

A FRAIL FOUNDATION.

PERHAPS it will be remembered that a few days ago we referred to a scandalous article that appeared in an infamous sheet published in this city. It stated that a son of the Bishop of the 19th Ward and another young man had quarreled over a young woman, that they had a terrible encounter, the Bishop's son being so fearfully punished that he was confined to bed, etc. We deigned to notice the sheet that published this manufactured scandal, by stating that the Bishop of the 19th Ward had no son. On Saturday the same paper reasserted the story with the difference that one of the young men is the son of a gentleman who was Bishop of the 19th Ward seven years ago, and not the son of the present Bishop.

The facts are that the disputants were two small boys, who quarreled over some trivial circumstance, as juveniles will sometimes do. There was no woman in the dispute, and neither of the combatants was hurt. On the frail basis of a difference between two young boys, the daily defamer, according to its usual custom, built a malicious fabrication for the evident purpose of bringing a scandal upon a couple of private families.

While the Tribune continues its vile assaults upon small boys, innocent women, and respectable men, it preserves the silence of the grave regarding the robbery of Mr. W. P. Rowe's safe, and the name of the young man who that person said he knew committed it. We have refrained from naming the parties concerned because if we err in such matters we prefer to do so on the side of magnanimity. However, we are under no obligations as to secrecy.

AN INCONGRUOUS CROWD.

We have thus far said but little in reference to the Territorial Republican Convention, held in this city last Thursday. It was an improvement on the County Convention only in one of its features—the blackguard phase was eliminated, so far as the deportment of its members to each other was concerned, and a decent man occupied the chair.

The "cut and dried" peculiarity, so loudly condemned as an alleged feature of political gatherings of the People's Party, was kept under cover as much as possible, but still it cropped out as large as the side of a house.

Mr. Brown, from Tooele, was opposed to the clipped and parched ticket, plainly exhibited by his resolution to exclude Federal office holders from the nominations for delegates to the National Convention. In his speech in support of the resolution he kept asserting the depth of his affection for Governor Murray, mainly enkindled in his ardent nature by the fact that that official having appointed him Probate Judge of Tooele County under the Hoar amendment. Just why Mr. Brown should feel such strength of love to the person who usurped an appointive power that did not belong to him, and tried to foist him into an office in the gift of the people, when he could no more have got the popular vote than could the "man in the moon," is only known to those who are imbued with the spirit of anti-Mormon political morality. A man with a higher idea of consistency and democracy would have taken such an appointment in the light of an insult. However, the gentleman protested even his unattractive esteem for Mr. Murray caused him to be firmer in his determination to oppose his nomination for the delegateship. He wished to show the dominant (People's) party, that the Republicans of Utah were not manipulated after the same fashion as it was declared they were—by political machinery.

Every time Mr. Brown mentioned Mr. Murray's name a clamor ensued in the form of a claim to the effect that he was out of order, as Governor Murray's name had not yet been placed in nomination. But the gentleman knew all about the "cut and dried ticket," and he kept on repeating the name, the interruptions to the contrary notwithstanding.

Poor Mr. Brown! What a mist he must be in, to suppose for one moment that the anti-Mormon clique would exclude the carpet bag element from its chief posts, when it is the head and front of the whole movement. Those who are not immediately in that circle are left by the nose by it, and in a political sense cannot say their souls are their own. To it they are in the most abject servitude, pitiable to behold. Slaves of the humblest and most subservient stripe who, while shrieking in behalf of liberty, are chafing under a galling yoke.

But we differ from Mr. Brown. Federal office-holders are the only representatives of the rule-or-ruin clique that is seeking to abolish every vestige of popular government in this Territory. They have never received any office at the hands of the people, they desire to ignore the only legitimate source of governing power under the principles of democracy, that they and their satellites may be retained, placed and perpetuated in office independent and in defiance of the popular voice. Consequently the ticket is

just right, its adoption being about the only consistent action of the party in this Territory. One of the gentlemen elicited is a Federal official and the other an ex-federal official, both having declared beforehand that they wished the delegateship. To a chronic office-holder and seeker a vote at the National Republican Convention is worth something, and nobody supposes that either of the delegates will fail to use it to the best personal advantage.

