

THE EVENING NEWS.

GEORGE Q. CANNON,
EDITOR AND PUBLISHER.

Friday, March 23, 1878.

THE FEELING IN TOWN.

AS THERE is considerable interest felt in the Bill which passed the House of Representatives on the 23rd instant, and as it has been changed considerably since we published it in the first place, to satisfy the public wish we have placed it in our columns to-day as we find it published in the Congressional Globe. To mingle among and converse with the people, a stranger, who did not know, would never suspect that this was the community for whom this special piece of legislation had been enacted. Yesterday there was a very natural desire on the part of our citizens to know what action the House had taken upon the Bill; but beyond this there was not the least anxiety visible, and after the News was published men chatted and smiled over it with a degree of nonchalance that would have disappointed its authors, if they had any idea that its passage would intimidate or affect the spirits of the Latter-day Saints. Of course this peace, serenity and absence of all fear and tremor of the nerves are set down to fanaticism. No one but fanatics, it is supposed, could be so indifferent about a matter that apparently involves such serious consequences. But men mistake the feeling when they attribute it to fanaticism. It is calm and unquestioning confidence in the Almighty that produces this peace, and freedom from fear. A people who had the courage to embrace the doctrine of plural marriage as a part of their faith, and to enter upon its practice in the face of the dreadful odium that attached itself to such a belief, certainly have the courage to accept all the consequences which are likely to or can follow their adoption of it. The faith and courage which are required now to maintain the ground we have taken scarcely bear comparison with the moral heroism and unselfish and sublime devotion required of and manifested by those men and women who first embraced and practiced this doctrine. Think of the consequences involved in such a step! Had it been the gratification of lust, or sensual appetites, an easier method, and one infinitely more popular, might have been found. But this was not the object. A command from God had been received, and though that command came in contact with their own traditions, prejudices and education, and was in direct opposition to the popular views of Christendom, it had to be obeyed. History, sacred and profane, may be sought in vain for an instance on the part of a people which will bear comparison with the sublime devotion of the Latter-day Saints in taking the stand they have on this question. They knew in the beginning what the consequences might be: the loss of reputation, the hatred of the world, complete ostracism from society, and probably death; but they did not flinch. They had put their hand to the plow and they were determined not to look back. The same feeling which animated them then animates them now. They have shown in the past that they are capable of making every sacrifice for their religion. That spirit may not be very apparent to many now; but it only smoulders. Let the wind of persecution fan it, and it will burn with as fierce and pure a flame as it ever did. A record of heroism will be furnished that posterity will emblazon on the pages of history for all ages to admire.

But God cannot be counted out of this question. He will have a share in its discussion. He commanded, and the Latter-day Saints obeyed, and at what sacrifice all the world knows. If a contest, therefore, is to be inaugurated, the position of the Latter-day Saints is a subordinate one; the Lord is the principal on one side, and those who oppose this doctrine are the principals on the other. If they are determined to push this matter to an issue, they can doubtless be accommodated; but who can have doubts about the result?

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States marshal of Utah Territory may appoint a deputy in each of the judicial districts of said Territory; provided, that before any such deputy shall be authorized to enter upon the discharge of his duties his appointment must be approved by the judge of the district court of the district for which said deputy is appointed; and said deputy must take and subscribe the same oath prescribed by law to be taken by the marshal, and give bond with good and sufficient sureties to said marshal in the penal sum of \$10,000, conditioned for the faithful discharge of his duties as such deputy; and said appointment, approval, oath, and bond shall be entered upon the journals of said court.

Sec. 2. And be it further enacted, That it shall be the duty of said marshal, in person or by his deputies, to attend the district and supreme courts of said Territory, and serve and execute all process, orders, judgments, or decrees issued, rendered, or directed by said courts or by any judge thereof.

Sec. 3. And be it further enacted, That the United States district attorney of said Territory may also appoint an assistant in each of the judicial districts of said Territory; provided, that before any such assistant shall enter upon the discharge of his duties his appointment must be approved by the presiding judge of the district court of the district for which such appointment is made; and said assistant must take and subscribe the same oath prescribed by law to be taken by the district attorney.

said appointment, approval, and oath shall be entered upon the journals of said court.

Sec. 4. And be it further enacted, That it shall be the duty of said district attorney, in person or by his assistants, to attend all of the district courts of said Territory, and perform the duties of prosecuting attorney in all criminal cases arising in said Territory.

Sec. 5. And be it further enacted, That only citizens of the United States over the age of twenty-one years shall be competent to serve as grand or petit jurors in said Territory.

