EVENING NEWS

auxiday, - October 25, 1884.

FRAGMENTS.

ELIAS MORRIS has just received a car-load of mantles and tiles.

It is intimated that a free mail delivery for Salt Lake City has been indefinitely "sat down on."

COMMISSIONERS Ramsey, Paddock and Carleton were spectators in the Federal Court-room this morning. Some excitement ensued on the

street to-day from an alarm of fire. The cause was harmless, however, as it was only a chimney on fire in the brick structure immediately north of the Z. C. M. I. building.

A MATCH game has been decided upon to-day between the Denver Club and the Reds, to come off at 2.30 p.m. on Friday. The Reds feel satisfied of giving their opponents a hard game, as they always are capable of doing.

In to-day's issue will be found a new advertisement of Mr. H. Dinwoodey, the well known furniture dealer and upholsterer. It is not only interesting as a source of information to those who wish to make advantageous purchases in that line, but as a specimen of the printer's art in the shape of an advertisement of somewhat unusual construction.

LOCAL NEWS.

High Council.-The members of the High Council are requested to meet in the Social Hall, at 7 o'clock to morrow (Friday) evening. JAMES D. STIRLING

Clerk pro tem,

Tablet Taken Out .--- We are pleased to see that the inscription tablet on the east wall of the Salt Lake Temple, is being removed, and will doubtless be replaced by one more suitable to the grace, grandeur and superb character of the edifice it is intended to adorn.

Educational .- The district schoo teachers of Salt Lake County will meet next Saturday at 11 a.m. in the Fourteenth Ward Assembly Rooms. Following is the programme of exercises : Order- Superintendent John Morgan. Plan of school exercises-W. F. Smith. Object to be obtained in the study of reading arithmetic, geography and grammar-Mrs. Randall. How to build up the profession of the dis-trict school teacher—Thos. F.Howells. Reading of the constitution and by-laws by the secretary. Critic—Miss Leonora Hamilton. A large attend-ance is desired. Another Special Discourse.—In the lecture delivered by Elder C. W. Pennose a week ago last Sunday night, in the Tweifth Ward Assembly Roomi-he incidentally mentioned the Moun-tain Meadow massacre, but had not to build up the profession of the dis-

tain Meadow massacre, but had not

ing decision:

TRIAL. CHANGE OF VENUE ALLOWED-AN OPEN VENIRE ISSUES FOR FIFTY NAMES-EMPANNELING & JUBY IN PROGRESS.

RUDGER CLAWSON'S SECOND

As stated last evening, Judge C. W Bennett closed his masterly and brillant argument in support of the motion made for the defense for a change of venue from the Third District Court, for the Clawson polygamy trial, at five minutes past three o'clock, and was followed by

Mr. C. S. Varian, who replied in behalf of the prosecution. He said in effect:

The counsel's presumption is that every Mormon is a polygamist, and that no non-Mormon can be found who is not under the control of the Salt. Lake Tribune. The law says no be-liever in polygamy can sit on a poly-gamy case, and I see no reason why he should. It must be established to the satisfaction of this Court that the de-fendant leannot secure an impartial Mackintosh, H. Collins, C. J. Carmon H. Denhalter, --- Knapp, and A. Podlech, were summoned into the jury box, where J. J. Farrell, W. C. Neal, and George Hardman were already seated.

Mr. Bennett here interposed the obsatisfaction of this Court that the de-fendant leannot secure an impartial jury in this district. The facts are that the Salt Lake Tribune may have published articles which may have been injudicious, but what evidence have we of any effect of these articles? The Tribune is alleged to have a great influence; I hope it has, and I wish it had more: but if it reaches every house-hold in the Territory, as counsel claim it does, it would be just as im-possible to secure an impartial ver-dict in any other district as in this.But the charge of counsel, I believe is a libel upon all reasonable minded men. People nowadays are rather prone to jection, which was at once conceded by the prosecution, that the fifty names should be put into the box and jurors drawn therefrom according to usual custom. This was accordingly ordered to be done. Names were then drawn and called as follows:

H. Collins, Wm. McRae, J. T. Beers B. C. Harvey, W. C. Dunbar, jr., Boyd Park, A. J. Paddock, P. E. Fitzgerald, Charles Conner. As these gentlemen took their seats, the others who had been called up before, vacated the jury box.