But, returning to the combination of tyranny and subversion existing in the "Liberal" ring which is seeking to destroy the rights of the people of Utah, how plainly this was exemplified at the two lately held conventions. Poor Col. Sells had been accused of being only a milk-and-water anti-Mormon, members of his own party attributing his alleged lukewarmness to business considerations. But the struggles of the poor man to put himself right on the side of his accusers were pitiable. In his feverish anxiety to do this in the County Convention he went to a ludicrous extreme. His movements were so apparent that the most verdant could not be deceived by them. When the anti-Mormon resolutions were presented, to show his sympathy with their purport he declared that he not only endorsed them heartily, but had there been any failure in the production of such expressions, he had a set of much stronger ones in his pocket ready to present. This statement was, doubtless, received with a good many grains of salt by his auditors, for it would have been an easy matter for him to have drawn them from his wallet, had they been there, and waved them triumphantly aloft after the style of the "truly loyal." Instead of the imperceptible resolutions, however, the whip of the office-hunters' party was figuratively whirling in the air, ready to descend in lusty strokes upon the devoted shoulders of the Colonel, who was evidently only dodging the lash.

The feverish haste under the dread of the thing of the place-seekers' combination was even carried by Colonel Sells into the Territorial Convention, where he perpetrated a piece of ludicrous superfluity, with the same object in view. Of this character was his vote of thanks to Senator Edmunds for his anti-polygamy legislation for Utah. This expression comes at such a late date that it cannot be considered as being extravagantly premature, while its utter aimlessness, save to show a sham loyalty under pressure to the anti-Mormon clique, lends it the hue of absurdity. Votes of thanks are, even in their most favorable aspects generally unsubstantial affairs, but when they are tendered in an obscure corner over a year after the act has been done for the performance of which they are intended as a compliment, they are rendered doubly doubtful.

We do not cite this particular instance of slavish subservience because it is lonely. On the contrary, it is but an example of a general condition. While the clique cry out against alleged undue political pressure among the "Mormons," they both apply and write under it themselves. While they denounce what they falsely denominate political slavery among members of the People's Party, they are compelled to walk on prescribed chalk lines for fear of the anti-Mormon whip. They are guilty of every one of the charges which they falsely lay at the doors of the "Mormon" leaders and people.

THE QUARRY CONTEST.

A STATEMENT OF THE TROUBLE BY A SANPETE MAN.

SPRING CITY, May 3, 1884.

Editor Deseret News:

In your issue of May 2nd, reference is made to the jumping of a stone quarry in Sanpete County.

The facts, as brought to light by a trial before U. S. Commissioner Jacob Johnson, on the 30th of April and the 1st, 2nd and 3rd of May, wherein Elisha Stevens was complaining witness, charging E. T. Parry, J. L. Parry, Geo. P. Billing, Sr., and Titus Billing, of having committed a felony, are as follows:

About a year ago E. T. Parry, son of E. L. Parry, entered 80 acres of land under the "Desert Act," and at times since has worked on the ground, grubbing, sowing grain, making ditches, dams, etc. On the 5th of last March he began opening a stone quarry on the land. Elisha Stevens came on the same day with some men and began work on E. T. Parry's land, claiming the ground under the "Placer Act." Mr. Parry ordered Stevens off, and Stevens in turn ordered Mr. Parry off. But little if any work was done on the quarry by either party up to April 19th, but Mr. Parry continued work on the farm land.

On the 19th of April men were at work on E. L. Parry's land, joining E. T. Parry's, and left for home at noon, and after they left, Stevens' men came from the Bamberger quarry and went on to Mr. E. T. Parry's land 20 or 30 rods north of where both parties worked on the 5th of March and opened a quarry on the same ledge.

