

# SPECIAL BUSINESS NOTICES.

**BETSEY BAKER**, at the Theatre on Saturday evening.

Read the poetical advertisement of Charles Cooper, Whitener and Kalamander, who invites everybody to have his house whitened and sweetened before the fierce days of summer come along.

**HUMAN HAIR**—Just opened, the largest stock of combs, brushes, French ornaments for the hair and imitation hair, ever seen in this city. Call and see them at the Standard Hair store.

**WM. IRVINE**, Proprietor.

**"STILL WATERS RUN DEEP"**, at the Theatre on Saturday evening.

**REMOVAL**—John Johnson, Boot and Shoe maker, has removed from his old stand, Main street, opposite to McKimmin's stables, to 2d South street, east of Commercial, where he will be pleased to see his old customers.

**FIRST BENEFIT** of Mr. E. B. Marden at the Theatre on Saturday evening.

Read extra notice, Coalville district.

**Geo. DUNFORD**, "The Hatter," has just received Spring Style Silk Dress Hat, 1875. Gents, call and see them.

**THEATRE** open on Saturday evening.

We challenge the world to produce a collar that will keep clean longer, without washing, than the Elmwood.

**SPRING FASHIONS**—An elegant assortment of Ladies' Pattern Hats, Bonnets, Flowers, Ribbons, Feathers, Ornaments and Trimmings, will arrive in a few days at Mr. Colquhoun's Temple of Fashion.

**SELLING OFF** at cost the entire stock of Dry Goods at Schwartz Store, East Temple Street, on account of removing into the new store lately occupied by Mr. Wallace, confectioner.

**TO LET**—The premises, No. 90 East Temple Street, suitable and fitted up for a bank. Enquire in the basement of

**DANIEL GREENE**.

**The Cheapest Place to buy Wall Paper** is at Rivers & Co's, one door south of Walker House.

**HANDSOME WINDOW CURTAINS** just arrived at Rivers & Co's, one door south of Walker House.

**IF YOUR WATCHES or CLOCKS** are out of repair, bring them to H. Reiser, Watchmaker, opposite the Herald Office. He warrants his work.

**HANDSOME STOCK of Wall Paper** just arrived at E. W. Rivers & Co's, one door south of Walker House.

**WANTED IMMEDIATELY**—Five hundred men to purchase the Springs Coal. Apply at once at the yard. Proceed while you can get a supply of this splendid fuel and be happy.

**CHAMBER'S ENCYCLOPEDIA**—Messrs. J. B. Lippincott & Co., of Philadelphia, announce that, by a late purchase, they have become the sole proprietors of the American Revised Edition of "Chamber's Encyclopedia," and are thereby enabled to offer the work at much lower rates than hitherto. In the course of its recent thorough revision, the American edition was edited with the special view of supplying the wants of American readers. It also possesses a special attraction in containing a series of over seventy-five full-page engravings not contained in any other edition.

**CHEAP BUILDING SPOT** for sale, 20th Ward. Apply at this Office, 924 1/2 P.

**IMPORTANT TO THE TRAVELING PUBLIC.**

It is the duty of all persons before starting on a journey to ascertain by what route they can reach their destination with the least trouble, and if there are two or more roads leading to the same point, to decide which is the safest and pleasantest to travel.

We take pleasure in stating that the CHICAGO & NORTH-WESTERN RAILWAY is the oldest, and several miles the shortest, route between Omaha and Chicago. Within the last two years the road has been put in admirable condition, and almost the entire line has been re-laid with steel rails.

The Depot in Chicago is centrally located, and as their trains arrive there thirty minutes in advance of all other lines, passengers can always be sure of making Eastern connections.

Close connections are made at Chicago with the Lake Shore & Michigan Southern, Michigan Central, Baltimore & Ohio, Pittsburg, East Wayne & Chicago, Kankakee Line and Pan Handle Routes, for all points EAST and SOUTH-EAST.

If you are going to Chicago, or East, you should, by all means, purchase your tickets by the Old Pioneer Route.

The Chicago and North-Western. You will find on all through trains Pullman Sleepers, new and magnificent Day Coaches, and the best Smoking and Second Class Cars now on any road in the United States.

Particular information, with maps, time tables, etc., may be had at any of the Through Ticket Offices in the West, or upon personal or written application to J. W. Irons, Ticket Agent, Salt Lake City, A. H. Earl, Ticket Agent at Ogden, or to J. H. Mountain, Western Traveling Agent, Omaha, Neb., or to W. H. Stennett, General Passenger Agent, Chicago.

