

# THE EVENING NEWS.

PUBLISHED DAILY, EXCEPT SUNDAY, AT FOUR O'CLOCK.

GEORGE Q. CANNON,  
BRIGHAM YOUNG,  
EDITORS AND PUBLISHERS.

Monday, June 2, 1879.

## OUR VISITORS FROM THE EAST.

THE excursion party, numbering upwards of three hundred persons, on their way from various parts of the East to the Pacific Coast, have visited "The City of the Saints" and departed. They left by special Utah Central train at 2 p. m. today. Most of them were members, and many of them ministers, of different "Christian" denominations. They spent the time of their brief visit chiefly in looking about them, and inquiring into the doctrines, social life and peculiarities of the people whose names have been cast out as evil throughout Christendom. Quite a number of them attended the Sabbath Schools in the wards on Sunday morning, the large Tabernacle in the afternoon, and the Ward meetings in the evening, and several of the party favored us with a call this morning, all of them being courteous and affable, and apparently desirous of obtaining correct information.

Yesterday morning Rev. J. H. Vincent preached in the Methodist Episcopal Church, delivering an excellent exhortation to a moral and Christian life, his very reference to the faith of the people of Utah being an expression of painful regret that they should claim to be right because they are sincere; a claim, by the way, which we have never set up, and we mention it here that the gentlemen may be relieved from any deep mental suffering on this account. For we recognize the sincerity of a great number of people among the various Christian sects who are opposed to us as well as to each other, and we believe they are all in error concerning the pure and perfect Gospel of the Redeemer. Sincerity is no proof of correct belief.

In the evening Joseph Cook delivered a lecture in the Free Presbyterian Church to a large and disappointed congregation. This person has gained some notoriety through his Monday evening lectures in Boston, and it was supposed that he was an orator of no small ordinary ability. He spoke sitting, and exhibited none of the qualities of a great public speaker. His discourse he called it "a prelude on Mormonism," but it constituted almost the entire address—was chiefly conspicuous for its vindictiveness and coarseness, which attested his gross and sensual appearance, and for the utter absence of a Christian spirit, quite a number of the party with whom he travels called on us today, and expressed their disgust at his vulgar attack upon a people of whom he knows nothing, and his condemnation of principles which he has never investigated. They assured us that only one person out of a large number of the party who had discussed the lecture, had a single word of approval to utter. We should have taken no notice of the matter, for it has no more effect upon us than a whiff of unpleasant air, but for our wish to assure the ladies and gentlemen who have expressed themselves so fairly and kindly concerning it, that they will not be associated in our minds with the very ungentlemanly person who, unfortunately for them, is taking a free trip in their company. However we appreciate good jokes, and the funniest thing we have heard in connection with this visit is Joseph Cook's assumption of bravery in publicly abusing the "Mormons" in the midst of their chief city, a thing we have been so accustomed to that it does not create a ripple upon the stream of our tranquillity, though designed to bring evil upon us has never provoked any act of resentment, and in this case only elicits a smile.

We are satisfied that some among this company of ladies and gentlemen will leave Utah with very different impressions concerning its people than those entertained previous to their visit among us, and we hope that at least a few of them will carry in their hearts the good seeds of truth planted during their brief stay, which will eventually germinate and bring forth the fruits of righteousness and obedience to the unchangeable plan of salvation which God has revealed in these times for the benefit of all who receive it.

Some of the company took a trip this morning to the Utah Western as far as Lake Powell, to take a good view of the "Dead Sea of America," and a few of them to bathe in its briny waters. Four coaches were placed at their disposal, but in consequence of some misunderstanding the cars were not filled by the excursionists. Those who remained in the city occupied the morning in making investigations and inquiries which we trust will prove profitable to them. Quite a number of our Church publications have been purchased by members of the party and will furnish them food for thought on their way to California's greatest wonder, the Yosemite.

From what we have seen of the party we are satisfied that it includes many estimable people who cannot be influenced by the false and foolish stories that are circulated concerning us, but will take the pains to investigate for themselves, and when they return to the East will speak only that which they do know, and testify of that which they have seen. We wish them a pleasant trip to the coast, and a safe return to their homes. And to those who have made of this occasion an opportunity to vent their spleen against a people whose great crime is a difference of religious faith and practice from those of the world, we wish better manners, a better spirit, and more mercy from God than they desire to be exercised towards the "Mormons."

