

# EVENING NEWS.

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CHARLES W. PENROSE, EDITOR.

Friday, Nov. 17, 1882.

## THE DELEGATE'S CERTIFICATE.

MORE "LIBERAL" TROUBLE.  
MAJORITYS YET PREVAIL.

On Thursday the returns of the Delegate election, held November 7th, were canvassed by the Board of Canvassers, it consisted of Elijah Sells, Mr. McLaughlin, of Park City, C. C. Goodwin, P. S. Richards, of Ogden, and Warren R. Dusenberry, of Provo. All the Commissioners were present except Col. Godfrey, who has gone East, also the rival candidates for the office of Delegate. Mr. McLaughlin acted in the place of E. P. Ferry, and P. S. Richards in the place of W. H. Hooper. The time and place of the canvass were designated by order of the Commissioners. All the returns were received with the exception of those from some small precincts named below.

The following precinct, which had been forwarded to the Commissioners, was submitted to the Board of Canvassers:

TERRITORY OF UTAH,  
City of Salt Lake,  
November 16, 1882.

To the Utah Commissioners, and to the body of Canvassers by them selected:

Gentlemen—I have the honor to submit to you the following objections to canvassing the votes claimed to be cast for the Hon. John T. Caine at the late election for Delegate to Congress, to wit:

First—The ticket used and voted at the election by the so-called "People's Party," and which bore the name of John T. Caine, was not in accordance with law, but on the contrary, was one which embodied two distinct tickets, and for two different offices, to wit:

1. One for Delegate to the Forty-seventh Congress and one for Delegate to the Forty-eighth Congress.

That there is no authority for selecting a Delegate for the unexpired term of the Forty-seventh Congress, which was well known to the persons voting said ballots, and especially to John T. Caine, the nominee and candidate named on said ticket.

2. That by reason of the unusual size and shape of said ballot, it marked the envelope which your honorable body caused to be used for enclosing said ballot at the time of voting the same, and which the law required to be sealed, caused said ballot to be other than a secret ballot, as is contemplated and required by law.

3. That the said envelopes were so marked by reason of the size and shape of said ticket that it could be easily determined which ticket was contained within the envelope.

4. That John T. Caine, the person voted for by the so-called People's Party, and whose name is contained on their tickets, is not eligible to said office, which is well known by persons casting said ballot, in this, to wit:

1. That said Caine is, within the meaning and fair construction of the law of Congress, commonly called the Edmunds bill, a polygamist. That for proof of the allegations contained within this objection, the undersigned now offers to make satisfactory proof to this honorable body.

Yours, very respectfully,  
FELIX T. VAN ZILE.

Hon. John T. Caine expressed to the Commissioners his desire to be heard in reply to the protest if they intended to hear any discussion of the matter, and also entered his denial of the allegations contained therein. The Commissioners enquired of Judge Van Zile if he was prepared to prove the charge that Mr. Caine was a polygamist; he replied that his ground for the allegation was the presumed Mr. Caine was a believer in polygamy. The following rule was thereupon made by the Commission:

"The Commissioners having considered the communication addressed to us by Hon. F. T. Van Zile, hold:

1st. That the objections in relation to the envelopes and ballots, and the voting for the vacancy for the Forty-seventh Congress, should be overruled, because it is not shown that the law of the Territory or the orders of the Commission have been violated.

2d. That a candidate for Delegate to Congress having other legal qualifications is eligible unless he is actually guilty of entering into the coalition of polygamy, bigamy or unlawful cohabitation with more than one woman, within the meaning of these offenses as described in the 1st and 2nd sections of the act of March 22, 1882, and that the objection in respect to polygamy should be overruled, unless it is specifically charged and proved that John T. Caine has been guilty of entering into a polygamic relation or unlawful cohabitation with more than one woman in the marriage relation."

