

views herein expressed may be looked upon as speculative. Ideas in relation to future possibilities and the conditions associated with them are generally of that nature. It will be observed, however, that the thread of reason runs through the speculative thought.

We are not inclined to be so pessimistic as to feel any degree of certainty that the execution of the condemned Chicago men will cause an immediate outbreak. That there will be, in the future of the country, however, an uprising of the sinister element which has been of late years swelling in numbers and strength, appears but a question of time. They represent a poisonous ingredient in the blood of the social body. There being no known process of expunging it from the system, an eruption is almost a foregone conclusion. The question is an important one, and in the past our views in relation to it have been more or less frequently and plainly expressed.

#### A MORE CONSISTENT REGIME.

SOME incidents connected with the proceedings of the Third District Court during the past week are calculated to establish a better feeling in the community than has previously existed. There appears to be a sentiment more harmonious with the spirit of the law, in its administration, than has heretofore obtained. The court and its officers seem inclined to enforce the law without exhibiting malice or vindictiveness against a certain class of persons charged with offenses against U. S. statutes, with special reference to the laws against unlawful cohabitation.

A case in point is that of James Bishop, who was acquitted. He married his plural wife 24 years ago; she had been a confirmed invalid for 23 years, and had lived in the same dwelling as his first family for twelve years, the reason being that she was utterly helpless and had to be waited upon by the other members of the household. To have convicted him would have simply inflicted punishment upon him because he had not perhaps fully complied with the letter of the law and had not increased the suffering or even caused the death of a hopeless invalid woman. The circumstances were taken into consideration and the defendant was very properly discharged. No end of law or justice could have been subserved while a principle of common humanity would have been outraged by any other result.

During this week Chief Justice Zane took occasion, in the case of Andrew Homer, to reassert the position he took on the question of presumptive cohabitation, as decided in the Territorial Supreme Court in the Snow case. The decision was to the effect that cohabitation with a legal wife was resumed on the mere basis of relationship, evidence of association being unnecessary. Judge Zane dissented from this view and held that there must be some evidence of association. He has reasserted, in charging a jury, the position he then took, and his soundness is so clear as to be almost self-evident.

The acquittal of William Henry Hough, indicted for unlawful cohabitation, was also a refreshing departure from the former regime. Not a scintilla of evidence was adduced by the prosecution, and the Judge therefore instructed the jury to find a verdict of not guilty.

These instances are indicative of the coming of a not less vigorous, but fairer and more just administration of the law. When statutes are enacted and inserted in the books it is the understood duty of the officers to enforce them. When this is done in a proper spirit, apart from special vindictiveness against any one class, and when he forms of law are respected by prosecutions, not much fault will be found with those who enforce the laws.

#### THE MEETING OF THE GOVERNORS.

DURING the celebration of the Constitution's centennial at Philadelphia last week, the Governors of all the States who were present met at the Pennsylvania Executive's headquarters and arranged plans for the erection of a monument commemorative of the event of adoption. This seems to be a most fitting movement; for, while that occasion will always have a place within the book and volume of every American's brain, it is proper that a reminder to the world be erected of enduring stone and imperishable brass. In the prosecution of this work, all the Governors are expected to take part—all but those of the Territories; we suppose, their domain lying outside the United States politically, and the patriotism of their respective peoples being restricted to raising revenue and talk.

At the meeting another useful suggestion, made by Kentucky's Governor, Buckner, was adopted and a committee appointed to carry it out. This was a plan to bring all the State Executives together every year at a

stated time for the purpose of interchange of views and social intercourse. Nothing more strictly in the line of Federal government was ever developed than this. At present the Governors are almost strangers to each other. They know one another officially; they have to do this because the general law of the land requires them to recognize official communications from the heads of other commonwealths, and in this respect the Territories cut a figure for a very wonder. But that kind of intimacy is as cold as some kinds of charity, and it is not in keeping with the supposedly sociable and neighborly character of our political genius.

