EVENING NEWS ublished Dally, Sundays Bacopted AT POUR O'CLOCK.

DESERET NEWS COMPANY CHARLES W. PENROSE, EDITOR. Sept. 28, 1883 SEMI-ANNUAL CONFERENCE

TO THE PHESIDING OFFICIES, ELDERS AND SAINTS.

The Semi-Annal Conference the Church of Jesus Christ of Latter-day Saints will be opened at 10 m. on Friday, the 5th day o'clock a. of Ostober, 1883, in the Large Tabernacle in Salt Lake City.

> JOHN TAYLOR, GEORGE Q. CANNON, JOSEPH F. SMITH,

First Presidency of the Church of Jesus Christ of Latter-day

A FEW JUDICIAL FALLACIES

WE publish in another column the fere when principles break out into tion to polygamy and also to the the Supreme Court has at-cases of mob violence which occur- tempted to prove that "Mor- long as they remain unrepealed, or City. We have nothing to say in any way, and thus they about the latter except that we con. both establish the reverse of their sider His Honor was perfectly right own conclusions. Religious bellef in directing special attention to is free, religious practice must be these violations of law and order. equally free, unless it interferes with But we have some reflections to human rights or disturbs the public offer concerning a few of the Judge's peace and the good order of the remarks concerning polygamy.

