AT FOUR O'GLOCK. PRINTED AND PUBLISHED BY THE DESERET NEWS COMPANY CHARLES W. PENROSE, EDITOR. Wednesisy, - October 11, 1882. ANOTHER FALSE AND FOOL ISH PRESS DISPATCH.

EVENING NEWS

Published Daily, Sundays Excepted,

In the Third District Court; this A PRESS dispatch from Washington, published in the DESERET EVENING morning, Chief Justice Hunter on published in the DESERET EVENING morning, Chief Justice Hunter on approved by said Judge, or filed an NEWS of Tuesday, making some the bench, the case of the People of official oath with said Probate foolish and untruthful statements the Territory of Utah ex. rel. Arthur Judge. concerning the "Mormons" and Ne- Pratt, vs. Theo. McKean, and the vada politics, shows that Mr. Cas-sidy the Democratic candidate for Representative to Congress is re-duced to desperation, his chances for the title to and possession of the possession there-duced to desperation, his chances for the title to and possession of the possession of t duced to desperation, his chances for the title to and possession of the re-election becoming gradually and offices of Sheriff of this county and beautifully less as the deciding day that of Territorial Auditor of Public approaches. The dispatch has evi-Accounts, came up for argument. Sutherland and McBride, Marshall dently been fabricated by himself or and Royle and others appeared in those in his interest, and published as coming from Washington to dl- behalf of the plaintiffe; Sheeks and Rawlins, Harkness and Kirkpatrick, vert suspicion as to its origin.

There is not a word of truth in Rosborough and Merritt, Arthur any of the statements it contains Brown and others appeared in beabout " Mormon " influence and half of the people.

money being used to defeat Cassidy. Chief Justice Hunter, on receiv-It is true that the " Mormons " ing intimation that counsel were would have no objections to the de- ready to pror ed, stated that he proposed to limit the time to to-day and said Territory for the year 1879, and feat of that unscrupulous and untruthful assailant of their faith to-morrow for hearing the arguand character. They look upon ments in the cases-two arguments on each side-which he thought him as an opponent alike of true democratic and republican would be sufficient.

Mr. Rawlins, opened the case on principles, as a scurrilous and inthe part of the respondents, and decent opponent of their religion as well as a repeater of baseless and vile commenced by reading the pleadslanders against them and their ings therein, as follows :- We give Territory of Utah issued and deliverleaders. But they have done the papers in the Clayton case, nothing to defeat him in his present those, in the Sherifi's being similar frantic fight for re-election. with the exception of names: District Court, Third Judicial Dis

The pretended letter from a leading "Mormon" is no doubt a fragment of Cassidy's imsgination. We are confident that no such letter was evee written, and even if it were, the statements are incorrect. Not a dollar of money has been spent or is likely to be spant by the "Mormons" in any such business. This paper has been silent on the subject of the Nrvada election. The Salt Lake Herald has opposed

Territory. The people of the Territory of Utah, ex. el. Geo C. Douglas. Plaintiff. Nephi W. Clayton, Defendant. The defendant, Nephi W. Clay ton, answers herein, and denies that

trict, County of Salt Lake, Utah

turns are officially counted the gains will not be quite so extensive as

THE RAID UPON THE LOCAL

OFFICES.

CASES.

Answer and Demurrer.

HE AUDITOR'S AND SHERIFF'S

laimed.

the Territory; the plaintiff, on the 16th day of September, 1882. or at any time.

gether quite a formidable element against the support of the temper-inticed to the custody of any of the tis quite a visitory for the Damo. It is quite a victory for the Damo-books, accounts or other property of crats to succeed in Ohio, and the probability is that when all the re-ing to said office. And the defendcourt of limited jurisdiction. Such ant, on information and bellef, almust be the case in the present inleges that the plaintiff never gave stance, unless it could be shown or had filed in the office of the Probate Judge of Salt Lake County, that a vacancy has happened in an Utah, a bond to the Territory of office in some particular manner. Utah, conditioned for the faithful The conditions making the office performance of the duties of said office, in a sum not less than half vacant must appear in the the revenue of said Territory for the pleadings. The plaintiffs, how pleadings. The plaintiffs, how-