Sec. 6. And be it further enacted, That the grand jury of said Territory shall consist of fifteen good and lawful men, twelve of whom concurring, may find and return a bill of indictment.

Sec. 7. And be it further enacted, That at least twenty days before the time of holding each regular term of the district courts of said Territory, in their respective districts, the United States marshal of said Territory, or one of his deputies, shall, in connection with the clerk of the district court for which a term is to be held, select from the body of the people of said district thirty-nine good and lawful men having the necessary qualifications to serve as jurors, and make a list in writing of the names of the persons so selected, and append thereto a certificate stating that said persons have by them been selected to act in the aforesaid capacity, and setting forth the court, district, and term of court for which they were selected, which certificate shall be signed by the persons making such selection and filed with said clerk; whereupon said clerk shall forthwith issue a venire, directed to said marshal or his deputy, commanding him to summon the fifteen persons first named on said list to be and appear in said court on the first day of the term thereof (to be named in said venire) to serve as grand jurors; also to issue a like venire commanding said marshal or his deputy to summon the remaining twenty-four persons on said list to be and appear in said court on the first day of the term thereof (to be named in said venire) to serve as petit jurors; and said venire shall constitute one full grand and two full petit juries: Provided, That if all or any number of the persons so selected and summoned shall fail to appear, said clerk shall be authorized to issue a venire to summon the persons so selected and summoned, or if for any other cause whatever it shall become necessary, the court, both in the case of the grand and petit jury, may order the panel to be filled by talesmen, summoned by the marshal or his deputy, from the body of the district or from the bystanders.

Sec. 8. And be it further enacted, That if at any special or adjourned term of the district courts of said Territory it shall become necessary to have either a grand or petit jury, or both, after the jury for the regular term have been discharged, the presiding judge of the district court requiring the attendance of such jury or juries may, in his discretion, issue a special order requiring the marshal or one of his deputies, and the clerk, to forthwith select and summon a jury or juries, and direct the marshal or his deputy to issue a venire to summon the persons so selected and summoned, or if for any other cause whatever it shall become necessary, the court, both in the case of the grand and petit jury, may order the panel to be filled by talesmen, summoned by the marshal or his deputy, from the body of the district or from the bystanders.

Sec. 9. And be it further enacted, That the said first judicial district shall embrace the counties of Millard, Sanpete, Sevier, Piute, Beaver, Iron, Washington, Rio Virgin, Kane, and Garfield, and the regular terms thereof shall be held at Salt Lake City, commencing on the first Mondays of February, May and September, in each year; that the third judicial district shall embrace the counties of Davis, Morgan, and Uintah, and the regular terms thereof shall be held at Corinne, in said county of Box Elder, and shall commence on the first Mondays of January and June in each year; but the time of commencing said regular terms of said several courts may be changed by the Governor, when it shall appear to him that a different time would accommodate the judge and the people of the said several districts better.

Sec. 10. And be it further enacted, That in criminal cases both the prosecution and the defense shall have the right to challenge for cause, the array and polls of the grand and petit jury, and in all prosecutions for bigamy, and the crimes specified in this act, no person shall be competent to serve, either as grand or petit juror who believes in, advocates, or practices bigamy, concubinage or polygamy; and upon that fact appearing by examination on voir dire or otherwise, such person shall not be permitted to serve as a juror. And in all criminal trials each of the parties shall have the right to challenge peremptorily six of the petit jurors.

Sec. 11. And be it further enacted, That whereas marriage in said Territory of Utah rests solely on the contract of the parties, followed by cohabitation, there being no form, manner or ceremony prescribed by the laws of said Territory for the solemnization of this important relation in society, or requiring any recordation, certificate, or publication of the same: That, in all prosecutions for bigamy, concubinage, or adultery, it shall not be necessary to prove either the first or subsequent marriages, by the registration or certificate thereof, or other recorded evidence, but the same may be proved by such evidence as is admitted in proof of cohabitation by the accused with more than one woman as husband and wife, his declarations and admissions that such women are his wives, his acts recognizing, acknowledging, introducing, treating, or deporting himself toward them as such, shall, unless rebutted, be sufficient to sustain the prosecution.

Sec. 12. And be it further enacted, That any man in said Territory, who shall, after this act goes into effect, live or cohabit with one woman or more, other than his lawful wife, or who shall be adjudged guilty of the crime of concubinage, and upon conviction thereof, shall be punished by fine not exceeding one thousand dollars, and by imprisonment in the penitentiary at hard labor, not exceeding five years; and in all prosecutions for the violation of this section the alleged cohabitation of the defendant shall be competent witnesses to establish or disprove the charge: Provided, That no statement made by any such witnesses shall be used against, admitted, or allowed to affect them in any manner in any case whatsoever, and an indictment charging said crime to have been committed by more than one woman, will be sustained by proof, showing the same to have been committed with one only or more.

