

A WISE AND HUMANE MEASURE.

The bill which has just passed both houses of Congress, but awaits concurrence in a few amendments, is the most important move yet made toward solving the Indian problem. It provides for setting apart to each Indian, old and young, a certain amount of good land, from 160 acres, down to 40 acres for certain minors, and throwing the balance open to sale and settlement. The title cannot be made by the owner under 25 years, an important provision to prevent wily men from getting away the simple-hearted Indian's land for a "drink of whisky." The proceeds of the sale of the surplus land are to go toward building houses, stocking the land with animals and agricultural implements, etc., and providing schools, churches, and for other general objects. The bill brings these people under the organized laws of the States and Territories in which they live, for protection as well as restraint or punishment. It stops the "reservation" of 500 to 10,000 acres or more of land per Indian, as a hunting ground. In short, it brings these people within the laws, customs and modes of life of other classes.

The editor of the *Prairie Farmer* speaks of this bill in a way that does credit both to his head and heart. He says: "The older Indians may, in some cases, pine under such a new order of things, but the younger ones will soon take to them. In our journeyings among these people in the West and far Northwest, as one of the 'Board of Indian Commissioners,' we found the older, wiser chiefs and head men desiring exactly this change. The writer has been long in accord with those who argued and labored for just such laws and regulations as are contained in this bill, and we rejoice at the near consummation. Any reform based on right and justice, taken up by a few conscientious persons, and earnestly and persistently pushed, is sure to prevail in the end. Slavery was thus abolished. Prison reforms, and many others, have thus been carried through. Temperance reform will be victorious in the future. Earnest people, knowing and loving the right, and governed by benevolent impulses, never need be discouraged by any temporary delay or apparent defeat. 'One man, with God on his side, is in the majority.'"

REACHING NORTHWARD.

In the December 13th issue of the *Milennial Star* there is an interesting letter from Elder N. C. Flygare, President of the Scandinavian Mission. He reports the prospects for mission work in Sweden as good. The missionaries have pushed their labors further northward than ever before; new fields have been opened and some additions to the Church have been made on the borders of Lapland. A similar report is made respecting Norway. The Elders have worked their way into the far north and converts have been made upon the barren and inhospitable islands of the North Sea. In that region the labors of the Elders are unusually arduous, they having to travel long distances, and frequently they are treated inhospitably. But, impelled by a sense of duty, both of a living testimony of the divine character of the work they are engaged in, no obstacle, no matter how apparently formidable, stands in the way of the average Elder. Upheld by a power greater than that of man, he plods on, lifting a warning voice to the people, proclaiming the glad tidings of the restored Gospel, and pointing to a coming change in the affairs of men involving gigantic revolutions.

A PRAISEWORTHY REVIVAL

The first Thursday in the month has been set apart among the Latter-day Saints as a day of fasting and prayer, on which the people are to assemble in their respective Wards, engage in prayer, praise and testimony, and make offerings for the poor according to their means and liberality. It is an excellent custom. The effects of its observance cannot fail to be beneficial. It is good for the faster both in body and spirit. It is good for the poor who are assisted. It is good for the Bishops whose hands are thus supplied with the means to relieve the needy who look to them for support. It draws the Saints closer together and brings them nearer to their God.

Fasting and prayer have been "a means of grace" from time immemorial. Thereby the body is cleansed, the spirit is chastened, humility is promoted and charity is encouraged. They are a source of spiritual power. They are an aid to that faith which is a spiritual force, drawing the heavens nearer to earth or lifting the soul up to Deity, and endowing men and women with control over besetting sins, strong temptations and evil influences. By such faith devils are overcome, diseases are rebuked, the sick are healed and special gifts are obtained from on high.

It is gratifying to know that in many places there is a revival of this old-time observance. We hear of crowded meetings on fast days, with a glorious outpouring of the Holy Spirit, and a consequent greater union in the hearts of the Saints. It is by such influences that we shall prevail against all our foes. Our strength is not in numbers, nor in wealth, nor in worldly learning, nor in any mere earthly acquirement. It is in faith, unity, righteousness and the co-operation of the powers behind the veil. If these are ours, we can cope with all the combined forces of this world and the hosts of darkness. Without them we shall never be able to overcome.

The observance of fast day should become more general than it has been of late years. So many persons are engaged in regular business engrossing their daily attention, that comparatively few are able to fast from labor if they do from food. But we are of the opinion that a great change in this respect could be effected without injury to business or loss to employers. If establishments under the direction of members of the Church were closed on the morning of the first Thursday in every month, but a trifling immediate loss would be sustained, and that would not be permanent or actual. The public would become accustomed to the regulation, as they have in regard to Sunday, and then business would be transacted before or after the closing time. And on the same principle that one who is lashed is blessed with increase instead of loss, so it would be found that those who observe the monthly fast in the spirit thereof, would not fall of a blessing upon their affairs that would result with prosperity. Let any man or firm try this and prove it, and it will be found that instead of a loss ensuing, the result in the long run will be gain. Of course there are exceptional cases in which the suspension of business might not be advisable. We speak on general principles for ordinary application.

