THE EVENING NEWS.

GEORGE Q. CANNON, EGITOR AND PUBLISHER.

- April 29, 1973. Brailar.

CHARIVARI.

THERE is a custom, more or mmon, that would be more honbreach than in the ob-That custom is the "charivating" of newly married practice law. She accompanied her petition with the usual certificouples.

Webster thus defines the word charivari, pronounced shar-e-va-311 6 58

A mork seronade of discordant music kettles, tin horns, &c., designed to annoy and insult. It was at first directed against widews whor murried a second time, at an advanced age; but is now extended to other occasions of nocturns annoyance and insult." The new American Cyclopædia gives a more lengthy definition, of which the following is the princi-pal portion kettles, tin horns, &n., designed to annoy

A mock serenade, which was performed the middle ages whenever in old man narried a young girl, or when a man married for the second or third time, or genecally when ill-assorted marriages took place. The neighbors assembled on such oc-fasions during thenight before the house of any action or suit to which he is the welded pair, with all sorts of pans and hot a party concerned in any court cettles, and iron and copper utenalls (chalybaria), producing every variety of disordant noises, and accompanying them with derisive shouts and obscene songs. The charivarists usually continued their aproar until their wrath was soothed by drink or food. The Council of Trent atsipted to put a stop to this nuisance, which frequently occasioned disturbances. In some French towns, as for instance in Lyous, the practice was maintained as late as the 16th century. In Brittany the selor at law, according to the laws and customs thereof." The Su-preme Court denied the applica-tion apparently upon the ground that it was a woman who made it. tion charivari was also applied to aggrava-ted-collisions between husband and wife. Vanilippe throwing a jug of water at the head of Socrates in the most classic type of this sort.

The record is not very perfect, but it may be fairly taken that the plaintiff asserted her right to li-Thus it will be seen that this cense on the ground, among others, whole charivari business is an old that she was a citizen of the United and disreputable affair, designed States, and that, having been a for nocturnal annoyance and insult, citizen of Vermont at one time, she was in the State of Illinois entitled although we may say that locally to any right granted to any citizen of the former State. The court having overruled this claim of right founded on the Federal Connow-a-days, in semi-civilized communities, it is sometimes engaged in by the friends of those who are stitution before referred to, three subjected to the outlandish demonpropositions may be considered properly before this court. As re-gards the provision of the Consti-tution that citizens of each State stration, as a token of good will, though very coarsely expressed. The custom is obnoxious to good The custom is obnoxious to good taste, and is tabooed in all com-munities of any respectable degree of refinement. In many respects it is a rude, boorish, barbarous cus-tom, not in the least compatible with modesty or delicacy, and fre-quently is made a cover and license for positive indecency, verging up-or customer and obscenity. In these on outrage and obscenity. In these cases the custom is insulting in the her no protection against its courts last degree, and is a disgrace or its Legislature. The plaintiff to all engaged in it. The local au- seems to have seen this difficulty, thorities will not do their duty to and attempts to avoid it by stating the public if they do not discourage such unseemly outbreaks by that every proper means in their power. When such a manifestation passes all reasonable bounds, which it may soon do and indeed generally loes, it is very reprehensible, it is an offence in particular to the perwhom it is meant, if they possess any refinement of feeling. and in general to the public at besides being in many cases ect infraction of local laws. No plea that can be urged can be red in favor of the custom, for it is but little removed from monot create citizenship in the former; but the plaintiff states nothing to occasey, and those who are so foolish as to indulge in it, whether of take her ease out of the definition their own motion or through the of citizenship of the State or defined by the first section of the Fourpersuasion of others, should subteenth Amendment. mit with the best grace posssible to the operation of the laws in the case and the just censure of the more sober and decent portion of the community. There have been cases in which the custom has been indulged in to such an annoying, insulting and disgusting degree that serious disthe bar of the State of a person who possesses the requisite learning and character is one of those which the State may not deny. In this latter turbances, and even physical conflicts, bruises, severe wounds, and bloodshed have resulted. No perproposition we are not able to con-cut with the counsel. We agree with him that there are provileges and immunities belonging to citi-zens of the United States in that son possessing any true refinement, stelicacy, good taste, purity of feeling, or real respect for the parties visited, would ever, in sober morelation and character, and that it is these, and these alone, which a State is forbidden to abridge. But the ments, engage in any such disreputable, demoralizing transaction. It is a trait of uncivilized rather than civilized humanity. On many accounts a wedding is usually an occasion of rejoicing. It sually an occasion of rejoicing. It is one of the most important events in the course of human life, and in givilized countries the inference is fair that it is in satisfaction of the barb in State or in any case, to depend upon citizen-ship at all. Certainly many promi-nent and distinguished lawyers have been admitted to practice, both in State and Federal courts, who were not citizens of the United oporable, and ace. Consequently it is whatever basis this right may be rightly a time of rejoicing among the parties and their relatives and friends, a time for congratulations, compliments, and good wishes. But it is not a time for annoyance and insult area for annoyance But it is not a time for annoyance and insult, nor for coarse, rude, un-seemly, or indecent demonstrations. To a serenade, soberly and respect-elaborate argument in the present case unnecessary, for unless we are wholly and radically mistaken in the principles on which these cases fully conducted, perhaps there is no serious objection, but a serenade the principles on which the control and is not a charivari. Here is a defiregulate the granting of license to practice law in the courts of a State of the word screnadeis one of those powers which are not transferred for its protection to ear night. Among the nation southern Europe it signifies the amato ieral government, as its exsecise is in no manner governed or light. Any music performed in the open air at night, whather yocal, Instruuch license. It is un mixed, if of a complimentary character epeat the argument on which t is sufficient to say they are con