Sec. 13. And be it further enacted, That every person who commits the crime of adultery shall be punished by imprisonment not exceeding five years, or by fine not exceeding \$1,000 or less than \$100; or by both fine and imprisonment, at the discretion of the court; and any violation of this section, the thirteenth section of this act, and the act against bigamy, enacted by an act to prohibit and prevent the practice of polygamy in the Territories of the United States and other places, and disapproving and annulling certain acts of the Legislative Assembly of the Territory of Utah, approved July 1, 1862, may be charged in separate counts in the same indictment, which indictment may conclude, generally, against

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daughter, stepmother, grandfather's wife, son's wife, grandmother's wife, wife's mother, wife's grandmother, wife's daughter, wife's granddaughter, nor his sister, his half-sister, brother's daughter, father's sister, mother's sister. No woman shall marry her father, grandfather, son, grandson, stepfather, grandmother's husband, daughter's husband, grandfather's husband, husband's father, husband's grandfather, father, husband's son, husband's grandson, nor her brother, half-brother, brother's son, sister's son, father's brother, or mother's brother. No marriage shall be contracted while either of the parties has a former wife or husband living in the United States or elsewhere, unless the marriage with such former wife or husband shall have been legally dissolved. All persons within the degrees of consanguinity within which marriages are herein prohibited to be declared to be incestuous and void, who shall intermarry with each other or who shall commit adultery or fornication with each other, shall be punished by imprisonment at hard labor in the penitentiary of the Territory not more than twenty years, and be fined not more than one thousand dollars.

Sec. 24. And be it further enacted, That in all cases of election by ballot, it shall be the duty of the marshal of the Territory to furnish for any person to put any number, figure, or device upon such ballot, whereby any person may be enabled to ascertain by whom the ballot was given; and any violation, or attempt to violate this provision shall be deemed and taken to be a crime, and upon conviction thereof the person so offending may be punished by fine not exceeding five hundred dollars, or by imprisonment in the penitentiary not exceeding one year, or by both fine and imprisonment, at the discretion of the court. And at all elections none but male citizens of the United States over twenty-one years of age, residing in the precinct or election district, and not disqualified by conviction of crime by any of the provisions of this act, or otherwise, shall be competent voters.

Sec. 25. And be it further enacted, That the probate courts in their respective counties in said Territory are hereby authorized to hear, try, and determine civil causes wherein the debt or damages claimed does not exceed five hundred dollars, and in criminal matters may exercise jurisdiction as committing magistrates, and the twenty-ninth section of an act of the territorial legislature of Utah conferring general and unlimited jurisdiction on the probate courts both in civil and criminal cases, entitled "An Act in relation to the judicial system," approved January nineteenth, one thousand eight hundred and fifty-two; also the second section of an act entitled, "An act for the regulation of attorneys," approved February eighteenth, one thousand eight hundred and fifty-two; and also an act entitled "An Act containing provisions applicable to the laws of the Territory of Utah," approved January fourteenth, one thousand eight hundred and fifty-four, be, and the same are hereby disapproved and repealed.

Sec. 26. And be it further enacted, That in all cases in which the marshal of said Territory is the party to a suit or in any way interested or otherwise disqualified to act, the court shall appoint some one to act as marshal therein.

Sec. 27. And be it further enacted, That the district courts of said Territory shall have exclusive original jurisdiction in all suits for divorces or alimony.

Sec. 28. And be it further enacted, That all laws and parts of laws of Utah Territory, which in any way interfere with the primary disposal of the soil, or the possession thereof, or the right of the United States, are hereby disapproved and annulled.

Sec. 29. And be it further enacted, That if any person not qualified to vote, shall vote, or offer to vote, at any election, or if any qualified voter shall cast, or offer to cast at any election more than one vote for the same officer or officers, he shall be deemed and taken to be a crime, and upon conviction thereof before any court having jurisdiction, be punished by fine not exceeding five hundred dollars, or by imprisonment in the penitentiary not exceeding one year, or by both such fine and imprisonment, at the discretion of the court.

Sec. 30. And be it further enacted, That whenever, by the provisions of this act, an oath is required to be taken, if the person taking the same shall knowingly swear falsely to any matter or statement contained in said oath, or in his testimony given in pursuance of the same, such person shall be deemed guilty of perjury, and upon conviction thereof, shall be sentenced to imprisonment for a period not exceeding five years, nor less than two years, and shall also be liable to prosecution for perjury in said oath, or in his testimony shall have jurisdiction of such offenses.