But it would be of little use for merchants, manufacturers and others to close their establishments for but a day, if the employees and operatives did not avail themselves of the opportunity thus afforded them to assemble with the Saints in fast meeting. If advantage was taken of the time to make it a holiday instead of a holy day, the arrangement would be turned into a mockery. It would be interesting to ascertain whether those who are now regularly released from work on the first Thursday in the month observe the fast and its accompanying duties, or simply play the time away.

What we do must be done in sincerity, in the fear of God and with singleness of heart, otherwise we will be despised of heaven and be condemned in our own souls. Our worship, our assembling, our services and ceremonies must be from the heart, or they will not be acceptable to God or bring the power and influence that we need in order to prevail.

When Zion is encircled by the trials through which she is passing and that confidence, affection, faith and union are established that should be characteristic of Saints, the clouds which have temporarily obscured her firmament will disperse, and the bright sun and blue sky of gladness and prosperity will again cheer her on, to the consummation of her great work and the triumph that will surely crown her struggles for God, truth and humanity.

"LIBERAL" TRICKERY.

There are several ugly indications of fraudulent intent on the part of certain so-called "Liberals" in Ogden that warrant proceedings of a vigorous character. A fair election by the lawful voters in February is all that we demand, and this should be secured, no matter at what cost. Our reasons for believing that this is not the aim of those "Liberal" plotters are these:

It is well known that a number of unlawful registrations were effected during the week appointed by ordinance. Some of these were at the instance of men who deserve punishment for their wrong-doing. Colored porters and other railroad hands who have no legal residence in Ogden were prevailed upon to register. The fares of certain individuals were paid from distant places to come and place their names on the registry lists. All who did so under these circumstances, falsely took the oath of residence and were thus guilty of perjury. And those who incited them to this offense committed the crime of subornation to perjury. They should all be proceeded against, as soon as the facts can be established by competent evidence.

The registration officer, who is totally unfit for his position, manifested a disposition to favor the "Liberal" element and obstruct members of the People's Party. His course prevented gentlemen representing the latter from lawfully obtaining information essential to preserving the purity of elections. Nothing but what was right and reasonable on their part was desired. Not only were they prevented from taking the names of persons known to be registering illegally, but they were refused the right to copy the registration lists so as to ascertain who claimed to be voters. The

Utah Commission ought to enquire into the doings of the partizan and coarse incumbent of the registrar's office in Ogden City, and see that justice is done to citizens irrespective of political opinion.

The arrest of the poll tax collector and the special policeman, who were performing their legitimate duty, in order to prevent the detection of unlawful "Liberal" registration, and the manner of withdrawing the charges against them are also pointers in this direction. The "Liberal" witnesses brought against the poll tax collector, established the fact that he was not obstructing any one, and also that they had been registered although not bona fide residents of the city. In other words, that perjury had been committed to swell the number of "Liberal" voters. When this ugly fact came to the surface, the proceedings against both alleged defendants were abandoned in short order. In vulgar parlance the "Liberal" lawbreakers had "blown off more than they could chew."

The impudent production of a bulging deputy marshal to arrest a policeman while in the discharge of his duty, and the violence the deputy committed, also show the intent of the plotters. The deputy had no more right to act as he did than if he had been a private citizen. And it should be thoroughly understood that United States Marshals and their deputies have no business in the matter of municipal elections. Neither can they act at any other elections except for members of Congress, and they only under special conditions prescribed in the laws of the United States. We do not wish to intimate that Marshal Dyer has any disposition to do this. We believe to the contrary. But the unlawful interference of the Ogden deputy at "Liberal" request, shows what might be attempted at the election, if the municipal authorities do not stand by their rights. The local authorities are amply sufficient to preserve order in local exigencies. It devolves upon the Mayor and the City Marshal to see to this. They can obtain all the extra assistance they may need for any special occasion, by the employment of special police. It is important that the local authority should be maintained in all local affairs.

We hope that the People's Party in Ogden City will not be browbeaten, intimidated or "bluffed" by any pretensions put forth by their tricky opponents. If it is necessary, "carry the war into Africa." Prosecute the perjurers and those who have suborned them. Take care that non-residents are not imported to vote on election day. Let all lawful rights be maintained and only legal voters be permitted to deposit their ballots. Exercise the right of objection as soon as the registration lists are posted, and the right of challenge on election day. Stand by each other and the right, and "Liberal" chicanery, ruffianism and fraud will receive another signal defeat, and Ogden City be preserved from the calamity of "Liberal" misrule!

AFFECTED WITH PHANTASMA-GORIA.