> ever gave any bond with sureties firmatively shown the non-exist temperance men throughout the And the defendant denies that he Governor arose. They showed that perance resulting in an army of stay has or makes no claim of right to the defendants respectively were at homes. To cap the climax, and office and the nonseesion there. that prior to August, 1850, he was a ed in office pursuant to that making a force of 20,000 who elec-male citizen of the United States, election; that they have held said tioneered and did all work in deever the age of twenty-one years, election; that they have held said tail and stood around 1,960 polls and for more than one year offices and the insignia thereof pedding tickets in addition to other and for more than one year offices and the insignia thereof peddling tickets in addition to other had been a constant resident in the pursuant to said election, and that classes of workers. They assessed Territory of Utah, and a fax-payer therein, and that after said election, he took an oath to support the Constitution of the pointment, or election. They to the State central committee to be used as a corruption fund. All United States and the laws of Utah showed no vacancy happening in these causes have resulted in the Territory and faithfully discharge the duties of said office, and gave onds to the people of the Territory tioned for the faithful performance of the duties of said office in a sum not less than half the revenue of said Territory for the year 1879, and with such sureties as were determined and approved by the Probate Judge of Salt Lake County, Utah, case the Governor might have the right to exercise his appointing and filed the same and also his oath power. His first proposition, thereof office with -said Probate Judge, fore, was that the Auditor and Sherand in all respects qualified as required by law to enter upon and iff, elected in August, 1880 wer cendischarge the duties of said office, titled to hold their respective offices and thereafter the Governor of the until their successors were elected ed to the defendant a commission in and qualified, 'and he (Mr. Raw-

lins) used the word "successor" in the words and figures following: its proper and accurate sense. He "United States of America, then proceeded to quote from the Territory of Utah. Statutes of Utah, on this point; in To all who shall see these presents,

greeting: incumbents should continue to hold "Know ye, that whereas, Nephi W. Clayton, was on the second day office until their successors were of August, A.D., 1880 duly elected Auditor of Public Accounts in and elected and qualified, and he also referred to general authorities for the Territory of Utah, and he having duly qualified as such, as appears by the proper evidence on The Utah statutes applied equally paign will receive the decoration file in the office of the Secretary of to Sheriff and auditor. They were both officers de facto; they exercis-"Therefore, I, Eli H. Murray, Governor of said Territory, do hereby commission him Auditor of Pub- they disputed the right of the plain-Cassidy and supported his Republi-can antagonist, Mr. Powning, offer-ing good and substantial reasons for ies of said office according lins, in passing, remarked that, in ments thereunto legally appertain- the case of the auditor, it might be ing, for the term prescribed by law, contended by the other side and until his successor shall be that the acts under which

ence to diet and drink, making to- appointed or commissioned Auditor or about the 16th of September of the German element, about 205 in strikes, particularly that of the Cleveland Rolling Mills. A direc-tor of that company, Mr. Everett, was nominated for Congress, by the republicans and became the target of the workingmen, hence his sigof the workingmen, hence his sig-nal defeat. In strong republican district impractical prohibitionists drew largely and entirely from the re-publican ranks and aided greatly in helping saloonists and 'Germans, in punishing that party. It was simply in illustration of how the Probate Judge of said county de-termined or would approve, or qual-to show the existence of a vacancy an illustration of how extreme fied for entering on said office, or in the pleadings, but they had af- meet. Then the other class of ence of the very contingency upon which the alleged authority of the the republicans had done for temany manner in these offices; no republicans losing the State by from 15,000 to 20,000 plurality. We have cumbent, they showed nothing as a lost one congressman, in the Cleve-

## FOBEIGN. Egyptian Itema

Cairo, 11,-The preliminary inquiries all tend to support Arabi Pasha's american that the outrages perpetrated during the rebellion were committed against his will. One of the chief eunuchs of the alace entered the cell of Abdul Goffer, a political prisoner, roused aim from sleep, spat in his face and inflicted other indignities upon him. The eunuch then proceeded to Arabi which it was clearly provided that Pasha's cell and acted in a similar manner but with greater violence. Several officers of the palace are accused of complicity in the out-

rages.