By all means let the Governors assemble annually. There should be a law enacted by Congress making such a proceeding if not compulsory at least directory, and the expenses of their excellencies going, coming and while on duty should be paid either out of the national treasury or by a national fund created for that express purpose. And let the people who are still languishing under what is left of the old Colonial system have a representation and thus make this a more democratic gathering than Congress is. The good results that would flow from it would justify all the trouble and expense, by providing for a gathering in which not statutory enactments but something better—a good understanding all round and a feeling of "one for all and all for one"—would be developed and cultivated.

It is all the more gratifying that this important and timely suggestion should come from the long but no longer down-trodden South. Gen. Buckner, its author, held Gen. Grant at bay at Fort Donelson till crushed by superior power and resources; and he it was that grasped the dying chieftain's hand in sincere friendship and after death bore his remains to the tomb.

#### SPEAKER CARLISLE'S PECULIAR POSITION.

THE position of ex-Speaker John G. Carlisle, of the Federal House of Representatives, is a peculiar one. He had a close race for re-election, his Republican competitor Thobe claiming the majority before the official count, that proceeding showing Mr. Carlisle to be only 700 votes ahead. Thobe immediately took the necessary steps to contest the election, and a few days ago the testimony in his behalf was taken. He was represented by the notorious Republican politician of Louisiana, J. Hale Sypher, and it may be readily understood that no points were lost and every possible avenue was closed against the ex-Speaker, who sat there during the examination as dignified and quiet as the Sphinx and no one representing him. In addition to this, it is said he intends to make no effort in his own behalf before the House, but will let the members vote upon the case as made up by Thobe and his own personal record.

Several difficulties at once appear as the result of the contest. In the first place, it is tolerably certain that Carlisle will be chosen Speaker of the next House when Congress meets in December. He has practically no opposition among the Democrats and they are in the majority in that body. As the election of a presiding officer is the first formal business attended to, he will be placed in that exalted position before it is known whether or not he can hold it, since if the contestant of his seat should prevail when the case comes up later, he will not only have to give up the office but his membership also. This would be a terrible blow to him and his friends. Then again, he will be placed in a delicate position during the proceedings, if they should be lengthy, as he would naturally have to preside over and rule upon deliberations regarding himself. True, he can at any time vacate the chair and go upon the floor, having previously appointed some member to preside in the meantime; but this proceeding is supposed to occur only during an enforced absence or when he wishes to engage in debate, and to be only a matter of a short time. Even if, on account of the peculiarity of the case, the question of a man not elected to the position of Speaker holding it for two or three consecutive weeks were not raised, the awkwardness of the situation would not be dispelled, as, being a member again, he would as such member be sitting in judgment not entirely upon his membership but also to test his tenure to the chair he had designated another to hold till he returned and called for it! Things could not well be more unpleasant. And yet he makes no effort to have himself placed properly before his peers so that they might have a chance to be won over if against him now. He seems to regard such a proceeding as undignified as it would be to make haste to show the falsity of a charge against him of stealing a horse. He submits his case entirely upon the record, and says he will be satisfied with whatever course his colleagues may decide upon after that is presented. We all understand that there is nothing of the pot-house politician in Mr. Carlisle, but he is a starchy, dignified statesman, but this method of letting the opposition have its own way is trusting too much to human nature.