**UNIVERSITY LIBRARY and READING ROOM**, University Building, FREE.

Open every evening from 6 till 10.

Best live Geese Feathers at 80 cents a pound, and all kinds of Fancy Brackets very cheap at Danwoody's.

**PURE OLIVE OIL**—Constantly on hand the genuine article directly

Imported from France, for sale by Louis A. Bertrand, at his residence, half a block west from the Valley House and three doors from the Utah Hotel, and by Mr. R. B. Watson, watchmaker, opposite the Herald Office; price from fifty cents to two dollars, according to the size of the bottles.

As a Frenchman, I do testify that my olive oil is the very best in the market.

**OVERSHOES, Rubber Boots, etc.**, soled, heeled and repaired at the Workmen's Co-op, 90 Main St. d82

## PRICE OF GOLD.

Corrected daily by Desert National Bank.

SALT LAKE CITY, March 9, 1875.

Buying at \$1.125; selling at \$1.15.

## EVENING NEWS.

Wednesday, March 10, 1875.

### Local and Other Matters.

**THERMOMETER** 33 degrees F in the shade at 1 p.m. to-day. Cloudy, windy, stormy.

**FOUND**—A leather watch. The owner can call at this office and get it.

**Information Wanted**—William Pickup wants information from or about George Pickup, who left Philadelphia in 1841, and when last heard from, twenty-three years ago, was in Salt Lake City. Address William Pickup, 1134 Somerset St., Port Richmond, Philadelphia, Pa.

**Information Wanted**—Mr. W. J. Young, of Seward, Seward County, Nebraska, writes to postmaster Moore to ascertain the whereabouts of his son, Charles W. Young, who is believed to be somewhere in this Territory. Information should be addressed as above.

City and Territorial papers are requested to copy this notice.

**City Council**—Regular weekly meeting last night, Mayor Wells presiding.

The following business, among other matters, was done:

Jesse W. Fox had an appropriation made to him of \$19.25 for repairing streets.

**Alderman Pyper** presented his report of police business for February. It showed that 55 cases had been before the court; \$338.50 cash fines and \$433 labor fines had been collected.

In accordance with report of committee on streets and alleys on the matter of the petition of Evan Evans and others, asking that 7th West street, between South Temple and First South streets, and other parts in the same vicinity, be repaired, the prayer was not granted.

The City Watermaster was instructed to enforce the City water system of regulations.

**The Kimball Monument**—Some time since we noted the fact that a monument in memory of the late respected President Heber C. Kimball was in course of construction by Messrs. Morris & Evans. It is now completed, with the exception of the inscriptions, and can be seen at the stone yard of those gentlemen. It is probably by far the finest and most handsome thing of the kind ever produced in Utah Territory.

It is in the shape of a column, fluted, and square, and stands on a granite base, with subbase buttresses and caps of Provo Valley stone, polished. The four panels are of marble and cusped. The upper base and spire are also of marble and very highly polished. The panels are to receive the inscriptions of the Kimball family, and the monument will be erected on the Kimball property. It stands thirteen feet six inches high.

**School Composition**. By William Swinton, A. M. This is the third part of "Harper's Language Series," and consists of advanced language lessons for grammar schools. This treatise is divided into five parts:

"1. The Construction of Sentences."

"2. Variety of Expression."

"3. Simple Composition Exercises."

"4. Style, or How to Write Good English."

"5. Practical Composition."

Also, "Explanation of Terms."

The work contains 150 pages, and is a most useful text and exercise book for students of English grammar and composition.

For sale at Dwyer's.

**Theatre**—That very useful actor, Mr. E. B. Marden, takes his first benefit at the Theatre on Saturday evening. An interesting play announced, in which are included the sterling comedy of "Still Waters Run Deep," and the funny farce of "Betsey Baker." In the comedy Mr. Marden appears as "John Midway," and Mrs. Walters as "Mrs. Sternhold." In the farce Mr. Marden appears as "Crimmy," Mrs. Walters as "Betsey," and Mr. Graham as "Marmaduke Mouser."

Mr. Marden is now an old favorite on the Salt Lake stage, always "on hand," and always "up." He is a diligent, painstaking, careful, neat, trustworthy actor, and his ready services many a time and oft have proved a valuable resource to the management, "on a pinch," as well as in the regular course of the most successful theatrical season.

