

EVENING NEWS.

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CHARLES W. PENROSE, EDITOR.

Monday, September 7, 1885.

WORKING TO A PROGRAMME.

PROBABLY in no part of the world are more judicial somersaults turned, Utopian precedents established or incongruities exhibited in courts of jurisprudence as in the State of Utah. One of the chief causes of this is doubtless the following, in a certain line of cases, of a jurisprudence programme, to which every other consideration must bend. The News has already pointed out the fallacy of one of Chief Justice Zane's exorbitant departures from the ordinary rule in which the car of justice has been wont to run. We refer to his decision upon the power of a Commissioner of the Supreme Court to punish for contempt. His Honor saw fit to rule in favor of the affirmative of this point. We have reason to believe that if that were really his honest interpretation of the legal status of a U. S. Commissioner, he would be a conspicuous solitaire in the judicial line. The instance which called forth Judge Zane's ruling is not the first occasion connected with which the same question was considered. Until recently, however, the matter was estimated to be so clearly in the other direction from that which has been decided by his honor that a judicial decision was not sought upon the point. It never entered into the minds of the late estate parties that a ruling to give a wider scope to the power of a Commissioner could be obtained. At the time Mr. Charles E. Pearson, of Davis County, occupied the position of U. S. Commissioner in Salt Lake City, he was called upon to decide the case of a witness who refused to testify, and it was his opinion that they should be compelled to do so, by some legal method. It is an application to the Supreme Court, made at that time, that the Commissioner should be empowered to punish for contempt. The Commissioner had not the power of final judgment in any matter, and therefore could not punish. He had no authority to fine or commit for contempt. After the removal of Sumner Howard and Mr. Pearson submitted the matter to his successor, Philip T. Van Zile. The latter's explanation was similar to that given by Mr. Howard, and was coupled with instructions as to procedure in case of the refusal of a witness to testify. The Commissioner was told to take the matter before the District Judge or Supreme Court Justice, precisely as is done in similar cases in the other States. Judge Zane's ruling, in the present case, is in direct violation of the Commissioner's instructions, and is a subject for the District Judge to deal with, the refusing witness being in contempt of his Court, if that offense existed. This is in exact harmony with the understood theory that a Commissioner is an arm of the Court, and, in matters of contempt, is in the same relation to it as the grand jury, to which no person can be held as in that condition. The contempt must be committed and dealt with by the court of which they are auxiliaries. But to limit the power of the Commissioner to punish for contempt, in matters of contempt, is in the same relation to it as the grand jury, to which no person can be held as in that condition. The contempt must be committed and dealt with by the court of which they are auxiliaries. But to limit the power of the Commissioner to punish for contempt, in matters of contempt, is in the same relation to it as the grand jury, to which no person can be held as in that condition. The contempt must be committed and dealt with by the court of which they are auxiliaries.

NO "MORMONS" IN IT.

This issue contains additional details in relation to the Rock Springs massacre. As the particulars come to light the horror of the affair is intensified. There are a number of Latter-day Saints employed in the mines at the scene of the tragedy. It is a relief to learn that none of them took any part in the murderous work. Information conveyed by a correspondent with whom we are personally acquainted and whose reliability we know to be beyond question, places that matter outside the domain of doubt. His statements on that point are also confirmed by information from other sources, indicating that a report was started that an attack upon the "Mormons" was intended. Had they been mixed up in the anti-Chinese attack such a rumor would have been absurd on its face. Although the statement proved to be unfounded it was proper for the brethren to anticipate any emergency with vigilance, and the possibility of preparing to defend their families and whose protection they would doubtless have fought to the death had it been necessary. We do not believe that any attack upon them was ever contemplated.

THE ROCK SPRINGS MASSACRE.

HOW IT COMMENCED AND SOME OF ITS ATTENDANT HORRORS—NO "MORMONS" ENGAGED IN IT—RUMORS THAT THEY ALSO WERE TO BE ASSAULTED—DEFENSIVE PRECAUTIONS. The following account of the recent tragedy at Rock Springs is from a reliable correspondent who has taken pains to get at the truth of the affair. It was written from Rock Springs Sept. 4, 1885. "I had the good fortune to be in Carbondale, 17 miles east of the town, and I am only able to give items as I have gathered them since my return this morning. I am sure that the Chinese working here at present, numbers 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

BY TELEGRAPH.

THE CHINESE SECTION HANDS WERE REPLACED. This afternoon by white men from other stations. The carpenters were ordered to work this afternoon, but they refused to do so. I think the end is not yet. The miners and working men here are very angry. I believe that if the company undertake to bring the Chinese back they will be met with a refusal, and may make trouble any way. The citizens, women and all, seem to be quite jubilant over the affair, but I do not envy the position which some of them have placed themselves in. THE TRIAL OF MR. JARRETT FOR ABDUCTION. LONDON, 7.—Mr. Jarrett, editor of the Pall Mall Gazette, was tried for the abduction of Mrs. Jarrett, who was well known to the public. The trial was held at the Old Bailey. The jury returned a verdict of guilty, and the judge sentenced him to imprisonment for two years. THE TRIAL OF MR. JARRETT FOR ABDUCTION. LONDON, 7.—Mr. Jarrett, editor of the Pall Mall Gazette, was tried for the abduction of Mrs. Jarrett, who was well known to the public. The trial was held at the Old Bailey. The jury returned a verdict of guilty, and the judge sentenced him to imprisonment for two years. THE TRIAL OF MR. JARRETT FOR ABDUCTION. LONDON, 7.—Mr. Jarrett, editor of the Pall Mall Gazette, was tried for the abduction of Mrs. Jarrett, who was well known to the public. The trial was held at the Old Bailey. The jury returned a verdict of guilty, and the judge sentenced him to imprisonment for two years.

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WANTED.
\$500 WORTH OF LUMBER IN EXCHANGE FOR FURNITURE, at J. C. Sandberg's Furniture Factory, 104 W. South Temple Street, opposite Valley House, Blue Front.
NOTICE.
THE CO-PARTNERSHIP HERETOFORE existing between Sarah Allworth and Walter Edgar, doing business at 222 North Second Street, is this day dissolved by mutual consent, and will, after this date, be carried on by Sarah Allworth, who will pay all the debts and collect all the bills due said firm.
SARAH ALLWORTH,
WALTER EDGAR.
Salt Lake City, Sept. 5, 1885.
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40 THOROUGHBRED FRENCH RAMS!
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JOHN SHARP,
W. W. RITTS,
J. S. RITTS, Cashier,
J. S. RITTS, Cashier.

AMUSEMENTS.