His Honer concedes the right of disturbance comes from its opponthe people of this Territory to their bellef on that subject, and that "the The Judge's argument that the State has no right or power to propeople of this Territory form but a leas safe in the property ownership. vide by the usual mode of legislation small minority of the people of the This law is simply the expressed nation, and that they are morally as well as legally bound to respect though it may be said to be founded for the suppression of Ethat belief," but alleges that the right of Congress to provide for the punishment our present form of government, is of those who carry that belief into equally untenable. The main prinpractice"is not and cannot be a ques ciple on which this government is tion." We are of the opinion that based, is the rule of the majority in it both can be and is a very serious the locality where they reside. It question, about which there is a cannot be dealed that if the State wide difference of opinion. It is true, of Massachusetts were to legalize that the Supreme Court of the polygamy, it would be legal irre- be no such right; that all things Btates has ruled in favor of that spective of the views of the great material were the common gift of right, and as a technical legal pro- majority of the people of the nation. position that may be considered the The same principle holds good as a end of controversy. But Judge moral question, and but for sophis- that state of affairs, as to make you Hunter does not confine his reason- try and the right of mere might, to refuse to indict one of the sect ing to simple points of law; he takes would hold good as a legal question in spoken of whe had by force depriv-up the subject on broader grounds, Utah as much as in Massachusetts. I deprive the owner of that property, who and it is here that we join issue with It is a domestic question. It inheres property? Laws must be uniform him and take the position that the to the people of the community. It They must affect all persons the right of Congress to legislate direct is not thrust upon any one outsi ie. It same. The Communist cannot be ly for an organized Territory, with belongs to the local government. It allowed to assert his views as a dea Legislature of its own having is not a national subject. Mar-authority over all rightful subjects riage and divorce are outside of the lief by acts, and if he violates it he of legislation, has to be assumed rightful limits of congressional au. must be made to suffer the penand cannot be proven. Congress thority and belong, if to the civil alty. derives all its powers from the Con- law at all, to the several organ- enacted the law making stealing a stitution, and there is not a line in ized common wealths that make crime, has with equal authority enthat instrument which, except by a up the Federal Union. acted a law making polygamy a crime. Does the fact that a religious forced construction doing violence If we are legally bound to respect the present form of government, alvocates and enunciates that polyto other parts, can be cited as authority for such direct interfer- and to obey laws which it has en. gamy is right, and that each man ence with the right of local self- acted against our consent, we are who believes in the tenets of that not morally bound to do so when our religious organization has the right government. as a gift of Deity to take to himself And supposing that this question common sense, our cognizance of our rights and our religious convic- or has the ability to sustain, give to is decided adversely to our view, such the right so to do, against the express will of the people declared through the law-making power? because of usage and long exercise of tions give us knowledge or full bethis assumed authority, it does not lief that it is wrong. Judge Hunter follow that Congress has power to may be right in pointing out to the Like the Communist, they may beenact laws prohibiting the free exer- Grand Jury their legal duty to inlieve in the right, but because the cise of that religion, belief in which dict persons against whom there is law has made it penal to perform the act, like the Communist, they the Judge admits to be an unassail- probable evidence of violation of able right. The decision of the Bu- the anti-polygamy laws, but he is it will be said that if the majority of preme Court may be again cited te not correct in his argument from the voting cla'ses of the Territory settle this point. But we have the moral grounds. Grand Jurors must could, without the interposition of right to dissent from that opinion respect their oath whatever their the veto power in the Governor, de-clare their wishes, no law would be and to show, if we can, its fallacy private beliefs may be. They and to show, if we can, its fallacy private beliefs may be. They passed declaring polygamy a crime, from its own reasoning. And equally are called to act in a public and that that law is against we have the right is expose the capacity, and may consistently carry their wishes and affects their wsakness of Judge Hunter's argu- out the law in relation to it, while belief. you must re-But ment based on similar grounds. We morally they dissent from its right- member, gentlemen Jury, and so must these voters, that do this as a citizen and a journalist, fulness. while they are in the majority so far and because His H.nor has gone The people of Utah are placed in as Utah is concerned, they are a beyond the strict line of legal logic this position: Their moral and re-very small minority of the people of the Nation. They are, however, and entered the field of polemics. ligious convictions are at variance supposed to be law-abiding citizens, On the bare proposition that an un- with a law which has been specially and are bound, as such, to acrepealed law is on the statute books framed to prevent the free exercise cept the fact, that so long as our of the nation and that it has been of those convictions. They are present form of government exists, Congress has the power to declare sustained by the highest court of legally but not morally bound to rethe act of polygamy a crime, and it the land, and therefore it is the duty spect those enactments. They are having done so, they are legally and of the grand jury to inquire into in- free to believe them wrong, impolimorally bound to respect it. No fractions of that law, we could have tic, unnecessary and oppressive. power on earth, at least so far as the no dispute with the Judge. But it But if they carry their convictions United States is concerned, can preis on his comparisons and reason. into practice and break the law, they vent the sect from teaching the doc inge ontside of that proposition that must hold themselves ready to bear and no one has ever thought to prewe claim the right to dispute his the penalties which the law provent it save as might be done by argument, enlightenment and perconclusion. vides. But these can only be en-Judge Hunter states that "cer-tain acts are by statutes enacted , by rightfully punished on suspic on. If gamy may be punished, and it is the legislators who are the delegates the cry is raised, "let the same laws your duty to see it is. As citizens of of the poople'declared to be crimes," be enforced inUtah as in other parts of the United States and as grand and proceeds to argue for the pan- this nation,"we respond, let the laws urors sworn to inquire into the offances which have been committed ishment of plural marriage on the be executed in the same manuer as in violation of the laws of the counground that the anti-polygamy laws in other parts of the nation, and let try, it is enough for you to know that were so passed. This is incorrect to the executors and administrators of there is a law in the United States making polygamy a crime. When you offered yourselves to become begin with. Those statutes were the law see to it that they do not enacted for the government of an become partial and fanatical, striv-organized political body of people ing to provoke prosecutions in one who had no voice in the passage particular direction to the neglect of who had no voice in the passage particular direction to the neglect of ountry, you either actually or imthereof. The people who elected others, and straining at a guat while pliedly took upon yourselves the the delegates or Congressmen that swallowing a camel. passed the laws in question are not affected thereby; those enactments CHARGE TO THE GRAND JURY. see to it that offenders against are directed solely against a community who had no voice directly JUDGE HUNTER ON POLYGAMY. LYNCHING VIGOROUSLY DE-NOUNCED. In charging the Grand Jury in the Nounced as in compliance with Nounced as in the single of the common country, and in compliance with Nounced as in the single of the common country, and in compliance with Nounced as in the single of the common country, and in compliance with Nounced as in the single of the common country, and in compliance with Nounced as in the single of the common Nounced as in the single of JUDGE HUNTER ON POLYGAMY. the penalty of their offending. or indirectly in the passage thereof. A fundamental principle of our system of government is in this instance ruthlessly set aside, and the bottom of the Judge's argument is