The anti-"Mormon" speculators are indicating that their minds are filled with anticipatory schemes. Their condition in this respect is a vivid illustration of counting chickens before they are hatched. They are seeking to catch the shallow-pated with word-paintings of fanciful pictures of what this city will become after its government shall pass into their hands. Drafts are already on paper of propositions for planting rows of trees and shrubbery down the middle of our magnificently wide streets and removing the footpaths a considerable distance from the private fences to a location near the middle of the thoroughfares. Systems of sewerage are also already constructed on foolscap and under the caps of the schemers. In fact in their "mind's eye" this already fair town is transformed, by a Utopian political process, into an Elysium that would fill the heart of the most extreme poetic theorist with ecstasy.

To the practical business man such phantasmagorical rubbish is light, airy and unsubstantial as chaff. He sees through the fanciful fog of fat contracts, and plentiful opportunities for pilfering the municipal treasury; expenditures enormously in excess of resources; burdensome taxation, ruin, robbery and perplexity. He sees also that in the event of the consummation of the desires of the plotters, there would be a scramble for office and opportunity, that would cause the realization of the fanciful Elysium to turn out a literal pandemonium. All solid men would long for an honest administration, conducted with economy and prudence, a conservative public financial policy invariably giving the greatest satisfaction to the community in which it obtains.

No matter what phase of the anti-"Mormon" question is scanned, it will be found to turn in one solitary direction—that of an insignificant majority grasping after the opportunity to govern, control and despoil the majority. This is the kernel of the nut, the objective point of all the efforts that are made under the hypocritical pretension of seeking to uphold the institutions of the country, which they are practically seeking to annihilate, so far as relates to Utah. So far as this city and

Territory are concerned, it will be well enough so long as the conspirators govern it merely in their dreams and imaginations. Should it ever become a reality, however, it will be a sorry day for all classes, for it would not alone be the intended victims who would suffer. No considerable portion of any community can be placed under a ban without the balance being more or less similarly affected. This piece of philosophy has been demonstrated too often to be susceptible of being successfully controverted.

OGDEN OCCURRENCES.

The First District Court.—Trial of Bishop Wm. E. Bassett, Charged with Polygamy.—Other Matters.

OGDEN, Jan. 4.

On Tuesday morning, the District Court was opened in the customary way. After disposing of the minutes of the previous day, the case of the United States against Bishop Wm. E. Bassett,

CHARGED WITH POLYGAMY,

was called. The following jurors were accepted to try the case: Edward Sewell, Temple Short, Andrew Larson, Wm. Beeton, Mark Fletcher, Charles Jay, C. A. Ekland, John Germer, John Allen, A. I. Stone, George Burrows and Joseph Jenkins. Messrs. Dickson and Hiles prosecuted, and Messrs. Shaeeks, Rawlins and Richards were engaged for the defense. During the examination the defense objected to Mr. Andrew Larson, on the ground that he had been a polygamist, and had not been legally divorced from his plural wife. He was formerly a member of the "Mormon" Church. A discussion arose as to his qualification under the Edmunds law, but the juror produced a document showing that he

HAD RECENTED,

and had accepted the conditional pardon of President Cleveland. This settled the matter. The Court ruled that Larson was competent, and was thereupon sworn on the panel. The examination of the jurors occupied the time till 11:30 a. m. The indictment was then read, which charged that on May 2d, 1872, he married Sarah Williams, in Cardiff, Wales, Great Britain, and that while she was still living and undivorced, he, on the 14th of August, 1884, married Kate Smith. The first witness was Sarah Williams Bassett. She was married to defendant May 2d, 1872, in Cardiff, Wales, G. B.; she came to Utah in 18—; she knew Kate Smith. She was asked if she had any conversation with defendant relative to Kate Smith. The

DEFENSE OBJECTED

to the question, as the conversation, if any was had, was confidential between witness and her husband, and was held between those two alone. Witness was then asked if she had any objections to being sworn as a witness in the case, to testify against her husband; she replied "No." Mr. Rawlins then argued at some considerable length, showing that she was incompetent as a witness, as among other things it was against public policy for either husband or wife to testify against each other; and under the common law rule she would not be permitted to disclose a confidential communication made by her husband to her, and this that the utmost confidence might exist between them and thus promote the greatest amount of happiness for them in their marital relations.

Counsel read a number of legal authorities in support of the position he had taken in opposition to the witness being sworn and testifying in this case. This is one of the most important questions which have been sprung in this court. The arguments of counsel were lengthy, in which he cited the laws and rules on this subject, in very many of the States in the Union, and which exclude the husband and wife from testifying in court

AGAINST EACH OTHER

in criminal cases; the laws also prevent the wife from being compelled to disclose any confidential communication made by him to her in the marriage relation. She might testify against him with his consent, but she could not so testify without his consent. Counsel also showed that both husband and wife may testify for each other in certain cases under the codes, but in all cases of a criminal nature, in which both are parties, neither one nor the other is a competent witness.

