PUBLISHED DAILY, SUNDAYS EXCEPTED, AT FOUR O'CLOCK. Sept. 14, 18. DAVID O. CALDER, EDITOR AND PUBLISHER.

JUDGE BOREMAN'S SERMON

OUR readers will peruse with more or less interest the fervid sermon of Judge Boreman, which he delivered to the grand jury of the Second Judicial District on the 8th of the present month, and the more part of which appears in to-day's NEWS. It was quite an effort, in its way, aud will be considered as one of the curiosities of the literature of jurisprudence. The people of this Territory ought to rejoice-they are well blessed with religious federal officials. Two Methodist judges, a Governor who can talk to Sunday schools and lecture adults on the Bible with spread-eagle glibnes and bombast, equal to the plous Schuvler's, and there are others who can hold the candle to them in the same noble work.

But let us return to Brother Bore man, and notice briefly some of the things which he says in his sermon. The Judge complains that the territorial Legislature is hostile to the courts because at the last session of the Legislature that body did not appropriate for his court as he expected it would. We do not see the force of the Judge's assumption. There may be many good reasons, besides special personal hostility, why a Legislature does not appropriate means as some individuals outside wish it would.

of disloyalty and persistent hostility to the General Government exists throughout the whole Territory. It is sufficient answer to this to say, that every well informed person on that grand jury could sibly perjured testimony twelve enehave given his honor the lie direct upon this point, if it had been advisable to do it.

The Judge makes considerable parade over asserting that neither the government nor any federal official is prompted by a spirit of persecution. We make no charge against the government, but we happen to know to the contrary of the Judge's assertion . respecting some of the officials. As to their respect for the law, does the Judge take the public to be fools?

THE EVENING NEWS.

ed that Heaven's laws shall not pre-any juror in the presence of the vail in this nation, and it is the most egregious folly for the Al- pr mighty or his friends to try to prewent it." The Judge will find it a hard thing to butt against Omnipo-late act of the Congress of the Uni-

tence. We must skip over almost every-thing else in the Judge's sermon. One thing we will notice. He says the Grand Jury must hear no witness for the defence. He runs this idea into the ground. The We must skip over almost every-Grand Jury may have no authority to run after persons who, they think, would testify in favor of the person any one whatever authorized to act, accused. But they have a right to ries and to attend to the other duand their testimony taken and purpose) to my action at that time acted upon for indictment, and not in calling juries, as evidence that I had no difficulties in securing jua soul must be heard, according to Boreman, who might say anything to rebut their testimony, and so favor the accused. Is not this the spite of the unfriendly spirit of the way to crowd the courts with liti-

the accusation.

The Judge used this language, lieve, who would desire or counten-

ple of this nation are determined intervaling offenses igning to this division in the line of this people, and first devote your time to investigating offenses igning the through the most egregious folly for the po-lygamists and their friends to try United States, and when through the marriage and still has a legal hus-to prevent it. If is supreme non-mise for eighty thousand, or a hun-dred thousand people to array of territorial matters. In the, how ever, as in your general course to the same of this since 1834 was and is illegal because he advice of the Proceeding, you will act matter to the matter into your hands, in a single state in the people to realize the reaction of the people to realize the intervent is in carnest, and it is well for the people to realize the same of the people is a state in the same of the same he had a legal wife, Mary Ann An-

plain reputation of the legality, of folly for the polygamists and their plural marriages, and he swears to friends to try to prevent it. It is Prosecuting Attorney, nor in the presence of any one discust a Grand