lived a similar point. The Louis-THE UNITED STATES SUPRE COURT DECIDES IT ADVERSELY pinion in curring, adverse to the claim of Mrs. Myra Bradwell, of Chicago,

The Bradwell Case.

that under the Fourteenth Ame ment she could not be refused the right to practice before the Illinois The plaintiff in error, resident in

tion to the Judge of the Supre Court of that State for license

cate from the inferior court of her good character, and that on examination she had been found to pos-sess the required qualifications. Pending this application she also filed an affidavit to the effect that she was born in the State of Ver-

the United States, and of the Four-teenth amendment of the said In-strument. The statute of Illinois on this subject enacts that "No person shall be admitted to practice as attorney or counselor at law, or

"No person shall be admitted to practice as attoracy or counselor at law, or to pom-mence, conduct, or defend any action of and to walch he is not a party concerned in any courst of record within this State, nei-ther by faing or subscribing his own name, or the name of any other person, without providucy having obtained license for that purpose from some one of the Justices of the Suprome Court, which license shall con-stitute the person may the same attorney and counselor at law, and shall authorize this State, and therein to practice as attor-ney and counselor at law, according to the aws and customs thereot." of record within this State, neither by using or subscribing his own name, or the name of any other person, without previous-ly having obtained license for that purpose from some one of the Justices of the Supreme Court, which license shall constitute the person using the same attorney and

counselor at law, and shall author-ize him to appear in all courts of record within this State, and there-The following statute was passed by the last General Assembly, after the Supreme Court refused to grant a license to Mm. Bradwell: in to practice as attorney and coun-

An act to secure to all persons free the selection of an occupation, prof

feader of the band ordered the stage to drive on. When a quarter of a mile away from the scena of the robbery the driver was found to be dying from loss of blood, and he expired in a few moments. The body was brought to Hamilton. In-tense excitement prevails in the community; and bands of men were organized and placed upon the trail of the fugitives, with Indian guides, and it is hoped that they may succeed in catching them. The amount in the treasure box is unknown, but it is thought not to be large. It is thought that the shot was accidental, as the stage was standing still at the time, and no resistance was offered. The stage contained five passengers, or employment: SEC. 1° [Sex not to preclude from pursuing any occupation, etc.] Be it enacted by the people of the State of Illinois represented in the General Assembly, that no person shall be precluded or deburred from any occupation, profession, or employment (exoccupation, profession, or employment (ex-cept military) on account of sex; provided that this act shall not be construed to affect the signality of any person to an elective office.

This final provision has been nul-lifted, so far as the eligibility of women to school offices is concerned, by the recent bill, approved by the Governor, April 3, 1873. Mrs. Bradwell can now go before the Supreme Court of Illinois, destage contained five passengers, none of whom were molested. SHASTA.—The residence of Frank

Young, at Weaverville, was burn-ed yesterday, nothing was saved. liver the statute quoted above to the court, demand her license and receive it.—*Chicago Post.*



SPECIAL TO THE "DESERT NEWA," PER WESTERN UNION TELEORAPH LINE. LAST NIGHT'S DISPATCHES EASTERN. NEW YORK, 28.— Among the prominent sufferers by the Atlantic Bank defalcation is Rewell Bar rows, a wealthy merchant of Albien, New York, who had rows, a wealthy merchant of Manitoba. Albien, New. York, who had