life. "Mormon" plural marriage is not of the nature of either. It com-pels [no one. It infringes upon no natural right. It would not be constituted in the power to provide the latter, so far as the punishment of those volves upon another tribunal. Batis-constitution to the re-solution to the re-ligious tenets of any class of persons, you are not to inquire; that duty de-volves upon another tribunal. Batiscriminal if not made so by statute, and is not then of the essence of crime, because no wrong is intended against any one and the very root of crime springs from the intent. suits the views of the actors in the to the tribunal legally authorized polygamous drama, is a matter of no consequence. Naturally the condition of the marital relations of trouble you. Above and beyoad all of crime springs from the intent. Neither is the Judge's asumption correct that in this where "all laws a great number of persons in the else, remember that the govern-for the proper Territory of Utab, and the teachings ment whose interests you are now ommunity where "all laws governance of the people are enacted and enforced," the fact alone that "the marital relations of a great "the marital relations of a great

number of persons" are contrary to the subject and in connection with citizen, you and I, and all the rest that law, "take from it all the it much has been said in regard to and not in a spirit of revenge and resentfulness. Governments, like the peaceableness of this communiprestige of being an orderly and peaceful community." The proof that he is wrong lies in the fact that but for the noise and nonsense made about those marital relations by a about those marital relations by a violations of the penal statutes af- well enough in their time; on them

few officious and designing individ-uals, there would be no disorder or disturbance of the community nor of the country as a consequence thereof. The Supreme Court of the ber, and the influence and the and planned, now the whole mass United States while admitting, like teachings of the leaders and mem-Judge Hunter, that our religious be- bers of a Church tend to an increase lief cannot be lawfully assailed, de clared, quoting from the preamble to a Virginia statute framed by Mr.

a Virginia statute framed by Mr. Jefferson, "that it is time enough for the rightful purposes of civil by the statutes enacted by the legis-by the statutes enacted by the legis-the statutes of the prevalence of illegal homi-cides in this district. It is appalling, and it is to be hoped you will take overy step within your power to charge of Chief Justice John A. overt acts against peace and good are by the expressed will of the peo Until recently our community has Hunter to the Grand Jury, in rela- order." Neither Judge Hunter nor ple, declared to be crimes, and that all not been disgraced by red handed ple, declared to be crimes, and that all not been disgraced by red handed ple, declared to be crimes, and that all not been disgraced by red handed ple, declared to be crimes, and that all not been disgraced by red handed ple, declared to be crimes, and that all not been disgraced by red handed ple, declared to be crimes, and that all not been disgraced by red handed ple, declared to be crimes, and that all not been disgraced by red handed ple, declared to be crimes, and that all not been disgraced by red handed ple, declared to be crimes, and that all not been disgraced by red handed ple, declared to be crimes, and that all not been disgraced by red handed ple, declared to be crimes, and that all not been disgraced by red handed ple, declared to be crimes, and that all not been disgraced by red handed ple, declared to be crimes, and that all not been disgraced by red handed ple, declared to be crimes, and that all not been disgraced by red handed ple, declared to be crimes, and that all not been disgraced by red handed ple, declared to be crimes, and that all not been disgraced by red handed ple, declared to be crimes, and that all not been disgraced by red handed ple, declared to be crimes, and that all not been disgraced by red handed ple, declared to be crimes, and that all not been disgraced by red handed ple, declared to be crimes, and that all not been disgraced by red handed ple, declared to be crimes, and that all not been disgraced by red handed ple, declared to be crimes, and that all not been disgraced by red handed ple, declared to be crimes, and that all not been disgraced by red handed ple, declared to be crimes, and that all not been disgraced by red handed ple, declared to be crimes, and that all not been disgraced by red