Mr. Parry hearing of the movement, returned on Monday morning, the 21st with seven men, and found about eight or ten perch of rock quarried, and 20 feet dressed for shipment. Soon after Stevens' men came, and were informed by E. T. Parry that they could not work

there until Stevens proved a better right than he (Parry) had.

They said Stevens and Bamberger had employed them to work and they wished to do so. Mr. Parry told them to leave and not come back. They said they would get Stevens and come back. Mr. Parry told them they must not come back to work if they wanted to save trouble.

About four in the morning Stevens and five of his men came back, and said they were going to work. Mr. Parry said "not until you show a better right than I have." Stevens said he would go to work, dismounted from his horse, started to the hole in the quarry, and ordered his men to follow. T. Billing one of the defendants stepped between Stevens and the hole in the quarry, when Stevens made a pass at him. Billing warned the blow off and dealt Stevens a one which knocked him down. Billing got on Stevens and said "you can't work here." Stevens begged for mercy and said he would go peacefully if Billing would get off. Two men went to assist Stevens, when Billing, who is like a cyclone when aroused, got off and gathered some rocks, causing the hair to raise on the heads of the Stevens party. In a few minutes Billing had Stevens and his five men skimming the sagebrush, flying through cedar trees, and retreating in double quick time.

The defendants were bound over in \$500 to await the action of the grand jury. His Honor having no peace officer present to obey his orders, the defendants went to Mantle without bonds or officer. Soon after His Honor telegraphed for a U. S. Marshal to come and wait upon him.

MORE LAND-JUMPING AT ST. JOHNS.

WE expressed a hope some time ago that a re-action of public sentiment among the population of the old part of St. Johns, Apache County, Arizona, would turn the tide against the depredations upon the people of the new part of the village by land-jumpers. It is greatly to be regretted, however, that the lawless element is still rampant, and causing much trouble and annoyance to peaceable settlers, as will be observed from the following extract from the *Orion Era*, of the 2d inst.:

On Monday last a party of armed men went to the East side of the river near town, and forcibly took possession of a piece of land that Mr. Wm. Stradling was fencing, and after using a great many threats and very foul, obscene language, commenced to chop down and pull up his posts. The party who were at work fencing numbered four, Mr. Stradling, and three hired men, and they were totally unarmed and offered no resistance, as the jumping party numbered eight men who were all armed with Winchester rifles and revolvers. They also threatened to burn up the posts and fencing.

As near as we can learn the facts are these: Several years ago Mr. Sol. Barth sold a number of land claims to the "Mormon" people, receiving for the said claim 770 head of American cows, and \$2,000 cash and other property. These claims the original claimants had previously sold to Mr. Barth, who had the lawful right to sell them to whom he pleased, and the land in question was a portion of that which was bought of Mr. Barth. Immediately after this purchase Mr. C. I. Kemp located on this quarter section and has been living on it ever since. Bishop Uchil has been acting as agent for the purchase made of Mr. Barth, and sold to Mr. Stradling this piece of land which he was peacefully fencing when he was run off by the aforesaid body of lawless men.

The lawless gang who committed the outrage of Monday, April 28th, are understood to be the same characters who caused the previous trouble of a few weeks ago. It is greatly to the credit of the parties aggrieved that they did not subsequently turn to and punish the desperadoes on the spot, which could easily have been done, notwithstanding they were armed and equipped for violence. We hope that the settlers will maintain their peaceable attitude, however severe may be the tension upon their patience, and seek redress only through legally constituted channels. In tendering this advice, which is uniform with that given by the *Era*, we are aware of the difficulty of the situation and how galling it is to quietly submit for the time being to gross and excusable wrong. But under the circumstances the peaceable plan, we feel assured, will bring about the better results. The settlers, however, should seek immediate redress and leave no legitimate stone unturned in its pursuit.

SINISTER AGENCIES.

THIS great Republic has a horde of formidable forces against which to contend for dear life. The struggle for supremacy is becoming daily more intense and more wide in area. It is a potent fact that the inimical agencies are steadily gaining ground. Should the tide of battle not change, troublous times are inevitable.