It is reported that D. N. Hawley & Co., hardware merchants, have ery, and Lt. Wright, 12th infant and eight wounded including the privilege to land and failed; llabilities \$180,000. portation the privilege to land and staughter all the cattle coming to that port. The butchers of the city, briteving their rights to be in-vaded, fook an appeal under the Fourteenth amendment. The su-preme court has decided that the Fourteenth amendment. The in-preme court has decided that the right to butcher cattle is not inclu-ded in the Fourteenth amendment; that no sights of butchers as citi-zens of the United States were in-tornight, for the benefit of Mana-buckers are armed with Spencer car-docs are armed with Spencer car-bines and breech-loading muskets. Nor is it in a single instance only where one Modoc has been known down, as it is in the line of Mont-towary Avenue. It was built in zens of the United States were in-vaded. In like manner, the decis-ion in Mrs. Bradwell's case has nothing to do with the justice of the Illiects court in refusing to per-mit hereto practice law when prop-erly qualified. The two decisions, taken fogether, affirm that the right to;kill cattle and the right to

and by General Grant, 4th by Tecu seb. 560 and these are adaptable either for

It taken fogether, affirm that the right to in pretice law are not rights guaranter teed by the Fourteenth amend, ment, fand that the protection of the series of the fourteenth amend, it is worth the series of once drew up the horses, and a man who was sitting on the seat with him passed out the treasure box. As the box was being hand-ed down the gun was discharged, the ball striking Mann is the right hand, ranging along the lower part of the thumb and passing through the arm between the arm and shoulder, severing the artery. The feader of the band ordered the stage to drive on. When a quarter of a

It is next to impossible to asce tain the number of Modocs killed or wounded. Yesterday Capt. McKay reported that his Warm Spring Indians had taken four scalps. This may be the whole or only a portion of the killed, the Modocs being very careful to destroy, as far as possible, all traces of their casualties, burying the dead in caves or burning the dead bodies. Their casualties of the dead bodies. Their wounded are sup-posed to be hidden in the caves. But few of them have been seen so

Justice to the memory of the gallant dead compels us to record the following well authenticat-ed facts. When Capt. Thomas found himself and his men sur-rounded by the vindictive foe, true to his networks as a soldier he sought to his nature as a soldier he sought to cheer the soldiers on to the bitter end, to obtain if possible life for life, and to sell their lives dearly saying, "Men, we are surrounded, we must fight and die like men and soldiers." In his noble efforts to

TORONTO, 28.—A special from Ft. Garry, Manitoba, says reports from the interior state that there has a first petween the Amerisustain the courage of his small command, he was ably seconded





Horse Collars !

ternade, therefore, is "com-tary music at night," and gut be pleasing rather than this might be to a newly ir. But all congratulations and destly, respectfully tender-

The for it is the privilege of all men Court of the United States on appeal of Mrs. Myra Bradwell from ladies in all their actions, ratherwhich mond There is another view to be taken. Miller. The entire

While she remained in the stock. A large number of the depositors of the bank held a mistance ma zen of that State, but she states at meeting this afternoon, when a rehe same time that she is now a solution was adopted for the apeitizen of the United States, and pointment of a committee of five, that she is now and has been for to co-operate with the receiver of the bank, and report to the deposi-tors all obtainable information conmany years past a resident of Chiago, in the State of Illinois. The Fourteenth Amendment declares that eitizens of the United States are citizens of the State within which they reside; therefore plain-tiff was at the time of her applicaing the affairs of the in much indignation manifested against the defaulting cashier. Setion, a citizen of the United States and a dilzen of the State of Illi-nois. We do not here mean to say sed on ficers of the bank, to wh ck of vigilance the commiss the frauds is attributed. Opinio that there may not be residence in one State with Intent to return to another, which will

were expressed that Taintor still re-tained a large amount of the money obtained by him; also that the frauds had not extended through years, as he asserted, but were mat ters of the last few days or we A motion was made, to-day, on behalf of W. Motts Sherman, to

the attachment In regard to the Fourteenth Amendment, the counsel for the plaintiff in this case truly says that here are privileges and immuni-les which belong to a citizen of the chter, the actor, for \$41,200 dam for an alleged breach of con-United States as such; otherwise it would be nonsense for the Four-teenth Amendment to prohibit a State from abridging them; and he proceeds to argue that admission to ground that that he was not living in London as claimed, but was on a pleasure travelling trip on the continent. The decision was reserved.