land. There exists a law upon our statute books, punishing all who steal and convert not another's property. Without this law, might would be the only way to determine ownership, and the strongest would seek convert to his own use, nolens volens, the property of the weaker, community, and in this case all the and so deprive him of it. With the law and the penalty attached to it, upon the stronger, the weaker be-comes as strong as the stronger, and upon the Divine law, that "thou shall not steal," it is the result of experience in life as well as necessity. Suppose there existed in this community a communiatic creed, or sect of people who should enunciate as one of its tenets that property rights were all wrong; that in the right to an exclusive ownership,

The News dealers of the west side have unanimously resolved to enter you are not to inquire; that duty de-volves upon another tribunal. Batis-news dealers regarding the price to news dealers regarding the price to be charged for newspapers. penseratie Convention Continue EUFFALO, N. Y., 28.-Engine and surveyor Nathan Sweet. It was

agreed that the state committee should have power to decide! who shall be a member from a district where there is a tie vote except in New York city. On motion Grady of Tammany, it was decid that the county democracy shall name four of the members from New York County, Tammany Hall and Irving Hall, adjourned.

> Picked up at Sea ST. JOHN, N. B., 28.-The bar

The Price of Papers

Oronies at Chatam picked up three fisherman in a dery on the St. Pierre bank who had been out. six days from their vessel. One of them had opened a vein in his arm from which he sucked blood to quench his thirst.

Winter in Minnesota MINNEAPOLIS, Minn., 18 .- There is a light snow falling, but meltin as soon as it touches the ground

The weather is cold and chilly thought, and their plans tend for Terrible Better Explosion .- Sever Persons Milled, Sonte Sunk and Buildings Shattered

ALBANY, 18 .- Early this mornin en, your attention is call- the boiler of the steamer J. S. Re ed to the prevalence of illegal homi- inson, which lay at the foot of Wa erloo Street, exploded with frightfu for the rightful purposes of civil government for its officers to inter-fere when principles break out into overt acts against peace and good are by the expressed will of the peo water and narrowly escaped drown ing), and Willard Durant and Melmobs. But a short time since all law-abiding citizens were startled by ville Ryan, deck hands. Richard two hangings of persons, without Van Zandt, son of Capt. Van Zand the interposition of the law, one in of the tug Ora, from New Balt red recently in this city and in Park mon plural marriage does this are set aside as being unconstitu-the interposition of the law, one in of the tug Ora, from New Balt City. No matter what might have son, was also injured. Capt. Rob been the causes leading to these insen of the Hattie M. Bett

acis, if all that has been reported in was blown from his the public prints were but half true, house on to the wharf and severely the acts of those engaged in these injured. The Cera alongside was two dastardly assassinations should total wreck. The Robinson san send a turill of horror through us. immediately, carrying with her the It is well known that two unfortu-It is well known that two unfortu-nate men, whose lives were taken the boller, weighing two or from them by the mob, were in three tone, was hurled 400 feet custody of the law. It has been cur- against the top story of a three-story rently stated in the instance occurbuilding, crushing in a portion ing in Salt Lake City, that the offi- the building; another section, well cers of the law in whose custody the ing nearly a ton, crushed the roof of man was, either aided in the act of the barge E. M. Downing, and still the killing or were so inefficient in another section was hulled to the the discharge of their duty to pro-tect him as to make them amenable for deriliction of duty. Whether into the river. Buildings were this be so or not, it is your duty to shaken and shattered, and general inquire. If the officers are guilty, bring them to justice; if they are inconsternation prevailed in the vicin-ity. The exploded boller was built by Robert Livingston of this olty in nocent, by all means say so. Justice to the people who placed these men in their official positions demands this at your hands, for if they be guilty their official powers should be taken

