conditions, ought not to complain if LATEST DISPATCHES. punishments shall not be imposed. He-OGDEN OCCURRENCES. EVENING NEWS and he did yote for indicament where the evidence" warranted it, but to go they are desed a little with their own FEBRUARY 7, 1887. Published Daily, Sundays Excepted, medicine for the benefit of their future back and find an indictment for every For about two weeks past the "Lib-AT FOUR O'CLOCK. official health day, or every month or week, he would not do it. Notwithstanding the evi-The Rumors From Europe Very Coneral" party, finding themselves in As the law stands, interpreted by the ence showed that defendant had been strait places, and their number of highest legal tribunal, an indictment flicting. PRINTED AND PUBLISHED BY THE iving in unlawful consbitation for legal voters much smaller than they at for unlawful cohabitation cannot be three years, he would find but one in-found for more than one offense up to dictment. He had advised with no one DESERET NEWS COMPANY first bossted they were, have been talked with no one, except perhaps his whistling long and loud to keep their he date of the indictment, no matter LOSING GROUND STRIKERS own spirits up, and trying to keep which year the prosecution may choose Mr. Moritz and Mr. Davis thought other people's spirits down. Dreading CHARLES W. PENROSE, EDITOR. to found it upon. After a defendant that where parties had been indicted, Investigating the Vermont Railway their defeat on has been indicted, if he breaks the law tried and convicted, those parties ought to have a chance after they ST. VALENTINE'S DAY, again and it can so be made to appear, Disaster. IMPORTERS AND JOBBERS came out, then if they didn't live with · February 8, 1857 Treaday he may be subject to another indictthey have been sending notices broadin the law they were ready to indict ment. But whether the time covered cast to members of the People's party THE CATTLEMEN'S CONVENTION The Court then interrogated each of by the indictment is one year, two or to appear and show cause why their THE TRIUMPH OF RIGHT. the other jurors as to whether he look the same position, but they an renames should not be stricken from the registration list. The gauntlet bethree or any other period, several indistments cannot be made at one time sponded in the negative. Court-Mr. Moritz, Mr. Davis and By Telegraph to the NEWS. THE special dispatch to the DESERET ing thus thrown down the challenged Beach ys. Hanlan. NEWS on Monday evening, annound- for that offense, neither can several Mr. Clayton: 1 am surprised, gentleones took it up, and in most cases have ing the decision of the Supreme counts be made in one indictment, and TORONTO, Untario, Feb. 8 .- Beach shown good cause why they should men, that after you took the oath you Court on the segregation question, oc- he can only be sentenced to six months' has accepted Hanlan's challenge to help to elect the People's ticket on did, that you would investigate and the l4th day of the present month. A few have been stricken off, but only a few. The managers, however, of the People's party here have issued several hundred invitations to "Liberals" to come and establish their right to cast their votes at the evening clostice for casioned much joy in this community inquire into all the matters that were mprisonment and three hundred dolrow on Nepeau River. Hanlan will It was not only a signal for the release lars fine for infraction of the third of the venerable Apostle Lorenzo section of the Edmunds Act, no matter brought before you, and whenever the evidence was sufficient you would find start for Australia about the end of August or the first part of September. ubscribed Capital, section of the Edmunds Act, no matter the truth, and nothing but the truth; how spiteful may be the Attorney that that you would not be influenced by He positively declines to row on Para-metta River. HEBRR J. GRANT, President, JAMES SHARP, Vice-Prevident, FLIAS A. SMITH, Seey. and Treas. Snow and other honorable gentlemen from an unjust and unlawful imprisonfear, favor or affection, or by any re prosecutes or how vindictive the Judge their yotes at the ensuing election for ward, or promise or hope thereof, but DIRECTORS. ment, but it was a sign that there is Dead. in all your presentments, you would present the truth, the whole truth, and bothing but the truth, that you will that passes sentence. city officers. Some of these will cer-Henry Dinwoodey, John Henry Sn.1.h John C. Cutler, David Eccles, some heps for justice to the "Mor-CLEVELAND, Feb. 8 .