## THE MILES CASE.

This morning John H. Miles appeared in the Third District Court to receive sentence. The particulars in full are given below. To understand the grounds on which his counsel made the motion for a new trial, it is necessary to give the several reasons assigned, and also the instructions which defendant desired to be given to the jury, and which Judge Emerson refused to present. First we append in full the defendant's instructions.

DEFENDANT'S INSTRUCTIONS.

The defendant asks the Court to give the following instructions to the jury:

1st.—This is a prosecution for the crime of bigamy and the defendant is charged with having first married Emily Spencer and thereafter married Caroline Owens, the said Emily Spencer still living.

Now in order to convict the defendant three distinct facts must be proven by the prosecution beyond a reasonable doubt, to wit:

First. That the defendant was first married to Emily Spencer.

Second. That thereafter he married Caroline Owens.

Third. That Emily Spencer was living at the time of said alleged second marriage.

2d.—The jury are further instructed that in a prosecution for bigamy, the first marriage must be established by proof to have been a valid subsisting marriage at the time of the second marriage, and to prove this there must be evidence of a marriage in fact.

3d.—Proof of a valid marriage involves questions of law as well as of fact, and the more calling a witness "a wife" by a person charged with bigamy, is insufficient in law to prove a marriage; the fact of a marriage having taken place between them must be proven.

4th.—The first marriage and its validity must be affirmatively proved by evidence beyond the mere declarations, confessions, admissions or reputation of the defendant, and if the jury believe from the evidence that there is no proof that defendant and Emily Spencer were ever married, beyond the mere admissions, confessions, or declarations of the defendant, then they will find the defendant not guilty.

5th.—Beyond the fact of a valid marriage the jury must also find from the evidence beyond a reasonable doubt, that the alleged marriage with Emily Spencer, if at all, was the first marriage, and was entered into prior to the alleged second marriage with Caroline Owens, otherwise the defendant is entitled to a verdict of not guilty.

6th.—In a prosecution for bigamy, the mere confessions or admissions or declarations of a party are not alone sufficient evidence of the first marriage, but there must be proof of a marriage in fact, otherwise the defendant is entitled to a verdict of not guilty.

7th.—The jury are further instructed that the prosecution is held to exact strictness in proving the name of the person with whom the second marriage is alleged to have taken place, and if you find from the evidence that Caroline Owens is not the name of the person with whom defendant is alleged to have contracted the second marriage, then the variance is fatal and you will find for the defendant not guilty.

8th.—If the jury find from the evidence that instead of marrying Caroline Owens the defendant married one, Caroline Owen Malle, or Caroline Owen, by name, and in such name then the variance is fatal and the verdict will be not guilty.

9th.—If the jury have any doubts upon any of the foregoing questions they are directed by the court to find in favor of the defendant, and the law gives to the defendant the benefit of every reasonable doubt, and if from the evidence you have any reasonable doubt as to whether the foregoing facts or any of them have been clearly proven, you will give the defendant the benefit of such doubt, and find a verdict of not guilty.

10th.—If the jury find that Caroline Owens, at the time of the alleged marriage with defendant, knew or had reason to believe that defendant had previously married another, and that the contract of such second marriage also became and was an accomplice to the same.

11th.—A conviction can not be had on the testimony of an accomplice unless he or she is corroborated by other evidence which in itself and without the aid of the testimony of the accomplice tends to connect the defendant with the commission of the offense, and the corroboration is not sufficient if it merely shows the commission of the offense or the circumstances thereof.

12th.—In all criminal prosecutions circumstantial evidence of a conclusive nature may often avail where direct testimony is inaccessible, but it must be reasonably capable of any other interpretation, and must be that class of testimony from which nothing but guilt can in the nature of things be deduced. Calling a woman "a wife," and even holding her out as such, is not of itself sufficient evidence to permit a conviction upon any proof which is susceptible of two or more interpretations, and upon which any doubt is reasonably based of innocence of the offense charged.

We next give the defendant's reasons for the motion for a new trial.

1st.—The defendant assigns the following reasons upon which he would pray on his motion for a new trial, which is denied to wit:

1st.—The Court erred in allowing the state to introduce evidence to ask the jurors on any other ground if they believed in polygamy, or that he or they belonged to the Mormon Church, or allowing any questions as to the religious belief of any juror.

2d.—The Court erred in appointing a jury to try the charge of the United States District Attorney to any and all of the jurors mentioned in the foregoing statement.

3d.—It was an error for said jurors to inquire into or consider the religious belief of any of the jurors.