A GREAT DISCOVERY. from them and good men put in their places, who will do as they That is daily bringing joy to the Deity, and that no one man had a have sworn they will do. An officer of their dear ones from an early of the law, whose duty it is to prograve. Truly is Dr. King's New who will so far lose his head as to engage in the acts of a mob, or be inhumanly cruel, is not a fit man for his place, and it is your duty, as I hope it will be your pride, if in tect life and help to enforce the law, your Investigation there should be found one such, to present him by indictment. I trust for the sake of humanity, and for the reputation of the community, that the terrible reports may not be true. It is brought to my attention that the killing at Park City was the disease, without leaving any in one of intense horror. I am inform- jarlous effect, as is the case with ed that a party of men disguised at Park City, se'zed upon a locomotive ficines advertised. It is the onl engine and passenger car, and at the pointing of pistols, compelled the considered an absolute antidote for engineer and conductor to take fever and ague, and kindred diseases. them to Coalville, a distance of nearly twenty miler; that there by like means they intumidated the o:ficers in charge of the jall in which was confined their victim, to open the door; that they entered the cell in which the man was imprisoned and after some resistance from him placed the rope around his neck, dragged him to the cars, and again compelied their transportation back to Park City, where they I. Drug Store. hung their victim until he was dead. That these acts were all done in the dead hours of the night, and were the result of mature deliberation and forethought Such conduct is utterly indefensible, and the actors in it have evinced a degree of inhumanity and bar-barity incomprehensible to the law-John Praces. abiding citizen. Whoever these shire, England, May 28rd, 1812. persons are, and however numerous they may be, it is your duty to in-vestigate carefully and judiciously into the circumstances, and you will the invited to attend. be expected to do so. There is certainly no occasion in Utah for the interference of a mob with the administration of the law. The courts are open, laws are provided for the nsion and conviction of per-Apply immediately to F. A. Pascoe lice of the Utah Lime and Cemant Co. sons charged with the crime of murder, and the officers whose duly it In the instance now eing consider-ed, the alleged offender was in the hands of the law. If he was guilty, no doubt he would have been found so, and his punishment would have been effected. The mob that took him from that custody and deprived him, in the manner spoken of, or in any other manner of his life, are as guilty, as they in their cool deliter ation thought their victim to be, and when they undertook in cold blood to perpetrate the taking of his life, and did so, they are as amenable to the law as they thought he was, and ought to be punished as he must have been, had be been found guilty under the law. The mere fact that there were a number of men engiged in the acts, offers no excuse. The crime under all the circumstances, because of the numbers engaged in it and the evident deliberation preceding the act, make it all the more heinous. If the will of such men is to be the law, and by their determination the guilt of a man is to be ascertained and his punishobligation that you would not only ment fixed, what security have you or I, that we may not be the next would at all times, when called up. given to the wisdom of our form of uch laws should be made to suffer government that such is not the case. Here as in all organized sys-



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A very large proportion of the inhabitants of Utah and surrounding Territories, are enjoying the luxury of our Unexcelled Cooking and Heating Stoves, and in order that many others may have the privilege of participating in like blessings, we announce the arrival of FIVE CAR LOADS of Charter Oaks, Champion Monitors, Royal Charters, Monitors, etc., etc. Also, a large variety of Heaters and Parlor Cooks which we are offering at astonishing low prices, and we confidently assert that for Cooking and Heat. ing qualities, durability, readiness of action and economizers of Fuel, they have no EQUALS, and for these reasons WA have secured the Sole Agency from the Manufacturen PREFERRING THESE TO ALL OTHER STOVES, which we have at various times been solicited to adopt.

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PREECE.-In the 70th year of his age, a Deceased was born in Lebbury, Hereford

Funeral services from his daug Phillips, in the 12th Ward, on Sixth Rest Street, at 2 o'clock on Saturday. Friends are

Mülennial Star please copy.

WANTED. FEW GOOD LABORERS WANTED

he writer of the Colleen Baw Pogue, the Shanghraun, and

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