The canvass in the meantime proceeded, and in the evening another protest was presented to the Board by J. R. McBride in behalf of Judge Van Zile, as follows:

Gentlemen—I hereby protest against the issuance of any certificate to any person—or any certificate of election to any person voted for as Delegate to Congress, either the Forty-seventh or Forty-eighth, at the election held on the 7th day of November, 1882, in the Territory of Utah, on the ground:

That by law you are only authorized to receive the returns from the various precincts of the different counties of the Territory and make an abstract of the same, which abstract must be sent to the Secretary's office, and the Governor and said Secretary are then required to canvass the same, and the certificate of election can only be issued by the Governor of the Territory to the person whom he shall find to have received the highest number of votes.

The above protest I make as a candidate voted for at the above election for Delegate to Congress, to wit: FELIX T. VAN ZILE.

Mr. McBride argued that the Commission had exceeded the powers conferred by the Edmunds Act, in authorizing the Board of Canvassers to issue the certificate, and claimed that under the Organic Act it was the duty of the Governor to give the certificate and that his powers were not curtailed by the Edmunds law. The Commissioners each replied, defending their action, and showing that they had been guided strictly by the law, after due deliberation. The Board of Canvassers also took part in the discussion and the conclusion is shown by the annexed appendage to the protest.

Salt Lake City, Nov. 16, 1882.

The protest was introduced by unanimous vote of the canvassing board.

ELIJAH SELLS, Chairman.

The Board took the position that they had nothing to do with the question of legality, but simply to perform a duty to which they had been appointed by the Commission, as expressed in the rule of November 3rd, viz:

"The Board of Canvassers will proceed to ascertain the number of votes cast for each person for Delegate to the Forty-eighth Congress, and they, or a majority of them, shall give a certificate of election to the person so ascertained to have received the largest number of legal votes, which certificate shall be delivered to such person, and said Board of Canvassers shall report their proceedings and the result to the Commission."

They therefore proceeded to announce the result of the canvass, which showed that John T. Caine received 23,038 votes, Philip T. Van Zile 4,884, and scattering 12. John T. Caine was then formally declared elected, the certificate signed by all the members of the Board, was given to him, and the proceedings terminated.

The public will perceive that the so-called "Liberal" party is still bent on trickery, and will invent all kinds of flimsy pretexts for the purpose, if possible, of defrauding the people of Utah of the few political rights which they are permitted to enjoy. The special legislation which they manage to procure is always either too short or too long for them; it invariably contains some provision which interferes with their selfish and diabolical schemes. In vacating "all the registration and election offices of every description in the Territory of Utah," the Governor and Secretary, so far as any duties in relation to elections are concerned, as we showed at the time of the passage of the bill, were set aside just as the same as the County Clerk or any other officers who were authorized by existing laws to act in election matters. And to make the meaning of the law in this respect beyond dispute, the following was added:

"And each and every duty relating to the registration of voters, the conduct of elections, the receiving of returns, and the canvassing and returning of the same, and the issuing of certificates or other evidence of election in said Territory shall, until other provision be made by the Legislative Assembly of said Territory, hereinafter by this section provided, be performed, under the existing laws of said Territory, by proper persons who shall be appointed by the Governor and with the advice and consent of the Senate."

The arbitrary exploit of the Governor of Utah in the previous Delegate election was well known to members of Congress, and no official could be trusted to count votes, whether for "Mormons" or "Gentiles," polygamists or monogamists, who would declare that candidate elected who received less hundreds of votes than his competitor received thousands; neither could he be trusted to issue a certificate of any importance after prostituting his powers in so shameless a manner in 1880. Congress took care not to let him have a finger in the newly baked pie; he could not be trusted for any purpose or any party. Nothing can be clearer than that the Congress intended to take the authority of canvassing the votes and issuing certificates entirely out of the hands of the Secretary and Governor, and place it in those of "proper persons" appointed by the Commission. The McBride quibble is, then, of the same character as every prominent legal technicality which that remarkable blunderer is in the habit of presenting with such cool but positive assurance.