Among the foes of the Republic are rampant immorality of the grossest

and most criminal character; the lack of vigor and integrity of the judiciary in administering the law, and the assumption of its functions by lawless and blood-thirsty mobs; increasing conflicts between labor and capital; a deplorable absence of confidence; rampant official dishonesty; murderous secret combinations whose objects are to dethrone justice, trample the Constitution and law under foot and establish anarchy; inevitable gigantic financial disaster, which appears to be at the doors; destructive warring of the elements of nature; the tendency of the government to centralization, as evinced by the advocacy by men whose opinions are considered weighty, of the sweeping away of every vestige of popular government from a large area of country and the establishment of a tyrannical autocracy in its place. The disgraceful scramble for political office and its spoils may be added, and the list has only been begun.

These are some of the sinister elements with which this great country has to contend, and those who are now skeptical in regard to their terrible effects should carefully note the course of events from this time forward. They will be convinced within a few years.

MADE STILL MORE CLEAR.

WE present to-day a very clear statement of the Sanpete quarry difficulty. It is from the pen of an intelligent and capable gentleman, and shows the matter in an unmistakable light. The facts he exhibits, which are concisely related, fully sustain the position we first assumed and have since maintained on the subject. That Mr. E. T. Parry took what steps he considered needful to secure his title to the property is placed beyond doubt by our correspondent, his intention, priority of claim and actual possession, all giving him a moral right that cannot be justly set aside by any person or party putting in a subsequent appearance.

The right of the gentleman in actual possession is made doubly plain by the character of the claim of the disputant on the other side, who has made a "placer" filing upon it. Mr. Bamberger's object is not pretended by himself to be to obtain gold from the ledge as an immediate result. He desires to obtain the shining metal as a return for the stone he might be able to dispose of. And in addition to the moral right of permanent possession held by Mr. Parry, it looks from the statement of our correspondent that he is not far if anything behind his contestant on legal grounds.

In any event, however, there is not the slightest excuse for any attempt on the part of Mr. Bamberger, his agents, or anyone else to forestall the action of the powers that be, by forcibly ousting the person in actual possession. This is nothing short of lawlessness. In fact the action of the regularly constituted authorities cannot be forestalled, as we presume even Mr. Bamberger does not pretend to know what their decision in the premises will be. Until the legal finality is reached the person in possession must retain his present proprietary status.

THE QUARRY QUESTION AGAIN.

A CLEAR AND CONCISE STATEMENT OF ITS STATUS.

MANTLE, May 7th, 1884.

Editor Deseret News:

In the last issue of your valuable paper I notice a statement in relation to the "Sanpete Quarry" troubles, which, without correction, is liable to convey a wrong impression to those of your readers not personally cognizant of the facts.

True, the quarry in dispute is not the one owned or worked by Mr. Parry, but it is a continuation of the same ledge of rock, and is owned by Mr. E. T. Parry, a son of Mr. E. L. Parry, who claimed said land under a "desert entry," and has tried to comply with the requirements of the law in every particular. It may or may not be the intention of the son of Mr. Parry to secure the land for the purpose of securing said quarry. Of this we are not certain. But let us look at the affair in a cool, matter-of-fact manner, and see who has the better title at law to said quarry.

There is no stone act for the Territory of Utah, although there is such an act extending over the majority of Pacific States and Territories. Mr. E. T. Parry wanted, as an American citizen, to secure this quarry, and wishing to be governed in the matter by law, sought advice, and was advised by those professing to be learned in the law, that in the absence of a "stone act," the safer course would be to file on said tract of land under a "Desert Entry." This he did and had striven to faithfully live up to the requirements of said law. He has conducted water on to said land, and has improved the same by cultivation, etc. Now there is nothing in said law debarring a person from taking up land under the "Desert Act," which contains "stone." A person applying to enter land under said act has to make an affidavit or declaration, to the following effect, "That the land above described will not without irrigation produce an agricultural crop; that there is no

timber growing upon said land; that there is not, to my knowledge, within the limits thereof, any vein or lode of quartz or other rock in place, bearing gold, silver, cinnabar, lead, tin or copper, or any deposit of coal; that there is not within the limits of said land, to my knowledge, any placer, cement, gravel or other valuable mineral deposit or salines; that no portion of said land is worked for mineral during any part of the year by any person or persons; that said land is essentially non-mineral land, etc.