- Detective Hal-This is a great victory, not merely tainly be unable to respond in time, George Romney, John Thos. G. Webber, David P. T. Farnsworth, mons" in the highest tribunal of the for they are scattered over a vast area ligan, one of the police officers asfor those who have been suffering from of country, east, west, north and south. From Ogden to Idaho or Mon-tana, north; to Denver and Leadville east; Nevada west; Salt Lake City, etc., south, and some at distances far land, and that the judicial branch of state you will not do itsaulted by desperadoes at Ravenus, died this morning. His condition changed rapidly for the worse yesterudicial injustice, but for law and right Clayton-I have stated that I would, and did so. Court-The effect of your statement H. J. GRANT & CO., Agents. the National Government is not entirein Utah. And it is because of that, 40 East Temple St., Salt Lake City ly swayed by the power of popular that we congratulate our friends who is to that effect. prejudice. The mark of integrity in are to be released and those who are more remote. But they are all "good men and true" to the "Loyal League," Clayton-I don't understand it that that Court was as much a subject of freed from the vexatious prosecutions Startling Rumors. FARM FOR SALE! congratulation as the effects of the that threatened them, our vallant Court-Men must be cafeful when LONDON, 8 p.m., Feb. 8 -Stock exand doubtless will endeavor to be on RARE OPPORTUNITY, DUNFORD'S hand on election day. The hungry office-hunters now find important decision which it has renhome attorney, Hon. F. S. Richchange markets are very flat on lowe Farm, located on East Be from Temple Block, contained as good fence; ff.v acres in dered. who has so faithfully quotations from Berlin and rumors that Alsace-Lorraine will be declared ards. didn't take a vote on it. Court-Bat you have no right to state you would not do it. You cannot F om the first enunciation of the infought their battles in the courts, Hon. George Ticknor Curtis, who has given the benefits of his long acres; good fence; fif y acres in luceri sixteen shares water right. Price, \$3,500.0 For further information call at DUNFORD'S, famous doctrine of segregation by in a state of siege. CHECKMATED **BOOTS & SHOES**, District Attorney Dickson, we have experience and high legal status to a trifle with your consciences like that in their high-handed games, and are much chagtined in consequence. Failed this court. It is astonishing that men 124 Main Street, Salt Lake City taken the ground .which is now dedif maligned and oppressed people, and the just and true everywhere who have not more regard for their oaths still their inventive genius is at work LONDON, Feb. 8.-The West London clared to be the law by the Court of than that. Where the evidence is suff o devise more means to overthrow the delight in fairness and are supporters Commercial Bank, limited, has failed. People's party, if possible. They have, it is declared, captured every livery stable team, job wagon and other ve-hicle they can up to date to be used at the election. But the People's party's conveyances will far outnumber all that those chans can raise and will not last resort. That is, that the offense eut you have no discretion whatever NEW GOODS ARRIVED Its doors were not opened to-day. The concern did a small business, consistof the principles of constitutional law. If it is sufficient to indict, you must in-dict; if it is not sufficient, you cannot indict. You have no more discretion called unlawful cohabitation is con-TO - DAY! tinuous; that it is only one offense up ng mostly in loans to small tradesmen than this Court has when a case is sub-ultted to it. If the evidence is one wsy, the Court, under its oath, cannot HINESE DISHES AND SILKS AND Japanese Goods for Holiday Presents. Handkerehiefs from 75c. to 53,00. Ladnes' Shawls from \$3.00 to 60,00 THE ORIGIN OF SEGREGATION to the time when action is taken against it by prosecution; and that the Those Dispatches. Ar this juncture of the crusade it will that those chaps can raise and will not penalty imposed in the third section of The official dispatches which passed cost them anything. The contest will be fierce, and the "Liberals" are deand another. If a case is submitted to Also, (hinese Lilies, at doubtless be interesting to give, from the Edmunds act is the extreme punbetween the Russian and British gov-QUONG WONG SING, the Court, if the evidence is with the the record, some facts in relation to ishment that can be legally inflicted. plaintiff, it cannot find the facts the termined to die hard, as die they will, 50 E. First South Street. eroments regarding the Bulgarian ther way. So with a grand jury; you he system of segregating the offense P. O. Box, 637, Salt Lake