upon a confiding people begins to appear; they have been purposely deceived for years. These leaders have been hold to assert the lawful-ness of plural marriages for many years, but now, when brought face ted States and not in pursuance of any Territorial statute. Over a year people through their Legislature. In this I was greatly deceived, for the Territorial Legislature has win-ter scouted the idea of paying the officers, whom, in the absence of any one whatever authorized to act. I had appointed to summon the into face with the law, in court, they send for a witness if they think he could throw light upon the sub-ject investigated. Otherwise, in this Territory for instance, tion to the enforcement of the lower of the such false teaching is circulated) in this Territory for instance, all the liars and perjurers which "civilization" has brought to the Territory, and their name is legion, could be heard by this grand jury and their testimony taken and purpose) to my action at that time every party coming into court is bound to detail the truth and nothing else. Because a man is in court, he is not justified in swear-

ing to a falsehood, and if he is an honest man he will not do it. As to the legality or illegality of spite of the unfriendly spirit of the polygamy, however, it does not local power; and they well knew matter whether Brigham Young that their assertion of there being or any other polygamist acknowoutside wish it would. The Judge charges that a spirit of disloyalty and persistent hostili-ty to the General Government ex-ists throughout the whole Terri-tory. It is sufficient answer to this to say, that every well informed ingjustice? And then upon this pos-sibly perjured testimony twelve ene-mies might indict. The Judge seems to take for granted that the chief business of the grand jury is simply to indict, and therefore he tells them that they need only hear. tells them that they need only hear one side of the question—that of secution as some would have you the accusation. ral official in this Territory, I be- ded into its criminal meshes by misrepresentations and false teach-"You are not to summon nor have before you any witnesses for the defence," and "T repeat therefore there are exceptional cases in regard

ed to be not the alightest desire to such testimony in cases of perjury this fact." The Judge would have stated the real point of this point better if he had said, "The Government and the people of this nation are determin-people of this nation are determin-people of this nation are determin-

that answer. Another of these the supremest nonsense for eighty leaders has made a similar state- thousand or a hundred thousand thousand or a hundred thousand people to array themselves against forty millions of people upon a question like this one. The gov-ernment is in earnest, and it is well for the people to realize this fact. The theory of American law is that society must be elevated, not be dragged down. I make these and other remarks that would not be ment and repudiation of polygamy, of which no doubt you are aware. Here the enormity of the outrage other remarks that would not be ry in the States, but are ne-

> Utah has no statute law upon marriage-it stands here as at

common law. And every plural marriage in Utah is virtually a landestine marriage. As there is no statute upon marriage, and no ceremony is required, none need be proved. No recerd or register of marriage is required to be kept, and none therefore need be proved. The general particularity is not necessary in proving marriage where there is no statute as there generally is where marriage statutes exist. Now, gentlemen, I am plain with you. This matter is before you, and you know many men who are living in violation of this law, and you have sworn to indict in every case where the facts warrant you. It is your duty to send for witness-

of you was required to sit upon this jury if he had conscientious scruples against finding indictments for polygamy and other crimes. You have each and all sworn that you have no such scruples. I shall now pass to Territorial

matters and call your attention to offences against the Territorial stat-

found that he had walked out and how matters stood, and on tryin uired in that case then being tried. You will therefore keep secret your to open the door found it locked. proceedings and should any one of He said, "Who locked the door?" proceedings and should any one of your number divulge matters tran-Barrow told him, when Kingsley said, "Did they turn you out?" "No?" "Did they use force?" "No." Kingsley found that he was check. your number divinge matters train-spiring in your deliberations, it is your duty to indict such party for perjury. You have no right under the oath which you have taken, to talk to any one about what is going on in the Grand Jury room. Nor mated-no force, no fraud, but Barrow was out. This morning can you tell how any juror has vo- but did not succeed. All day B. ted on any question or case before you. Should any outside person try in any way to control or influ-ence your action upon any matter coming or likely to come before you. coming or likely to come before you, bring the matter to the knowledge of the court and such party will be I presume the papers

You have been sworn upon this Grand

I presume the papers served bedealt with, as the law requires, for long to the late sensation class cal-contempt or otherwise. MANDAMUS

> Sabbath School Doings. BOUNTIFUL, Davis Co.,

September 14, 1874. Editor Deservet News:

