

evidence, and the proceedings subsequent to judgment, are not stated with clearness or certainty, but are left to be defined and governed by precedents and reported cases, decided in England and elsewhere. There is scarcely a point of practice that arises in a criminal proceeding, but is involved in doubt and uncertainty. The consequence is, that the discretion of the Judge becomes the law of each case, and with successive judges to preside over our Courts, and administer the laws, the practice changes, different rules of procedure are adopted, and a variable standard of justice prevails. The adoption of a "Penal Code," defining in its provisions, what crimes shall be punished, and the mode of procedure, will meet the objections enumerated, and remedy the evils.

The Penal Code of California embodies the experience of that State, in matters of criminal jurisprudence, and that of the most intelligent legislatures in the American Union. For these reasons, I recommend the adoption of the "Penal Code" of that State, so modified as to meet the requirements of this Territory.

#### POLYGAMY

A peculiar characteristic of the social condition of the Territory, and one that is affecting the interests of the people, is polygamy. In meeting this question openly and fairly, I can but regard it a crime, prohibited by the laws of our country and that it does violence to the accepted principles of Christianity. The country at large recognizes it as a blot upon our civilization. Our national Congress has enacted laws for its punishment, and to prevent its continuance. To the present this law has not been practically enforced, and I am led to believe that polygamy or plural marriages are of as frequent occurrence, as at any time in the history of the Territory. However this may be, I have not the means of knowing, as these marriage ceremonies are performed by the Church, and are only known to its members. I am sensible how delicate my duty becomes, under existing circumstances, when the gentlemen whom I have the honor of addressing, with a single exception, believe in and many practice it, from a sense of professed religious right. It appears to me, and must be apparent to all, that the law should be expunged from the statutes, or made operative. It will be gratifying, if this body shall enact such legislation, as will prevent its extension, and will adopt such measures as look to a fair and impartial settlement of this subject, as it affects the past.

We should remember, gentlemen, that Utah is not a secluded portion of the United States, that this Territory was acquired from a foreign power, like other parts of the country, with money and by the valor of American arms, that the distance and the deserts have been annihilated by the construction and operation of the Pacific Railways, that to-day we are as much an integral part of this great Republic as any other section, and that we are bound, as good citizens, to obey the laws of our common country, whether they are in accordance with our views of justice or not, otherwise we ignore the constituted authority, and place ourselves beyond the pale and protection of government.

#### CONCLUSION.

GENTLEMEN.—The different measures to which I have alluded, and for which I have asked legislation, are such as our present necessities seem to demand. Though my recommendations may appear numerous, still you will bear in mind, but four of them—the Centennial, Common Schools, Geological Survey and Museum, and an Asylum for the insane—call for an appropriation of money.

Other matters, brought to your attention, are such as relate to a modification and extension of our territorial laws, to make them more effective, and more in conformity to present wants, which time and the progress of events have produced. If my suggestions meet with your approval, to an extent that warrants you in carrying them out, I have confidence to believe they will tend very materially to settle the uncertain condition of our laws and give greater prosperity to the people in whose interest you have met to legislate.

Bearing in mind that these sessions are biennial, and limited to a brief period, let us endeavor to make the best possible use of the time, that when the labors of this session are ended, we may have the consciousness of having done our whole duty, and nothing but our duty, to all who may have any interest in the legislative proceedings of Utah.

GEO. W. EMERY,  
Governor.

### Correspondence.

On the Brazos—Well Received—Preaching.

NEAR KIMBALL, TEXAS,  
Dec. 21, 1875.

Elder Angus M. Cannon:

Dear Brother,—We landed in Dallas in four days, wanting two hours, from home. Myself and wife are at her mother's, about seventy miles south-west from Dallas. We are on the Brazos river, about 170 miles above where I lived when I received the gospel, and from which place (Fort Sullivan) I left for Utah twenty-one years ago next March.

This is a beautiful and productive country and has the appearance of being healthy, the greatest objection to it being the sudden and great changes in winter. Last Saturday morning it was so cold that I saw pools of water frozen over, and the last two days with this morning have been like Spring. But the people here warn us that we shall see it cold enough before Spring puts forth its green foliage.

My wife's brothers live in this county and two of them in sight. They all own land on or near the river, one, the youngest, is merchandising in Kimball, three miles distant. The kindred and people around have treated us very kindly. Some of them believe the gospel, and several of them defend it when

opportunity offers, but some are a little tender footed from, as I think, worldly considerations.

My health has much improved lately, though last Sunday, when I started to go to Brock's School house to fill an appointment, I felt very unwell from recent cold, and would have gladly been excused, but it being our first appointment in that neighborhood I determined to go, and myself and Elder Dixon H. Greer each spoke to a very respectable and attentive congregation, among whom were two Baptist preachers.