The ballots voted by members of the People's Party, as a matter of fact were not of "unusual size and shape"; they were of similar size and form to those used at previous elections, only the addition of the name of a candidate for the unexpired term was rendered necessary through the fraud perpetrated by the "Liberals," by which the Territory was robbed of representation in the Forty-seventh Congress. There was nothing in the size or shape in opposition to any law or rule. The "Liberals" could have had their tickets of the same size and shape if they had so decided. But in fact their ballot was of "unusual size and shape." It was made unusually small for the reason that they intended to cheat unsophisticated members of the People's Party out of their votes. The plan was to have very small, thin ballots, which could be slipped into the little envelopes provided by the Commissioners so that they could not be perceived without close scrutiny, and thus when a People's ticket was placed in the same envelope, both would be thrown out by the canvassers, and as many votes as were thus cast would be lost to the People's Party. The trick was tried in this city and in several other places in the Territory but was detected in time to defeat the plot. Also, tickets were printed by "Liberals" of the same size and with the same heading as the People's tickets but with the name of the "Liberal" candidate. But neither trick prevailed, and the People received a hint which will be a caution to them in future.

As to the presence on the People's ticket of the name of a Delegate to Congress, the Commission had previously ruled that it would not vitiate the votes for Delegate to the 48th Congress.

The claim that John T. Caine is a polygamist, because it is "presumed" that he believes in polygamy, is too purely to disprove that it was made by such a legal luminary as the United States District Attorney, only shows to what trifling pettifoggery even the most "massive brains in the Territory" will descend when vain ambition, pithy envy or seville anger gains control.

That, after all the efforts to deceive, cajole, threaten and persuade the people of Utah to sustain the "Liberal" candidate; after excluding from the polls all persons in any way connected with the practice of polygamy; after disqualifying a large number of voters who under the strictest rational construction of anti-polygamic enactments were fully entitled to the elective franchise; after taking out of "Mormon" control all election matters; the People's candidate, even with several precincts unsupported, received 23,038 votes against 4,884 for his opponent, is a matter for great congratulation and satisfactory reflection. It proves that the "polygamy" cry is fallacious; that the "Liberal" claims of a great following are vain and empty; that the pretence of "priestly dictation" is false and foolish; and that all the charges of "Mormon" improper manipulation of elections are trumped up for infamous purposes. Let the press of the country note these facts, and also the contemptible quibbles to prevent the People's candidate from obtaining his certificate, and judge of what kind and calibre are the men who are plotting to rule and ruin Utah.

BY TELEGRAPH.

FOR THE WESTERN UNION TELEGRAPH LINE.

AMERICAN.

Telegraphic.

New York, 17.—Telegraphic communication is generally interrupted by an exceptionally severe electric storm. Experienced telegraphers say it is the worst of the kind for many years. The storm extends throughout the United States and the eastern provinces of Canada. The cables are hours behind.

THANKSGIVING PROCLAMATION.

UNITED STATES OF AMERICA,

Territory of Utah.

Executive Office.

The President of the United States has designated Thursday, November 30th, 1882, as a day of Thanksgiving for the people of the Territory of Utah have reason to render earnest thanks for the blessings of health, and for the universal prosperity that marks the history of the past year.

The valleys have yielded abundant harvests, and the output of the mountains is greater than that of any preceding year. The increase of these yields has been coupled with a healthy enlargement of the volume of business and a pronounced advancement in the value of real property. Industries, heretofore unknown, have been inaugurated, and additional lines of railroad add security to them.

In the right laws given us by the Government, looking towards the correction of evils and the "adjustment of wrongs," and the recognition of the people's right to exercise of paternal care as a faithful people and a legal citizen, and all with the same should render thanks to the Giver of all Good, and pray for a continuance of that wise direction under which this increased prosperity has been marked.

Therefore, in obedience to the proclamation of the President, and in thankful recognition of these and all other blessings, I, Eli H. Murray, Governor of the Territory of Utah, do hereby invite the people to assemble in their accustomed places and about their hearthstones on Thursday, November 30th, 1882, and in praise and thanksgiving worship God according to the dictates of conscience, and to recommend the suspension of business on that day, and that acts and words of kindness prevail.