Sec. 31. And be it further enacted, That this act shall take effect from and after its passage, and all acts and parts of acts of the United States or the legislature of Utah, not consistent herewith, are hereby repealed and disapproved.

Special Notices.
A BEAUTIFUL HEAD OF HAIR is rendered still more beautiful by the use of Burnett's Cocoa-nut.
THE SWEETEST Perfume is Burnett's Florida Water.
BURNETT'S Preparations are sold by all druggists, and are deservedly popular.—Cincinnati Commercial.
LADIES SHOULD USE BURNETT'S Kalliston to retain the bloom and freshness of beauty unimpaired.
JONAS WHITEHEAD'S REMEDY FOR ASTHMA has required the reputation of being a sure specific in that dreadful disease.
"The Best Ever Made."
"Can not use any other." "Never could use baking powder until I tried yours." "My family will not use any other." "It is perfectly splendid." "I find it much cheaper than others." "Think it superior to any I have ever tried." These are a few of the many expressions in favor of BURNETT'S BAKING POWDER, which will cheer the rapidly increasing sale it has attained for making sweet, light and healthy biscuits, rolls, pastry, &c. It can be obtained at your Grocers.

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ARROL'S SCOTCH ALE, and
SANDS' CHICAGO STOCK ALE.

On Draught at
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FROM the residence of Dr. Ormsby, 14th Ward, on Sunday night, the 10th inst., a BAY HORSE, Had a halter on when lost. Any person returning the above horse to Dr. ORMSBY will be suitably rewarded.

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PROF. GEORGE CARELESS
DEGS to announce to his friends and the public that he is now at liberty to take a course of instruction in Singing and Harmony, and on the Violin.
Pupils will be taught Singing and Harmony, and on the Violin.
For terms apply at his residence, 7th Ward, 425-12.

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The Several Departments of this Institution are now

COMPLETELY STOCKED!

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DRY GOODS

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Orders are now coming in for

MACHINERY

And those who intend Ordering or Purchasing, would consult their own interest

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March the 28th inst.

MR. COLEBROOK announces to her many friends and patrons that, to meet the necessities of the Millinery business, she will open her place until Monday next, to renovate the same and to open a fine lot of choice New style Millinery and Fancy Goods—just received from one of the first eastern houses.

It will be characteristic of this FINEST Millinery House to successfully offer goods at low figures and of the most approved styles, having made her arrangements for a constant arrival of all novelties in her line.

In the District Court of the Third Judicial District of the Territory of Utah, County of Salt Lake.

Hon. C. C. WILSON, Judge.

WILLIAM JENNINGS, Plaintiff,

Against JAMES P. BRUNER, Defendant.

Summons.

The people of the Territory of Utah send greeting to

James P. Bruner, defendant—

YOU are hereby required to appear in an action brought against you by the above named Plaintiff in the District Court of the Third Judicial District of the Territory of Utah, at the Court House in Salt Lake City, and to answer the complaint filed therein, and to comply with the order of the court in an account stated for the sum of \$4,570, together with interest, at the rate of ten per cent, per annum (exclusive of the day of service) of the service on you of this summons, if served (within this County, or if served out of this County but in this District, within twenty days; otherwise within forty days or judgment by default will be taken against you according to prayer of said complaint.

And you are hereby notified that if you fail to appear and answer the said complaint as above required, the said plaintiff will apply to the court for the relief demanded in said complaint.

Given under my hand and the seal of the said Court, this 18th day of March A.D., 1878.

S. A. MANN, Clerk.

NOTICE.

I WILL SELL the following described property at private sale, any one wishing good lot for property, should call on me immediately.

TERMS CASH.

SALT LAKE CITY FEAT.

Lot 2 Block 38 Flat B

Lot 8 " 31 " "

Lot 2 & 3 " 37 " "

BIG FIELD SURVEY, 5 ACRE LOTS.

Block 9 Lots 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.

BIG FIELD SURVEY, 10 ACRE LOTS.

Block 22 Lot 2 containing 10 Acres.

Lot 7, 8, 9, containing 30 Acres.

H. J. FAUST, Assignee, for M. J. Suedaker.

Salt Lake City, March 1, 1878.

482-1m

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ROBT. L. CAMPBELL, Historian's Office.

422-11

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LOCK STITCH

Also the Double Lock, Single Knot and Double Knot Stitches, thus adapting it to do

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And cannot be run backward.

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One Thousand Sold in January!

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Three Hundred Sold the first two days of March!!!

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