The formation of any public herein the control of any contry, setting for that will add of the set adapted for graving than to be control of any contry, setting for that will be setting of a bout for graving than to be control of adapted for graving than to be control of adapted for graving than to be control of adapted for graving that the set adapted for graving t

the law inoperative, it will take a two-thirds vote in 1879 to do the

And the stockholders claim that if it took two-thirds of the voters

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FIRST CLASS TAILOR, CONSTANT EM-TAILORS AND WOOLEN DRAPERS.

MAIN STREET. Opposite Walker Honse. P.O. Box 683

names, and rejecting the others, the court ordered that nine additional names be drawn from the jury box, to serve on said panel of the grand jury, which was done, when only five jurors were wanting to fill the parel of sail grand jury. And on the same day, and before the nine persons whose names had been so drawn were summoned or examin-ed on the'r voir dire, the court or examin-

BETWEEN the 19th Ward and 11th Ward School-house, a Indies Gold Cuff Pin. The finder will please leave the same at MASON WORK.

LOSI.

Persons Building, will find it advantageous T. JONES & CO.,

And get their Figures, before going else-where, as they guarantee Entistaction in Work and Price. AF For particulars call on them at their residence, I block east and I block south of lith Ward School House. d280 2w

TAKE NOTICE!



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THE INDICTMENT AGAINST JOHN

FOWLER, VOID.



to make the law inoperative in 1878, it takes a two-thirds vote of the farmers to make the law operative in 1879.

And here we stand and know not what to do. An answer will save us lawsuits,

We do not see any difficulty arising out of the election referred to by our correspondent. The law is very plain and simple, and leaves no opening that we can see for any dispute. The quotations above made are from the Compiled Laws of Utah, sections 396-7. The election to determine whether the "nofence" rule should prevail or not, was held ander authority of section 398, as follows:

"Any county or portion thereof may, at a general or special elec-tion called for that purpese by the county court, declare by vote of two-thirds of its legal voters in fa-vor of fencing their farms, lots or yards, and allowing their stock to run at large, or who have so declar-ed by vote. In such carse, the first section of this act shall be inopera-tive during any period decided inp. eagerness to pick jurors whom they think likely to act according to tive during any period decided up-on by such vote."

are entitled. gal veters of Fillmore deciare in favor of fencing? According to the In the Third District Court for the figures given above they did not, for instead of having a two-thirds majority as the law requires, those in favor of fencing were in the minor-

ity. How there can be any room for doubt as to the result we fail to parcelve.

But our correspondent intimates, in the last paragraph but one of his letter, that the stockmen hold that it would take a two-thirds vote of the farmers to make the no-fence law operative. If this is so they

have fallen into a grave error. It does not require any vote at all to make the "no-fence" law operative. It is in full force, and has been it is full force, and has been since its first publication, in every part of the Territory where two-

thirds of the legal voters have not declared against it, or the County Court has not so decided on peti-

tition presented. The law is opera-tive by its own force, being legally enacted and approved, and can on-ly be set aside in any locality by the means itself provides for its suspension. A two-thirds major-ity may decide in favor of fencing, but in the absence of such majority iut in the absence of such majority the "no fence" law prevails.

does it appear in what county said notice was given, nor that said Phillip H. Emerson was the Judge of said District Court for the Third If our correspondent has stated the case correctly, it must be clear dicial District of said Utah Terto every ordinary mind that in Fillmore precinct the "no fence"

law is in full operation, and that owners of stock there are liable for all damage that may be done there-by to the property of their neigh-box law is in full operation, and that "18

This, in our opinion, is a just and fute the regular g only 15 jarors righteous law, applicable to most drawn, or could legally constitut the regular grand jury, or the part of the agricultural districts of Utah; and, seeing that a remedy is placed

MOTION TO SET ASIDE. MOTION TO SET ASIDE. OUR readers are aware that the ed on the'r voir dire, the court or-be drawn from the jury box to Wilson is threatened, and the gov.