City. if the people only do their duty. The doctrine of segregation, by question are published. They show have not the slightest discretion. You nust move directly according to your which one offense can be divided into of unlawful cohabitation into any dehat the Czar approved of the course of General Kaubars in Bulgaria, and THE CONVENTION. The WASHBURN AMERICAN CUITARS ired number of indictments or of a At two o'clock p. m. to-day, the People's party began to assemble at the Tabernacle. Soon the house was pretty well filled, and in due course the assembly was called to order by the chairman, Hon. L. W. Shurtliff. After as many offenses as desired by a grand aths, and find the truth according ND MANDOLINES nultiplication of counts in one bill. leclared that the efforts to restore the the evidence. You have no right to say you will not indict though the jury, or rather by the Prosecuting Atindependence of that country would be continued. The late Lord Iddesleigh We do not believe that Judge Zane, torney, who dictates the matter. vidence may be sufficient. You have who, generally speaking, is a good was invented for the purpose then Foreign Secretary), in reply said o right to say a law is unconstitution. of gratifying the expressed wish lawyer, believed in its validity, his hat though the Russian government' al or wrong after the Court charges you that it is the law. It is the duty of of Chief Justice Zans, who, from scruples on that ground having been the bench of the Third District overcome by his fanaticism and the impression of the events in Bul-garia differed widely with those of the British government, England the opening exercises, he stated that the object of the meeting was to nom-inate officers to be elected for the city he Court to charge you what the law is with respect to your duties as grand jurors, and has so charged you. Gentlemen, you are ex-cused as unworthy to sit on a grand humiliating , influence exercised over Court, declared that the penalties prewas equally desirous of maintaining the treaties relative to Bulgaria and LYON & HEALY, 162 State St., Chicago government on the 14th instant. It was decided that the vote should be by "show of hands." There him by District Attorney Dickson, sented by law were not sufficient for obtaining a pacific solution of the difthe mormity of the offense committed who has not only acted in the courts ary. Next time you come before the Jourt and are questioned as you were n this case, as members of, the grand ury, answer frankly and honestly, and ficulty. was quite a number of ladies in the congregation, and it was stated by a man who holds out to the world of Utah in the spirit of a persecutor. CALL AT H. REISER'S more than one woman as his wives. but with the air of an autocrat. The Bad News from Berlin, that they, as well as all others present, had the right to nominate any person for office they felt disposed to. The He wanted fam to be punished with record shows the conversion of Judge THE WELL-KNOWN JEWELER, LONDON, Feb. 8, 2:30 p. m.-In the you go on the grand jury you must extreme severity. But as he had no. Zane in practice if not in theory. stock exchange, American securities No. 12, E. First South Street Mr. Moritz, Mr. Davis and Mr. Claywork was then begun in earnest. Many On May 2nd, 1885, Parley P. Prat power to legislate directly and change are firm; other foreign securities are candidates were proposed, their merits, qualifications and claims were - FOR the language of the statute to suit his pleaded guilty to an indictment for unon, you may retire, you are discharged steady; the rates for carrying over are BARGAINS IN WATCHES, JEWELRY, ETH rom this grand jury. vindictiveness, District Attorney Dick- lawful cohabitation. When about to eloquently descanted on by their ight. This afternoon Mr. McKay made an friends, but of course they could not all be elected. The deliberations of Advices from Paris and Frankfort son planned the scheme by which the | receive sentence Judge Zane gave him argument in support of the proposi-tion that the Court had power to fill ar Repairs neatly done and warranted. say that the bourses there are firm; the Beriin market, however, is weak. effect desired could be produced a judicial lecture, in the course of the convention resulted as follows: without changing the wording of the which he expressed regret that the law he vacant places in the grand jury THE TICKET. le read from the decision of the Su S.NOSWOHI Strikers Losing Ground. did not authorize him to inflict a reme Court in the Clawson case, af-It was to the effect that instead of heavier punishment than six months, rming the legality of the open venire