4th.—The Court erred in allowing the state to introduce evidence to ask the jurors on any other ground if they believed in polygamy, or that he or they belonged to the Mormon Church, or allowing any questions as to the religious belief of any juror.

5th.—The Court erred in ruling that the mere calling a woman "a wife" by defendant was inadmissible to prove a marriage with her.

6th.—The Court erred in allowing the state to introduce evidence to ask the jurors on any other ground if they believed in polygamy, or that he or they belonged to the Mormon Church, or allowing any questions as to the religious belief of any juror.

7th.—The Court erred in allowing the state to introduce evidence to ask the jurors on any other ground if they believed in polygamy, or that he or they belonged to the Mormon Church, or allowing any questions as to the religious belief of any juror.

8th.—The Court erred in allowing the state to introduce evidence to ask the jurors on any other ground if they believed in polygamy, or that he or they belonged to the Mormon Church, or allowing any questions as to the religious belief of any juror.

defendant Miles, and no first marriage or other marriage of defendant Miles was proven to the Court or jury; that admissions or declarations alone can not prove a marriage, in a case such as the one at bar, and that Carrie Owens was an incompetent witness and disqualified from testifying at this stage of the case.

9th.—The Court erred in excluding the proper testimony of witnesses Mrs. Sarah Cannon, when the defendant proposed to show that there was a marriage with Carrie Owens, and that defendant and Carrie as husband and wife slept together at the house of witnesses on the night of the marriage. And the Court erred in excluding the testimony of same witnesses that Carrie Owens sent for defendant Miles, as her husband, and said he was her husband.

10th.—The Court erred in its instructions to the jury, and said instructions are against law.

11th.—The Court erred in giving the first request asked for by the prosecution.

12th.—The Court erred in giving requests Nos. 2, 3 and 4 asked for by the prosecution.

13th.—The Court erred in refusing and failing to give instructions Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 asked for by the defendant.

14th.—The evidence was insufficient to sustain the verdict, and the same was against the evidence in this case.

15th.—The Court erred in its instructions to the jury, and said instructions are against law.

16th.—The Court erred in its instructions to the jury, and said instructions are against law.

17th.—The Court erred in its instructions to the jury, and said instructions are against law.

18th.—The Court erred in its instructions to the jury, and said instructions are against law.

19th.—The Court erred in its instructions to the jury, and said instructions are against law.

20th.—The Court erred in its instructions to the jury, and said instructions are against law.

21st.—The Court erred in its instructions to the jury, and said instructions are against law.

22nd.—The Court erred in its instructions to the jury, and said instructions are against law.

23rd.—The Court erred in its instructions to the jury, and said instructions are against law.

24th.—The Court erred in its instructions to the jury, and said instructions are against law.

25th.—The Court erred in its instructions to the jury, and said instructions are against law.

26th.—The Court erred in its instructions to the jury, and said instructions are against law.

27th.—The Court erred in its instructions to the jury, and said instructions are against law.

28th.—The Court erred in its instructions to the jury, and said instructions are against law.

29th.—The Court erred in its instructions to the jury, and said instructions are against law.

30th.—The Court erred in its instructions to the jury, and said instructions are against law.

31st.—The Court erred in its instructions to the jury, and said instructions are against law.

32nd.—The Court erred in its instructions to the jury, and said instructions are against law.

33rd.—The Court erred in its instructions to the jury, and said instructions are against law.

34th.—The Court erred in its instructions to the jury, and said instructions are against law.

35th.—The Court erred in its instructions to the jury, and said instructions are against law.

36th.—The Court erred in its instructions to the jury, and said instructions are against law.

## BY TELEGRAPH.

THE WESTERN UNION TELEGRAPH LINE.

FORTY-SIXTH CONGRESS.

EXTRA SESSION.

SENATE.

WASHINGTON, 2.—McDonald being absent, consideration of his resolution was postponed.

Blaine gave notice of a proposed amendment to the Constitution; also to refer to committee on alleged election frauds, facts in regard to the night of the marriage. And the Court erred in excluding the testimony of same witnesses that Carrie Owens sent for defendant Miles, as her husband, and said he was her husband.

HOUSE.

WASHINGTON, 2.—Under the call of states, many bills were introduced and referred, among them the following:

By Wise, for the taxation of promissory notes, bonds and mortgages, and making it unlawful to exact more than five per cent interest for a loan of money.

By Sanford, prohibiting the issuing of United States bonds payable in currency into coin bonds.