Grand Jury of the present term serve on said grand jury, which ernor has been asked to call out the found an indictment against John was done, and from those seven militia. Fowler, of Ogden, for bigamy; and panel for said grand jury was

demurred to the indictment. The following motion to set it aside on the substantial grounds clearly presented, has been prepared by those gentlemen, and from the well known facts in the case, it will be a difficult matter to dispute successfully the reasons advanced in this document. We advise our grand jury, he successful the case, it madders to make the following named of the substantial grounds clearly those gentlemen, and from the grand jury, he successful the reasons advanced in this document. We advise our successfully the reasons advanced in this document. We advise our readers to peruse it carefully, when it will need no explanation, and to note how those who are so anxious to prove the "Mormons" eriminals, tates statute against polygamy or gamy, if the evidence tofore them violate the law themselves in their

showed that any person had violat-ed said statute and was liable to ution under it. their wishes, and reject Jurors whom Pros they imagine would not be rabid 10. Because the legal, proper and

d by vote. In such case, the first ection of this act shall be inopera-dve during any period decided 'up-in by such vote.'' Now the question is, did the le-Now the question is, did the lerequisite number of names was not

Third Judicial District of Utah Territory:

Territory : The United States John Fowler. 1. That Thompson Ritter, a mem-ber of the Grand Jury that found said indictment was not, at the MOTION TO SET ASIDE INDICTMENT FOR BIGAMY.

box of this court.

2. Because Alexander Majorra a member of said grand jury, was not at the time said jury was im-paneled, nor when said indictment was found, an eligible juror as progal for the following reasons: First-Because the notice of the vided by law, because he had not resided in this Third Judicial Dis drawing of said grand jury was not given in the manner provided by ict six months next preceding the me when he was selected, by the 1. Because said notice shows Probate Judge and the clerk of the District Court of said District, to

erve as a juror; and because he was not then, and has not since be a tax payer in this Territory; an because he had served in this Court as a petit juror within two yes preceding the impanelling DOXE said Grand Jury and the finding said indictment, to wit, at the April term, 1879, of said Coart, as appears from the record thereof; and his name was illegally returned to the jury box and drawn again as grand juror for the s'eptember term, 1979 of this Court 879, of this Court.

C. M. Gill DRIED FRUITS of the said grand jury th d and presented said ind t, was not at the time said h the had served as a petit juror in his court, within two years next preceding the impanelling of said ary and the finding of said indict-ment, to-wit: at the April term, TEASDEL'S

Territory of Utat.

The Ivangelists.

congratulations, including one irom Alex. H. Staphens, another from Gen. James Longstreet, and the following from Hon. Robert Toombs:

Atlanta, Galena.

M. E. Stone, Editor. Your telegram is received. I de cline to answer, except to say, present my personal congratulations to Gen. Grant on his safe arrival to his country. He fought for his country honorably, and won. I fought for mine, and lost. I am ready to try it over again. Death to the Union.

R. TOOMBS. Signed A Fatal Shot.

GALVESTON, 13 .- A special from Third—The defendant also assigns as further and additional reasons why said indictment should be set aside. I That The defendant also assigns why said indictment should be set and wounded a boy in Piedr.3 Negros, opposite, causing great ex-citement there. The negro escap-

FOR BIGAMY. Now comes the defendant into Court and moves the Court to set aside the indictment against him herein—he not having been held to answer before the findings thereof ly: Because said indictment was not, at the time said jury was impanelled, nor when said indictment was found, an eligible juror as provided by law, because his name was not on the jury list prepared by the Probate Judge and the clerk of this court, for the year 1879, nor on the jury list for any other year, and his name wrs not drawn from the jury box of this court.

eline A. Young, Louisa W. Y. Fer-Y. Decker, Elzabeth Y. Elisworth, the



RICHARD V. MORRIS, PHILIP PUGSLEY, WM. J. SILVER, Salt Lake City, Nov. 11, 1879.