The Sunday previous we held a meeting at the house of Thos. L. Greer, some twenty miles west of this. There we had a crowded house of seemingly fair intelligence and very attentive, and after meeting a number remained to talk with us and seemed much interested, among them Col. Berry, a prominent man of the county, his wife and niece, a school ma'am.

We have baptized none yet, but are told there are some who wish to be baptized before we leave here. I expect to make this neighborhood headquarters, and Kimball my postoffice, but I want to travel some in Hamilton, Travis and Bell counties, if my health and the weather will permit. I have much hopes that, by the help of God, our Father, we shall be enabled to do some good. We feel first rate. Some of our friends have some fears of opposition, although they have merely hinted such fears, but I feel right, feel that I am in the line of my duty, and I realize that God is with us. Then what is there to fear? We have borne a strong testimony to several hundred of the people of Bosque county, a testimony that some will never be able to get rid of, or forget, and I hope the seeds are sown which will bring forth some fruit ere long.

I find here several families baptized by Elder Preston Thomas and others, mostly feeling well. They treat us kindly. I have thought it might be best to organize them and instruct them to hold their meetings regularly, meet weekly for worship and instruction, and to commemorate the death of our Lord and Savior Jesus Christ.

I have not heard from Bros. Peery, Alphin, or Box, since we arrived here. Bro. Box traveled with us to Red River and stopped at a place a few miles beyond Dallas, to see his uncle, and I have not heard from him since. I wrote a short article on marriage for the Dallas Herald last week, my object mainly being to let the brethren know where I was.

I can't help wishing there were twenty or thirty active, efficient Elders in this State, if only for the winter. Think of a State 800 miles or more in length, and not a half dozen Elders to labor in this vast region, and then not an experienced proclaimer of the Gospel in that small number, but I remember the Lord will do his work in his own way, and within his own time.

E. W. EAST.

#### A Visit to the Fireman's Hall.

SALT LAKE CITY,  
January 7, 1876.

Editor Deseret News:

While traveling through your city last evening, seeking for something to break the monotony of mud and water, which are so abundant at the present time, I wandered in the vicinity of the City Hall. While there I heard strains of music which tempted me to go a little nearer to where I thought the sound came, and I saw by the signal lamp that I was at the Firemen's Hall. The door being open I ventured in, and by this time the music had ceased. I was invited to look around, by a person who was sitting by the stove. I embraced the opportunity, and while looking around at the engine and apparatus, the choir struck up again. I ventured to ask what was going on up stairs, and was informed it was a meeting of the Firemen's Mutual Improvement Association. I asked if there was any objection to me going up stairs. The gentleman said, not that he knew of. So I went up and was kindly invited in by the gentleman at the door. The first thing that met my view was the word "Welcome" on the wall, neatly done with evergreen. Every one seemed so sociable and friendly, I felt so too. Next I noticed in evergreens, "A Merry Christmas;" next were the words, "United We Stand," over a full sized steel engraving of President Brigham Young; further around

was "A Happy New Year to all Firemen and Friends." In addition to the above the hall was neatly adorned with pictures of firemen on duty. But there was one thing more which specially attracted my attention, a beautiful banner on which firemen are represented at work, showing the life of a fireman to good effect. Judge my surprise when told that it was a home production, and that by a fellow-fireman, G. W. Ottinger.

The chairman announced that the next exercise in order was a speech from a young man. The latter, in rising, said that it was his first attempt at public speaking. I thought that he did very well. Next was a recitation by another young member of the society, called "Out in the Cold," which was rendered with good effect. Next in order was a piece called "The Fireman," showing the perils of a fireman. Next to speak was the Chairman, who said that he would have to introduce himself. He did not mention his name, but I found it to be Samuel H. Hill. He spoke of the manners and customs of different nations, and the effect that the climate had upon them. Next in order was a reading by another young man, from Dickens on "Courtship," which was very interesting, and which put the house in good humor. The choir then sang a glee, which reflected great credit on the leader and the organization.

I felt well repaid for my accidental visit to the Fireman's Hall, and would say to the President and those associated with him, keep on, you have a good work before you, in aiding to reform the youth and instilling into their minds correct principles, which they will reflect upon with pleasure in after life.

A VISITOR.

#### Travelling and Preaching.

ISANTI, Isanti County,  
Minnesota, Jan. 1, 1876.

Editor Deseret News:

I went from Albert Lee, the 16th day of November and came here. Since that time I have held twenty-six meetings in public and in private places, some very well attended, and many people have rejoiced in my humble testimony, and gone away rejoicing. If any individual has to be thankful to God I know I have, for I have seen his goodness towards me here more than ever.