You have been sworn upon this Grand Jary, gentlemen, because the court has reason to believe from your statements, that you will set impartially in all matters before you. No person shall be by you presented by indictment on account of ill-will, fear, favor or affection; nor can you leave any one unpresented for any like reason. The Grand Jories must be just -must be impartial—it is the only safety to society, and any other course feads only to eventual ruin. And I will add, that no man or woman shall ever, in this court, so long as I preside over II, be pun-ished if the facts do not show him or her to be guilty of the offense charged; and no (n', if proven guilty, will, so far as the Court is concerned, be likely to esca e punishment if the facts clearly show him The half-yearly examination of the three Sabbath Schools of this place came off on Friday, 11th instant, in brother Robert Ure's field, who, let me say, did all in his power to make our enjoyment a success. The proceedings of the day were under the direction of Elder Henry Rampton, the ward superintendent, and the managing punishment if the facts clearly show bim or her to be guilty; and no one, if proven. guilty, will, so far as the Court is concerncommittee. The exercises of the day commenced with singing by the Sabbath school choir, under the able leadership of Brother James ed, be likely to escape punishment if the facts clearly show him to be cullty. You will be attended to in your deliberations by one or more of the marshals or Weight, then prayer by the chaplin, bailiffs, and they will be near at hand aland singing by the choir. ways to attend to such official duties as

Bishop Anson Call delivered an you may require of them, but they are not to be in your room during the t ans-action of business, and cannot be allowed in your room at all, except to pass in and out in the discharge of their daties appropriate address to the assem-lage, which numbered about one thousand persons, we being favored You make your own adjournments from day to day, but cannot make a final with visitors from Salt Lake City and Centerville. Miss Eliza Barnett's recitation was delivered most adjournment except by consent of court. When ready to dispose of a case and you excellently well. Brother William Parkins' song, "Three Cheers for the Quorum by whom we are led," have agreed to find an indictment, report the case to the District Attorney and he will prepare the indictment for you. No indictment can be found except upon the concurrence of twelve of your number, and infused life and animation in both old and young. The meeting was cloted with prayer.

every indictment should be signed by the The after part of the day was spent in various amusements, such as cricket, running and jump-ing in sacks, Master Johnson bearing off the prize in this exer-cise, young ladies racing, pole climbing, wheel-barrow racing, swinging and dancing. All passed off very agreeably and pleasantly, with nothing to mar in the least degree or cause regret to young or old. The outdoor amusements

closed about 5 p.m. The proceedings concluded with a dance in the evening in the Hol-

into the condition of all public prisons in the District and you are entitled to free brook Hall. North Canyon Ward extends access through all such places, and can about seven miles north and south. send for witnesses to aid you by their evinecessitating our having three Sabdence. This act of Congress also requires bath Schools for the accommodayou to examine hato every case of willful and corrupt misconduct in office of public tion of the child er. They are directed by good and reliable men,



To the Jobbing Trade and Re. tail Dealers of Utah.

TOULD CALL THE AT. tention of its regular

C. M. I

The Judge says, "With men's re ligion, Government has nothing to do." That is precisely our view, and precisely what in substance the Constitution declares. The Judge complains that the lo-

cal Legislature has legislatedupon the occupency of the public lands' and that the people here have used timber from the same. Does his honor not know that early and isolated settlers do better to establish local laws than to live without law and order? Does he think they ought to have burrowed in the ground like moles, instead of using the timber in the buildings.

Next, fraudulent land entries are treated upon. If there are any, let justice be done in the matter. If it be, perhaps some of the Judge's friends will not go scot free. The same may be said concerning several other offences which his honor

nothing else. Because a man is in court, he is not justified in swearing te a falsehood, and if he is an hon-est man he will not do it."