imprisonment and a fine of one indictment covering the time during which a defendant was charged \$300, which penalty he imposed. In his extra-judicial zeal with living with his wives, as evidently contemplated in the statute creatin, he overshot the mark and included theoffense, his offense could be divided bard labor, which is unauthorized by

H. S. ELDREDGE, Superintendent, BROS. COHN **Unusual and Exceptional Bargains !** ATE DRESS GOODS.



MERCHANDISE

MANUFACTURERS OF

MI

4

NEW YORK, Feb. 8.—There was con-siderable activity on the piers of the river front this morning and freight was being moved with Luch more dis-patch than on any day since the strike. The time that has elapsed since the 'longshoremen and freight haadlers

up so that a separate indiciment might be found for each year. The Court jumped at the scheme and sustalued it as good law. The now Lotorious Judge Powers went further, and ruled that an indictment might be found for every day of the ime curing which a defendant lived with his wives. This was logical if not legal. And the the same rule it might be argued, with just as much show of reason and right, that an indictment might be found for and . still later could inevery minute as for every day.

But fearing that the separate inflict ment scheme would fall ti rough on a judicial test, serarate counts in the same indiothent were substituted. As many as half a cozen counts were made against some defendant and only one each against othere, according to the notion or an mrs of the Prosecuting Atterney. Some o. the victims to this illegal arrangemen are now in the penitentiary suffering unlawinl imprisonment, others having served one term have several counts on indictments harging over their heads, and others are at large, keeping from arrest because of the prospect of threatened multiplied fines and terms of imprisonment; unsuthorized by law

Under the amended law in relation to appeals to the Supreme Court of the United States it was supposed that this iniquity would prevail without remedy And when, in the case of Apostle Lorenzo Snow, appealed to that Court, 1 was dismissed for alleged lack of jurisdiction, the persecutors of the "Mormone" rejoiced with fiendisb glee, being adsured that the segregation infamy could be worked without check or hindrance. But the Organic Act provided for an appeal on habea: corpus denied by the lower courts, and now the whole plan for multiplying for instructions. penalties for cohabitation is declared illegal. The numerous counts are swept away as well as the separate indictments.

Thus it is shown that "the law as construed by the courts," to which all "Mormons" are required to bow dowa without question, may be, and in thes cases has been, legally as well as it incurable. He could not bring forjurisdiction in the matter, even tiou : made to see it in that light, and hence the sweeping decision.

he law, and he therefore subsequent liminated that part of the judgment udge Zane, in other subsequencases, expressed the same regret regarding the lightness of the legal pe-

alty. Afterwards Mr. Dickson came to relief with the theory that the off of unlawful cohabitation could egregated into any number of indictments against the same person clode any desired number of ounts in the same indictment.

dissentients is specially edifying, and he learned judge will doubtless not Taus it was made possible to receive any comfort from the developand a man to prison for periods rangment of the fact that the jurors who ng from six months to the full term of were so summarily ejected from the his natural life, with a possible fine panel were in that instance ahead of that could not be reached by a million. itself and Mr. Dickson as constitusire. This theory was, introduced, by tional lawyers. The rebuke admini-

suated.

process in obtaining a petit jury, and contended that it was within the power

of the Court to adopt the open venire

At the close of his remarks, Mr. Mc-

Kay moved that an open venire issue,

The foregoing proceeding will doubt-

as furnish deligntful reading to the

conators and formulators of the

Mr. Dickson Sept. 16th, 1385. On tha tered to those jurors for triffing with their consciences and oaths appears date the grand jury came luito court and their foreman stated to Judgsomewhat grotesque at this stage of Zane that they desired further instructhe crusade.