A good performance and a good house is the promise, and the united must be preserved.

**"Kate Flint,"** from "The Union" at 7—Empanelling the Jury—Just before a recess was taken by the Third District Court, yesterday, Geo. M. Ottinger, a juror, was challenged by Mr. McBride for cause, on account of his being a member of the "Mormon" church. On the re-assembling of Court, the defense having objected to grounds of challenge, Mr. McBride argued in favor of his position. He introduced a publication purporting to

be a compilation of a series of pamphlets, published by Elder Orson Pratt, at Liverpool, in 1851, for the purpose of reading extracts therefrom.

Mr. Sutherland, for defendants, objected to the reading. He understood the attorney's object in reading the matter was to show the nature of "Mormonism," and yet it had not even been proved that the author himself was a "Mormon" or that he had any authority to state what were the tenets of that organization. The court could not take cognizance of the language of O. Pratt, it being merely the language of an individual, and not affecting the competency of the juror, and could have no bearing on the latter's bias. Being printed also, it had no ear-marks of genuineness.

The Court said, in effect, that attorneys were frequently in the habit of making quotations from various authors by way of embellishing and illustrating their argument. As for instance, in slander cases attorneys have exclaimed, "He who steals my purse steals trash, but he who robs me of my good name, etc." In fact they had quoted from Sheridan, Pitt, DeMolines and other authors, who had been known to say, "Truth crushed to earth will rise again, etc." and even had thrown in, by way of variety, a few passages of Scripture, but it was never thought of for the courts to stop them in this indulgence. The Court concluded not to prevent Mr. McBride from reading from the pamphlets alluded to, so the attorney read somewhat copiously from those parts of the work tending to show that earthly governments were inferior to those of a divine origin.

Mr. McBride, with the same object in view, also desired to read from a pamphlet by Elder John Taylor, entitled, "The Government of God," but Mr. Sutherland moved to strike out the reading, and the motion was sustained by the Court.

Mr. Sutherland wished to know if the affidavit read by Mr. McBride was to be considered as proof that he desired an opportunity to answer it. He said that the only legal proof of a juror's bias was his own statement under oath, and the statements of witnesses. The juror, Mr. Ottinger, had stated that he had no bias for or against plaintiff or defendants, and plaintiff had offered no evidence that this statement was incorrect. The statute prohibited the discharge of any juror for any implied bias not sustained by proof.

The Court said that the attorney for plaintiff had asked Mr. Ottinger if he was a member of the "Mormon" church, to which he answered, "Yes," and the attorney challenged the juror because of his membership in the "Mormon" church. "The challenge is overruled."

In answer to subsequent questions Mr. Ottinger said, he did not recognize any authority outside of the law and the evidence as having a right to control his acting in the case as a juror; he would be governed by the law as instructed by the Court; he considered it his duty to make no distinction between "Mormons" and non-Mormons. He was in Idaho when the breaking up of plaintiff's house occurred. The juror was then accepted, the defense putting no questions.

S. F. Nuckolls was examined and passed.

George E. Bourne, in answer to questions by Mr. McBride, said he was a "Mormon," but had no bias in the case at that account. As a juror he knew no distinction between a "Mormon" and a Methodist or anybody else. He was accepted.

Hyrum T. Shurtliff was passed, as was also De Witt C. Thompson, all being asked by Mr. McBride whether they were members of the "Mormon" church.

Joseph Seigel was the next. After he was passed by plaintiff's attorneys, Mr. Sutherland asked him if he was not very much prejudiced against the "Mormons," which he answered in the negative.

Daniel Crain and Wm. Naylor were passed.

Mr. B. Callahan admitted that he had expressed an opinion at the time plaintiff's house was broken up, characterizing the affair as a mob outrage, but he wanted to disclaim any bias, having so pronounced without investigating the merits of the case.

Mr. Sutherland challenged the juror for cause, which was sustained by the court, and Mr. Callahan was excused.

Robert Camm and Albert W. Davis were passed.

Joseph Peck's name was drawn from the box to make up the vacancy made by the excusing of Mr. Callahan. He was examined and passed.

A. W. Davis was challenged peremptorily by plaintiff, and Jesse West was drawn, examined and passed.

Mr. Ellis was peremptorily challenged by defendants, and Michael Holden was drawn, examined and passed.

Joseph Peck was challenged peremptorily by plaintiff.