This is excellent doctrine, but, as everybody knows, in this country it is a doctrine seldom put in

when they have reason to believe that other evidence within their reach will explain away the charge they should order such evidence to be produced, and for that purpose may require the District Attorney to issue process for the witnesses.

before them is taken together is such as, in their judgment, would, if unexplained or uncontradicted,

icle of the 12th, we find the same rule of law insisted on, substantially that we contend is correct. Now

## CHARGE to the GRAND JURY

The grand jury ought to find an indictment when all this evidence

jury. In the San Francisco Chron-

curity for life and for property, a higher standard of morals, and equal and exact justice to all. When men talk to you that the government and its friends desire

sequent actions now show. The corrupting influences of this insti-tution are seen on every side. Wo-man, in Utah, is more oppressed, more degraded, more unhappy, than anywhere else in the whole United States. And the moral sensibilities of the men are becoming blunted to persecute any people here for their religious opinions, they well know that their statements are of the men are becoming blunted and brutalized, and their child-ren are losing their finer feelings aud having their natures ruined for which have never been investigatbald falsehoeds, and they well know that all that is desired is that crime shall not continually go un-whipped of justice. With men's religion, government has nothing aud having their natures ruined for nobler and higher aspirations. Some men no doubt enter into bigamy or polygamy from conscientious con-victions, but such cases are rare and always amongst the most ignorant.

whatever to do. I shall now note and call your special attention to some of the more important United States stat-utes against crime. always amongst the most ignorant. Polygamy indeed will not bear the Polygamy indeed will not bear the test of light, the test of intelli-bitterest hostility to free schools in this Territory on the part of the leaders of this people. There is not a free school in this Territory. Such a thing ought not to be; it is a burn-ing shame. Crime loves and revels in darkness and the people ought to repudiate all leaders who seek te keep them and their children in ig-norance. Of course it will do, as I States owns all the lands of this Territory, to which they have not given title or authorized to be lo-cated or entered. Yet we find that men all over this Territory, for a free school in this Territory. Such ing rule. Here are the remarks of the Chronicle-"It is a well recognized principle difference in the second principle of the tegning to the tegning to the tegning to the tegning to the grand jury the forego-ing rule. Here are the remarks of the tegning to the tegning tegning

Aber offences wind-antions. The Judge rofers to illegal voing. A will be bad for the "Liberal" The Judge rofers to illegal voing. A will be bad for the "Liberal" The swell recognized principle orgentiate motions of this kinds The swell recognized principle orgentiate motions of this kinds and it would be oppresive and indictment in cases full of faisehoods and misrepresen fail of faisehoods and misrepresen fail of answe have not space to appresive and and indictmentary that that we know to of office the public by imposing that that we know to of office the public by imposing that the well deep are to prove of a such offices will prove the unit the fact have are and office the public by imposing that the well well are of the public by imposing that the well well are of the public by imposing that the well well are of the public by imposing that the well well are of the public by imposing the about this point now, forther public lander the about the public by imposing the about this point are of this kind. The lander were that we know to of infinentiat wind of marriage. wind of marriage. wind of marriage. wind of marriage. wind the about the public by imposing the about the about the public by imposing the about the

It is your duty to examine interest its grande t and noblest features is every case of mail robbery or tamparing with the mails in this District, that may come to your know-itedge. The same may be said in regard to compare the utmost freedom of the utmost freedom

Enterprise.

Our Country Contemporaries.

Beaver Enterprise, Sept. 9-Judge Boreman's efforts to solve the formon problem, remind us very forcibly of a caricature we have seen, wherein

of ot a carleature we have seen, wherein a six footer was doing his best to climb a greased pole, at the top of which dangled a leg of mutton: after many futile at-tempts to obtain the prize, he was becom-ing discouraged, when an urchin, who lete saying, "Get out of the Way, test, and let me have a go at it." cowardiy massacre. It was one of the most cruel butcheries ever known to civilized society. It oc-

Yesterday Judge Boreman's Couit was becalmed in a fog, while empanelling a Grand Jury, providentially the sun glim-mered forth a little and enabled the Judge to take an observation which he delivered to the —— Grand Jury and the bar, showing latitude and longitude of the 2nd Judicial District Court for the Territory of Utab.