Now after the making of this declaration, the United States Government, by its officers in the Land Office, received the money and filing of E. T. Parry. Now comes Mr. Bamberger and claims a portion of said entry as a "Placer claim." What does Webster say the word "placer" means? "A gravelly place where gold is found, especially by the side of a river!" Does Mr. B. claim that gold is found in this stone quarry? True it may be converted into gold, but is it by the side of a river; in fact is it or can it be called a "Placer Claim?" We are not willing to go so far as Mr. B. and assert who has the stronger claim at law, but this we do say that if a "Desert Claim" in good faith, is not sufficient to hold said tract of land, quarry and all, certainly a placer claim comes no nearer to its requirements.

As to keeping the business within narrow bounds Mr. Parry has, and continues to solicit the patronage of persons for stone from all quarters of the Territory, and will supply the demand so far as he is able, direct to the consumer without the intervention of any middle men.

Mr. Bamberger did ask Mr. Parry to supply him with a bill of rock for building purposes, which he was ready and willing to do, asking Mr. B. to try and get his bill to conform to quarry regulations, which would make it more convenient all round and also a great deal cheaper. This was to calculate the rocks so that the quarrymen could get them out in sizes to allow of one rock being sawed in Salt Lake and make three or four of the required size for building. Mr. Bamberger never replied to this, and Mr. Parry afterwards heard that he (Mr. B.) was getting rock from other parties in Salt Lake, so came to the conclusion that he did not want any from him. The only bill that Mr. Parry ever received from Mr. B. was a notice that his claim or quarry was claimed as a placer diggings.

The great difficulty as to middlemen is that Mr. Bamberger wanted to act in this capacity himself, as he told Mr. Parry's son that "if there was any profit to be made he (B.) thought that he and the railroad should make it. This is the whole thing in a nutshell, and instead of pursuing such a course and "cramping" business, Mr. Parry wished to spread, and so the result.

Mr. Parry and his son have acted in good faith in all their proceedings. They have been in actual possession of the land in dispute, prior to the contest of Mr. Bamberger and his agents. If their claims will not hold the land they are willing to make the necessary amendments, but this must be adjudicated by a competent tribunal and not by violence or mob-law.

W. K. R.

MIXED PARTNERSHIPS.

WE have received the following communication, which involves a question of considerable local importance:

"What is the position your Church takes in relation to partnerships between members of the Church and non-members?"

Can the firm consisting of some of each sue and be sued irrespective of Church membership, or will the members of your Church, also being in partnership with one not a member be expected to take the partnership business before the Church courts or before the ordinary courts when in the course of business a dispute may arise with a member of your Church?"

In an explanatory note, not designed for publication in full, the writer gives some of his reasons for propounding the question. It appears that during a short visit here, he has been enabled to see numerous opportunities for the investment of capital in important industries for which Utah affords the most ample facilities. He has in view, probably with the aid of friends, the establishment of some special branch of manufacture, or the investment of means in one or more industries already begun, but crippled for the want of sufficient funds.

He has, however, been informed that a partnership with members of the "Mormon" Church would be undesirable, because they would not be permitted to sue other members in the secular courts for debts due. The gentleman very naturally expresses a preference to have his business adjudicated before courts with whose laws he is familiar.

In the first place it is in opposition to the genius of the Church for its members to engage in legal disputes in the secular Courts, ecclesiastical Courts of arbitration having been established for the settlement of all difficulties, in accordance with principles of the strictest justice. The case of any non-member of the Church is not likely to be brought before those tribunals, for the reason that their decisions would have no authority with him. If, however, it should be clearly discovered, during the course of a trial that any of the