The decision was reserved. This p.m., a gang of sixty long-shore men refused to allow a gang of New York men to go to work on the steamer *Pembroke*, at Jersey the steamer Pembroke, at Jersey city, and at one time a riot was hreatened, but the police appeared and prevented an outbreak. The Commissioners of Indian

affairs resumed their see a.m. B. R. Cowen, as retary of the Interior, bers of the commission. for transportation were receiv nting to twenty-two in a idders were chiefly from S Pittsburrom Louis, Chicago, Pittsburg and Cheyenne. The quantity to be transported amounts to twenty-five million pounds.

million pounds. The managers of the Atlantic cable are dissatisfied with the Hog Island approach, and contemplate bringing the cable to Brooklyn some other way. B. B. Eaton has decided to ac-

of the

usive of the present case. The dgment of the State court i

Mrs. Myra Bradwell's Case.

ore affirmed

and county treasurer, were excess-ive and an outrage on the people; that the interest on city money should be added to the principal, that the corporation counsel be in-structed to recover and secure such

subject of Prussia, for the stained by the detention of ssian ship Essez, at New under the order of Genera

The court hel article of the treaty of 1799 ns to be paid nations, when a be

there with a truck with a spe but not ed to the court by

TO-DAY'S DISPATCHES. WESTERN.

SAN FRANCISCO, 29.—A courier has arrived and reports another ter-rible fight with the Modocs, in hich nineteen of our men wer Lieut. Howe, of the fourth artillery, Lieut. Wright, of the twelfth in-fantry, and twenty-three wounded, including Lieut. Harris, of the Others are miss BAN FRANCISCO, 29.

CANADA.

Beds, 28. — A reconnoisance, com posed of batteries K and A Fourth Artillery, and Company E 12th In fantry, left camp at 7.30 this a. m., Artillery, being in command. A dozen or so of Warm Spring Indi-ans were expected to co-operate on Capt. Thomas' left. The troops, having formed a line of skirmishers,

advanced without molestation until they arrived at the foot of the bluff south of the lava beds, having meanwhile signalled the camp that no Indians could be found. On reaching the bluff the Modocs opened a severe fire, causing the

as they could find in the crevices and As usual the foe was unseen. The first position becoming untenable owing to the fact that the Indians had obtained both cross

and flanking fire, it was deemed lient to retire to better cover. n the first fire and that 'r ng the retreat many fell, killed ed, a list of which is aped. So severe was the fire and posed the position that up to ing, 7 p. m., on Lt. Wright, of the 12th had sought shelter in a which was particularly the Modoc fire, grave ists of their ultimate doubt

rs relative to ns in aid hed forward o their rescue, four companies be-ng ordered out, two of Cavalry rom this camp, and two from Col. fason's. Stretchers for the conveyed. These latter are returning just now, without having achieved the object for which they were intend-ed. Poor fellows! There is a bitter cold night at least before them. It

out of the row they feel for them ut they are powerless in the

vate Jno. H. Giff The Los L McLaughlin, , 4th artillery; private Wn ay, battery K, 4th artillery, A. Ath at Lt. Harris, 4th nt ball.

tering some such sentences as those already quoted. Not that it re-quired such expressions to stimu-late the men to deeds of bravery, WE, THE UNDERSIGNED, HAVE when every man would willingly have followed either officer where-ever he chose to lead, yet they show the mutual confidence existing between them. Since they were to fall it is a pity it had not been when opposed to a worthier foe, yet it is a mournful consolation that each—Captain Thomas, Lieu-Gasfitting & Plumbing, tenant Howe, and Lieutenant Wright, the son of a soldier, met a soldier's death in defense of the overnment and laws of the coun-Of the men killed or wounde is perhaps sufficient to say they showed their bravery with their blood, the former with their lives, the latter in total or partial disabi-North Side of Most South Street, Se-tween East and West Temple Stat, SALT LAKE CITY. 8:30 p.m., 27. - The reinfor

sent out under Col. Green ogether with the killed and wound ed, are expected momentarily. heavy rain is now falling, which beneficial to the poor men, alleviating their may ring and giving relief to their ed limbs. Their arrival is anxfevered limbs. Their arrival is anx-lously looked for by their more for-tunate comrades. In the camp ev-ery preparation has been made for proper reception. When the news of the massacre reached the camp, soldiers who had grown old and gray in the service wept like bables at the fates of their officers

6.a.m., 28.—The troops with the killed and wounded are returning. In addition to the death list given add First Sergeant Robert S. Roemer, battery, and Private James Rose, battery K, 4th artiflery, v lied yesterday. Sergeant Bla Sergeant Black attery A, came in wounded, no reviously mentioned. In many instances it is difficult to recogniz he dead, but for some article o the dead, but for some article of dress known to have belonged to them. Indian barbarity has de-faced the lineaments of these kill-ed to an extent that few Indian peace policy people would readily

present instance the In olicy has effected indirectly leath of Gen. Canby and a yet this is only the be events of the 15th, 16th an 17th insts were a continuation of the same policy, but it requires the massacre of the 28th to mid the 26th to aid the r of glory due the ng feather A complete list of the killed and

A; priv

company E, 12th Infan

L Lt Arthur Crant