By Lowe, to substitute legal tender currency for national bank currency.

By Springer, prohibiting any soldier or sailor from receiving any place where a special or general election of representatives in Congress is being held, from leaving his barracks for any purpose except that of relieving guard or casting his vote on the day of election.

EASTERN.

The Manhattan Savings Bank Robbery—Seven Months of Close Watch.

NEW YORK, 2.—The whole story of the Manhattan Savings Bank robbery—seven months of close watch.

NEW YORK, 2.—The whole story of the Manhattan Savings Bank robbery—seven months of close watch.

NEW YORK, 2.—The whole story of the Manhattan Savings Bank robbery—seven months of close watch.

NEW YORK, 2.—The whole story of the Manhattan Savings Bank robbery—seven months of close watch.

NEW YORK, 2.—The whole story of the Manhattan Savings Bank robbery—seven months of close watch.

NEW YORK, 2.—The whole story of the Manhattan Savings Bank robbery—seven months of close watch.

NEW YORK, 2.—The whole story of the Manhattan Savings Bank robbery—seven months of close watch.

NEW YORK, 2.—The whole story of the Manhattan Savings Bank robbery—seven months of close watch.

NEW YORK, 2.—The whole story of the Manhattan Savings Bank robbery—seven months of close watch.

NEW YORK, 2.—The whole story of the Manhattan Savings Bank robbery—seven months of close watch.

NEW YORK, 2.—The whole story of the Manhattan Savings Bank robbery—seven months of close watch.

NEW YORK, 2.—The whole story of the Manhattan Savings Bank robbery—seven months of close watch.

NEW YORK, 2.—The whole story of the Manhattan Savings Bank robbery—seven months of close watch.

NEW YORK, 2.—The whole story of the Manhattan Savings Bank robbery—seven months of close watch.

NEW YORK, 2.—The whole story of the Manhattan Savings Bank robbery—seven months of close watch.

NEW YORK, 2.—The whole story of the Manhattan Savings Bank robbery—seven months of close watch.

NEW YORK, 2.—The whole story of the Manhattan Savings Bank robbery—seven months of close watch.

NEW YORK, 2.—The whole story of the Manhattan Savings Bank robbery—seven months of close watch.

NEW YORK, 2.—The whole story of the Manhattan Savings Bank robbery—seven months of close watch.

## SALT LAKE THEATRE!

MAX STRAKOSCH respectfully informs the public of Salt Lake City that he has concluded arrangements for

TWO GRAND OPERATIC PERFORMANCES.

To take place on

Saturday and Monday Ev'g's,

JUNE 10th and 11th.

When the following principal Artists of his Grand Operatic Company will make their first and only appearance in this city.

Mrs. Maria Latta,  
Prima Donna Soprano;  
Miss Anna Louise Cary,  
The Great Contralto;  
Miss Lonsdale,  
Prima Donna Soprano;  
Miss Lonsdale,  
Prima Tenor;  
Mr. E. C. Crotchall,  
Prima Baritone;  
Mr. Geo. A. Conley,  
Prima Bass.

MUSICAL DIRECTOR:  
Mr. Roberts and Mrs. Demareville.

The first night's performance will consist of the Second and Fourth Acts of

FAUST.

And the Fourth Act of

TROVATORE!

The second night's performance will consist of the Second and Fourth Acts of

MIGNON.

And the Mad Scene from

LUCIA DI LAMMERMOOR!

All the Artists above mentioned will positively appear at each performance.

POPULAR PRICES.

Parquet and Parquet Circle.....\$1.50  
Reserved Seats 50 cts. extra.  
First Circle.....1.00  
Reserved Seats 50 cts. extra.  
Second Circle.....75  
Reserved Seats 25 cts. extra.  
Gallery.....50

SPECIAL NOTICE.—The sale of seats for the two performances only, will commence on Thursday morning the 10th inst. at 10 o'clock at Box Office.

The sale of seats for single nights will commence on Friday morning.

FOR SALE.

OR EXCHANGE for good City Property a FARM of 100 acres, five miles south of Salt Lake City, with a fine view, with town and farming implements.

Apply to

COOPER BROS.  
Under T. R. Jones' Bank.

VALUABLE INFORMATION

To those interested, I wish to inform the public that I have secured a large stock of goods, and will make arrangements for buying and selling on commission.

