DER THE LAW.

THE recent decision of the Supreme Court of the United States, in the Miles appeal case, while reversing the judgment of the Supreme and Third District Courts of Utah, and setting aside the verdict of the jury, yet sustains some points as ruled on by the lower tribunals. The most important of these is the exclusion of certain jurors who avowed their belief in the divinity of the doctrine of celestial marriage.

The Decision says: "We find no thing in the record in relation to the empanelling of the Jury, which would have required the Supreme Court of the Territory to set aside the verdict and judgment of the District Court " The record shows that the Court followed the Utah statutes in the trial of challenge of jurors for actual bias. That is, the cases of the challenged jurors were referred to three triers appointed by the Court, who found in each case of the jurors objected to for their religious belief, that the challenge was true.

The record, no doubt, is clear on this point, and the Supreme Court had to judge from the record. But there are two facts which do not seem to appear of record that ought to be understood, as they will have pertinent bearing on future cases of challenge for actual bias. The law and still later from the Amber and provides that

"The triers are three impartial have been more or less recompersons, not on the Jury panel, ap-

Reference to the minutes of the trial will show that three impartial persons were not appointed by the Court, but persons who were just as much partial on one side, as the rejected jurors were said to be on the other. They were members of the bar whose sentiments were well known, and who were certainly as strongly biased as the Jurors were alleged to be. It does not appear in the record of the case that the law in relation to impartial triers was not complied with, so the Supreme Court had no opportunity of ruling on that point. land and Holland are al-The law further provides that:

lenge for actual bias, when the eviinstruct the triers that It is their duty to find the challenge true, if in their opinion the evidence war-rants the conclusion that the juror has such a bias against the party challenging him as to render him not impartial; and that if, from the evidence, they believe him free from such blas, they must find the challenge not true; that a hypothetical opinion, unaccompanied with malice or ill will, founded on hearsay or inexperience of Utah has been redisqualify a Juror. The court can give no other instruction."

The challenge must be found true if the evidence shows that the juror has a bias against the party challenging him. If he have not such blas they must find the challenge not true. A hypothetical opinion not founded on malice or ill-will will not disqualify the juror. The Court must so instruct and can give no other instruction. It is evident that there is no intention in the law to disqualify a juror for a matter of belief or opinion. The absence of malics or ill-will relieves the juror from the challenge. Was it shown, jurors had any such bias against the prosecution in the Miles case? We think not. The answers they gave on their voir dire showed to the contrary, and the examination before the triers was but a repetition of the proceedings in open court.

The decision of the triers is final. This relieves the Court from all blame or responsibility, if the triers appointed are impertial persons. But the requirements of the law in their case, which are that they shall "decide truly according to the evidence," and be guided by the principle laid down above concerning opinion and malice or ill-will, nor from the responsibility of the oath which they are required to take that

The Act on Criminal Procedure, the elements long since sent that in which these provisions occur, was copied almost intact from the Cali-fornia Code. It has been taken ad-way desirable. vantage of for a purpose never designed by the legislators of the State sume two hundred car loads per anthat originated it, or the Territory num, places sugar making in the it, contains some things that are in in the future of our Territory, and conflict with the Act of Congress one which should receive the earnknown as the Poland Bill. For instance the law of Congress provides Trade" and leading men throughout

and the detense shall each be allow-

The law in question provides that:

ble. If that is fatal to either it is to experiment will give the needed exthe Utah statute, though of course it does not affect the very same law in ple and a permanent market for this California, the Poland Bill being a product of the soil, there would be piece of special legislation for Utab. labor in winter for many who are The law evidently needs revision, and now kile, feed in the refuse of the while it should be made entirely harmonious with the Act of Con-

gislators ought to be very ca ful in the adoption of codes fro other sources, lest provisions may be accepted that are not fully adapte to our local requirements and di-cumstances, and course should as

jurors that no injustice may be done and no principle of fundamental law

ports is one seventh of the whole.

ways followed by a reduction

not this knowledge. Those who

where beets would grow to mam-

nearly opposite and west of Logan

to Franklin in the north, and reach-

The fact that we import and con-

REPLECTIONS.

give a list of the killed at this writing.

Concessions to Commerce.

OTTAWA, 23.- The Dominion government has made a great concession to American vessels from the West, by providing that craft passing through Welland Canal shall go free through the St. Lawrence Canal, and vice versus also that tonnage be reduced one half. This covers all that has been asked and will greatly stimulate the commerce of Monireal with Chicago.

Kestters Excited.