The worst feature of it all, as we

look at it, is the apparent indifference to the welfare of his supporters. He acts as though he alone were the interested party. Over 10,000 people in his Congressional District said by their ballots that they desired him to represent that district in the halls of Congress, and they have a right to their choice, because they outnumber those of a dissenting opinion. Mr. Carlisle is, therefore, merely their trusted agent, and they do not desire that what they have won shall be undone and set aside. They do not desire this on his account exclusively, but on their own, and it is his solemn duty to use every fair and honorable means to crush what seems to have within it some of the elements of a conspiracy. If he were accused of a crime, as previously suggested, he might go before a fair jury with no other defense than his reputation and be acquitted. Even then it would be safer to have a smart lawyer to look after details. But he is not before a jury when the House of Representatives takes his case in hand. He is before a body of men nine-tenths of whom are practicing attorneys and three-fourths of whom are trained and earnest politicians. Of these some few on both sides are utterly unscrupulous and will act in the manner that seems most conducive to their own or their party's interests. They will make a desperate effort to snuff him, and in the absence of any showing in his own behalf, can he not see what an excellent excuse he gives them with for hostile action? He may be saved, with all that; but it does seem a question of fidelity to his constituents and therefore of concrete principle in him to make the opposition understand first, last and all along that what they get at his expense they will have to fight for. This is what would encourage his friends to greater effort and have a correspondingly depressing effect upon those who hope again to secure what would appear to be the triumph of the minority.

#### DEPUTIES IN NEPHI.

They Make a Tolerably Thorough Canvass of the Town.

A correspondent, writing on the 21st inst. from Nephi, states as follows: Deputy Dykes and another officer came down from Provo by last evening's train, and jumped off the train a few blocks before it reached the station. They hired a man and team, and at about 12 o'clock at night, headed for W. R. May's ranch. They did not find that gentleman, but subpoenaed his folks. Thence they went to C. R. Ockey's; he answered to his name, but after dressing, he and wife were missing. Thence they went to John Woodward's and found him. He promised to be in Provo on the 22nd. Thence they went to Samuel Jackson's. He was away, but his folks were subpoenaed. Next they went to Eleanor Chase's, whom they also subpoenaed. They went thence to Bishop David Udall's. His wife assured them he was not at home. After she dressed they searched the house and went upstairs to where the girls were sleeping. They read a subpoena to his wife. They next went to his alleged plural wife's home and subpoenaed her. From there they went to Samuel Linton's. He being absent they invited his wife, by reading something over, to appear at Provo.

Some spotters were hanging around on the outside of this last named house. Daylight began to appear, which stopped the raid, but the officers were intending to go to more places.

Several of the ladies who were subpoenaed cannot remember the dates on which they were required to appear, and the papers were not left with them. Some of them were also destitute of means with which to pay traveling expenses.

#### COURT AT BEAVER.

Andrew Calton's Trial—A "Mormon" Acquitted.

Beaver, September 22.—The case of Calton, charged with the murder of Mike Cullen, was called to-day. Dickson and Zane represented the people and Denny and Christian the defendant. Twelve jurors were called, and all carefully examined by Dickson Counsel for the defense challenged eight for cause. On Dickson's cross-examination of the challenged jurors, he denied three of the defendant's challenges, and the court sustained him. The defense then exercised six peremptory challenges, and the prosecution none. At this stage, counsel for both sides seeing that it was very doubtful if a jury could be secured from the number remaining in court, agreed on another venire being issued for fifteen more. The venire was granted and made returnable forthwith. The nine remaining jurors were called to the box, and after examination by both sides, the defense challenged two more, for cause, the prosecution assenting. Seven now being obtained to try the case, they were duly sworn. One Gentle hesitated about taking the oath, and was excused. Another, who held that marriage was a civil contract and adultery no crime, was also excused. At this point, court adjourned until 2 p. m.

At the opening of the afternoon session, five more jurors were called to the box, making twenty-six in all. Of

these the defense excused three for cause and implied bias, and the defense exercised one peremptory challenge.

Dickson appears to be leading in the prosecution, and is apparently conducting the case with great care, and with the idea of obtaining a legal jury.

Calton maintained his usual unconscionable, innocent appearance of face, yet manifests considerable nervousness while in the court room. His eyes are light blue and have become dull and glazed through confinement. His countenance is very pale.

David Ward was brought to trial yesterday afternoon. A good jury was secured—composed mainly of young men. Zane put the second wife on the stand. She testified to a disagreement seven years ago, and said that Ward's conduct since has not been that of a husband, he only provided for the family. Ward has lived and made his home at Rush Lake, fifteen miles west of Parowan, for the last ten years.