the charge of counsel, I believe is a libel upon all reasonable minded men. People nowadays are rather prone to weigh newspaper statements, and de-cide upon their correctness before they adopt them. Again, how does the gentleman know the effect these newspaper articles may have had up-on the minds of those dissenting jur-ors? He don't know; and I apprehend that no one ever heard of a change of venue on account of any articles a newspaper may have published on the case in trial. Mr. Varian read seve-ral authorities supporting his posi-tion, and concluded by saying that no facts have been adduced; and no one can tell whether or not these *Tribu* is articles have had the effect claime i, until it has been shown to the court that it is impossible to bring here a jury who will try this case impartially; let us try and see by bringing fifty or 100 citizens of this district into this court, whether we are unable to obtain H. Collins, being questioned, stated the late trial, and formed and expressed an opinion as to the guilt or innocence of the accused, which it would require evidence to remove.. He was challenged for implied blas and excused. William McRae was challenged for similar reasons and excused. J. T. Beers confessed to the same, and being closer interrogated, said he believed the detendant was guilty of polygamy. This raised a laugh, and was evidently more than the prosecution wanted, and Mr. Varian court, whether we are unable to obtain an impartial jury, and then the defen-dant's claim will either stand or fall; if no jury can be obtained, then we, on the part of the government, will con-sent as willingly as any one for a change of venue. hastened to draw from the juror that his behef was a general opinion formed in regard to all such cases as this, with no particular bias against this defend-

ant. This meant, if it meant anything, that he believed everybody guilty of polygamy who was charged with it. Mr. Zera Snow followed briefly on

the same side, and as the defense Mr. Varian, not wishing to lose this wished to make no further argument, juror, tried hard to show that he was he matter was then submitte not ineligible to act, as he had not expressed or formed an unqualified opin-Judge Zane consulted the authorities that had been mentioned, and ion as to the guilt or innocence of the after weighing the pros and cons for accused. He was ably opposed by

some little time, rendered the follow-Mr. Bennett, and a lengthy discussion ensued "and Judge Zane, after consulting authorities and summing up the arguments of counsel, turned to

the juror and cald: "Do you mean to say you have formed an unqualified opinion?"

Mr, Beers-"Yes." Mr. Varian-"Oh, he don't." Judge Zane-"It seems to me that this would be actual bias, instead of implied."

Mr. Dickson-"Would your opinion readily yield to sworn evidence?" Juror-"It would."

put upon the stand to testify as to ed, and was excused. Mr. Davis was where and upon whom they served the excused for the same reason. Mr. Fitzgerald had read Caine's evidcencin the Tribune, but had formed no opinion and could sit as a juror and act impar-Judge Zane overruled the o it appearing to him, he said, that the Marshal had not evinced any intention of confining his official act to residents tially. He was passed. Mr. Levy was excused for having an unqualified of Sait Lake City or County. Mr. Beanett then repeated his objec-tion in a slightly different form, viz: That the jurors had not been taken opinion. Mr. Brissacher was excused for the same reason, and Mr. Mackintosh for the same. Mr. Barnett was passed, also H. Denhalfrom the body of the Third Judicial ter and James Fowles. The question District, but all except two from Salt as to polygamy and cohabitation were Lake County, and none from Davis or then put by Mr. Varian to Fitzgerald Tooele. This too was overruled. and answered in the negative, and the The empanneling of the jury then commenced, and Messrs. J. T. Beers, empanneling was in progress at last advices from the court room. B./C. Harvey, Charles Conner, R.

BUSINESS NOTICES.

WHOLESALE CLOTHING BUYERS Will find the largest and best selected stock of men's and boys' clothing, manufactured by myself and expressly for this market, now ready and offered to the trade at lowest eastern whole-sale rates. Also a full line of hats, boots, gents' furnishing goods, blankets quilts and gloves direct importations from the manufactory, which I will sell to the trade at lowest prices. Or-ders promptly filled. L. GOLDBERG.

CHEAP SCHOOL DESKS. We have on hand a few dozen of our old make School desks which we will sell at cost, and respectfully invite school trustees to examine our new Desk, which we claim is inferior to none, and cheaper than any imported. Sandberg, Burton & Gardener, oppo-site Z. C. M. I., Box 693. déstf

FINE WALNUT that he had read all the papers during Carved Wood Mantels, with Mirror

and Grate, all complete at H. Dinwooder's duf Furniture Rooms. SCHOOL BOOMS-

School Books and School Supplies of all kinds for sale. Note Books, best and cheapest in use, at Dwyer's.