It appears, that after the Grand Jury was empanelled, received its charge and went to work, two of the jurors learned that they were not qualified to be jurors, inasmuch as they could not read and write the English language.

In the great anxiety of the Judge to run In the great anxiety of the Judge to run his court in accordance with the Poland Bill as it passed the House, viz., "Do yon believe in the rightfulne's of polygamy, &c.," he forgot his judicial duties in chal-lenging the jurors as the law stands, ask-ing them by his prosecuting Attorney, Judge Wheeden, whether they could read and write the English language. As soon as the two jurors aforesaid made known to his Honor their situation, the Judge had eight more names drawn from the box, and had the Clerk issue a venire for two more Jurors to fill up the v caney.... two more Jurors to fill up the v cancy. Ogden Junction, Sept. 12-

Capt. Baker came in from the regions of the north by the narrow gauge, last eve-ping, with enough game to stock half a dozen poulterers' establishments: Cache Valley is becoming the favorite hunting ground of our best sportsmen. now in your power to bring to jus-tice these outlaws and vindicate the cause of that long-delayed jus-tice. The oath which you have taken makes it obligatory upon you to probe this matter to the bottom, and give it a most searching inves-tigation, if you have regard for your oaths, for the name and fame of the people of this Territory; if you have any respect for the cause



The business is conducted on the strict-st principles of economy, hence the closest

... loudy market prices can always be Denver, Col., 30.30 48 56 w 2 ... cloudy Fort Benton, 29,92 62 100 n 12 1.50 h rain Portland, Ore., 30,92 90 88 n w 2 ... cloudy Pike's Peak, 7,14 22 100 ... 02 f ggy. San Disco, ... 29,84 61 100 ... clear. Sant Francisco 29,85 62 72 ... clear. Yirginia City, ..... relied on.

previous efforts.

The new goods coming in were purchased with special reference to the Fall and Winter Trade, and surpass all

Our abundant facilities and experience enable us not only to distance all first-class conpetition, but to offer inducements unrivalled in the Wholesale Trade of the Territory.

We are sole agents in Utah

for many popular brands of

Groceries and Hardware,

NOTICE EXTRAORDINARY.

2:15 P. M.

NEW ADVERTISEMENTS.

SALT LAKE THEATRE

W. B. WEBSTER, Observer.

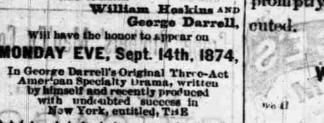
that to meet the times they h ive determined, on and after this date, to make No Ex'ra Charge for Reserved Scat-In the Parquette, Dress Circle and Fi st Circle, purchased before Six o'clock on the

of perform ince. The MANAGEMENT, with pleasure, an-nounce the early a pleasure of the strong-est array of failant ever p esented before a Salt Lake audience The ar ists envaged are too well known to need comment.

"Good wine needs no bush." HOSKINS! AND DARRELL'S UNEQUALLED STELLAR COMBINATION. FMBRACISO THE MIFFE Fanny Catheart.

Florence Colville .

George Darrell, Will have the honor to appear on MONDAY EVE, Sept. 14th. 1874.



which cannot be purchased elsewhere in this market. Competent and . xperienced Salesmen are on 1 and in each Department, and the Public can rely upon having orders promptly and faithfully exc.

W, H. HOOPER.

We learn from the Evanston Age that L. P. Hadley, who was shot by August May in Parkhurst's brewery saloon, died on Thursday evening from the effects of his wound. Fears were entertained that May would be lynched, but no attempt of the kind was made. May will doubtloss have to answer for murder have to answer for murder.

NI WARD T. S. C.