Jane, the first wife, corroborated the testimony of the second, and Zane seeing no evidence of cohabitation, asked the court to instruct the jury to acquit. The defendant was acquitted. —Herald.

#### FIRST DISTRICT COURT.

A Busy Time—Religious Test for Citizenship.

Court proceedings at Provo, Thursday, September 22, before Judge Henderson:

Frederick Peterson vs. Joseph Wightman; demurrer to complaint overruled.

The People vs. John Freckleton; ordered put on the calendar.

The People vs. C. F. Dixon; dismissed.

The People vs. George Thompson; subpoena for witnesses for defendant ordered in behalf of The People.

Emery Ward was sworn in as bailiff. Baumgarten vs. Bonkowski; demurrer overruled.

United States vs. T. R. Cutler; motion to quash indictment taken under advisement.

Lars Larsen was admitted to citizenship.

The People vs. John Hogge; order approving bond, and defendant released.

Della T. Newell vs. Cecil O. Newell; order for decree in divorce.

The grand jury brought in five indictments, four under the United States laws and one under Territorial statutes.

The case of the People vs. Isaac Fordanski was ignored.

Cullen vs. Atwell; decree was taken by stipulation.

The United States vs. Christian Anderson; unlawful cohabitation; the defendant was arraigned and pleaded guilty. He promised to obey the law in future, and was fined \$25.

The United States vs. Wm. Yates; unlawful cohabitation; changed his plea from not guilty to guilty, and sentence was set for October 18.

The United States vs. Wm. Wadley; unlawful cohabitation; because of the death of a child in the family of the defendant, the case was passed for the time being.

Jens P. Peterson made an application for citizenship and was admitted.

The United States vs. Lars Jacobson; unlawful cohabitation; the defendant was arraigned and pleaded guilty. Sentence set for October 13.

The case of the United States vs. Isaac Bullock; unlawful cohabitation, is in progress, and will occupy the rest of the day at least.

In the application for citizenship of Jens P. Christiansen, the Judge catechized him very closely as to his belief and intentions in relation to obeying the law and otherwise, especially after ascertaining that he was a Mormon, in the following manner:

Q.—Is polygamy a doctrine of your Church?

A.—I believe it is.

Q.—What standing do you hold in the Church?

A.—I am a Teacher.

Q.—What is your duty as a Teacher?

A.—To teach the people.

Q.—You understand the doctrine of your Church is to obey counsel? Suppose you were directed in relation to polygamy, what would you do, or suppose you were directed to enter into polygamy by the First Presidency of your Church?

A.—I hardly know; I intend to obey the law, and also to obey counsel.

Q.—Well, suppose you were told to enter polygamy?

A.—I could not receive it, because the law of the United States forbid it.

Q.—But the question is, which law would you obey?

A.—I would obey the laws of the land.

Q.—Suppose you were told to counsel it?

A.—I would not counsel it.

Court, to Mr. Hiles—Do you want to ask the applicant any questions?

A.—I think as in all other cases I have given my opinion in; if they hold obedience to a higher power than the government of the United States, I would refuse him.

Judge—that is the question—whether he does or not.

The matter was taken under advisement.

—An elderly wit called to present his congratulations to a New York bank president on the latter's birthday. "Well, my friend," said the wit, "how old are you?" "Seventy-five," "Hum, seventy-five; well, I hope you'll rise to par." —N. Y. Independent.