New York. 23.—The Tribune says: About 40 manufacturers of knifted goods, doing business in the different parts of the country, met yesterday, to take action in regard to the circular recently issued by the Treasury Department, which manufacturers say in effect removes the duty on knitted woolen goods, and which it is claimed threatens to France to Russia-Poland in continental Europe. The total product of best sugar in round numbers annually is one-and-s-half million tons, or near one third of the entire sugar product of the world. Great
Britain is the largest sugar consuming nation anywhere, seventy
pounds per capita being required for her supply, while the United States, with new world extravagance and

give a list of the killed at this writ-

new world wages, only reach the average of thirty-eight pounds per capita; and still more strange, the crowded population of Britain can purchase their supply for thirtythree percent, less than the citizen Treasury Department, which manufacturers say in effect removes the duty on knitted woolen goods, and which it is claimed threatens to of this most favored land. The freetrade policy of the mother country contributes to this result, no doubt; cause serious loss to American manand the tariff rule of this country ufacturers. A permanent organiza-tion was effected by the choice for doubtless contributes measurably to the meagre consumption indicated. President of James Talcott.

Hon. David A. Wells states that the value of the annual sugar im The Tribune says: It was stated esterday that a compromise had seen effected in the suit against the and so we need not wonder that with Northern Pacific Railroad. It was an average duty of sixty per cent, Northern Pacific Rallroad. It was understood upon good authority that of 180,000 shares which it has been claimed were issued, only 160,000 shares have been issued absolutely, of which only 20,000 shares have been sold in open market and the proposition to compromise is said to have come from Villard, one of the conditions being that the balance of the stock shall not be put on the market but be held for a definite period. Another condition of the compromise is said to be that the Villard party shall have a fair representation. Villard yesterday declined to be seen. the revenue from it is nearly onethird of the whole customs receipts. To this heavy tariff is due much of the effort which has been made to other varieties of sorghum, which California, Iowa, Illinois, Maine, and some other States have endeavored to localize this industry, and some five thousand tons per annum

gives testimony that with wider ex-Grant Unpopular in Mexico. perience and the exercise of Judg-Advices from the City of Mexico, of the 22nd, are: The alleged friendship between Grant and Diaz is injuring the latter here, without benutting the former. Many worthy people give credence to a story put about in the old "conservative" cirment as to locality and soil, the results will be every year more and more favorable. There is one thing pretty evident in regard to the cul-tivation of the beet, and that is, that excessive rainfall is detrimental to les, that Grant has come here h the gathering of the saccharine mat Diaz that he will talk over a sort of ter. Wet seasons in France, Gerprotectorate to be subposned by the United States government. The story, absurd as it is, has been circulated by people of influence, and in many, Austria, Belgium, Irethe density of the beet juice, and connection with the general belief consequent sugar, and the same will hold good in the seaboard or other states of this country where rain is it, but he will doubtless take an it, abundance. early and conspicuous opportunity to make an end of it publicly. in abundance. It has also been found that the quantity and quality

of saccharine stored in the beet is very much affected by the soil in CHICAGO, 23.—The Times' Paris with Leon Say on the results of the monetary conference, in which he says: My opinion is that free coinng is the only method to establish peated time and again; even where metalism. I favor heartily the free coinage of silver at all the mints of Europe, establishing silver as a s andard with gold on a basis of 1 there exists enough chemical ability to neutralize a mineral, the suggestion' is never out of place to prefer that land where such mineral is at a minimum.

The dry climate of this Teritory is admirably adapted to beet sult in bringing a very considerable cultivation, and common experience amount of American silver into in fruit raising in most of our cities gives the key to the best kind of shipments of grain and produce will want a good peach grow it on bench Since 1878 we have struck no silver want a good peach grow it on bench land; if you want a good rich grape, en, a sandy or semi gravelly ble action of the monetary congress,
M. Say remarked, the Italians will
probably seek to make some arrangement by which it may gain certain
advantages for their own country,
some half way measures, from which
they can withdraw if found advisapert only would be able to mark the sameness in view of the difference. In our early experience we had

Brady's Crookedness. The World's Washington specia says: A good deal of curiosity is fel went into beet culture, sought for soil connection with the star rout moth proportions; the consequence was our factory was alkalied, and we who are preparing the data will say nothing for publication about what may be expected, but James is reported to have said privately that at the proper time disclosures will be made, compared with which the Tweed regime will go down to history as respectable. It is said to be causale of proof that for four years have not recovered from it after nearly thirty years. In the northern section of Utah, there are two prominent places which seem to be admirably adapted to this industry. Provo Bench is one, but a better place is that great tract of country located capable of proof that for four years not less than \$2,000,000 a year was misapplied. Brady and his associates in Cache County, reaching from ingquite up to the foothills on the semi-circle of the northwest, and down to Cub river in the opposite direction. There, there is no alkali; and afterwards the support of anstockholder. That paper has no-thing to say about the removal ex-cept indirectly, by calling a paper that has exposed Brady's doings, a filter for the slanders of

either seaboard or refinery, involving a railroad tariff of thirty dollars per ton freight, should lead many to "If the offense charged is punishment for life, the defendant is entitled to ten and the Territory to five percemptory challenges. On a trial for any other offense, the defendant is entitled to five and the Territory to three percemptory challenges."