E. H. MURRAY,

By the Governor,

ARTHUR L. THOMAS,

Secretary.

"HOW TWAS DONE."

AN ADMIRABLE LITTLE WORK

WHICH DEMONSTRATES VERY

MUCH INTERESTING INFORMATION

JUST NOW GREATLY

SOUGHT AFTER.

Maj. Pangburn, the well-known

compiler of the B and O Red Book,

political text-book of the country, is

now engaged with a large force of

assistants in preparing a new edition

of the Red Book, which promises

to be quite a unique thing in

political literature. It is to be

issued under the title of "How

"Twas Done." The political

Revolution of 1882.

With the most artistically

graved covers by the American

Bank Note Company will be em-

braced the official results of the

election just held, and arranged so

as to show the effect of the

various parties in the various

counties and the latter by counties

and districts. In both tables com-

parative results will be shown

at the last preceding election in

each State, the returns of which

will be given in full in order that

the understanding of the situation may

be complete. In States where

Congressional districts have been

changed since 1880, the districts

will be shown as now constituted,

thus demonstrating what the result

would have been two years ago had

the same counties composed the

districts then as now. Independent

Prohibition and Greenback figures

will be given in addition to the

regular Republican and Democrat

and in each county the vote of

each party will be shown with

majorities and minorities, together

with total vote of county, and

congressional district and state.

Statistical tables will also be included in

the book, showing upon similar full

and comprehensive scale to vote for President in 1876 and in 1880.

In no publication of like character

are such clear and exhaustive

tabulations attempted as in the

B. & O. Red Book. The

coming special edition will

previous edition in extent and

interesting character of information.

It is a book that will be

valued by every citizen, and the

remains accompanying the

returns will be the details of the

changes in congressional districts,

the composition of the

congressional candidates in

each State, and the names of the

members of the next

Congress complete, and the

changes in the composition of

that body as compared with the

last Congress. Much other data

will be given, and in the way of

understanding of events, "How

"Twas Done" it would be difficult

to imagine a more interesting and

reliable source of explanation than

will be this new edition of the

B. & O. Red Book. Like its predecessor,

it will be sent without any cost

whatever to all who make applica-

tion for it to C. H. Lord, General

Passenger Agent, B. & O. R. R.,

Baltimore, Md.

The Red Book is as a matter of

course an advertisement of the

Baltimore and Ohio Railroad, but it

combines so much of general inter-

est to the public with comparatively

so little about the road that it is

far more valuable than any of the

publications of the character placed

on sale.

The H. & O. Red Book is by heavy

side the handiest political work

from a typographical standpoint

issued in the United States, being

always printed with exquisite

type and bound in the best

material. It is certainly a worth-

while little trouble occasioned in

writing for it, and it is hardly

possible to predict that the new

special edition devoted to the

election of 1882 will be pre-

sumably the last of the series.

As there will doubtless be an

impulse for the book, it would

be well for all desiring a copy to

write at once to Mr. Lord, as

the edition will be sent out to

these making application on the

principal basis of first-come first-

served. The book will be

delivered as applications

come in, so that there may be

no delay in mailing when the work

is received from the binder.

Go to the Globe Bakery for your

Cheese and Cakes, where

they are to be had pure and whole-

some. H. ARNOLD.

SPLENDID line of Men's and Boy

Boots and Shoes at

DUNFORD'S.

GENTS, you will save money by

buying your Furnishings Goods at

DUNFORD'S.

If you want a good cup of tea or

coffee go to GRIFFITH'S.

DIED.

MCMANN—At Fish Haven, near Lake

County, Idaho, October 24, 1882, in his

60th year, Thomas Haverhill McMan.

He was born March 24th, 1824, in Belfast, county

Antrim, Ireland. He was baptized in 1839 by

Rev. Joseph Fielding, in Stockport, Eng-

land. He was educated at the Free School, Stock-

port, and was a member of the Free School, Stock-

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