At 12:30 p. m. the court took a recess, and at 3 o'clock Mr. Rawlins continued his argument, quoting at length many authorities, rulings of the Supreme and other courts on the subject, and enactments of legislatures, all of which support the stand the gentleman has taken against the legal wife being compelled to testify against her husband in criminal cases without his consent.

At ten minutes to three Mr. Rawlins closed his main argument and MR. DICKSON REPLIED, citing cases in the Third District Court in which the first or legal wife was permitted to testify against her husband, in a cohabitation case in which counsel was prosecuting attorney, and Mr. Rawlins was defending the case, and in which Mr. Dickson

was allowed to and did ask the wife for what were claimed to be confidential communications, and she answered; and Judge Zane ruled that she was a competent witness for that and all purposes. Mr. Dickson further said it was highly essential that there should be an authoritative ruling on this subject, that the understanding and practice in the courts in these cases may be uniform. Counsel argued that the witness was competent to testify for this and for all purposes. He read authorities to sustain him in his views of the case now in dispute. He argued that the defendant had committed an offense, a crime against his wife, when he took to his heart, his home and affections another woman, whom he designated as a "strumpet," a "harlot," he commits a crime against his lawful wife, for which she is competent and should be

COMPELLED TO TESTIFY

against him in the courts when she is required to do so. On the other hand, he said, a wife commits a flagrant crime against her husband when she violates her marriage vows and commits adultery with another man, and this grievous wrong makes the husband a competent witness against his wife. When the man walks into his house and tells his wife he has married another woman, he has violated her feelings, destroyed her happiness and put an end to the peace of his household. Counsel said this was a heinous crime against her, for which the law provides her a remedy. He cited a case in Minnesota, in which a wife was permitted to testify against her husband to

PROVE HIS ADULTERY

with another woman. He said in this Territory the people became dissatisfied with the common law rule against the husband or wife testifying against each other, and the legislature changed it by statute in 1882. The defense, in rejoinder, however, claims that that statute enacted and enforced the rule, and made it more express. This law contained all the laws and rules heretofore in force in this Territory on this subject. They were codified and made easy for reference.

At 5 p. m. the jury was excused till 10 a. m. on Wednesday, and the arguments of counsel were continued until 5:30 p. m., when Mark Bigler, of Collinston, Box Elder County, was arraigned on a one-count indictment charging unlawful cohabitation. He took the statutory time to plead. He was brought in this afternoon by Deputy Marshal Steele. After this arraignment the court adjourned.

MISCELLANEOUS.

Presiding Patriarch John Smith arrived here this morning and was in the District Court room from the opening of the proceedings until the evening.

There was no business in the police court to-day. The judgeship was a snare, and the police are almost hard up for a job. Not a drunk, petty theft, distaff nor a dog fight.

The Dramatic Association of the Second Ward will, on Friday night, the 7th inst., present an original drama, in a prologue and three acts, entitled "Condemned to Death." Of course it is not the production of any one here or in Utah, but is the work of an English author. It is a beautiful play.

Mr. Rollin P. Saxe, whose advertisement is forwarded by this mail, will remain in Ogden with his Holstein-Friesian cattle a short time longer. They are in the tithing yard in this city, and part of them are for sale. They consist of twenty-five choice two-year old heifers, some two-year old bulls, and some one-year old bull and heifer calves. They are all recorded in the Holstein herd book; their pedigrees are perfect and all are warranted.

The temporary suspension of the work at the new Union Depot has caused a little trepidation among some of our citizens here. But there is no real cause for the "teapot tempest," or any apprehension whatever. Between now and early spring the iron work, which is essential to the further prosecution of the works, will arrive, and labor will be again resumed and the erection of the buildings will be pushed forward as rapidly as possible.

An End to Bone Scraping.

Edward Shepherd, of Harrisburg, Ill., says: "Having received so much benefit from Electric Bitters, I feel it my duty to let suffering humanity know it. Have had a running sore on my leg for eight years; my doctors told me I would have to have the bone scraped or leg amputated. I used, instead, three bottles of Electric Bitters and seven boxes Bucklen's Arnica Salve, and my leg is now sound and well."

Electric Bitters are sold at fifty cents a bottle, and Bucklen's Arnica Salve at 25c. per box at Z. C. M. I. Drug Store.

Endorsement of a Leading Physician.

"I have used Darby's Prophylactic Fluid extensively as a disinfectant and deodorizer, and find it an admirable preparation. Whenever there are offensive discharges from wounds, abscesses, etc., it is wonderful in its action. I consider it the best preparation I know as a gargle in diphtheria or scarlet fever." J. CREWELL Lewis, M. D., Phila.