Mr. George Dunford informs us that Mr. George Dunford miorns us that it is 30 years ago this month that he brought his first stock of merchandise to this city, and that he is better able to supply the people with Boots, Shoes, Hats, Caps and Gents' Furnishing Goods than ever before, and we advise his numerous friends to call and see

FOR SALE AT COST ! A lot of Cane and Cider Mills, Avery ang Plows and Coates' Hay Rakes. JOHN W. LOWELL & CO., Salt Lake and Ogden.

Home made and imported furniture at Sandberg, Burton & Gardner's, op-posite Z. C. M. I. dtf

RETAIL CLOTHING BUYERS Will find it to their interest by exam-ining my handsome line of men's, boys' and children's suits, which I self from two to three dollars lower than the same can be purchased at any other house in the city. Call and see goods and prices. L. GOLDBERG

STRANGE TESTIMONY. A gentleman residing in Ogden at the time, says that he had been down for several months with inflammatory rheumatiam in its worst form. A friend sent him a bottle of Britannia, and he experienced such immediate and lasting relief from its use, that he is how, although two years have passed, thoroughly well. This, with other testimonies, as to speedy and permanent cures, would certainly war-rant a trial of this celebrated prepara-tion. Z. C. M. I. Drug Department is the agent for the medicine, and sells it





SMYRNA RUGS.

LINOLEUMS, OIL CLOTHS,

TURCOMAN and LACE CURTAINS,

Silk and Worsted Furniture Covering,

MATTINGS, COCOA MATS,

time on that occasion to enter into any details to sustain the position he assumed in relation to it. Arrangements have been made, however, for the gentleman to deliver a special discourse on that subject next Sunday night at the same place. Doubtless there will be a large audience on the occasion, the topic being one upon which a great deal has been said. It will be handled on the basis of facts which will overturn the wholesale denunciation of the "Mormon" people almost invariably indulged in when the subject is named by those who wish to increase popular prejudice against the Saints.

Releases and Appointments .-- The following named Elders are released from their labors in this land to return to Utah with the company sailing from Liverpool Oct. 25, 1884; Presidents J. Alma Smith, of the Liverpool Conference: John A. Druce, of the Birmingham Conference; Angus McKay, of the Glasgow Conference, and William Jex of the Norwich Conference; also Elders Leg H. Clawson, of the London Conference, and George Wilson, of Ireland.

Elder John W. Thornley is appointed to preside over the Liverpool Conference, Elder Thomas Aubrey over the Birmingham Conference, Elder Geo. P.,Hunter over the Glasgow Conference, and Elder Edward Morgan over the Norwich Conference.

Elder Thomas P. Biggs is released from the Bristol and is appointed to labor in the Sheffield Conference .-Millennial Star.

Parry's IAterary Journal.-The second No. of this journal promises to be even more attractive than the first, judging from the following list of Davis, Archibald, Booth and Pack, its interesting articles :

"The Reading Habit," an article tending to promote and encourage the habit of reading good literature ;. "Destruction of the Spanish Inquisition;" "A Dressmaker's First of April," a short and readable story; "A Genealogical Search," an article of much value to those interested in family pedigrees; "Thought and Emotion in Extempore speech," valuable to every one who aspires to become a public speaker: "Popular Miscellany;" Literary Notices;" "Balmogundi;" and for poetry it will have three well chosen selections, "A Life Psalm," "Homeless" and the Old Ways and the New."

It will be ready in a few days, and we commend it as furnishing reading matter of the most unexceptionable description.

Bishop Marius Ensign .- The funeral of the late Bishop Ensign, of Santa Clara, Washington County, who died October 14th, took place on the day following at that place. The services were held in the meeting house. The people turned out en masse, and the greatest respect was shown by the nourning assembly. The Presidency of the Stake and others from St. George were present. Remarks were made expressive of the integrity, faithfulness and diligence of the deceased in his callings in the holy Priesthood, in the various stages of his history, as High Councilor, as an active, unselfsh ud diligent officer and worker in the

tion is that a trial of the defendant tion is that a trial of the defendant was very recently had; and sec-ondly, that the Salt Lake *Tribuse* has made numerous com-ments, criticizing the defendant and his witnesses and made many re-presentations to his prejudice; and third, that the list prepared has been exhausted, and that those who might be benucht in on an open venire woold do you?" Juror-"I do not." tain class of cases, and not this parbe brought in on an open venire would be more prejudiced than those drawn from the box. ticular one, or against the offense charged and not this defendant?"