Frederick Peterson was drawn and, when in his examination by Mr. McBride, he was asked, if being a "Mormon," he would give an impartial verdict, etc., he answered, "Yes, if a Mormon is allowed to do so."

"What do you mean?" said the attorney.

"I mean what I say."

"But you said you would give an impartial verdict if a 'Mormon' was allowed to do so. What do you mean by being allowed?"

"I mean as a 'Mormon' I will give a verdict according to the law and evidence, if a 'Mormon' is allowed to be a juror." He was passed.

Joseph Seigel was challenged peremptorily by defendants.

W. J. Hooper was drawn and examined. He said, in his examination that he had no bias for or against plaintiff or defendants, and it transpired that, previous to the statement of the premises of the plaintiff, Kate Flint, he had signed

a petition to the Mayor and City Council, praying for the abatement of certain houses of ill-fame, on Commercial Street, among them the house of plaintiff.

Mr. McBride maintained that the juror affixing his name to that petition was sufficient proof of his prejudice, and challenged him for cause. The challenge was sustained by the Court, and Mr. Hooper was excused.

William Naylor was challenged peremptorily by plaintiff.

Samuel Brighurst was drawn, examined and passed.

John P. Harlow was drawn and the Court ordered the Marshal to summon that juror to be in Court by 10 o'clock to-day, until which time the Court adjourned.

At 10 o'clock to-day the empanelling of the jury was resumed. John P. Harlow, one of the jurors drawn, not being in town, the name of John W. Lowell was taken from the box.

Mr. McBride desired leave to reopen a challenge on Mr. Ottinger, on the ground of his being a member of the same society, to wit, the "Church of Jesus Christ, of Latter-day Saints," as the defendants, and that he was related to one of them, being brother-in-law to John D. T. McAllister. After remarks and quotations of authorities by counsel on both sides, the Court overruled the challenge. Plaintiff excepted.

John W. Lowell, juror, was examined by Mr. McBride. He was passing the house of plaintiff when the abating was being done, had expressed an opinion and argued the merits of the case a hundred times. Challenged by plaintiff. Challenge sustained.

Several names were drawn from the box, those living in town being selected and summoned. They were Claudius V. Spencer, Thomas V. Williams, and Jacob Engler.

On examination the latter admitted having expressed an unqualified opinion on the merits of the case, was challenged for bias and excused.

Thomas V. Williams, after a scrutinizing examination as to his faith and belief as a "Mormon," by plaintiff, the latter interposed a challenge on the ground of the juror being a member of the "Mormon" Church, and consequently incompetent to sit in a case where the parties on one side were "Mormons" and the others not. Challenge overruled, plaintiff excepted.

Daniel Crain was peremptorily challenged by defendants.

The Court asked the legal number of peremptory challenges on both sides.

Claudius V. Spencer was the next juror examined by Mr. McBride. In answer to questions he stated that he did not know of any persons having authority to control him in the matter of his duty as a juror. He believed there were men who held authority from God. His obedience to the commands of such would depend on whether he thought the thing commanded to be done was right. If he thought the thing was not right it might be like "calling spirits from the vasty deep," when the latter didn't come. In the matter of duty between man and man the juror knew no difference between "Mormon" and non-Mormon; in the matter of courtesy the preponderance, if any, being in favor of the latter. It was one thing for a person to command, but the obedience of the party commanded depended on his willingness to obey. The juror said his obedience would depend entirely upon whether he thought the thing commanded to be done was right. He saw the debris on the street after the abatement.

Plaintiff challenged the juror for cause; overruled.

The panel being full, the following were sworn a jury to try the case.

George M. Ottinger, Stephen F. Nuckolls, George E. Bourne, Hyrum T. Shurtliff, De Witt C. Thompson, Robert Camm, Jesse West, Frederick Peterson, Michael Holden, Samuel Evans, Thomas V. Williams, Claudius V. Spencer.

Kate Flint, the plaintiff, was the first witness on the stand. She testified to the destruction of her household property on the 30th day of August, 1873, by defendants, or so many of them as she recognized.

A Little Boy Hurt—Yesterday afternoon, at or near five o'clock, a little boy, about five years old, who was playing a short distance west of the Valley House, was ill-used by something like a man, who, with two others, was driving along in a coalwagon, the ruffian, without any provocation whatever, throwing a piece of rock of some kind at the child, who in doing so, caused the blood to flow copiously. Such an outrage, wantonly inflicted, deserves severe punishment, and if the child's father will call at this office he can obtain the name of the guilty party, having been sent here with a full account of the occurrence by a gentleman who witnessed it. The child's name was unknown to the writer of the note, but he said that he lived at the CHIEF House.