At the late

iamira Young Rossiler, Atta D. Unrista oung, Feramorz Little Young, Ciarissa aminon Young, Bills Bilzabeth Young mpey, Hyrum Smith Young, Lorenzo D. oung, Alonz) Young, Ruth Young John-on, Adella Elvira Young, and Hyrum S. foung, guardian of Alonzo Young and Adella Elvira Young, minors; Emily D. Partridge Young, Emily Augusta Young Dawson, Caroline Young Croxall, Joseph Don Jarlos: Young, Miriam Young Hardy, Josephine Young, Clara Decker Young, amira Young Rossiter, Atta D. FIRST PRIZES

Territorial Fair, Z. C. M. I.

SHOE FACTORY Was Awarded the

Don Jarlos i Young, Huiram Young, Hardy-Josephine Young, Clara Decker Young, Jeannette Elchards Young Snell, Nabby Howe Young Clawson, Charlotte Talula Young, Lucy Bigelow Young, Susa Young Dunford, schoda stabel Young McAllster, Eliza Burgess Young, Margaret Pierce Young, Brigham Morris Young, Zina D. Buntington Young, Zina P. Young, Will-ams, Oscar Brigham Young, Harriett Barney Young, Phincas Howe Young, and Harriet B. Young, guardian of Phin-eas Howe Young, guardian of Phin-eas Howe Young, aurdian of Fanny Van Cott Young, a minor; Susannah Snively Young, and Julia Young Burton; Mary Hilza Croxall, and Willard Crozall, minors, and Mark Croxall, their guardian; Maria Young Beatty, Evaline L. Young Davis, FIRST PRIZE FOR GENTS' FINE BOOTS

......The FITE For the best assortment of

ri Moriabculner Young, Eliza R. Young, Naamah K. J. C. Twiss Mattha Bowker Young, Harriet a Folsom Young, and Augusta Adams FINE BOOTS and SHOES And the

whoreas George Q. Cannon, rington, and Brigham Young, the last will of said deceased, FIRST PRIZE Albert Car have filed in For the best assortment of

the last will of part accounts of the adminis-and court their accounts of the adminis-tration of said Estate, and having the 27th day of October, 1879, filed their petition praying among other things a settlemen and allowance of said accounts and the discharge as Executors; and whereas the discharge as Executors; and whereas the discharge of November, 1879, at 10 o'c.or and allowance of said accounts and their discharge as Executors; and whereas the lith day of November, 1879, at 10 o'clock a.m. of said day, at the Court Hoom in the County Court House in Sait Lake City in said County of Sait Lake and Territory of Utah have been fixed by an order of the Judge of said Court as the time and place for hearing said petition. You and each of you are notified and outed to be and appear before said Court at the time and place aforesaid, to show cause, if any you have, why the prayer of said petition should not be granted, and to contest the allowance of said accounts and the matters and things in said petition set forth.

Beauty, Evaline L.

FIRST

For Harness," Leather, Fair Leather, Upper Leather, Calf

Skin, Kip Skins, ets. Witness the Hon Elias Smith, Judge of said Court, and the seal thereof, at ealt Lake City, Utah Territory, this 20th day of Octo-ber, 1879.

Purchase are Stamped "Warraut-ed Manufactured by

Clerk of the Probate Court for Salt Lake C. unty Utah, by W. S. CRISHON, deputy. H. B. ELDREDGE, Supt.

CHRISTMAS JUST RECEIVED.

We have Just Received our first shipment of

FRUITS, CANDIES, NEW . Consisting of

CURRANTS. CITRON PERL. BAISINS. ORANGE PEEL. LIMON PEEL, CAN-



DRY GOODS AND CLOTHING.

DIED.

On the 1st September, 1879, Sister HAN NAH PATRICK, agod 00 years. She was a fathful Latbr-Jay Saint, and Jeaves of husband and four children to mourn her loss.-Mill. Star.

At Hales Owen, Worcestershire, EMMA FIRLDING, aged 7 years and 14 cays.-Mill. Star.

At Birmingham, Aug, 3lat, 1879, of co

THE ADVANCED

PRICE PAID FOR

ALL KINDS OF

AT

amos Harding, agrd 55 years and 11 gran.