I have now meetings appointed two weeks ahead. I attended a meeting the other day, and had fifteen minutes to occupy. I bore my humble testimony to the work of God revealed to Joseph Smith in these last days. The people thanked me very much and gave me their hands of friendship and invited me to come again. I will go if the Lord is willing next Sunday. Here are plenty of religions, but the people do not know which is the right one.

I expect to give a lecture in the city of Cambridge next week about truth and falsehood.

We have now good weather  
Your Brother in the Gospel,  
W. P. WULFENSTIGN.

#### Keeping Christmas.

GUNNISON, Dec. 27, 1875.

Editor Deseret News:

Christmas Day was a merry day for the Sunday School attendants of this place. They assembled at 9 o'clock a. m., in holiday attire, happy themselves, happying all who beheld them.

The house was festively decorated, reflecting great credit on the skill and taste of the youthful committee, and the exertions of our able S. S. Superintendent, R. G. Fraser, and his assistants.

The programme, executed almost exclusively by the S. S. children themselves, was an ample one, including appropriate songs, recitations, a march and song around the Christmas tree, etc.

H. M.

#### Y. M. M. I. A.

MENDON, Dec. 30, 1875.

Editor Deseret News:

According to previous appointment, Brothers M. H. Hardy and B. M. Young met with the brethren and sisters of this place for the purpose of organizing a Young Men's Mutual Improvement Association. The brethren addressed themselves during meeting particularly to the

young men. Their remarks, being seasoned by the Spirit of God, left an influence and spirit here that will be productive of good among the young men in this place. After meeting, the following brethren were elected officers of the association, by a unanimous vote—John Donaldson, president; Alexander Richards, first counsellor; John Hughes, second counsellor; Hyrum Richards, Secretary.

Your brother in the Gospel,  
J. D.

The study of music is now obligatory on all the boys in the upper classes at Elton.

#### DECEASED.

Of dropsy, in this city, at the house of Peter Linroot, 19th Ward, SOPHIA RAMZELLE, late of the 13th Ward.

In the 14th Ward of this city, half-past twelve a. m., Jan. 10th, of scarlet fever, WILLIAM WALTER, son of Samuel R. and Margaret Isabella Skidmore; aged 2 years 1 month and 12 days.

In the 5th Ward of this city, January 1st, of old age, MARGARET GILLESPIE.

Deceased was born December 4th, 1804, at Monkwearmouth, County of Durham, England.

She lived the life of a true Saint, during the whole of her connection with the Church of Jesus Christ of Latter-day Saints, and had the respect of all acquainted with her.—COM.

Millennial Star, please copy.

At Deane, near Bolton, Lancashire, Dec. 8, 1875, after a short illness, ANN, the beloved wife of Elder William F. Barton, aged 38 years.

Deceased was born Dec. 3, 1837, at Dalton, England—married Dec. 25, 1854—baptized in 1851 at Upholland. She leaves a husband and a large family of children to mourn her loss. She was an estimable woman, and died firm in the faith of the Gospel.

"Blessed are the dead which die in the Lord from henceforth: Yea, saith the Spirit, that they may rest from their labors; and their works do follow them."—Millennial Star.

At Wigan, Lancashire, August 20, 1875, JAMES HUMPHRIES, aged 28 years.

He was baptized Aug. 8, 1872, and died in the full hope of a glorious resurrection. He leaves behind him an affectionate wife and three children to mourn his loss. His sun went down while it was yet day.—Millennial Star.

At Orrel Post, Lancashire, Nov. 24, 1875, THOMAS JENKINSON, aged 17 years.

He fell asleep in full faith of a resurrection with the just. He leaves a father and mother, brothers and sisters, and many friends to mourn his loss.—Millennial Star.

In the 3d Ward of this city, Jan. 7th, of scarlet fever, NORA, daughter of Francis and Agnes Bolto, aged one year and six months.

At Clifton, Oneida Co., Idaho, Dec. 25th, 1875, of typhoid fever, WILLIAM R., son of William and Sarah E. Billingsley, aged 6 years and 13 days.

Deceased was a very bright and intelligent little boy, and beloved by all his little playmates.—COM.

Ogden Junction, please copy.

At Springfield, Dec. 27th, 1875, SIMEON BLANCHARD, after a short though severe spell of sickness, supposed to be inflammation of the bowels.

Deceased was born at Windsor, Hatfield Co., Conn., Feb. 20th, 1801, at which place he embraced the Gospel in 1845; emigrated to Utah in 1850; located at Springfield, where he lived until death.—COM.

At Kanosh City, Millard county, Dec. 8th, 1875, JOHN ROGERS, aged 75 years.

Deceased was born in Ramsgate, county of Kent, England. At the age of 25 years he emigrated to South Africa, and settled in Cape Town, where he joined the Church of Jesus Christ of Latter-day Saints in 1857; came to Utah in 1859. He has left a wife and two grown up children.—COM.

Millennial Star, please copy.