read the Tribune articles during the

from the bor. With respect to the first: The effect of the trial has been upon the minds of only eight men that defendant was guilty. It is hardly to be presumed that the trial as reported in the papers has had the effect upon all minds claimed by the defense. With respect to newspaper com-ments, they may have had the effect up-on many claimed, but they may also have had this effect, that some people may have said I would like to see the other side before adopting a belief, and many people may not have read the reports at all. The question is, whether the infer-ence of the influence these articles have had upon the public mind is a true and proper one. No public de-monstration has taken place, and as far as we can see there is no generally popular feeling upon the subject. The fact is, I think, that most men will be influenced rather by the evidence, than last trial, and admitted expressing a partial opinion regarding the case, even after being subpoenaed; because he was auxious to get off from serving. The Judge here said that if all were excused who wanted to get off, they could never get a jury, and it was his opinion now, that the juror was not incompetent. He therefore announced that the challenge would not be

sustained. The juror then passed, the delense taking an exception. The court took recess till 2 p.m. uenced rather by the evidence, than At the re-opening of court this after-

A-"Exactly."

innuenced rather by the evidence, than by newspaper reports of it. With respect to the last fact that the jurors are brought in upon an open vehire and that they will be more like-ly to be prejudiced, I hardly see much in that charge. I am of the opinion that the application upon the mere affidavit of the defendant is not suffi-cient. The motion is overward noon the examination of jurors resumed. B. C. Harvey, W. C. Dunbar, Jr., and Boyd Pack were challenged and excused for implied bias. A. J. Paddock had read the papers, some in relation to the trial, including

juror, as he did not have an unqualified

prosecution conceding the point.

P. E. Fitzgerald had not formed on

the box, and W. C. Neal were both ex-

cient. The motion is overruled. a Tribune editorial, but did not know An exception was taken by the dethat he had formed or expressed any fense and Mr. Bennett then made s opinion as to the guilt or innocence of motion for a continuance till the next | the accused. He was challenged by term of court. This too, was overruled. | the defense for implied blas. Cross-ex-The Judge stated in answer to Mr. amined by the prosecution, he said he Varian's inquiry, that no more names remained in the box, and the regular he had read in the papers; he believed panel was thereupon resorted to. The he could act impartially and fairly as a

names of Messrs. Turpin, Hill, Winder, Loder, Bates, Earl, Sappington, were called, and these gentlemen took their places.

Messrs. Loder, Sappington, Davis and Booth were excused, as they had served on the jury which tried the case Messrs, Hardman, Jensen, Green

and Asmussen were then called to the box to make up the deficiency. an employee of the Government, th

Mr. Varian then applied his crucial test to each: "Do you believe that it is right for a man to have more than one living and undivorced wife at the same time?" Messrs. Turpin, Hill, Winder, Bates, Earl, Archibald, Hardman, Green and Asmussen all answered the question in portion of James E. Caine's the affirmative.

Messrs. Pack, Oviatt and Jensen all had not formed or expressed any declined to answer, and amid the laughter of the crowd the whole 12 men were excused, and the jury box was again depleted. The names of heretofore noticed, was discovered in Messrs. Proctor, Neal and Farrell were called, and the clerk announced these

were all the names remaining of the regular panel. Mr. Varian moved that open venire J. Farrell, P. E. Fitzgerald, J.T. Beers

be issued. Mr. Bennett objected upon the ground that there was no law authorzing it; fobjection overruled.

Judge Zane instructed Marshal Ireland to take an open venire toi fifty names, returnable this morning at 10 The court then adjourned.

Thursday, 10 a. m. conscious of no bias for or against. He The District Court was called to or- was passed. The defense challenged

Mr. Varian-"You don't pretend to the agent for the medicine, and sells it both wholesale and retail. It appears know anything about the guilt or innocence of this particular defendant to be not only perfectly harmless, but in fact is said to be a general tonic to the system of the patient, building up the strength while it removes the dis-Q .- Then your bias is against a cer-

ALL HOME MADE.