**Home Missionary Appointments**. For Salt Lake County, Sunday, March 14—

Denver—Elders E. A. Woolley and M. B. Shippey.

West Jordan—Elders John Van Cott and C. W. Stagner.

Rayonsville—Elders W. A. McMorris and Ralph Harrison.

South Cottonwood—Elders G. G. Bywater and John H. Mallick.

Big Cottonwood—Elders H. W. Nebelitt and J. Nicholson.

Sugar House—Elders T. Harris and J. P. Freeze.

For Salt Lake City, Sunday evening, March 14th—

Second Ward—Elders S. Nelson and D. A. Swan.

Fourth Ward—Elders E. B. Young.

Eighth Ward—Elders Isaac Grosz and W. A. Swan.

Tenth Ward—Elders G. Swan and D. A. Swan.

Twelfth Ward—Elders D. James and G. Nebelitt.

Thirteenth Ward—Elders T. Taylor and J. P. Freeze.

Fourteenth Ward—Elders E. D. Woolley.

Sixteenth Ward—Elders E. F. Nelson.

Seventeenth Ward—Elders T. V. Williams.

Nineteenth Ward—Elders G. Tensada and C. H. Wilcken.

Twentieth Ward—Elders H. Felt and G. J. Thomas.

**Complimentaries**—First, one to a Social Party in the Twelfth Ward School-house on Friday evening, March 12, at 7 o'clock, for the benefit of the Sunday School Committee. J. H. Mingley, Junr., J. Piper, Oscar Hardy, D. Evans, John Midgley, A. Derrick, Wm. Hardy, W. Campbell. Floor manager, Z. T. Derrick.

Next, one to a Select Social Party in the Seventeenth District School-house on Thursday evening, March 11, at 7 o'clock. Committee, Misses Mary Wallace, Lizzie World, Alice Kimball, Lucy Wallace. James Currie, prompter.

**U. P. R. R. Lands**—We are requested to state that the agent or attorney of the U. P. R. R. Company will be at the lead office in this city on March 15th. All persons who have claims suspended on U. P. R. R. lands will find it to their advantage to call at the office at the time named and attend to their claims.

**Wants Help**—A man with his arms seriously injured as by scalding, is going around town, soliciting alms. He says he was hurt by an explosion of kerosene oil on the barque *Rival*, on the west side of Cape Horn, Dec. 30, 1874. He says he wishes to obtain means to go to St. Joseph, Mo.

**New York, 10.**

Gold closed 15 1/2. Money closed, 5 1/2. Govt. active, strong; Stocks active, and unsettled; Western Union, 25; Quicksilver, 32 1/2; Wells Fargo, 36; N. Y. Central, 102 1/2; Erie, 27; Pacific 89 1/2; Panama, 113; Union Pacific, 47; Bonds, 95 1/2; Central bonds, 97 1/2.

## NOTICE.

I HAVE in my possession One dark red STEEL, two years old, hole in left ear. If not claimed and taken away, will be sold according to law, March 15th, 1875, at the County Jail in Salt Lake City. J. JOSEPH A. FULTON, Plaintiff.

## THE NEWS WEEKLY.

Discourse by President Geo. A. Smith.

The Murrbridge Trial.

English Labor Congress.

Long Mule-back Ride.

Very True.

It's Our Baby.

Newspaper Scoundrel.

Mrs. Grant.

The Day of rest.

The Political Law.

They are Responsible for Their Acts.

Civil Rights Bill.

Another Move Judicial.

Compulsory Education in Arizona.

Could Not Agree.

Designation.

Prophecy About It.

Would Not Favor Missions.

The Government Union.

Not so very Rich.

A Needed Blessing.

Coal in Nevada.

After Water.

Not En Regle.

A Reform Mayor.

Most Repulsive.

Can't be Established.

Most Certainly.

St. George Temple.

Disgraceful Rowdiness.

Crimes, Camisettes, etc., for the Month.

Shall we Grow or Import Fruit? The European Mission.

Going into the Union.

A Thorough Redneck.

Happy Colorado.

Two of its Notable Acts.

The Next Senate.

Grand Jury Empanelled.

Toole's Matters.

Three Nights in a Hole in the Ground.