Correspondents accompanying the where the same rule applied. British army in the Egyptian cam-

Sir Charles Wilson is satisfied with the impartiality of the judges ed the functions of their offices, and appointed to try the rebel leaders.



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We beg to inform our patrons and the general public that we are exclusive Agents for, and carry regularly in stock a line of Stoves which are unexcelled in this or any other Terry. tory or State in the Union. We are offering them at prices that defy competition. A heavy per centage of the popula tion of Utah already are using our renowned Monitors and Champion Monitors, both Plain and Extension. Also, our Charter Oaks --- Royal Charters and other Stoves, both Cook and Heating Manufactured by the well known firms, "Wil. liam Resor & Co." and "The Excelsior Manufacturing Co." The superior construction, economy in use of Fuel, Heating and Baking qualities, and the increasing demand, warrant the opinion, that ere long these celebrated Stoves will occupy position in every well conducted household in Utah.



BY SPECIAL REQUEST OF MISS E. R. Snow Smith Lr. Romania B. Pratt will commence her class in obstetrics Nov. Ist, 1982, in her office over Godbe & Pitts' Lectures three per week for five monibs. During the course Drs. Anderson and Bon dict will each deliver six practical lectures. TIN ROOFING AND GALVANIZED BATHS FOUR AND FIVE FEET LONG, At 25 per cent. CHEAPER than was Offered Before

A CAR LOAD OF

O. S. WALSH.

English Tin Store. Kimball Block.

the plaintiff on the 23d day of Sepits course. But the Herald is not tember, 1882, or at any time was and to enjoy the rights and emola-and does not profess to be a "Mor- commissioned Auditor of Public Ac- ments thereunto legally appertainmon" journal. It is an independent paper so far as religious matters are concerned, and though of strongly sioned Auditor of Public Accounts Democratic proclivities it opposes of said Territory, or entitled to said office, or any books, accounts or property belonging or pertaining to Utah he has violated the fundamental and essential princi-And on information and belie ples of democracy. the defendant alleges that the said

George C. Douglas has not at any time given or offered to give a bond, The DESERET NEWS is the official organ of the "Mormon" Church, conditioned for the faithful performand it has heretofore had nothing to and it has neretorized and he Nevada election, and would not refer to it now but for the false and absurd dispatch which Mr. Cassidy has ance of the duties of said office, to thought fit to have sent abroad in his interest. The whole thing is a frand, but just such a dodge as a person like Mr. Cassidy would be likely to perpetrate in his efforts to And the defendant denies that he

secure a seat again in Congress. has or makes no claim of right to The idea of the "Mormons" using political influence in California is all election in August, 1880, but on the dollars, and the salery thereof is of a piece with other anti-"Mormon" nonsense fed out to the pubof Auditor of Public Accounts, and after said election he duly qualified lic; there is not any truth in the statement. It is made to gain the sympathy and support of other par-ties in Cassidy's interest, and we United States and the laws of said hops it will fail, firstly, because we hate to see lies triumph, and second- the duties of said office; and also gave an official bond to the Terrihate to see lies triumph, and second-iy, because we do not want to see Cassidy prevail. This is the first time we have touched on the ques-tion of Cassidy's re-election, and it is quite likely it will be the last. He is not only a little too low for much of our notice, but also too unimpor-tant. EFFECTS OF DIVORCE. gave an official bond to the Terri-tory of Utab, conditioned for the faithful performance of the duties of said office in ithe amount required by law, and with such sureties as the Probate Judge of Salt Lake County, Utah Territory, determined and approved, which bond and oath of office were filed with said Probate Judge, and afterward on the 27th day of November, 1880, the Gover-nor of said Territory issued and de-livered to the defendant a commis-sion in the words and figures follow-