FOR WOOL

Wool, Scales, Tines and a No. 1 article of Sheep Shears furnished. I also deal in Hides, Fats, Tallow, Pork, and other articles. My office is at the corner of South and East Temple Streets, Salt Lake City, U. S. C. W. CLARK.

THE SUMMER TERM

or

Mrs. M. E. RANDALL'S School

Will commence on Tuesday, June 3rd, 1879, in MORGAN'S College.

Also Evening Classes at same place.

For Terms, etc., apply to

# LADIES!

.....CALL AT.....

## Z. C. M. I.

AND SEE THE

# NEW TALMAS.

LORNE,  
BRIGHTON,  
NEWPORT,  
CAPE MAY,  
NARRAGANSETT,  
LONG BRANCH.

THEY ARE DESIRABLE!!

H. S. ELDREDGE, Supt.

**JALE** **SAPONE**

A HOUSEHOLD SOAP

HENRY SNELL MANUFACTURER OF

LAUNDRY SOAP

### SPECIAL NOTICE.

THE Utah Southern Railroad Company, having Utah Southern Railroad Extension, hereby gives notice to all whom it may concern that TIES will not be received by either of said companies after June 20th, 1879.

JOHN SHARP, Supt.

### ATTENTION FARMERS

For Good, Durable and Cheap HARNESS, SADDLES, &c.

Go to the

Workingmen's Harness Shop!

Second South St., 5 doors west of State Road.

All Work Warranted.

REPAIRING DONE.

LIGHT HARNESS A SPECIALTY.

MOSS, BREWER & CO.

### PIPE ORGAN.

GEORGE CARELESS

HAS just received a splendid PIPE and REED ORGAN, made by the celebrated Geo. Wood's ORGAN CO.

For great power and sweetness of tone it excels any Organ ever seen in Utah.

He has also a very beautiful Woods' UPRIGHT PIANO.

The tone is sympathetic, and of fine singing quality, the action perfect, the design elegant, and the finish and workmanship of the very finest.

He is also agent for the "KNAKE," "ARION," "HARDMAN" and "WATER'S" Pianos.

And most respectfully invites his friends and the public to give him a call at his New Store on First South Street, two doors east of Woodward's Furniture House, and examine his splendid stock of all kinds of instruments, SHEET MUSIC, Strings, &c., &c.

137 1/2

### TEASDEL'S

Specialty Selected from BEST MARKETS AND LOWEST PRICES at

TEASDEL'S

### SALT LAKE CITY TRUNK FACTORY

VALISES, TRUNKS, Satchels, Valises and Travelling Equipments, Made and Repaired to order on the shortest notice, which for quality and price defy competition either at home or abroad.

Manufactory and Salesroom—85 First South Street

4 Doors West of Woodward's Furniture Store.

All Orders addressed P. O. Box, 510.

J. H. CLEMETSHAW, Supt. of Factory.

J. W. SNELL, Proprietor.

### "BIG BOOT,"

Has been transferred to Zion's Co-operative Mercantile Institution.

A Full Line of All Styles and Best Qualities of HOME-MADE BOOTS & SHOES.

At Lowest Prices, will always be found in Stock at

Z. C. M. I.

H. S. ELDREDGE, Supt.

WM. W. TAYLOR, Clerk.

High Council.—The members of the High Council are requested to meet in the Council House, on Wednesday evening, the 4th inst., at 7 o'clock.

High Council.—The members of the High Council are requested to meet in the Council House, on Wednesday evening, the 4th inst., at 7 o'clock.

High Council.—The members of the High Council are requested to meet in the Council House, on Wednesday evening, the 4th inst., at 7 o'clock.

High Council.—The members of the High Council are requested to meet in the Council House, on Wednesday evening, the 4th inst., at 7 o'clock.

High Council.—The members of the High Council are requested to meet in the Council House, on Wednesday evening, the 4th inst., at 7 o'clock.

High Council.—The members of the High Council are requested to meet in the Council House, on Wednesday evening, the 4th inst., at 7 o'clock.

High Council.—The members of the High Council are requested to meet in the Council House, on Wednesday evening, the 4th inst., at 7 o'clock.

High Council.—The members of the High Council are requested to meet in the Council House, on Wednesday evening, the 4th inst., at 7 o'clock.

High Council.—The members of the High Council are requested to meet in the Council House, on Wednesday evening, the 4th inst., at 7 o'clock.

High Council.—The members of the High Council are requested to meet in the Council House, on Wednesday evening, the 4th inst., at 7 o'clock.