In Fillmore City, Millard Co., Dec. 27th, 1875, SAMUEL R., only son of Samuel and Helen V. Brown.

Deceased was born in Fillmore, April 26, 1855; was universally respected and beloved by his numerous relatives and friends for his many noble and generous qualities, and during five years of almost constant illness displayed remarkable patience and fortitude. He died in full faith of a glorious resurrection.

"We rest in hopes of the promise given, That we'll meet again in our home in Heaven."—COM.

At Mantle City, Sanpete Co., Utah, Dec. 27th, 1875, of inflammation of the lungs Brother WILLIAM BENCH, Sr.

Deceased was born March 2d, 1815, in Hampshire, England; was baptized into the Church of Jesus Christ of Latter-day Saints Sept., 1845; emigrated to Utah in 1851, was ordained a Seventy April 10th, 1853, and at the time of his death, was President of the Seven Presidents of Seventies in this place. He died as he had lived, a consistent Latter-day Saint, a loving husband, a kind and indulgent father, a friend to the poor, and universally beloved and esteemed by all who knew him. May he rest in peace, and may the God of love and peace alight to bless his family.—COM.

PROCLAMATION.—To the people of Ogden City, and adjacent settle-

ments. You can obtain fresh trout and other fish daily at the Ogden City Fish Market on Fourth street, just West of S. C. M. L. MATHEW THOMPSON, Supt. d34

### RAILROAD FREIGHT REPORT

DURING NOVEMBER, 1875.

#### UTAH CENTRAL.

RECEIVED.	Lbs.
Merchandise.....	2,718,095
Coal.....	13,749,740
Charcoal.....	1,780,000
Lumber.....	787,950
Building Material.....	154,850
Railroad Material.....	20,100
Macinery.....	21,410
Wagons.....	95,200
Produce.....	1,631,115
Water Pipes.....	84,120
Ore.....	185,100
Iron Ore.....	44,330
Coke.....	722,930
Ice.....	20,000
Sundries.....	435,760
Total.....	22,051,200

FORWARDED.	Lbs.
Ore.....	502,300
Bullion.....	2,776,050
Wool and Hides.....	130,140
Dried Fruit.....	82,727
Produce.....	90,730
Merchandise.....	275,782
Copper Bullion.....	121,861
Building Material.....	3,150
Salt.....	24,500
Copper Ore.....	104,242
Coal.....	20,000
Wagons.....	6,000
Total.....	4,187,885

#### UTAH SOUTHERN.

RECEIVED FROM SOUTH.	Lbs.
Ore.....	2,973,761
Bullion.....	1,961,713
Dried Fruit.....	40,517
Produce.....	127,100
Copper Ore.....	48,105
Ice.....	45,910
Merchandise.....	181,653
Building Material.....	66,500
Iron Ore.....	582,950
Lumber.....	7,502
Charcoal.....	280,800
Slag.....	16,000
Coal.....	44,120
Wool and Hides.....	39,463
Sundries.....	122,350
Total.....	6,537,034

FORWARDED SOUTH.	Lbs.
Merchandise.....	841,389
Coal.....	2,084,130
Charcoal.....	1,850,000
Salt.....	25,500
Railroad Material.....	8,755
Lumber.....	131,532
Building Material.....	199,305
Ore.....	613,079
Bullion.....	44,330
Produce.....	173,323
Machinery.....	26,800
Coke.....	702,170
Wagons.....	22,500
Hay.....	15,555
Lime Rock.....	64,000
Slag.....	21,000
Sundries.....	33,130
Total.....	7,444,538

**GRAEFENBERG MARSHALL'S UTERIN CATHOLICON.**—This world-renowned medicine has performed some of the most startling cures on record of cases of Female complaints of long standing. It has the endorsement of leading members of the faculty, and should be in every household to relieve and permanently cure the diseases to which the female sex are peculiarly liable.

**GRAEFENBERG CHILDREN'S PANACEA** is the only safe and reliable medicine for children. It is purely vegetable.

**GRAEFENBERG VEGETABLE PILLS** are milder than any others. They cure Headache, Biliousness and all diseases of digestion. The above medicines are sold by Zion's Co-operative Mercantile Institution and by all druggists throughout the country. w37, ly

### ORGANS FOR CATTLE!

S. MILLER & Co., will sell the "Silver Tongue" Organ for part Cattle or Grain, and balance in Cash, or on easy monthly payments.

### SILVER TONGUE ORGANS

Are the cheapest because they are the best. They are models of art in respect of musical capacity and architectural beauty. The voicing of all the stops is unsurpassed. Reliable agents wanted in every town. Illustrated price lists, circulars and testimonials sent free to all applicants. For further particulars apply to

S. MILLER & Co.,  
Main street, opposite Post Office,  
SALT LAKE CITY.