It is a legal axiom that "common tions on a certain point, and suggested that District Attorney Dickson state sense is common law." It appears to be a sensible proposition that the the case to the court. Mr. Dickson oriefly stated the circumstances, as grand jury thus depleted and subse-

follows: A case had come up quently restored to its original numeror investigation by the grand ical proportions was an illegal body. u.y, in which a man was charged with The logical result of this fact is that inlawful cohabitation, and the evi ail its subsequent findings and prolence tended to show that since Febceedings were of the same complexion, ruary, 1883, he had lived a portion of as an invalid fountain cannot emit a sach week with each wife. Mr. Dickvalid stream.

on had informed the grand jurors that We have shown the origin of the they might, under those circumperfidious theory that in order to stances, if they believed the evidence, present a separate indictment for each month and each week during that period, and had suggested the stretched as to enable bigoted and propriety of finding at least an indictment for each one of the three merciless legal administrators to incarcerate their victims for life and rob years. Some of the jurors were in them of their property. From the be doubt as to the legality of such a proginging made here by W. H. Dickson coeding, and they had come into court and C. S. Zane, the villainous system

extended, the rotten thread being cut The Court (Judge Zane) instructed up by the corrupt Powers of the First the jury that an indictment might be found for any portion of the time, and the pusillanimous Boreman of the within the three years past, in which Second District, and from this impurs centre it radiated northward into the offense was proved to have been committed, whether it be for a year, a ldaho.

The finding of numerous indictments On October 9th, 1885, one of the mcs for the same offense, after being oper-

uonth or a week.

mought the juror incompetent. The court asked for his name and isvion was name

and the Court ordered that it be for si ames, and be returnable forth with. t it be for sh quit work has enabled the railroad and steamship companies to select and, in some cases, train sufficient men to this proceeding was followed, as the 00 names on the mry list were exfreight moving steadily besides, many of the old teep. steadily Upon the return of the open tenfre, along: Scott, J. T. Clasbey and A. Gepfreight handlers and 'longshoremen are coming back to work not at places where they are known, but where they are least likely to be

River Falling.

legation theory. The lecture of the CINCINNATI, Ohio, Feb. 8.-The river has continued to fail at the rate of one matto Mr. Clayton and his fellowand two inches per hour. The waters have so far receded that all trains have returned to the Central passenger depot and the treight embargo has been in the Snow case thas caused

Closed Flat.

PARIS, Feb. 8 .- The bourse closed flat, owing to untavorable rumors from Germany.

Ashore.

NEW ROCHELLE, N. Y., Feb. 7 -- An unconfirmed rumor prevails that a sound steamer is ashore near Gooseberry Island. The weather is foggy and no particulars can yet be obtained

Investigation of the Disaster. WHITE RIVER JUNCTION, Feb. 8 .-

The investigation of the railroad disaster of Saturday was continued today. Baggagemaster Cole, employed on the train which went down, said that the first intimation of trouble was, "he should judge, at the end of the prosecute an unpopular class a bridge, where there was a sharp shock. prosecute an unpopular class a "My theory is that the first pas-iaw which prescribed a maximum senger car was off the penalty of six months' imprisonment track before reaching the bridge, and a fine of \$300 can be so twisted and but because of the frozen ground, ran smoothly until the bridge was reached. when from the dropping of the pas-senger car into the bridge it depressed the couplers of that, letting them apart: then all following, the cars ran on to the bridge off the track " John Parker, the brakesman who jumped from the train just before it reached the bridge, testified that the train was going at the rate of seven or ight miles an hour at the time, and gave in evidence the substance of his previous statement regarding his ride to Junction and arousing the people on

The C. ttlemen's Convention.

DENVER, Feb. 8.-The second annual Association convened in the Tabor Grand Opera House this morning with bout 250 delegates present, representing all the range country between the Missouri River and the Pacific. An ddress of welcome was delivered by Gov."Adams and Mayor Bates. The convention appointed a committee on redentials and took a recess till this afternoon.

know.