Just received from the mills, Wool Batting, Linsey Sheeting and a full line of home-made Woolen Goods, also Socks, Stockings, Trunks, Brooms, The juror being further questioned said he had conversed about the preetc., at J. G. CUTLER & BRO., No. 48 w First South Street, opposeat case and the late trial also; had

site Dinwoodey's.

Sandberg, Burton & Gardner. Manufacture all kinds of spring beds

ORDERS for Weber Coal from Home Coal Company taken by Telephone either by H. Dinwoodey or at yard. (Yard telephone No. 300.)

Lime in Baking Powders

Prof. R. A. Witthaus, M. D., Medical University, Buffaio, N. Y., who is the bighest authority, says that "Calcium Tartrate (improperly called Tartrate of Lime), advertised as the lime found in Baking Powders is derived from the wines that produce Cream of Tarter. It is a constituent of the grape and other fruits, and is absolutely harm-less. d2 w1 d2 w1

PILESI PILESII PILESIII Sure care for Bland, Bleeding and Itching Piles One box has cared the worst 'ases of 20 years' standing No one need suffer five in nutes after using William's Indian Pile Ointment Its theorem the suffer first as poultice, gives instant relief Pre-pared only for Piles, itching of the orivate parts nothing else Sold he private parts, nothing else Sold by fruggists and mailed on receipt of prize, 50c and \$1.00 For sale by Z C M I Drug Dept FRAZIER MEDICINE Co., Prop's, Cleveland, Ohio. knew nothing of the case except what

THOUSANDS SAY SO.

opinion in regard to the guilt or inno-cence of the defendant. The prosecu-THOUSANDS SAY SO. Mr. T. W. Atkins, Girard, Kan., writes: "I never hesitate to recom-mend your Electric Bitters to my cus-tomers, they give entire satisfaction and are rapid sellers." Electric Bit-ters are the purest and best medicine known and Will positively cure Kid-ney and Liver completints. Purify the blood and regulate the bowels. No family can afford to be without them. They will save hundreds of dollars in doctor's bills every year Sold at fifty cents a bottle by Z. C M. I. Drug Stors tion denied the challenge and the Court sustained the denial. The dedefense then challenged Mr. Paddoch for actual blus, and Mr. Benett asked nim if his wife was not s well known anti-Mormon writer. He admitted it, also that he was employed in the office of the Utah Commission. He was excused on the score of being

PIONEER ROLLER MILLS.

PIONEER BOLLER MILLS. In consequence of the present low price of wheat the Pioneer Roller Miller Company have proportionately made a reduction in the price of their four, which is not surpassed in quality by any article of the kind in the world. They are also prepared to exchange four for good, clean wheat (no other accepted) with farmers and customers at the mill, 53 North Temple Street, East. Office 21 South Temple Street, West. dasim. expressed any opinion as to the merits of the case, and was passed. Charles Connor had read and heard the trial, and read a smal testimony in the Herald, but opinion, etc., and felt entirely free from blas in the premises. He was passed. A juror named Proctor, not West, dåsim.

Utah Bitters, cure chills and fever.

cused for believing it was right for a Always Reliable! Warra man to have more than one living and Always Beliable! Warranted! Frost bites, inflamed sore eyes, burns, bruises, cuts and old sores, cured at ouce or your money refunded by your druggist. This is the positive war-ranty placed on every box of Brown's Arnica Saive by the Brown Medicine and Manufacturing Company. Only 25 Conta andivorced wife at the same time. J. and Charles Connor all answered that question and the one in relation to cohabitation in the negative, and were accordingly passed by the prosecution.

J. J. Farrell was questioned by the de-fense and -admitted having read some of the evidence adduced at the former WE HAVE TENTED THEN. No Cathartic Pills now manufacture ill compare with Brown's Liver Pill trial and had heard casual allusions to re with Brown's Liver Pl getable, and pleasant, ir action. All dealers it, but had no opinion as to the guilt or innocence of the defendant, and was sure in their action. All dealers soil Brown's Layer Pills. For the blood, use Brown's Sarsa-parilla. For Scrofula, use Brown's Sarsaparilla. For Rheumatism, use



ATI

TEASDEL'S.

132 to 138 Main Street, Salt Lake City.

STREET OF STREET STREET

人名哈加斯 金融 预试器 石肥具希腊 赞得影力