Some people have tried to make themselves appear witty by making up possible complications in family relations, growing out of plural mar- To all who shall see thess presents, riage. The following is an actual case

growing out of the system of frequent and easy divorce prevailing among very plous people in the East who are shocked at the plurality of wives. It is given as related by a young lady of New York, who claims to have more parents and

"You know papa and mamma could never agree, and so they fin-ally got a divorce. I don't say whose fault it was, but mamma Gid behave ugly at times, and even I could not get along with her. So when the separation came I went to live with pa. Shortly afterward qualified to office. was not long in following suit. I did not like it very well at first, but my stepmother turned out first rate, and I got to like her spiendid. Then papa seemed to get infatuated with another woman that he got ao, qualited with, and she wheedled "You know papa and mamma ound him until she made trouble and the result was another divorce, and paps soon married the woman who had made the trouble.

ABTHUE L. THOMAS, place I went with my stepmother, because I love I her and because my services were necessary to help take to but get married again. I de-clare I never any such marrying in my life. It only happened; a little while ago, and my stepmother-that and new locks and office, and upon the discharge of the duits thereof, and my life. It only happened; a little while ago, and my stepmother-that and new locks and office, with a dit. I can't go back to mamma, because a fisher and a work in start, a dit. I can't go back to mamma, ing with papa in the first instance, and I can't bear to stay where I am. It is too had that a girl should have a fisher and a mother and two step-a fisher and a mother and two step-and i can't bear to stay where, in I is too had that a girl should have a fisher and a mother and two step-and i can't bear to stay where i am. I is noon a too ta that a girl should have a fisher and a mother and two step-m as reported by telegraph, it ap-pears that the Democrate have made in as reported by telegraph, it ap-pears that the Democrate have made in as reported by telegraph, it ap-pears that the Democrate have made in as reported by telegraph, it ap-pears that the Democrate have made in as reported by telegraph, it ap-pears that the Democrate have made in as reported by telegraph, it ap-pears that the Democrate have made in as reported by telegraph, it ap-pears that the Democrate have made in as reported by telegraph, it ap-pears that the Democrate have made is plantiff wad duly, or in anyway ponding to the ally, or in anyway appointed to the office of Anditor of Public Accounts of the Territory of that the Republicans had to ormany the fiber and the file and the lifter with and the file "When the second separation took place I went with my stepmother,

ty seventh day of November A. D. ever, that it must remember, if such 1880, and of the independence of the a point were raised, that this legisla-

United States the one hundred and tion had been upon the statute books fifth. since the year 1852-30 years-and ELI H, MURRAY, [SEAL-] that it had been continuously acted Governor. upon, it had never been disap-

By the Governor ABTHUR L. THOMAS, Sec'y of Utah Territory."

it unconstitutional. But was this That after receiving said commislegislation in conflict with the Orsion and on or about the 28th day of ganie Act? An act of the Legislature was presumed to be constitutional, and while it was competent for the courts of superior jurisdicsigned said office, and holds the same under claim of right thereto. tion to pass upon it and declare it void or not in harmony with the And the defendant alleges that the said office and the franchise thereof Constitution, yet it was a power they would very reluctantly exer-

contrary he alleges that at said elec-tion he was duly elected to the office annum. And the defendant denies there is not a plan, speedy and adequate remedy in the ordinary Wherefore defendant prays judgthem unconstitutional for the purment that he be hence dismissed pose of creating vacancies which he

might fill: In harmony with the TERRITORY OF UTAH, County of Salt Lake. } 28. essential principles of Republican

Government, in harmony with Nephi W. Clayton, being duly sworn says I am the defendant in general policy, Mr. Rawlins the above entitled action, my fore- maintained that the pewer of going answer is true of my own a governor making appointments therein stated on information and to any office was very exceptional and always strictly guarded, cut elief and as to those matters I bedown to the narrowest possible lim-Subscribed and sworn to before its. Where could counsel find anyme this - day of October, 1882. thing in the legislation of Congress that indicated a policy different DEMURRER.