It is a good time now to test these localities. Get the best seed of the best and purest white sugar best. If this comes successfully, fifteen to the star route corruption, which has been carried on with equal vigor

has been carried on with equal vigor The difference is easily perceptiperience, and with sugar for the peofactory for much stock, and the pro-

has given orders that the investiga- J. WALKER, Manag

SALT LAKE THEATRE. BY TELEGRAPH. tion now proceeding shall be searching and that wrong doers shall be LINGARDS

of FRENCH and GERMAN

THERIA CANNOT COME. No Deaths from Diphtheria where Hall's Remedy has been Used.

PREAD THE FOLLOWING A Cure for Hydrophobia.

It is said that in every instance where a person is bitten by a madding, pustules make their appearance sooner or later on the under side of the tongue, but generally in from six to nine days. These pustules must be opened with a sharp pointed instrument, as they are too tough

For certain and speedy relief in diseases of the chest and lungs, use Hall's Cough Remedy. It has no equal in the market. These medicines are for sale at every Ward Store. Wifelessle and retail at wholesale es-tablishments throughout Utah. Prices: Cough Remedy 50c., Can-her, 50c., Diphtheria, \$1.5

LUNCS. BALSAM

Cures Consumption, Colds, Pneumonia, Influenza, Bronchial Difficulties, Bronchitis, Hoarseness, Asthma, Croup, Whooping Cough, and all Diseases of the Breathing Organs. It sooths and heals the Membrane of the Lungs, inflamed and poisoned by the disease, and prevents the night. turned from Tartary, where mad dogs are common, and this method of treatment was usual and successful."

A woman will claw at a cake of soap all the forenoon on wash day, and never miss fire once. The man comes and no sooner picks it up to wash his hands, than it shoots half

Ask for Henry's and use no other BEWARE OF COUNTREPRIES Baker's Pain Panacea FOR MAN AND BEAST. The Greatest Pain Reliever of the Age. Edev's Carbolic Troches. A SURE PREVENTIVE OF Coutagious Diseases, Colds, Hourse tiess, Diphtherin, and Whoop-plug tough,

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USUAL PRICES OF ADMINSION

NO MORE DIPHTHERIA. WHERE CANKER IS NOT DIPH-

ed instrument, as they are too tough to break of themselves, and the matter must be discharged and spit out, or it will be re-absorbed, which re-absorption is said to create the paroxysms termed hydrophobia. The above is the substance of a communication which appeared in the munication which appeared in the New Orleans Tropic some years since, from the pen of a southern physician.

physician, who says: "In 1832 I was called to visit a ne-gro woman who had been bitten by a mad dog, and by pursuing the treatment laid down I was successful in curing her. This course is the Prof. Marochitti, of Moscow, in 1820, and proved effectual; and my first intimation of this mode was from an English magazine, published forty years ago, containing a communication from a gentleman recently re-turned from Tartary, where mad dogs are common, and this method of treatment was usual and success-

comes and no sooner picks it up to the wash his hands, than it shoots half haby in the eye, or demolishes a peck HENRY'S CARBOLIC SALVE way across the room and hits the of bric-a-brac.

SALT LAKE THEATRE.

TWO LECTURES MR."ARCHIBALD FORBES THURSDAY EVENING, APRIL 28.

FRIDAY EVENING, APRIL 29. Inner Life of a War Correspondent. Mr. Forbes has been greeted throughout England and the United States and Canad: with overflowing houses and the press un

Season Tickets, Not Transferable \$1.50 Other prices as usual. Reserved Seats for the two lectures can be secured at Dwyer's and the Walker House, commencing Monday. Box office open on Wednesday.

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One light roan COW, about four years old, both ears and nose red, a part of right horn broken off, branded 0 on left shoulder.
Which if not claimed within ten days will be sold to the highest hidder on Tuesday, May 3rd, 1881, at 10 o'clook a. m. at the District Estray pound in this city.

JOSEPH HORNE,
District Estray Poundkeeper.
Balt Lake City, April 22rd, 1881.

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COMPANY SECOND SOUTH STREET, s and a half Blocks East of Main Street BUILD ALL SIZES OF

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Will now be found in the Grocery Section of the House, which makes that Department most Compact and Complete, including

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