District Judge Treat has rendered a decision in one of the celebrated manufscturing cases which has of "late been in the courts, that of the Iowa Steel Barb Wire Company of Marshalltown, Iowa, against the Southern Barb Wire Company of St. Louis. The de-cision was against the local company, and declared that the Boss patent for

The votes for these gentlemen were all made unanimous, and the people resolved to go solid to the polls, and vote for them there. During the convention a telegram was re-ceived and read announcing the decision of the Supreme Court in the Snow case, reversing the ruling of the court below. This announcement was

received with manifest appreciation and gratitude by all. Appropriate remarks were made by several speakers and at 4:45 the as-sembly was dismissed with benedection by the chairman.

THE DECISION comment, disappointment and some

slarm among the league, but to all fair-minded men in this community It is the cause for congratulation. To-night the "Liberals" held their nominating convention in the Opera House. By 7:30 the hall was crowded and quite asprinkling of the fair sex was present. The meeting was called to order by the temporary chairman, Col. John E. Hudson, and after the preliminaries, Judge P. H. Emerson

was elected permanent chairman, and W. B. Helirich secretary. The chair-man said that this was the most im-Catalogue free on application, portant convention ever held in Ogden if not in the Territory. He remin the audience that this was not

A PRIESTHOOD MEETING,

citizens" of Ogden, who had met to nominate officers who would be elected at the coming election to fill the posi-REAM BAI Gives Relief a tions in the city government. Never tefore, the speaker said, had so large a number of loyal citizens assembled for such a purpose in this hall. The roli was then called; the delegates, fifty in number, responded, and, after other preliminaries, the nominations were proceeded with, with the following re-

Not a Liquid, Snuf, or Pow-For Mayor-F. J. Keisel. Aldermen-Chas. Blackwell, W. N. Shil-ling, John Keck, A. J. Stone. * Councilmen-E. T. Hulaniski, H. L. Grif-fin, Ad. Kuhn, P. T. Thorsted, W. H. der. Free from injurious Drugs and Offensive odors.

Turner, at large. Becorder-J. W. McNutt. Assessor and Collector-Win. Farrell. Treasurer-O. E. Hill. Marshal-Wm. H. Clark.

There were many nominees for each office, but for the Marshal there were seven. The contest was close, and it was not until the sixth ballot that a majority of all the votes-26-wss reached with the above result. At half-past ten the convention broke up

with a loud "hip, hip, hip, hurrah!" for the faint hope they had for the suc-

A PANIC



conset throughout the United States. The R, G and R, H grades are made in Short. Medium and Extra Long Waist, suit-able for all figures. The G quality, made of English Contil. is warranted to wear twice is long as ordinary consets. Highert awards from all the World's great furs. The last medal received is for First Degree of Merit, from the late Exposition beid at New Orleans. While scores of patents have been found worthless, the principles of the Glove Fit-ting have proved invaluable.

Hetallers are authorized to refund money if, on examination, these Corsets do no prove as represented. For sale every-where.

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but it was a convention of the "loyal ELY'S

> EAM BALN HEAD HAYFEVER

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1 case 42 inch Cashmere, in Dark and Tan Shades, at 25 cents, worth 40 cents.

50 Dress Patterns, containing 12 to 14 yards, 24 inch, Handsome English Dress Goods, at \$2.00 and \$3.00 a pattern. Few Combination Patterns, at \$3.50. Ladies' Cloth Tricots and Cloth Suitings, at Cost.

----:0:-----

75 pieces of 24 inch Spring Dress Goods, at 10 cents.

KID GLOVES.

4 Button Kid Gloves, at 55 cents.

Embroidered Back, at 75 cents, reduced from \$1.00.

44 Scalloped Tops, very superior Glove, at \$1.85. 5 :0:----

CORSET SALE.

We offer the Brighton a Coraline Corset at 50 cents, worth \$1.00. We have reduced several styles of \$1.25 Corsets, to 75 cents. The "Bridal," made of the Best French Sateen, beautifully stitched and embroidered, at \$1.00.

BALL'S HEALTH, at \$1.00.

KT WARNER'S HEALTH, at \$1.25. WARNER'S CORALINE, at \$1.00.

Clearing Out several styles BUSTLES, at 25 cents.