District Court, Third Judicial Dis-triot, County of Salt Lake, Terri-tory of Utab, The People of the Territory of Utab ex rel., GeorgeC. Douglas, plaintiff, vg. Nephi W. Clayton, defendant. tion 1858-gave a governor the

NephiW.Clayton, and demurs to the the affidavit of the said George C. Douglas upon which the alternative writ herein is based, and demurs to, and also moves to quash, said alter-native writ, on the following meagre power to fill vacancies which resignation or death, and that was the governor making appointments until we come to some more recent legislation upon that subject. Thus they found how carefully. Congress had restricted

formed that they were precluded Nineteenth Semi-An-



I WISH TO INFORM THE PUBLIC OF Salt Lake Oily that I am a jobbing butcher and will be glad to receive orders for hog killing in any part of the city, which will be thankfully received. "Orders received at May & Words' meat mar-ket, First South Street, will be punctually at-tended to. cheapest made instruments rate about the same on the catalogues as first-class ones. This condition is first-class ones. This condition is regretted by some of the leading makers, but they are powerless to change because many dealers insist on the present policy being continu-ed, for the reason that it gives them a better chance to get high prices by making purchasers believe that in offering them a \$1.000 piano for \$650 or a \$280 organ for \$150, that they are giving immense bargains, when in fact the instrument may be ex-ceedingly dear even at these seem-ingly very low prices. A business man in this city thinking that he could get a first-class piano at the ALBERT SMITH. ESTATE OF J. L. BARFOOT NOTICE IS HEREBY GIVEN TO ALL

ested to settle on or before the same could get a first-class piano at the factory much cheaper than he could in this city, bought one shown him on the catalogue to be \$1,000, for \$525, as a special price to him, with the understanding that he was to JOHN NICHOLSON, Authorized agent for the heirs of said Jo eph L. Barfoot. Balt Lake City, Oct. 7, 1882. use his influence to effect sales among his friends. It was very disnual Dividend.

ADESTING & CARLONIST.

Next door to Savage'

SALT LAKE CITY.





"United States of America, Territory of Utah.

greeting

step-parents than any other girl of her age: "You know papa and mamma tory. "You know papa and mamma

[SRAL-] By the Governor:

ELI H. MURRAY, Governor

ARTHUR L. THOMAS, Sec'y of Utah Territory."



And now comes the defendant

rounde

1-The Court has no jurisdiction to hear or determine the subject

matter in controversy, on proceed-

course of law.

with his costs.

leve it true.

## open and close the case; defendants



candidates in the field and the liquor

important gains in Ohio. It appears appointed to the office of Auditor of on the affidavit in these two cases that the Republicans had too many Public Accounts of the Territory of respectively.did not state facts suffi-

BY TELEGRAPH. PER WESTERN UNFON TELEGRAPH LINE. AMERICAN. way taken was given by Chief Jus-tice Hunter. He denied the motion of Judge McBride to disregard de-murrer. Mr. Rawlins accordingly proceed-ed with his argument. He said the two cases in question involved the title to and the possession of the offices of Sheriff and Auditor of Pub-

press.

offices of Sheriff and Auditor of Pub-lic Accounts. Their general con-tention would be that the affidavit and the alternative writs, based up-on the affidavit in these two cases respectively.did not state facts suffi-cient to entitle the party to any relief. The parties making relief of this

candidates in the field and the liquor men went against them, thus play-ing into the hands of the Democrats. The temperance question is cutting quite a figure in the politics of 1882, and the Republican party is tody-ing to its advocates in many places. This gives their opponents the strength of the brewers, distillars and liquor dealers as well as the ad-vocates of fall freedom in refer-



50 **Red Flannels** 17 100 **Best Light Prints** 50 Wash Poplins 5 Matlasses Dress Goods 5 Plush Trimmed Cloaks 50 \$4.00 each Plush Dolmans 5.00 Plaid Shawls 50 1.25 100 doz. Corsets worth \$1.00 75 50 50 FALL 1882.

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