halpino's im-primement off, pinked at a rapid pace up the Avenue advanad in a strength, the former advanad at a rapid pace up the Avenue advanad at a rapid pace of the pace at the pace of man aver a the avenue at the genue of the genue the distory at a the former at be place of rendervous for the two oolumet. As the foore pace pace at the foore at more at the association at the place of rendervous for the two oolumet. As the foore pace pace at the foore at the association at the place of the concorde, while had been fixed toom from the place of rendervous for the two oolumet. As the foore pace pace at the foore at more at more at the set more a botter organ, we had the association of the affair of the son-foore for the foore the foore the foore at the foore Place de Concorde, and from Point du Jour to the same point as a precention-ary measure. Nothing could exceed the splendid appearance of the troops, despite the hard service they had seen. At aims a.m. the head of the Prus-sian advance was seen rounding the Are de Triomphe to the surprise of a few who were present. Both mer and women were seen hurrying away in tears, and only boys and a few workmen were left. The German hussars galloped down every evenue leading to the Champs Eignees to search the streets are altempt at disturbance occurred. To be soon as we discover a better Organ, we shall try and secure it, as we are only depend-in the troops, the the hard correspondence in the service the beauting the full amount advance, and the balance in Eight Meentalty instalments, ranging from \$0.00 to \$14.0 per month, secording to style. The Organs are destructing therefrom. Not the alight, are altempt at disturbance occurred.



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