#### Theophilus Hofer's Death.

Yesterday afternoon a report was circulated about town that a prospector by the name of Theophilus Hofer, who lives about a mile and a half over the divide between Big Cottonwood and the Uintah mining districts, had been found dead in his cabin, and as there was a large gash in his forehead it was supposed he was murdered. As it was supposed that there was no coroner nearer than Salt Lake, that being in Salt Lake County, a party consisting of Marshal Kesch, F. A. Klausch and G. J. Barry, was formed to go over to the cabin and ascertain the truth or falsity of the report. On the arrival of the party at the cabin they found it in charge of a miner from the Crescent, a fellow countryman of his, and some men living in that immediate vicinity. On going into the cabin Mr. Hofer was found lying extended upon the floor in front of the stove, with his head resting against his bunk. There was a cut about two and a half inches long over his right eye, but it had evidently been made some time before he was killed as there was no blood either on the floor or bed. From indications it would seem that the man had been hurt by a rock or something falling on him while working in some of his numerous prospects, and that he had gone to his cabin and died from the effects of his wound, or that he had been taken with some sickness which carried him off. This seems the more plausible from the fact that there was a kettle containing Oregon grape leaves on the stove. He was also a great hand to doctor himself and had brought himself through several attacks of pneumonia. However, nothing but a superficial examination of the remains was made, as word had been sent to the justice of the peace at Argenta, Mr. Monk, and it was thought best to await his arrival. About 9:30 o'clock the messenger returned and stated that Mr. Monk could not come up until about noon to-day, when an inquest will be held and probably more facts be developed.

Mr. Hofer had a number of claims in that vicinity, some of which look very promising. If they should never produce a cent's worth of ore they are very valuable on account of the large amount of timber on them. He has no relatives in this country, and but one, a brother, who is a practicing lawyer in Bern, Switzerland. —Park City Call, Sept. 23.

#### In the North.

The examination of Nicholas Somers, who was arrested in Ogden on his return a few days since from a mission to Europe, took place before Commissioner Goodwin on Thursday. W. W. Maughan appeared for the defendant. As there was no evidence whatever against the defendant the Commissioner very wisely discharged him.

A number of substantial citizens of Brigham City are contemplating the establishment of a bank in that thriving little city. An institution of this kind would be of great convenience to the business men of Brigham City and Box Elder County generally.

On Thursday Deputy Marshals Steele and Whetstone, while making a raid upon the premises of John Andrews, came across Paragrine Sessions, of Bountiful, and arrested the old gentleman on the charge of unlawful cohabitation. He was taken before Commissioner Goodwin, and bound over in the sum of \$1,500 to await the action of the grand jury. Joseph Morrell and Chas. Frank went his bonds.

Mr. H. D. Pierson, of Plymouth, or "Squaretown," was taken before Commissioner Goodwin, yesterday, on a charge of unlawful cohabitation with Mrs. H. D. Pierson and Ellen Pierson, and Mary Henshaw. The defendant was held in the sum of \$500, his bondsman being O. C. Ormsby, of this city, and Judge A. Heed, of Plymouth. Mary Henshaw was placed under bonds of \$100 to appear as a witness in the case, Mr. Pierson and Judge Heed being security. Mr. Pierson was arrested on Wednesday last. —Logan Journal, Sept. 24.

#### Shot and Killed.

Last Sunday Mr. and Mrs. Jost left their ranch on Separation to go over to the Muddy fishing, leaving their little son Garfield and his two elder brothers at the ranch. When Mr. and Mrs. Jost returned in the evening none of the boys were present. After going into the house Mrs. Jost remarked, "Yes; here is Garfield, asleep;" but what was her horror on going to the bed to find him dead, with a gunshot wound in the left eye and a gun lying across his body. The two elder brothers had run into the hills, having perhaps been frightened at the result of the accident.

The body was brought to the city Monday and Sheriff Errett notified, who went out to find the boys, but returned Tuesday evening without them, having sent a man after them to Weber's sheep camp on the Muddy, where he heard they had slept the previous night. A coroner's jury was summoned, and after viewing the body and taking the testimony of Mr. and Mrs. Jost, adjourned until such time as the boys can be found and brought in. —Rawlins (Wyo.) Journal.

A Socorro, (N. M.), dispatch of Sept. 18, says: A young man by the name of Moore was recently drowned in the North Percha River. He was asleep under a wagon and was overtaken by a flood.